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## **INTRODUCTION**

### **1.1\_ Preface**

The first Official Plan for the Town of Kensington was prepared in 1992. Prior to that date development was controlled under a development bylaw which was passed under the Town Act in 1980. This document represents the first Plan Review of the Kensington Official Plan.

### **1.2 Purpose**

The Official Plan for the Town of Kensington is a formalized statement of Goals, Objectives, Policies and Plan Actions approved by Town Council concerning the nature, extent and pattern of land use and development within the Town until the year 2017.

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

The Official Plan guides the physical, social and economic development of the Town. It provides the policy framework for the Town of Kensington 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 Town of Kensington. Although the Plan formally addresses only those matters which arise within the Town's legal boundaries, consideration has also been given to the Town's relationship with neighbouring municipalities, adjacent rural areas, the region and the province as a whole.

### **1.4 Legal Enablement**

The Town of Kensington 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 control bylaws. The *Municipalities Act* empowers Council to

make other bylaws and/or implement programs and strategies to help implement other aspects of the Official Plan.

### **1.5 Official Plan Review**

An Official Plan is intended to be a dynamic planning tool and should be subject to 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, starting in the year 2008.

### **1.6 Plan Contents**

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

- **a statement of economic, physical, social and environmental objectives;**
- **a statement of policies for future land use, management and development, expressed with reference to a specified period not exceeding fifteen years; 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 Town of Kensington
3. Economic Development
4. Future Development Goals
5. Objectives, Policies and Plan Actions
6. General Land Use Plan, and
7. Implementation

The first section deals with the purpose, scope and legal enablement for the Official Plan. The second section summarizes the background studies and provides a description of the physical, social and economic characteristics of the Town. The third section provides a framework for economic development. The fourth section provides a broad summary of how the Town desires to see its development unfold in the future. The fifth section is the core of the document, stating objectives, policies and intended actions for

specific topics. The sixth section includes the General Land Use Plan or Official Plan Map. The last section sets out the process for administering and implementing the Official Plan and Development Bylaw.

## **2.0 THE TOWN OF KENSINGTON**

### **2.1 Historical Background**

In accordance with British tradition of the day a survey was commissioned shortly after the British took control over the Acadian region in 1758. Captain Samuel Holland was appointed as Surveyor General in 1764 and began to fulfill a role that was to be dominant in the shaping of the Island. He surveyed the Island and divided it into counties, parishes, townships, and lots according to the instructions of the “Lords Commissioners”. The survey was completed in 1766 and the lots were dispersed by the British government in a lottery.

Lot 19 as defined by Samuel Holland included the present Town of Kensington. This Lot was drawn by Captain Walter Patterson Esq. and his brother John. In August of 1770 he arrived on the Island and settled Lot 19. (Patterson was also to become the first Governor of the Island upon its becoming a separate province).

The Town grew up around the intersection of five roads taking people through Kensington to and from Charlottetown, Kelvin Grove, Travelers Rest, Summerside, Malpeque, Irishtown, New London, and Cavendish. Because of this location it became known as Five Lanes’ End. It was renamed Barrett’s Cross in 1851, after James Barrett one of the first settlers and wealthy land owners in the area. In 1862 at a meeting of residents the name was changed to Kensington upon the request of another prominent land owner, Thomas Sims.

French Acadians and American Loyalists were among the original settlers on Patterson’s Lot. Scottish, English and Irish settlers followed and now make up the majority of the population. One early settler was William Glover who came from Scotland in 1817. In 1851 he housed the first Post Office for Barrett’s Cross.

Throughout the nineteenth and twentieth century the Town flourished as its commercial and industrial base expanded. Its role as a service centre for the surrounding areas increased. In 1873 the provincial railroad, detouring from its original path, made its way through the Town and began operating in 1875. Many businesses then moved from Margate to Kensington. This brought numerous benefits and increased the prosperity of the community. Kensington became a central station and shipping point for the region. In 1905 the Kensington Train Station was officially opened. The station is the most architecturally outstanding of the 120 on the Island. It was designed by C.R. Chappell and is referred to as a “boulder station” because it was made from boulders left behind during the last ice age. Early in the century the station was recognized as an attraction to the area and continues to be so.

In 1914 the Town was incorporated with Dr. D. Darrach as the first Mayor. Kensington had a population of 612 at the time of incorporation. Since that time many services have been provided. In that year the first Fire Station was also established. In 1917 the first electrical power was installed. A new Post Office was built in 1927 and replaced again in 1953 by the new Federal Building which housed the Post Office, R.C.M.P., and the Department of Agriculture. In 1958 garbage disposal and a sewer lagoon were provided and a second lagoon was added in 1977 to accommodate a potential population of 1500-1600 persons.

The Town has participated in several housing programs. In 1964 there began a series of senior citizens homes in Kensington. These were designed by Architectural Enterprises and funded through C.M.H.C. and the P.E.I. Housing Corporation. There are presently seven buildings with a total of 55 units. In the mid 1970's the Town of Kensington participated in the Neighbourhood Improvement Program. They worked in conjunction with the federal and provincial governments on programs to improve housing. In 1984 the Federal Government in conjunction with the P.E.I. masonic order opened a six unit family housing project.

Recommendations made in the 1975 report of the Kensington Area Development Committee included the establishment of new communities facilities. As a result, the Kensington Community Center was constructed in 1977 to house the police department, fire department, town hall, dental offices, day care, family medical center, and community health nursing office.

Recreation has always been an important part of the community. There have been numerous rinks constructed over the years in Kensington. The present Community Gardens was built after the fire in 1979 destroyed its predecessor. To mark Canada's centennial in 1973 the Kensington Regional Committee opened a new community park, called Centennial Park, adjacent to the recreation center. Since that time an outdoor swimming pool has been added. There are also playing fields adjacent to the Community Gardens and the schools. The Kensington Area Recreation Association is a non-profit organization that coordinates most of the recreation in the Town.

The Kensington Railway Station closed in 1983. In recognizing the richness of the station and the possibilities that existed efforts were made to preserve the station. The waiting room of the station was converted into the Kensington Tourist Information Center in 1984. It also housed the Veteran's Military Museum for some time and in 1991 became home of the Kensington Farmers Market which has since moved to the railway freight shed.

Recent developments in Kensington include the construction of the Veteran's Military Museum, originally housed in the train station, along side the Kensington Legion on

Victoria Street. In 1991 'Ye Olde Manorhouse opened an attraction displaying English and L.M. Montgomery exhibits.

Throughout its history Kensington has continued to grow and to respond to the changing forces of time and in doing so it has remained a service center for the region.

## **2.2 Recent History and Development Trends**

Recent development trends in the Town of Kensington and the surrounding region have been encouraging. Regional employment opportunities have been greatly strengthened by the expansion of the Cavendish Farms Plant, the Federal GST Centre in Summerside and continued development and expansion at the Slemon Park facility. Local economic development activity has included strong performance in the Kensington Industrial Park, particularly by Valley Truss and Kensington Agricultural Services. Retail and service sector growth has included the expansion of the Schurman's facility, a new Tim Horton's restaurant, expansion of the Credit Union, renovations to Scotiabank and expansion of the Co-op store. Just outside of the Town boundary to the east is the new Castle Building Supply Store, to the west is the new Trailside Plaza.

The core area has benefitted from the reconstruction of the main intersection in 1995 and the Railyard Development Project in 1999. Recently completed renovations to the Town Hall included an expanded Medical Centre with a total of three doctors. A new fire Hall was completed in 2001; a new water tower and Lion's Hall in 2000. The new Technology Incubator Mall in the Industrial Park should add additional employment and hopefully stimulate additional growth in the technology sector.

While some recent housing growth has occurred in the southern portion of the Town, the Town's very limited land base appears to be limiting Kensington's ability to fully capitalize on the benefits of this healthy economic activity. While there are several restaurants in the Town and a few smaller tourism accommodation facilities, Kensington has not shared in the significant expansion of the tourism sector since the opening of the Confederation Bridge, despite its advantageous location.

## **2.3 Site and Situation**

Kensington is centrally located in eastern Prince County, between Malpeque Bay and New London Bay. Route 2, which bisects the Town, is the major arterial highway connecting the eastern and western portions of the province. Kensington is 48 km west of the Provincial Capital Charlottetown and 13 km east of the second largest city Summerside. It is 38 km from the Confederation Bridge and 109 km from the Wood Islands Ferry, connecting to Nova Scotia.

The Town is physically quite small, containing only 2 square kilometers. Much of the Town's land base is now fully developed and considerable development has spilled over the boundaries as a result. Discussions have taken place for a number of years aimed at extending the Town's very cramped boundaries, so far with no success.

The topography of the Town features prominent hills (50 m) in the northeastern corner and another (44 m) to the north of the Town boundary. The land slopes moderately from these elevated areas to the south and west. A third hill is located at the southeast corner of the Town. From this elevation at 60 m the land slopes gently toward the west and to the centre of Town. The central portion of the Town is quite flat, lying between 30 m and 40 m. From this point the land drains gently to the southwest toward the sewage lagoon which is located at approximately 22 m in elevation.

Most of the soils in the Kensington Region are rated as Class II and are highly productive and capable of supporting a wide range of crops. These excellent soils are a major reason for the strength of farming in the region, particularly potatoes. These soils are well to moderately well drained with a relatively deep water table and permeability of less than 0.5 cm/hr. Soils offer very few restrictions for development.

The high productivity of the soils in the Kensington area have been cited as a major reason to promote efficient development patterns and to limit the amount of agricultural land being prematurely removed from production.

## **2.4 Existing Land Use**

A Present Land Use Survey was conducted in 1991 as part of the background studies for the first Official Plan. As part of the Plan Review a new land use survey was conducted in the Spring of 2002. While several interesting changes can be noted on the following Present Land Use Map, the overall pattern of land use remains essentially the same.

Kensington has a very traditional land use pattern with a relatively well defined commercial core area in the geographic centre of the town and a cluster of adjacent residential neighbourhoods. Institutional land uses are scattered throughout the core area with the two large schools located close to the eastern boundary of the town. Commercial development, while centred in the core is also starting to develop just beyond the town boundaries along Rte. 2 to the west and to the southeast. Another prominent land use is the Industrial Park in the southeast corner of the Town. Some industrial uses, such as Provincial Boat and Marine, have also developed just outside of the Town boundary to the southeast.

Open space and recreation facilities are well located throughout the Town, including the school fields, and the Confederation Trail plays a prominent role running across the Town from the southeast to the western boundary.

As noted above there are only a few obvious changes to the land use pattern since 1991. One is the development of new residential lots, homes and apartments (and the new Lion's Club) along Garden Drive in the southern portion of the Town. Residential development has also occurred in the northwestern corner of Town off Sunset Drive. The other change is the continued development of the Industrial Park, particularly development along Gerald McCarville Drive, including the new water tower, firehall and the new Technology Incubator facility.

The 2001 Census provided a summary of private dwellings by type as summarized in Table 1 below.

**Table 1**  
**Selected Occupied Private Dwelling Characteristics**

Total Number of dwellings	580
Number of owned dwellings	385
Number of rented dwellings	200
Owned dwellings as a percentage of all dwellings (Kensington)	66%
Owned dwellings as a percentage of all dwellings (PEI)	73%

Source: 2001 Census

#### **2.4.1 Residential Building Permit Activity**

In the past, towns have developed with residential areas close to the place of business. People bought their groceries at the corner store and their children walked to a local school. With the development of better transportation, improved roads, shopping complexes and busing to schools, there has been an attraction of residential development to rural areas. The attractiveness of larger lots, lower land prices and lower taxes has been a factor in the steady decline in the growth of towns and cities. In the twelve years from 1980 to 1991, Kensington saw only 30 single family units constructed, averaging approximately two and one-half units per year. The years 1992-2001 saw that rate increase as 51 single family dwelling permits were granted during that period. (See Table 2)

**Table 2**  
**Building Activity**  
**1992-2001**

Year	Single Family	Duplex	Multiple	Comm	Instit.	Rec	Other	Total
1992	4	0	1	0	0	0	9	14
1993	6	0	0	0	0	0	7	13
1994	6	0	1	2	1	0	14	24
1995	5	1	1	2	0	0	10	19
1996	3	0	1	1	0	0	15	20
1997	6	0	0	4	0	0	6	16
1998	5	0	0	1	0	0	6	12
1999	3	0	1	3	1	0	7	15
2000	7	0	0	0	1	0	12	20
2001	6	0	3	1	2	0	15	27
<b>Total</b>	<b>51</b>	<b>1</b>	<b>8</b>	<b>14</b>	<b>5</b>	<b>0</b>	<b>101</b>	<b>180</b>

\*Other: Addition, storage building, garages  
Source: Town of Kensington Building Permits

#### 2.4.2 Service Centre

The 1991 Plan described the Kensington economy in the following manner. Unlike many other small communities who have lost their commercial and industrial base to the much larger developed areas, Kensington has continued to thrive as a service centre. Its central location and ease of access have made Kensington an attractive place to do business. Kensington has an arterial road, a collector road and three local roads which are laid out like a spoked wheel leading to the commercial core of the town. These roads connect Kensington to more than thirty smaller communities which make up the geographical service area. This area is comprised of approximately 51,000 acres. The five lots which make up this area have a population of approximately 5,500. The influence of agriculture, fishing and tourism has been a major contributor to the development of the Town. Further enhancing this strong central focus is the Town's excellent road network. Highway #2 serves as a major link between the urban areas of Charlottetown and Summerside and the western portion of P.E.I. The roads passing through Kensington act as a connection link from Western P.E.I. to the North Shore,

**P.E.I.**

The mixture of summer time tourist traffic and service vehicles has further enhanced Kensington's position as a service centre.

As outlined in the Kensington Town Centre Study in April of 1991 the Town offers a variety of retail and services businesses. "The local area is serviced with a retail mix including a bake shop, a drug store, two video shops, four food outlets, two grocery stores, a variety store, a flower shop, a building supply dealer, a candle making shop, hair shops." In addition to the retail and service mix the study also identified personal, professional, financial and government services. In a consumer survey also carried out by the Kensington Area Chamber of Commerce a demand for more services was identified.

The Directory of Businesses and Services 2001 produced by the Kensington and Area Chamber of Commerce contained the following listings of those businesses located in the Town of Kensington. Due to changes since its publication, the following is not considered a precise listing of all commercial establishments, but is included as a means of illustrating the scope and diversity of business in Kensington.

**Accommodations**

Home Place Inn & Restaurant  
Victoria Inn  
The Old Station House

**Accounting/Book Keeping**

Durdle's Book Keeping & Taxes  
Money Matters Inc.  
Montgomery, Alan C.

**Advertising/Promotions**

County Line Courier  
Graphic Solutions  
MJS Marketing and Promotions

**Antiques****Animal Care**

Kensington Veterinary Clinic

**Associations**

Kensington Community Support Project  
Kensington Co-operative Association  
Kensington Lions Club  
Kensington Tourist Association  
Mount Zion Lodge  
Royal Canadian Legion

**Auctioneers**

**Automotive Dealers and Services**

Allan's Towing and Recovery

Alleymar Enterprises  
Bell's ESSO  
Bertram Automotive  
Kensington Auto Parts  
Kenmac Auto Body

**Bakeries**

Mary's Bake Shoppe

**Beauty Salons / Hairstylist**

George's Barber Shop  
Karen's Barber Shop  
The Cutting Edge Hair Salon  
The Kensington Hair Station  
Betty's Hair Boutique

**Bookstores**

Abeqweit Books, Stamps & Coins

**Building Supplies/Home Improvement**

Schurman's Building Supplies  
Sharpe Construction

**Business Services**

Canada Post  
Locus Surveys  
PEI Capital Inc.

**Churches**

Kensington United Church  
Kensington Presbyterian Church  
Holy Family Roman Catholic Church  
Kensington Anglican Church

Church of the Nazarene.

**Clothing / Accessories**

Railyard Warehouse  
Sears

**Communications**

County Line Courier

**Computers & Services**

Graphic Solutions  
KenNet

**Construction Contractors**

Commercial Construction Co.

**Convenience Stores**

Robert's PetroCanada  
Kensington Food Basket

**Crafts and Gifts**

Family Treasures  
HOW Bazaar  
Kensington Tourist Information Bureau  
Friends and Flowers  
Island Lights  
Tickles Flower Shoppe

**Day Care / Kindergarten**

Fun Times Kindergarten  
Happy Times Kindergarten

Kiddie Town Daycare

Dr. Paul J. McCarvill

### **Dental Services**

### **Education**

Kensington Intermediate Senior High  
Queen Elizabeth Elementary School

### **Electrical Services**

T & C Electrical Ltd.

### **Entertainment / Recreation**

Gussie's Lounge/A&A Sports/Bowling  
Kensington Club  
Kensington Water Gardens  
Rainbow Valley Ltd.

### **Farm Equipment / Services**

Cavendish Agri Services Ltd.  
Kensington Agricultural Services  
Potato Inspection Services

### **Farms / Apple / Honey**

Kensington and Area Farmers Market

### **Feed / Fertilizer**

Cavendish Agri Services Ltd.  
Kensington Co-operative Association  
Belisle Feeds

### **Financial Institutions / Services**

Malpeque Bay Credit Union  
Scotiabank  
Money Matters Inc.

### **Funeral Homes / Services**

Davison Funeral Home  
Prince Edward Island Crematorium

### **Groceries**

Kensington Save-Easy  
Kensington Food Basket

### **Health Care / Services**

Kensington Family Medical Centre  
McCarvill, Dr. Paul J. - Dentist  
McAndrew Electrolysis  
Ramsay Pharmacy

### **Insurance Companies / Services**

Clark. Insurance Ltd.

### **Lawyers**

Ramsey & Clark

### **Manufacturing / Processing**

Carpenter's Inc  
Valley Truss & Metal  
Speed Belt

### **Music**

The Music Room

### **Real Estate / Property Management**

Coulson Realty

**Restaurants / Lounges**

Bakin' Donuts  
 Cap't Sub and Greco Pizza  
 Frosty Treat Dairy Bar  
 Gussie's Lounge  
 Royal Canadian Legion Lounge  
 Don's Restaurant

Home Place Inn and Restaurant  
 Kensington Club  
 Kensington Country Oven  
 Lotus Gardens Restaurant  
 Tim Horton's

**Transportation / Trucking**

**Service Stations / Gas / Oil**

Bell's Esso Service Station  
 Robert's PetroCanada

**Videos**

Island Video Distributors  
 Robert's PetroCanada

**Signage / Trophies**

Graphic Solutions  
 Quick Draw Signs

**Special Services**

Cake Lady  
 Sweet Cheeks Confectionery

**2.5 Population Analysis**

Despite a relatively strong local economy and a number of new housing units in recent years, Kensington's population growth has essentially stalled. From 1986 to 1991 population grew at a rate of 6.6 per cent from 1,249 to 1,332. Based on this rate of growth the Official Plan projected a population of 1,420 by 1996. The Census indicates that the 1996 population was in fact only 1,383, indicating a declining rate of growth. The 2001 Census indicates that population growth has stalled. The 2001 population total was only 1,385.

If this trend continues there could be serious problems related to declining enrollment in schools, declining numbers in recreation programs and increasing numbers of seniors, which would place burdens on other services.

**Table 3**  
**Age Profile**

Characteristics	Kensington			PEI		
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	Total	Male	Female	Total	Male	Female
Total- All Persons	1385	625	765	135,295	65,750	69,540
Age 0-4	75	40	30	7555	3875	3680
Age 5-14	205	95	110	19095	9725	9270
Age 15-19	90	45	45	10230	5180	5050
Age 20-24	65	35	35	8730	4315	4415
Age 25-44	395	185	215	37795	18320	19475
Age 45-54	160	85	80	20120	9915	10210
Age 55-64	100	50	55	13,205	6590	6615
Age 65-74	135	50	85	9700	4580	5120
Age 75-84	110	35	75	6410	2535	2870
Age 85 and over	45	10	30	2465	730	1740
Median Age	39.4	38.3	40.6	37.7	36.8	38.5
% Over 15 Years	79.8	78.4	81.6	80.3	79.3	81.2

Source: Statistics Canada 2001 Census

A growing seniors' population will place increasing demands on the community to supply specialized health and social/recreational programming. Seniors' housing, long term care facilities, meals-on-wheels and mobility assistance will all likely face increasing pressures and pose challenges for Town Council, community groups and the community at large.

Future population trends are difficult to project and will be closely tied to the Town's ability to increase its housing stock. Without an expansion of its boundaries it is difficult to identify where this future growth could occur. Opportunities for large scale residential developments within the town boundaries are negligible and even in-filling opportunities are somewhat limited.

## 2.6 Future Development

Despite the relatively rapid growth of the Charlottetown and Summerside economies, Kensington has been able to maintain a strong retail/service sector and a growing

industrial base. While tourism related development remains somewhat limited, the Town's location leaves it well positioned to share in the recent growth of this sector. Continued tourism and seasonal residential growth along the north shore should also continue to strengthen the Town's commercial sector.

Despite this relatively strong economy and very strong regional employment growth, the Town has not been able to capitalize in terms of population growth, particularly new young families. When lots have been made available, as in the Garden Drive area, housing starts have responded quite briskly. Given the Town's excellent schools, churches, recreational programs and facilities, retail facilities and services and central location, there is reason to project strong potential housing demand. The primary limitation appears to be the lack of suitable land within the Town boundaries.

The issue of extending the Town's boundaries has been discussed for a number of years, but without success.

## **2.7 Municipal Services/Infrastructure**

### **a) Sewage Treatment and Collection**

The Town of Kensington wastewater treatment facility consists of two waste stabilization ponds located to the south of Stewart St. The first pond was constructed in the late 1950's and the second pond was constructed in the mid 1970's. In January of 2000 as a result of testing, the PEI Department of Technology and Environment advised the Town to assess its current and future wastewater treatment needs. In response, the Town retained Delcom Consultants Inc. to provide this assessment.

The Delcom assessment noted both ponds were in relatively good shape, but some repairs and upgrading were required. Some erosion was noted around the first pond. Due to problems with a splitter gate, the second pond appeared to be receiving the majority of flow. Air movement over the two cells was being diminished by vegetation which had grown around them.

The Delcom assessment offered three possible solutions for the Town's sewage treatment needs: 1) the construction of additional stabilization ponds 2) the construction of aerated lagoons, or 3) the placement of a packaged treatment system to replace the existing stabilization ponds.

In early 2002, the Town put forth a call for tenders for a significant upgrade to the system. This upgrade includes the renovation of the existing system to allow for sewage aeration, construction of berms, installation of a clay liner, upgrading of inlet and outlet structures as well as the construction of fencing and a control building. The access road to the site is also to be upgraded.

Sewer collection throughout the Town is gravity fed, except the north side of Pleasant Street which requires pumping.

a) Central Water Supply

The Town water supply is provided by three wells. All areas inside the Town boundaries are serviced except Sunset Drive, Hillside Drive, and parts of MacLean Avenue and School Street. A consulting engineer has recommended a fourth well be added soon to accommodate future needs. Recent testing was undertaken in the area surrounding the Town water tower.

In 1998, a water reservoir was procured for the Town in the form of a 300,000 gallon water tower. The 50 foot structure is located at the top of MacCarville Drive.

Under the Prince Edward Island Environmental Protection Act, Water Well Regulation, a large area in the core of Kensington is restricted for well construction purposes. Within this area well construction is not permitted without a permit from the Minister. This restriction has been put in place due to a chemical spill in 1981 and a petroleum leak in the late 1970's.

***Well Field Protection***

Given the intensity of development within the core area of the Town and the restrictions noted above, it would be highly desirable to designate a suitable area for a future central well field and to protect this area from encroachment from incompatible development.

b) Stormwater Management

The Town maintains a storm water management system which diverts water from roads and parking lots as quickly as possible and channels it to nearby watercourses through a system of catch basins. Storm drains are located along Victoria St. East and West, Pleasant Street, Davison Street, Commercial Street, Broadway Street South and Saunders Lane. Natural control methods including ditching and swales are also utilized to re-direct stormwater away from developed areas of the Town. The system works quite well, although periodic ponding problems occur along Pleasant Street, Broadway Street South and on Garden Drive.

**d) Solid Waste**

The Town of Kensington participates in the Island - wide source separation system managed by the Island Waste Management Corporation. This system has allowed the Town to reduce the amount of waste produced while identifying and separating recyclable and reusable materials. It is the IWMC's goal to work towards a 65% diversion of waste.

**e) Fire Protection**

The Town operates a municipal fire department. This department supplies services to the Town as well as to outlying communities in the Fire District. A regional fire services levy is collected on behalf of the Town by the provincial government. This situation has proven beneficial for all parties as it assures the neighbouring communities of a reliable service while guaranteeing the Town its dues. The Kensington fire district is very large compared to others in the province, making the need for a well equipped department very important. Construction of a new fire house was completed in 2001.

Vehicles operated by the Department include three pumpers, two tankers and a rescue van. Specialized equipment includes a Jaws of Life unit, ice water rescue equipment, asbestos suits, and a 6500 watt generator.

The Department has 27 members, 24 of which have Level I Firefighting Certificates, with half of this number also holding Level II. Six members are undertaking Confined Space training. Other training undertaken by members includes pump operating courses, fire cause and determination, and "fire attack" courses.

The Fire District is very large, comprising 18-20 communities including Freetown, Clinton, Darnley, Indian River and Hamilton. Annual fire dues of \$50.00 per household are collected by the Province on behalf of the District.

**f) Police Protection**

The Town maintains its own municipal police force. Operation of the municipal force provides the Town with a level of service which Council feels would be unattainable through the implementation of service provision by the RCMP.

The current staff is comprised of three full time employees, including a chief and two constables. There are currently no casual or auxiliary officers, although some have been retained in the past as demand warranted.

## **2.8 Transportation**

### **Vehicular**

Kensington is sometimes referred to as the “Hub Town” due to its location at the intersection of five separate routes. Route 2 is the main east-west arterial highway in the province, carrying large volumes of personal and commercial vehicles from across the province. This route generates significant year round through traffic through the core area of the Town. The next major road is Rte. 6 which connects from Rte. 2 to the north shore tourist area including Cavendish. This route also connects to a large rural service area. Volumes of traffic on Rte. 6 are particularly high during the tourist season.

Rte. 20 connects to the northwest and the Malpeque area. Rte. 101 or the Irishtown Rd., connects due north toward Irishtown and Park Corner. Rte. 109 connects to the southeast and the communities of Kelvin Grove, Freetown and Kinkora.

As a Town, Kensington has responsibility for the maintenance of all non-designated streets in the Town. Those routes which are designated by the Provincial Government as serving a regional purpose are maintained by the Provincial Department of Transportation and Public Works. These include all the routes noted above.

The local streets owned and maintained by the town are generally in a good state of repair. Some are relatively narrow and stormwater drainage systems are marginal. In general, however, they serve local transportation needs adequately.

The convergence of traffic at the “hub” has created concerns in the Town through the years related to traffic congestion and pedestrian safety. Recent upgrading to the main intersection has improved matters but concerns remain for pedestrians crossing this intersection and for turning movement conflicts

at Garden Drive. Some form of re-routing or turning movement restrictions may need to be considered particularly as the level of traffic on Garden Drive continues to increase.

A truck by-pass has been discussed but no immediate action is contemplated. At present, a significant portion of the commercial traffic between Summerside and Charlottetown already uses the Blue Shank Road to bypass Kensington.

### **Pedestrian**

Kensington has a relatively well developed sidewalk system. The last number of years have seen the upgrading of existing sidewalks as well as the construction of new ones. The Sunset Drive area has been identified as one which could benefit from the introduction of sidewalks. Areas of the sidewalk on Victoria St. W. are in need of replacement. Tree branches overhanging some portions of the sidewalks may pose a visibility hazard, especially in areas of pedestrian-vehicle convergence.

The Town is also served by the Confederation Trail which crosses the Town generally from east to west. It provides a very beneficial recreational amenity and a useful pedestrian connection to the core retail area. The Trail is in excellent condition through the Town.

## **2.9 Institutional Facilities**

The Town of Kensington is well supplied with a range of high quality institutional facilities including two schools, Queen Elizabeth Elementary School and Kensington Intermediate High School. There are also 5 churches: Kensington United Church; Kensington Presbyterian Church; Holy Family Roman Catholic Church; Kensington Anglican Church; and the Church of the Nazarene.

There is no hospital in Kensington but the new Summerside Regional Hospital is within easy access. Likewise there is no local ambulance service and services are provided from Summerside. The Kensington Medical Clinic was recently upgraded and expanded to include 3 doctors. The Town also has one dentist, a veterinary clinic and a pharmacy.

There are several pre-school facilities including: the Fun Times Kindergarten and



1995	83	80	52	74	87	62	438
1996	72	83	80	54	76	91	456
1997	74	73	78	78	62	86	451
1998	88	77	73	78	73	60	449
1999	81	86	75	76	80	70	468
2000	71	77	90	70	73	79	460
2001	97	71	81	84	75	72	480

Source: Western School Board

## 2.10 Parks and Recreation

Residents of the Town have access to a wide variety of recreational opportunities through the presence of a varied array of facilities. The following is a listing of park and recreational facilities and their locations.

Location	Facilities
Community Gardens Arena Complex	ice rink, skateboard park
Queen Elizabeth Elementary School	Intermediate and primary playgrounds, soccer and baseball fields
Centennial Park	Edward Von Knoughnet swimming pool
Lions Field	Baseball/softball diamond
Granite Field	Baseball/softball diamond
Kensington Intermediate High School	Tennis Courts, gymnasium, soccer fields, track
Confederation Trail	Pedestrian /bike trail (snowmobiles in winter)
Murray Christian Education Centre	gymnasium
Town Hall	Kensington Heritage Library, CAP Site

Royal Canadian Legion	War Museum, playground
Train Station	M.F. Schurman Memorial Gazebo
Country Ovens Restaurant	Kensington Bowling Lanes
east end of Town	2 Soccer fields
Lions subdivision	Pre-school playground

### **3.0 ECONOMIC DEVELOPMENT**

#### **3.1 The Local Economy**

Kensington is primarily an agricultural service centre, serving the needs of a large and relatively prosperous rural service area which is dominated by farming and to a lesser extent fishing and tourism. The growth of tourism along the north shore has been quite dramatic since the opening of the Confederation Bridge. While Kensington has benefitted as a adjacent service centre, it is apparent that Kensington has not capitalized on the economic growth in this sector to any major extent.

Kensington is located in Lot 19. The 1996 Census figures for agricultural production in Lot 19 are indicative of the level of importance of this sector to the Town's service economy.

**Table 5**  
**Farm Activity, Lot 19**

	<b>Lot 19</b>	<b>Provincial Total</b>
Total number of farms	46	2217
Total area of farms		
Acres	13261	655365
Hectares	5367	265217
Total farm capital	\$35,9 million	\$1,417 billion
Total gross farm receipts	\$9.8 million	\$349.2 million

Total farm expenses	\$8.9 million	\$288.6 million
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Source: Agricultural Profile of the Atlantic Provinces,  
Statistics Canada Agricultural Division, Census 1996.

Similar figures were not available via the 2001 Census, but many other factors indicate the importance of agriculture remains undiminished. Several local businesses are almost totally dependent on agricultural clients (such as Kensington Agricultural Services and Masterfeeds). Many other local businesses depend on the farming industry for a considerable portion of their business. One example is the local Bank of Nova Scotia which has the largest farm portfolio of any branch of the Bank in Prince Edward Island.

A review of the labour force statistics provides an excellent indicator of the make up of the local economy. It confirms the dominance of the service sector but also indicates the continuing diversification of the economy into manufacturing and to a lesser extent tourism.

**Table 6**

<b>Labour Force by Industry</b>	
All industries	<b>650</b>
Manufacturing and construction industries	<b>125</b>
Agricultural and resources based industries	<b>90</b>
Wholesale and retail trade	<b>55</b>
Health and education	<b>90</b>
Business services	<b>65</b>
Finance and real estate	<b>20</b>
Wholesale and retail trade	<b>55</b>
Other services	<b>205</b>

**Source: Statistics Canada 2001 Census**

Manufacturing industries, which would include workers from the Cavendish Farms plant, represent fully 19 percent of the total labour force. Agricultural and resource based industries make up 14 per cent of the total, as do those employed in the health and education sector.

In terms of occupations, of Kensington's total labour force of 645 persons, 23.25 per cent are in trades, transportation and equipment operating (no doubt many related to manufacturing), 21 per cent are in business, finance and administrative occupations, and 20 per cent are in sales and service occupations.

**Table 7**

<b>Labour Force by Occupation</b>			
	<b>Total</b>	<b>Male Labour Force</b>	<b>Female Labour Force</b>
<b>Sales and service occupations</b>	<b>130</b>	<b>45</b>	<b>90</b>
<b>Trades, transport and equipment operators and related occupations</b>	<b>150</b>	<b>140</b>	<b>10</b>
<b>Business, finance and administrative occupations</b>	<b>135</b>	<b>20</b>	<b>115</b>
<b>Occupations unique to processing, manufacturing and utilities</b>	<b>45</b>	<b>25</b>	<b>20</b>
<b>Occupations unique to primary industry</b>	<b>75</b>	<b>65</b>	<b>10</b>
<b>Management occupations</b>	<b>45</b>	<b>30</b>	<b>20</b>
<b>Health occupations</b>	<b>25</b>	<b>0</b>	<b>25</b>
<b>Occupations in social science, education, government service and religion</b>	<b>20</b>	<b>10</b>	<b>10</b>
<b>Natural and applied sciences and related occupations</b>	<b>20</b>	<b>15</b>	<b>5</b>

Source: Statistics Canada 2001 Census

### **Tourism Industry**

The PEI Department of Tourism estimates 47,500 people visited the Kensington Area Tourism Region as their main PEI tourist destination in 2001.

Based upon telephone surveys conducted for the PEI Department of Tourism in 2001, it is estimated that 4.3% of all visitors to PEI between May and October of that year visited the Kensington tourism region as their main overnight destination. Visitations to the area showed an increase of 35% over the previous four-year average.

Maritime and Ontario origins accounted for 58% of the overnight pleasure visitors to the Kensington tourism region in 2001 followed by those from other parts of Canada at 13% and New England at 10%.

Average party expenditures for visitors who overnighed in the Kensington tourism region increased 16% from \$748 in 2000 to \$871 in 2001. In 2001, three expenditure items, accommodations, restaurant meals and auto related expenses accounted for 61% of total expenditures.

*Source: Economic Impact-Tourism 2001, Policy Planning and Research, PEI Tourism*

### **3.2 Recent Developments and Trends**

It is evident from recent expansion at the Bank of Nova Scotia and the Credit Union and continued retail expansion (particularly outside the boundaries of the Town) that the Town's service sector remains strong. Expansion in the Industrial Park, particularly at Valley Truss and Metal and Provincial Boat and Marine (also located outside the Town boundary) indicate that manufacturing also remains strong. The new Kensington Enterprise Centre will hopefully continue to reinforce and diversify this sector.

As noted earlier, there are a small number of dedicated tourism establishments including limited accommodation facilities and several attractions, including the Kensington Water Gardens, the War Museum and the Train Station. With a well developed tourism development strategy it is certainly possible that additional tourism facilities could be drawn to the Town. Stronger co-operative relationships in the Malpeque area and more active promotion of the Town's rich history and cultural traditions (Community Harvest Festival, Prince County Fiddlers, Lady Slipper Step Dancers, etc.) could provide a strong tourism foundation.

Kensington has the opportunity to diversify its economy through the recent construction of the 3,300 square foot Knetwork Centre. Located off Garden Drive, this centre is part of a three location network including similar centres in Cardigan and O'Leary. The centre features a state-of-art space, a development lab, a Level II CAP site, incubator space for new information technology companies and entrepreneurs and a sophisticated network infrastructure that will enable services such as video conferencing.

Kensington's biggest challenge, however, remains to rekindle healthy population growth in the Town.

### 3.3 Boundary Extension

It is evident that the future economic health of the Town of Kensington, and thus the economic health of the region, is dependent on the Town being able to accommodate, and stimulate further residential, commercial and industrial growth. This will not be possible without an expansion of the Town's boundaries.

The rural areas around Kensington are largely reliant on the Town to supply many vital services such as fire protection, recreational programs and facilities, schools, churches, retail and other services, a post office, medical services and a wide range of other cultural programs and activities. The Town's Industrial Park and other businesses also provide employment for many rural residents. None of these services or activities would be possible without the municipal infrastructure and administration which the Town is able to provide.

If the current pattern continues, whereby residents and businesses continue to locate just beyond the boundaries of the Town, Kensington will eventually no longer be able to support these services. In addition, while urban development within the Town occurs in an efficient and centrally serviced manner, development outside the Town boundaries is relatively uncontrolled and unserved. This leads to wasteful development patterns which remove valuable farm land from production, the creation of widespread land use conflicts, increased risks to ground water supplies, and decreased highway efficiency due to more and more driveways and uncontrolled turning movements.

The need to control rampant urbanization of the countryside has been well documented in both the Summerside and Charlottetown Areas and led the Provincial Government to impose municipal amalgamation and buffer zones in the 1990's. Unfortunately, Kensington's request to extend its boundaries in 2000 met with considerable resistance and was eventually denied by the Island Regulatory and Appeals Commission.

It is evident from reviewing the decision of the Commission that the Town did not make a strong enough case for the need to expand its boundaries. The Commission's key arguments were that the Town had not proposed a "strategic plan" for the greater Kensington Area and that the effected residents had not been given a clear enough explanation of the need for a substantial extension nor a plan for the proposed use of the land within the proposed expanded boundaries. The lack of any clear picture to protect agricultural activities within this area was an obvious omission.

The need for a boundary extension is clear. It is apparent, however, that the Town must do more research and more consultation in order to convince the

Provincial Government, the Island Regulatory and Appeals Commission and their affected neighbors that the extension is both justified and well planned.

#### **4.0 FUTURE DEVELOPMENT GOALS**

##### **4.1 Introduction**

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

##### **4.2 Future Development Concept**

The Town of Kensington has a great many attributes which make it a desirable place to establish a residence or a business. Kensington residents are justifiably proud of their community. Like most relatively small communities, however, it also faces challenges in meeting increasing demands for services, particularly in the face of stagnant population growth and an extremely limited land base.

The Future Development Concept reflected in this Official Plan would see the Town of Kensington continue to expand and diversify its economy, employment and assessment base. The Town's vital service centre role will be maintained and strengthened. The industrial base will be expanded and diversified to include higher technology firms, Tourism opportunities will be identified and aggressively pursued.

The protection and further enhancement of our attractive and healthy residential neighbourhoods will be a high priority, together with the provision of high

quality and efficient municipal infrastructure and community services. The Town will continue to develop in a manner which best enhances the health, safety and personal enrichment of all our residents.

### **4.3 Goals**

#### **4.3.1 General**

- To enhance the overall appeal of Kensington as a place to live, visit and operate a business.
- To generally improve the quality of life in the Town.

#### **4.3.2 Social**

- To foster the creation and maintenance of safe, efficient, stable and visually appealing residential neighbourhoods.
- To foster social interaction and healthy lifestyles for all residents of the Town.
- To provide a range of housing opportunities to meet various socio-economic needs.
- To place increased emphasis on the special needs of seniors, youth and the mentally and physically challenged.

#### **4.3.3 Economic**

- To improve the viability of the commercial core area
- To continue to attract agricultural businesses, light industries, and new high technology firms
- To expand retail and service activities.
- To expand tourism development opportunities and better capitalize on the Town's tourism potential.
- To increase the Town's employment and assessment base.
- To maintain affordable property tax rates and utility rates for all

Kensington property owners.

#### **4.3.4 Physical**

- To establish a plan for future development which maximizes efficiency and minimizes potential land use conflicts.
- To ensure an adequate supply of serviced land to accommodate the projected needs of various land uses within the Town for the period of the Plan.
- To encourage the maintenance of a safe and efficient vehicular and pedestrian circulation system in the Town.
- To manage storm water run-off in a safe and cost-effective manner.
- To encourage the maintenance of a high standard of physical appearance for all properties in the Town.

#### **4.3.5 Environmental**

- To protect the quality and supply of groundwater and surface water resources in and adjacent to the Town.
- To encourage responsible waste management.
- To protect air quality
- To protect and enhance significant natural areas in the Town.

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

### **5.1 Introduction**

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

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 Town will take in pursuing its Objectives. Plan Actions are concrete measures which implement that approach.

### **5.2 Boundary Extension**

The Town of Kensington represents a very appealing community, both as a place to live and a place to operate a business. The foregoing analysis indicates a community with many strengths and few weaknesses. It is evident, however, that without an expansion to its boundaries the Town's future is in serious jeopardy. Population growth, despite a strong local and regional economy, has already stalled. While some limited opportunities exist for infilling, there are essentially no opportunities for any new large scale residential developments. Opportunities for new commercial and industrial developments are also limited within the current Town boundaries.

The negative impacts on adjacent rural areas are already being seen with relatively uncontrolled and unserved developments growing rapidly. The impact on the long term health of the Town and its ability to continue to provide service to its residents and its service area will be serious if a solution is not

found almost immediately.

While the Town's last request to extend its boundaries was rejected this appears to be primarily due to insufficient planning and the lack of a comprehensive strategy which clearly identifies all the underlying issues and, perhaps more importantly, identifies policies and actions to address the legitimate concerns of those property owners who would be affected by the new boundaries.

**Objectives:**

- To provide for the continued orderly growth and development of the Town of Kensington.
- To minimize land use conflicts and premature loss of agricultural land in the rural areas adjacent to the Town.
- To establish an adequate land base for the Town of Kensington to accommodate future growth and to provide adequate, effectively controlled buffers.
- To provide sensitive land use, development, servicing and taxation policies for any newly annexed portions of the Town.

**Policies:**

**Policy BE-1: Boundary Extension**

It shall be the policy of Council to continue to aggressively pursue an appropriate extension to the boundaries of the Town.

**Plan Action:**

- Council shall begin immediately to prepare a strategy to identify an appropriate area of land to accommodate the long term needs of the Town.
- The land designated shall be based on an assessment of development potential, feasibility of servicing, and

requirements for well field protection, buffering, etc.

- Council, in consultation with the affected land owners, shall develop clear policies for land use and zoning, agricultural preservation, servicing, area utility rates and real property taxation.
- Based on this analysis a new application for boundary extension and the designation of a rural buffer zone shall be submitted to the Provincial Government.

### **5.3 Agriculture**

While there is very little agricultural land within the Town's current boundaries, the Town must indicate a sensitivity and understanding of the need to develop appropriate land use and taxation policies as part of any strategy to expand its boundaries.

#### **Objectives:**

- As part of any boundary extension the Town shall act to minimize conflicts between farmers and residents within the Town.
- To maintain land in agricultural production until such time as it can be efficiently and appropriately converted to residential use in response to market demands.
- To continue to foster a strong relationship between the Town and its agricultural service area.

#### **Policies:**

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

As part of the long term strategy to extend its boundaries, Council shall develop agricultural zoning provisions which can be applied to protect agricultural interests and to maintain productive land in viable agricultural production.

Plan Action:

- The Development Bylaw shall be amended to include an Agricultural Reserve (A1) Zone.
- Any productive agricultural lands included within any future boundary extension shall be designated Agricultural Reserve (A1) and shall only be developed via a re-zoning application and in response to demonstrated market needs.
- Council shall work with the local farming community and residents to minimize land use conflicts.

#### **Policy PA-2:Property Tax**

When agricultural lands are included within the Town boundaries it shall be the policy of Council to establish reduced tax rates on properties used for agricultural purposes in order to encourage land to be maintained in agricultural use.

#### **Plan Action:**

- Council shall establish a tax rebate system for agricultural properties.

### **5.4 Residential**

Housing demand in Kensington appears to be reasonably strong. Serviced residential lots, however, are in short supply. This is largely due to the lack of suitable land within the Town but it is also due to dramatically increasing servicing costs for residential development. The Town also lacks land which matches the demands of the marketplace, particularly for more innovative and affordable starter home formats such as duplexes and manufactured housing.

Council must not only designate additional land for residential development, it must also actively promote the Town as a residential location and an attractive investment opportunity for residential developers.

Efforts must also be focused on maintaining the quality of current residential neighbourhoods and promoting high residential development standards.

#### **Objectives:**

- To actively promote the Town as a residential location.
- To encourage a broad range of cost-effective residential development opportunities in the Town.
- To protect the character and appearance of established neighbourhoods.
- To encourage residential development standards which stress safety, efficiency, aesthetic appeal, land use compatibility and fostering of a healthy lifestyle.

**Policies:**

**Policy PR-1: Zoning**

It shall be the policy of Council to designate sufficient residential land to accommodate the projected and potential housing needs of the Town during the period of the Plan. Existing residential areas shall be protected from encroachment from conflicting land uses.

**Plan Action:**

- The Development Bylaw shall zone sufficient residential land to meet the projected needs of the Town.
- Residential zoning shall be in conformance with the General Land Use Plan.
- The Development Bylaw shall establish zones and development standards for Single Family, Two Family and Multiple Family forms of residential development.
- Zoning shall be utilized to provide protection for existing residential neighbourhoods from encroachment by conflicting land uses and to direct and encourage future residential development.

**Policy PR-2: Infilling**

It shall be the policy of Council to encourage infilling in residential neighbourhoods.

**Plan Action:**

- Council shall undertake to identify and catalogue all undeveloped and/or underdeveloped parcels of residential land in the Town.
- The catalogue will be distributed to realtors and to developers throughout the province.
- A plan will be prepared to show existing lots along streets in the Town where new homes could be placed in the future. Although such lands may not be for sale at the present time, the plan can serve as a guide to developers and individuals.

**Policy PR-3: Residential Development Standards**

It shall be the policy of Council to establish residential development standards relating to density, architectural harmony, building type, lot sizes, set backs, amenity areas, parking, buffering and other matters in order to enhance the health, safety and convenience of residents.

**Plan Action:**

- The Development Bylaw shall establish residential designations for low, medium and high density.
- The Development Bylaw shall establish residential development standards relating to lot sizes, set backs, servicing, amenity areas and open space, parking, buffering, architectural harmony and other related matters.
- Council will carefully scrutinize new developments within established residential neighbourhoods prior to permits being issued to ensure that they are compatible and not detrimental. Compatibility, while not readily measurable, will be examined in terms of building

types and forms, street line, density and levels of activity including projected traffic generation.

- The standards and criteria on which Council's decision will be based will be outlined in the Zoning and Subdivision Control Bylaw.

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

It shall be the policy of Council to permit the establishment of one accessory apartment in any single family dwelling in any zone.

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

- The Development Bylaw shall permit one accessory apartment in any single family residence in any zone.
- The Development Bylaw shall establish standards for accessory apartments limiting their size and number of bedrooms, limiting changes to the exterior appearance of the residence, and addressing parking requirements and other matters.

#### **Policy PR-5: In-Home Occupations**

It shall be the policy of Council to permit a range of in-home businesses, provided that there is no significant negative impact on adjacent properties or the immediate neighbourhood.

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

- The Development Bylaw shall permit the establishment of limited in-home occupations in all single family residences.
- The Development Bylaw shall define the types of business activities which may be permitted in a residence.

- The Development Bylaw shall establish standards for home occupations, which limit potential residential conflicts such as noise, hours of operation, square footage, number of employees, parking, signage, physical changes to the structure, outside storage and any other factors which may represent an impediment to the safety, convenience or enjoyment of neighbouring residents.

#### **Policy PR-6: Prefabricated Homes**

Older style mobile homes which have a unique style and character shall no longer be permitted to be located within the Town. The current mobile home court shall be designated as a Mini-Home park and only modern CSA approved mini-homes shall be permitted. “Mini-homes” shall only be permitted in the designated mini-home park.. Larger “modular” homes shall be permitted in all residential areas.

#### **Plan Action:**

- The current mobile home park shall be monitored and the owners required to maintain their units in an appropriate manner. When units become delapidated, Council shall take action to encourage their removal.
- Modern “mini-homes” shall only be permitted within the existing mobile home park.
- Larger, “modular homes” shall be permitted in all residential zones.
- No further mobile home courts shall be located in the Town but consideration may be given to the establishment of a “mini-home” subdivision if it is developed to a high standard and well segregated

from existing neighbourhoods.

### **Policy PR-7: Housing Development and Promotion**

It shall be the policy of Council to work with the private sector and government agencies to actively promote Kensington as a residential development opportunity. Council shall aggressively pursue opportunities to partner with land owners and developers to facilitate residential development.

#### **Plan Action:**

- Council shall work with regional employers and developers to identify residential development opportunities.
- Council shall seek to identify opportunities for partnering with private sector developers.
- Council shall initiate a promotional campaign, hopefully with private sector partners aimed at attracting new residents to the Town. Targeted efforts will focus on employers in the Town and in the immediate region.
- Council shall pursue all opportunities for funding support to encourage and develop new housing in the Town.

## **5.5 Commercial**

Commercial activity in the Town of Kensington is relatively healthy. The majority of retail and service activities are located in the core area. While the core area remains strong there are some vacant or underutilized buildings and parking shortages and traffic congestion are a source of concern. Development opportunities within the core area are quite limited, however, and this has no doubt contributed to the demand for commercial land beyond the boundaries of the Town.

#### **Objectives:**

- To actively support and strengthen existing local businesses.

- To more effectively promote the Town as a commercial location and a tourism destination.
- To encourage the development of expanded local retail and service activities.
- To stimulate and support efforts to upgrade and reinvigorate the downtown core area.
- To expand local employment and the commercial property tax base.
- To strengthen and expand local and regional tourism attractions.
- To strengthen and expand local tourism accommodations, services and to better capitalize on the Town's tourism potential.

**Policies:**

**Policy PC-1: Zoning**

It shall be the policy of Council to develop appropriate commercial zoning designations and to use zoning to direct commercial activity into the established commercial areas of the Town.

**Plan Action:**

- The Development Bylaw shall establish commercial zoning designations and development standards for commercial zoning.
- The Development Bylaw shall zone commercial land in conformance with the General Land Use Plan.
- Until the Town boundaries can be extended, the core area shall be the only area designated as commercial on the Future Land Use Map.
- Zones will be established and set out in the bylaws which separate different uses and concentrate similar and compatible uses.

**Policy PC-2: Retail/Service Development**

It shall be the policy of Council to aggressively pursue new retail and service activity for the Town of Kensington and to work with the current business community to support and strengthen existing businesses.

**Plan Action:**

- Council shall maintain a close relationship with all local business operators and pursue opportunities to support and encourage local business.
- Council shall work with local development groups and the business community to identify and pursue opportunities for joint promotion of the Town and local businesses and attractions. Target markets would include local residents, residents within the Town's established trade area and tourists.
- Council shall work with local development groups, federal and provincial agencies to actively encourage entrepreneurial activity in the Town and foster the start up of new local businesses.
- Council shall actively encourage local business owners to join the Chamber of Commerce and related organizations in order to facilitate the promotion of Town businesses.

**Policy PC-3: Land Use Conflicts**

It shall be the policy of Council to avoid, where possible, conflicts between commercial and residential land uses.

**Plan Action:**

- The Zoning and Subdivision Control Bylaw shall set out an approval process for any commercial development.
- Provisions in the Zoning and Subdivision Control

Bylaw to mitigate conflicts shall include but not be limited to a minimum 15 foot buffer zone and screening consisting of landscaping and/or building structures such as fences, controlling business hours and controlling the types of businesses permitted in close proximity to residential areas.

#### **Policy PC-4: Parking**

It shall be the policy of Council to encourage an adequate supply of parking in the Town centre.

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

- Council will conduct a study of the parking situation in the Town and any alternative solution which may be available.
- Methods to improve parking availability may include some of the following:
  - establishing unloading zones with enforced time limits
  - staff parking to be provided off-street
  - proper location of utility poles
  - identification of available un-developed or under-developed land and consideration of its development for parking as appropriate

#### **Policy PC-5: Tourism**

It shall be the policy of Council to target development efforts toward strengthening local and regional tourism infrastructure, attractions, services, accommodations and related business and employment opportunities.

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

- Council shall develop a local Tourism Development Strategy, based on promoting the Town's unique culture and history.
- Council shall encourage local service clubs, church

groups, etc. to actively pursue and promote local activities such as festivals, craft fairs, garden parties, heritage days, lobster suppers, etc.

- Council shall continue to facilitate the development and promotion of the Confederation Trail.

### **Policy PC-6: Signage**

As a Town, Kensington does not fall under the provisions of the Highway Advertisements Act, it shall be the policy of Council to develop and implement a Signage Bylaw.

#### **Plan Action:**

- Council shall develop and adopt a Signage Bylaw as part of the Development Bylaw.

## **5.6 Industrial**

The Town of Kensington has a strong industrial base, including manufacturing and service industries. Most of these businesses are targeted at the region's strong primary sector or the construction industry. The Kensington Enterprise Centre will hopefully also attract new, high technology firms. While some expansion can be accommodated within the present industrial mall, additional industrial land must be identified to accommodate long term growth in this sector.

#### **Objectives:**

- To continue to promote Kensington as an industrial location.
- To effectively manage the present industrial areas in the Town.
- To minimize land use conflicts between industrial development and other land uses.
- To expand industrial employment.

#### **Policies:**

**Policy PM-1: Zoning**

It shall be the policy of Council to restrict future industrial development in the Town to established industrial areas and to minimize land use conflicts between industrial development and other land uses.

**Plan Action:**

- The Development Bylaw shall zone the established industrial areas in the Town as Industrial zones.
- The Development Bylaw shall establish development standards for all industrial development.
- Any existing industrial uses outside the Industrial Park shall be designated “non-conforming” and shall be subject to the regulations of such as outlined in the Zoning and Subdivision Control Bylaw.
- No further land shall be zoned for industrial development without an amendment to the Official Plan and careful consideration of any potential land use or transportation conflicts.

**Policy PM-2: Safety**

It shall be the policy of Council to work with the Industrial Commission to improve safety in the Industrial Park.

**Plan Action:**

- Council, in conjunction with the Kensington and Area Industrial Commission, will undertake a review of the road network and access to the industrial park. The study should address the redesign of roads, industrial park expansion and phased implementation.

**Policy PM-3: Appearance**

It shall be the policy of Council to work in conjunction with the

Kensington and Area Industrial Commission to improve the appearance of the industrial park.

**Plan Action:**

- Design standards and landscaping requirements will be established for all developments within the park.

**Policy PM-4: Expansion**

It shall be the policy of Council to explore avenues to offset the cost of expansion of the industrial park.

**Plan Action:**

- Council will monitor federal and provincial programs as they apply to industrial development and apply for the programs where appropriate.
- 

**Policy PM-5: Promotion**

It shall be the policy of Council to work closely with the Provincial Government to promote the Town as a prospective location for new industrial development.

**Plan Action:**

- Council will encourage and support prospecting efforts by the Provincial Government to attract new industrial development to the Town.
- Particular emphasis shall be placed on firms and operations which will create high quality, year round employment.

**5.7 Public Service and Institutional**

Kensington is fortunate to be well supplied with institutional facilities including schools, churches, police station, fire hall, town hall and library. While there

may be some opportunity for the development of additional facilities, particularly if recent population trends can be reversed, the Town's major challenge will be to ensure the continued health of the current institutional facilities in the Town.

**Objectives:**

- To protect and enhance current institutional facilities and public services in the Town.
- To prevent the encroachment of conflicting land uses.
- To provide opportunities for the growth of existing and new institutional facilities.

**Policies:**

**Policy PI-1: Zoning**

It shall be the policy of Council to protect established institutional facilities from the encroachment of conflicting land uses and to designate additional institutional lands in response to demand.

**Plan Action:**

- The Development Bylaw shall designate all institutional facilities as Public Sector and Institutional zones.
- The Development Bylaw shall establish development standards for all institutional uses.

**Policy PI-2: Institutional Development**

It shall be the policy of Council to support the long term viability of local institutional facilities and encourage upgrading and expansion.

**Plan Action:**

- Council shall support and encourage efforts to maintain or upgrade existing institutional facilities in the Town.

- Council shall support efforts to locate additional institutional facilities in the Town and to expand current facilities.
- A committee will be established to find a new location for the Public Library and/or to work in conjunction with the Library Services Branch and the School Board to improve facilities available to the public.
- Council shall support a nursing home and other seniors programs.
- Council shall continue to work with the School Board to maintain the quality of education and will lobby to continue to make school facilities available for extra-curricular pursuits of the residents.

## **5.8 Parks and Recreation**

The Town of Kensington has an impressive array of recreation facilities and programs. Opportunities for residents to enjoy hockey, soccer, ice skating, swimming, baseball, and skateboarding are particularly good. The development of the Confederation Trail has provided the Town with a linear outdoor recreation facility which accommodates walking, running, bicycling and snowmobiling. An opportunity exists to add to the limited amount of playground space available.

The Town recognizes the fact that recreation programs can play a major role in the prevention of disease and the promotion of long term health care benefits.

### **Objectives:**

- To maintain and improve the current recreation programs and facilities in the Town.
- To encourage the direct participation of recreation users from outside the municipality in recreational program planning and operations.
- To foster more effective co-ordination and promotion of recreational programs and special events.

- To foster stronger volunteer participation in all aspects of recreation.
- To target the special needs of youth, seniors and the physically and mentally challenged.
- To promote improved active play areas throughout the Town, within easy and safe access of all residential neighbourhoods.
- To promote recreational activities which stimulate the mind as well as the body.

**Policies:**

**Policy PP-1: Recreation Programs and Facilities**

It shall be the policy of the Council to continue to support recreational programs and facilities that meet the needs of all Town residents and to support the efforts of other groups or individuals in meeting the Town's recreational requirements.

It shall be the policy of Council to routinely monitor the physical condition of all sports and recreation facilities owned by the Town and upgrade facilities as budgets permit, based on an assessment of need and demand.

**Plan Action:**

- Council shall conduct routine inspections of all Town owned recreation facilities.
- Available upgrading budgets shall be allocated based on physical need and program participation levels.
- Council shall continue to work in conjunction with the Kensington Area Recreation Association in pursuing recreation programs for the Town
- Council shall support and encourage programs

accessible to or targeted at the physically and mentally challenged.

- Council shall work in conjunction with and support the Kensington Historical Society in identifying and promoting those buildings and sites that have heritage value.
- Council shall support the efforts to maintain and improve the Confederation Trail system.

### **Policy PP-2: Voluntarism**

It shall be the policy of Council to promote voluntarism both in the Town and in our rural service area and to more adequately acknowledge the vital role played by volunteers in the day to day life of the Town.

#### **Plan Action:**

- Council shall prepare a Volunteer Development Strategy.
- Council shall expand efforts to recognize the invaluable contribution of the Town's volunteers and shall initiate activities such as a "volunteer recognition day".

## **5.9 Municipal Services**

The Town of Kensington directly supplies or contracts for the provision of a range of municipal services including: collection and treatment of sanitary waste; central water supply; fire services and police protection. The Town has joint responsibility with the Provincial Government for storm water management and emergency measures.

In general the Town's municipal services and infrastructure are in good condition and able to meet demands with a high level of service. Given the age of some of the systems however, ongoing maintenance and upgrading will be required.

#### **Objectives:**

- To provide, where appropriate and affordable, efficient and cost effective central waste water collection and treatment services for

all present and future property owners within the Town.

- To provide, where appropriate and affordable, high quality domestic water supply for all residents, property owners and businesses in the Town.
- To provide for the special servicing needs of industrial users.
- To provide cost effective police and fire services.
- To provide efficient municipal maintenance services.

**Policies:**

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

It shall be the policy of Council to provide high quality, cost effective waste water collection and treatment services for the present and future built-up areas of the Town.

**Plan Action:**

- Council shall continue to place a high priority on completing the inspection of all concrete sewer lines and continue a regular flushing program.
- Sewer lines found to be in poor condition or incurring frequent repairs shall be replaced on a priority basis.

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

It shall be the policy of Council to continue to supply adequate, high quality, fire-rated central water supply services to all users in the Town.

**Plan Action:**

- Council will continue to operate the Town's current well fields in the most efficient manner.
- Council shall identify appropriate actions to enhance the security of the Town's water supply and see that these actions are implemented in a timely manner.

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

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

**Plan Action:**

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

**Policy PS-4: Solid Waste**

It shall be the policy of Council to promote solid waste reduction, re-use and re-cycling and to work with the Provincial Government to manage solid waste in an economical and environmentally appropriate manner.

**Plan Action:**

- Solid waste management in the Town is now

totally in the hands of the Provincial Government. Council shall therefore continue to lobby the Province for a central solid waste management system which is equitable, cost effective and environmentally sound.

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

It shall be the policy of Council to operate a municipal police force and to provide for the adequate security of its residents and property owners.

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

- Council shall continue to support the operation of a municipal police force through adequate levels of staffing, equipment, facilities and training.
- Council shall examine the level of police force staffing in the event of a municipal boundary extension.

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

It shall be the policy of Council to continue to provide municipal (and regional) fire services through the Kensington volunteer fire department and to continue to provide the department with the financial resources required to maintain a highly trained and well equipped fire service.

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

- Council shall continue to support the efforts of the Kensington Fire Department and supply funding necessary to maintain equipment, facilities and training at high levels.

## **5.10 Transportation**

As a town, Kensington is responsible for the ownership and maintenance of all public roads within the municipality with the exception of “designated” Provincial highways or roads. All Provincial roads within the Town are in reasonably good condition. Local streets are also in fair condition but some of the older streets are quite narrow and lack adequate storm drainage. Recent upgrading of the main intersection has improved safety and efficiency but there is still some minor congestion in the core area. Concerns also remain about pedestrian safety in some areas of the Town.

### **Objectives:**

- To maintain a high standard of maintenance on regional arterial routes and Provincial highways in the Town.
- To maintain a high standard of maintenance on Town owned streets.
- To address traffic hazards in the Town.
- To improve storm water drainage on Town owned streets.
- To maintain a safe and efficient pedestrian circulation system in the Town.
- To develop destination facilities along the Confederation Trail.
- To minimize safety and noise concerns related to truck traffic.

### **Policies:**

#### **Policy PT-1: Streets**

It shall be the policy of Council to work closely with the Department of Transportation and Public Works to ensure that the key routes leading to the Town and Provincially controlled streets within the Town are maintained at the highest possible levels. Council shall also ensure that Town owned streets are maintained at a standard which adequately reflects their role and level of use.

#### **Plan Action:**

- Council shall continue to work with the Provincial

Department of Transportation and Public Works to monitor the condition of all Provincial roads within the Town and key connecting routes to the Town.

- Council shall maintain all Town owned streets to the highest level possible within local budgetary constraints, with the highest priority being placed on streets with highest projected traffic volumes.

### **Policy PT-2: Road Classification**

It shall be the policy of Council to categorize all streets, roads and highways in the Town based on their traffic volumes and functions.

#### **Plan Action:**

- Council in conjunction with the Department of Transportation and Public Works will prepare a transportation plan for the Town identifying all existing and proposed arterial, collector and local streets.
- Arterial roads carry the largest volumes of traffic and function to route inter-community or cross-community traffic around residential neighbourhoods. These roads provide access through the Town and to industrial and commercial areas within it.
- Collector streets carry traffic from minor streets to arterials. They gather traffic from local streets and distribute it to other local streets or to major arterials, and vice versa.
- Local streets serve mainly to provide access to individual properties. They are meant to be used almost exclusively by those who live on the street, or in the case of a local commercial or industrial street, those people accessing the businesses on that street.

### **Policy PT-3: Safety**

It shall be the policy of Council to improve transportation safety in the Town.

**Plan Action:**

- Council shall make recommendations to and work with the Provincial Government to widen intersections and improve signage and lines.
- Council shall adopt the Dept. of Transportation and Public Works standards and policies for the development and redevelopment of public roads within the Town.

**Policy PT-4: Subdivision Streets**

It shall be the policy of Council to require developers to provide roads within new developments that meet provincial government standards.

**Plan Action:**

- The Zoning and Subdivision Control Bylaw will require proper road design and construction to be included in all subdivision and development agreements.

**Policy PT-5: Pedestrian Circulation**

It shall be the policy of Council to develop and maintain a pedestrian circulation system in the Town which provides safe pedestrian linkages throughout the Town and between all major destinations.

**Plan Action:**

- Council shall establish a long term plan for sidewalk construction and maintenance, together with a long term capital budget.
- Priority shall be placed on major traffic routes, particularly where they connect to major pedestrian destinations such as schools, churches, shopping areas and parks or playgrounds.

- Council shall lobby the Provincial Department of Transportation for the placement of crosswalks at strategic pedestrian-vehicular intersections.

### **Policy PT-6: Confederation Trail**

It shall be the policy of Council to work with the Provincial Government and local interest groups to ensure that the Confederation Trail within the Town is well maintained and effectively promoted.

#### **Plan Action:**

- Council shall work with the Provincial Government and local interest groups to ensure that the Confederation Trail within the Town is well maintained.
- A park master plan for the Town will establish means to connect existing parks, where practical, to the Confederation Trail system.
- Council will promote the Trail as a tourism attraction.

## **5.11 Environment**

A healthy environment is a critical component of an attractive and appealing community. The preservation of trees, air quality, control of noise, dust and other nuisances and maintaining high standards of property maintenance are all important priorities.

Perhaps the single greatest environmental concern across Prince Edward Island at present is the protection of our vital ground water resources. A large area in the core area of Kensington is already contaminated and therefore restricted for well construction purposes. Further contamination of the Town's ground water resources must be prevented.

#### **Objectives:**

- To protect the quality and quantity of the Town's vital ground water resources.

- To protect and enhance the quality of surface water systems in the Town.
- To protect and enhance wildlife habitat areas within and adjacent to the Town.
- To encourage the preservation and planting of trees in the Town.
- To implement policies controlling erosion from construction and farming activities in the Town.
- To encourage acceptable minimum maintenance standards and the control of unsightly premises.
- To protect air quality and minimize nuisances related to noise, dust, vibration, etc.

**Policies:**

**Policy PE-1: Ground Water**

It shall be the policy of Council to work with the Department of Environment to protect both the quantity and quality of ground water resources in the Town.

**Plan Action:**

- Land uses which would pose a serious risk for ground water contamination such as chemical plants or storage depots shall not be permitted in the Town.
- Council shall work with the Department of Environment to identify and control potential point sources of pollution such as underground gasoline or fuel oil tanks, chemical storage, refuse or dump sites and abandoned wells.
- Development permit applications shall be required to identify any chemical storage areas or underground petroleum storage.
- Council shall encourage the maintenance and protection of features which contribute to ground

water re-charging such as wetlands, storm water retention areas, trees and other dense vegetation. Council shall seek to identify and protect major aquifer re-charge areas both within and outside the Town.

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

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

It shall be the policy of Council to protect and enhance the quality of streams, ponds and wetlands within the Town.

#### **Plan Action:**

- The Development Bylaw shall establish a conservation setback or buffer area adjacent to all streams, drainage courses, ponds and wetlands limiting construction activities and protecting vegetation.
- The Development Bylaw shall require construction activities adjacent to streams or wetlands to implement erosion control measures.
- The Development Bylaw shall restrict any infilling or alteration of surface drainage features without the issuance of a development permit and performance of an environmental assessment, and the issuance of a stream alteration permit where required by Provincial regulations.

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

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

#### **Plan Action:**

- The Development Bylaw shall restrict establishment of industries or other land uses which are deemed to be noxious by reason of smell, particulate or other risks to air quality.
- Council shall implement a bylaw controlling the burning of leaves, grass and refuse in the Town.

## **6.0 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 much more precise in terms of boundaries and land use designations. The Zoning Map must, however, conform to the General Land Use Map.

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

- land use conflicts shall be minimized
- commercial development shall be directed to the two established commercial core area
- industrial development shall be directed to locate in the Kensington Industrial Park
- higher density residential developments shall generally be located in close proximity to commercial or industrial areas or adjacent to major traffic routes
- established residential areas shall be protected
- residential “infilling” shall be encouraged
- new peripheral residential development shall be encouraged
- all other relevant policies and principles included in this Plan.

**MAP 2**  
**GENERAL LAND USE PLAN**

## **7.0 IMPLEMENTATION**

### **7.1 Administration**

Administration of this Plan is the responsibility of Council. Council shall, however, seek the input of the Planning Board on matters pertaining to the Plan. The primary implementation tool for the Plan is the Development Bylaw. Aspects of the Plan may also be implemented through other municipal bylaws 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.

#### ***Town Governance Structure***

The Town has traditionally operated under a Council-Committee form of government. In such a system, the Mayor and Council members take an active role in administration and in management of the Town, as well as collectively carrying out the natural Town Council as policy maker. A part-time Administrator provided the support function. This arrangement has served the Town well over the years and much has been accomplished. Looking to the future, the Mayor and Councillors have recognized that the demands of municipal government in the new millennium require a different operating structure and approach to the management of Town affairs. As a result, the Council appointed its first Town Manager in August 2003, and is firmly committed to the formal establishment and successful operation of a Council - Chief Administrative Officer form of government. Under this governance structure, responsibility and authority for management is vested in the office of Town Manager who reports to, and operates under a Town Council that establishes overall policy and direction.

### **7.2 Development Bylaw**

Immediately upon the approval of this Plan by the Minister of Community Affairs, Council shall amend its current Zoning and Subdivision Control 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 **Town of Kensington 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 Town. 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 form. 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 access, hours of operation and any other item which could present a nuisance or hazard during construction.

Once the development is approved, a numbered permit will be issued which must be displayed at the site. The receipt of a development permit does not excuse the applicant from complying with any provincial or federal laws in force, such as fire protection, health and safety, sewage disposal, plumbing and electrical installation, disabled access, etc. Council shall maintain a 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. This agreement 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 is upheld.

### **7.3 Budgeting**

While the Development Bylaw and other bylaws passed under the *Municipalities Act* are primary tools for controlling and directing development activities in the Town, the Municipal Budget is the key policy tool for directing the activities of Council. As such the Budget is a key implementation tool for many of the policies and plan actions laid out in the Plan and, 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 and utility rates.
- Council shall pursue all available options for cost-sharing and maximize 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 fiscal year.
- Any incurred deficit shall be addressed as part of the subsequent annual budget if possible.
- Annual budgets shall include a Capital Reserve Fund.
- Smaller, routine capital expenditures shall be expensed on an annual basis, major capital expenditures shall be amortized over an appropriate period of years in order to maintain stable tax rates and utility rates.
- Council shall continue to maintain low permanent staff levels and contract out for specialized services until needs and projected savings warrant additional staffing.

#### **7.3.2 Capital Priorities**

While other capital projects may arise over the life of the Plan, the following items have emerged from the Plan deliberations as current priorities:

- a) Sewer Upgrading
- b) Water System Upgrading
- c) Promotion
  - promotional programs targeted at housing and economic development
- d) Mainstreet Upgrading
  - parking and streetscape improvements
- e) Playgrounds
  - upgrading of playground equipment
- f) New Soccer Fields

#### **7.4 Review**

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

#### **7.5 Amendments**

The Official Plan and Development Bylaw may be amended as circumstances require in the Town 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, with 21 days of the decision, appeal the decision to the Island Regulatory and Appeals Commission.**