



***Tentative Agenda for Regular
Meeting of Town Council***

Monday, July 11, 2016 @ 7:00 PM

*55 Victoria Street
Kensington, PEI
COB 1M0*

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Please ensure all cell phones and other electronic devices are turned off or placed on non-audible mode during the meeting.

**Town of Kensington
Regular Meeting of Town Council
July 11, 2016 – 7:00 PM**

- 1. Call to Order**
- 2. Adoption of Agenda (Additions/Deletions)**
- 3. Declaration of Conflict of Interest**
- 4. Delegations, Special Speakers and Public Input**
- 5. Adoption of Previous Meeting Minutes**
 - 5.1 June 13, 2016 Regular Meeting
- 6. Business Arising from Minutes**
 - 6.1 June 13, 2016 Regular Meeting
- 7. Reports**
 - 7.1 CAO's Report
 - 7.2 Fire Department Statistical Report
 - 7.3 Police Department Statistical Report
 - 7.4 Development Permit Summary Report
 - 7.5 Bills List
 - 7.6 Summary Income Statement
 - 7.7 Community Gardens Complex Report
 - 7.8 Mayor's Report
 - 7.9 FPEIM and KACC Report – Deputy Mayor Mann
- 8. New Business**
 - 8.1 Request for Decisions
 - 8.1.1 RFD2016 – 28 – Subdivision of QEES – Lands of Province of PEI
 - 8.1.2 RFD2016 – 29 – Home Based Business Request – 17 Pleasant Street
 - 8.1.3 RFD2016 – 30 – Development Control Bylaw and Official Plan (Second Reading)
 - 8.1.4 RFD2016 – 31 – Kensington Fire Department – Thermal Imaging Camera
 - 8.1.5 RFD2016 – 32 – 2015 Capital Borrowing
 - 8.1.6 RFD2016 – 33 – KENWAY Lot Consolidation
 - 8.2 Other Matters
- 9. Correspondence**
- 10. In-Camera (Closed Session) - Nil**
- 11. Adjournment**

**Town of Kensington
Minutes of Regular Council Meeting
Monday, June 13, 2016
7:00 PM**

Council Members Present: Mayor Rowan Caseley; Councillors: Deputy Mayor Mann, Mill, MacLean, Pickering, Spencer and Doucette

Staff Members Present: Chief Administrative Officer, Geoff Baker; Deputy Administrator, Wendy MacKinnon; Administrative Assistant, Kim Caseley; Police Chief, Lewis Sutherland

Visitors: Nancy MacPhee – Journal Pioneer

1. Calling of Meeting to Order

1.1 Mayor Caseley called the meeting to order at 7:00 PM and welcomed Council members, staff and visitors.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Doucette, seconded by Councillor Spencer to approve the tentative agenda for the June 13, 2016 regular meeting of Town Council. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 Mayor Caseley discussed that members of Town Council or staff who believe they may have a conflict of interest on any matter that will be discussed at this meeting should declare that potential conflict at this time, withdraw at the time of discussion and vacate the Council Chambers during deliberation and decision.

3.2 Deputy Mayor Mann declared a conflict with a correspondence item from the Chamber of Commerce.

4. Delegations / Presentations

4.1 Nil

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Spencer, seconded by Councillor Mill to approve the minutes from the May 9, 2016 regular meeting of Town Council. Unanimously carried.*

5.2 *Moved by Councillor Spencer, seconded by Councillor Pickering to approve the minutes from June 9, 2016 public meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 May 9, 2016 Regular Council Meeting

6.1.1 Councillor Spencer inquired about having the water analysis report distributed in the water and sewer utility bills. Staff will work on creating a condensed version of the report for distribution.

6.2 June 9, 2016 Public Meeting

6.2.1 *Nil.*

7. Reports

7.1 CAO's Report

7.1.1 *Moved by Councillor Pickering, seconded by Councillor MacLean to adopt the June 2016 CAO's Report as prepared by Geoff Baker. Unanimously carried.*

7.1.1.1 Councillor Spencer inquired about the two wheelchair accessible parking spaces in front of the Murray Christian Centre located on School Street and requested that one be removed as per Council's earlier direction.

7.2 Fire Department Statistical Report

7.2.1 *Moved by Councillor Doucette, seconded by Councillor Spencer to approve the March & April 2016 Fire Statistical report as prepared by Deputy Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Spencer, seconded by Councillor MacLean to approve the April 2016 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.3.2 The Annual Police Service Bike Rodeo will be held on Saturday, June 18th with registration from 8:30-9:00 AM. Councillors wishing to volunteer can contact Chief Sutherland.

7.4 Development Permit Summary Report

7.4.1 *Moved by Councillor Spencer, seconded by Councillor Mill to approve the building permit for Lee Pigeon Electrical at 21 Pleasant Street for the demolition of an accessory structure. Unanimously carried.*

7.4.2 *Moved by Councillor MacLean, seconded by Councillor Pickering to approve the building permit for Webster Enterprise Limited for the construction of a new 6 unit semi-detached rental property at 9 Imperial*

Street, Lot No. 12-3. Unanimously carried.

7.5 Bills List

7.5.1 *Moved by Deputy Mayor Mann, seconded by Councillor MacLean to approve the April 2016 Bills in the amount of \$142,642.07. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Deputy Mayor Mann, seconded by Councillor MacLean to approve the Summary Income Statement for the month of April 2016. Unanimously carried.*

7.7 Community Gardens Complex Report

7.7.1 *Moved by Councillor Spencer, seconded by Councillor Mill to approve the Community Gardens Complex report for the month of April 2016. Unanimously carried.*

7.8 Mayor's Report

7.8.1 *Moved by Councillor Doucette seconded by Councillor Pickering to approve the Mayors report for the month of June 2016 as presented by Mayor Caseley. Unanimously carried.*

7.9 Federation of PEI Municipalities and Kensington Area Chamber of Commerce Report

7.9.1 Deputy Mayor Mann reported on the recent FPEIM meeting. The Charlottetown Airport Authority provided updates to the Board on upcoming improvements to the Airport runways. FPEIM is also preparing for an election to fill a vacancy for Kings County.

7.9.2 The Kitchen Witch will be hosting a business mixer on June 22, 2016 and the KACC Annual Golf Tournament will be held on June 23, 2016 at Andersons Creek Golf Course. The Chamber is working on a "Member to Member" discount and the flower boxes have been distributed to participating business as part of the Downtown Improvement Initiative.

8. New Business

8.1 Request for Decisions

8.1.1 Development Control Bylaw – First Reading

8.1.1.1 *Moved by Deputy Mayor Mann, seconded by Councillor Pickering*

WHEREAS Section 16 of the Planning Act allows a municipality to make bylaws to implement their Official Plan;

AND WHEREAS the Town of Kensington's current Zoning and Subdivision Control (Development) Bylaw was reviewed for textual issues and wording conflicts and several were identified as requiring amendment;

AND WHEREAS it is considered expedient to approve a new Town of Kensington Zoning and Subdivision Control (Development) Bylaw as opposed to an amending bylaw;

AND WHEREAS Town Council has complied with the processes established in section 18 of the Planning Act;

BE IT RESOLVED that the Town of Kensington Zoning and Subdivision Control (Development)

Bylaw [Bylaw #2016-03] be hereby read a first time;

BE IT FURTHER RESOLVED that any previous Town of Kensington Zoning and Subdivision Control (Development) Bylaw be hereby repealed.

Unanimously carried.

8.1.1.2 Moved by Deputy Mayor Mann, seconded by Councillor Spencer

WHEREAS Section 16 of the Planning Act allows a municipality to make bylaws to implement their Official Plan;

AND WHEREAS the Town of Kensington's current Zoning and Subdivision Control (Development) Bylaw was reviewed for textual issues and wording conflicts and several were identified as requiring amendment;

AND WHEREAS it is considered expedient to approve a new Town of Kensington Zoning and Subdivision Control (Development) Bylaw as opposed to an amending bylaw;

AND WHEREAS Town Council has complied with the processes established in section 18 of the Planning Act;

AND WHEREAS the Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] was read a first time at this meeting;

BE IT REOLVED THAT Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] be hereby approved.

Unanimously carried.

8.1.2 CGC Ice Surface Operational Date

8.1.2.1 *Moved by Councillor Spencer, seconded by Councillor Pickering BE IT RESOLVED that Kensington Town Council authorize staff to have the Community Gardens Ice Surface operational by September 5, 2016, to facilitate the requirements of user groups.*

Unanimously carried.

8.2 Other Matters

8.2.1 *Nil*

9. Correspondence

9.1 The June KISH Newsletter

9.2 A letter from the Provincial Department of Communities, Land and Environment confirming a 1% increase to the Municipal Servicing Grant and Equalization.

Deputy Mayor Mann declared a conflict and excused himself from the Council Chambers at 7:44 pm.

9.3 *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the expenditure of approximately \$83.88 plus applicable taxes for the annual hosting fee for the Kensington and Area Chamber of Commerce website initiative, Doing Business in Kensington which shall be reviewed on an annual basis going forward.*

Deputy Mayor Mann returned to the Council Chambers at 7:50 pm.

9.4 *Moved by Councillor Mill, seconded by Councillor MacLean to approve a \$100 financial donation to sponsor the Group 3, Working Dogs category in the Lady Slipper Kennel Club Dog Show which is hosted yearly at the Community Gardens Complex. Unanimously carried.*

10. In-Camera

10.1 *Nil*

11. Adjournment

Moved by Councillor MacLean, seconded by Councillor Mill to adjourn the meeting at 7:57 PM. Unanimously carried.

Wendy MacKinnon,
Deputy Administrator

Rowan Caseley,
Mayor



Chief Administrative Officer's Report

July 2016

Each monthly CAO's report provides an opportunity to provide a snapshot to Town Council, our residents and other key stakeholders of some of the key work of staff. The report shall also serve as a reporting mechanism to Town Council on specific directions given to staff through the CAO.

Very generally, the CAO is responsible for the overall operation and administration of the Town including providing leadership to senior staff and providing business, policy guidance and technical advice to Town Council, and implementing Council decisions and directives, ensuring the timely delivery of programs and services, and a fiscally responsible budget while championing the programs and policies of Council.

Human Resource Updates:

Maria Hickey, Casual Administrative Assistant has informed us that she will not be returning to work with the Town. As such, we have hired Stephanie Coggins on a casual basis. The Casual Administrative Assistant fills in for Kim Caseley during annual vacation, sick leave, etc. We are very pleased to have Stephanie, and her pleasant demeanour, join our team.

Part Time Constable, Joseph "Joe" Arsenault has informed us that he has accepted a full time position with the City of Saint John Police Services. We are very sad to see Joe leave us as he has become an integral part of our police service and the community. As some may recall, Joe was selected as Police Officer of the Year for Prince Edward Island in 2015. We wish Joe all the best in his future endeavours.

Casual Constable, John Hovingh has informed us that he has accepted a full time position with the Halifax Police Department. Although John has only been with us for a short time, he has proven himself to be a competent police officer and a great employee. We wish John all the best in his future endeavours.

As a result, Rob Hartland of Fredericton, NB and Kyle Thibault of Rothsay, NB have been hired. Rob started the week of July 4th and Kyle will start on July 12th. Both gentlemen are graduates of the Atlantic Police Academy and come highly recommended by the Academy. We look forward to Rob and Kyle becoming part of our team at the Town of Kensington.

Capital Project Updates:

Water and Sewer

Pleasant Street Lift Station Replacement

As Councillors may recall from last month's report that concerns had been received from neighbouring property owners on the quality of grass that had been planted in the vicinity of the new lift station. The Contractor had, in fact, not planted any grass in the area and has since placed sod in the area. The sod appears to be of high quality.

Streets and Sidewalks

Kensington Storm Water Project

The construction of this project has been deferred to 2017.

Operational and Ongoing Items

Fire Department Policy Development

A second draft of the proposed Fire Bylaw has been provided by W.G. Hogan Fire Safety Specialties. The Bylaw has not been reviewed by staff at the time of writing this report. I am hopeful that the Bylaw will be provided to Town Councilors at their July Committee of Council meeting and that first reading can be given to the Bylaw at the August regular meeting of Town Council.

Annexation of 149 Kelvin Grove Road

IRAC has informed the Town that their report and recommendation for annexation of a property located at 149 Kelvin Grove Road was forwarded to the Minister of Communities, Land and Environment on Wednesday, June 8, 2016.

Kensington Ballfield Concern

As per Committee of Council's direction a contract was awarded to GSD Utility Services Inc. for the installation of backstop netting at the Don Clark Ballfield. I met with the contractor on Tuesday, July 5th to identify the exact placement of the netting. It is expected that the work will begin shortly. This should alleviate the public safety concerns with balls being hit into neighbouring properties.

Outdoor Volleyball Courts

Committee of Council has directed me to move forward with the installation of rope style fencing between at water tower property to prevent vehicles who require access to the water tower from going on to the crematorium property. No action has been taken to date. It is hoped that work can begin during the week of July 11th.

Wellfield Protection Plan

It was recommended by the Province of PEI that the Town apply to an applicable Infrastructure Fund for the development of the Wellfield Protection Plan. Further information in this regard will be brought before the July Committee of Council meeting or earlier as required.

5 Year Capital Plans

Staff continue to work on the completion of a five year capital plan as time permits. Once the plans are developed in draft form they will be presented to Town Council for their consideration.

EVK Pool

The pool opened on July 1, 2106. Thanks to Public Works Supervisor for going over and above to ensure that the pool was ready to open on time.

Kensington Area Soccer Club – Land Transfer

A copy of the transfer deeds have been received from the Province of PEI and are scheduled to be signed on Tuesday, July 12th by the Mayor Caseley and myself. A subdivision request is included with the tentative agenda package to subdivide the required property from the Queen Elizabeth Elementary School Property. The operational MOU has been reviewed and recommended modifications have been sent to the Kensington Area Soccer Club for their consideration.

Community Gardens Complex Naming Rights Contract

As Councillors may recall, it was agreed and approved that the Town would enter into a contract with the Malpeque Bay Credit Union for the naming rights associated with the Community Gardens Complex. This item has been outstanding for quite some time. The contract is in the process of being drafted by Key Murray Law.

Police Department False Alarm Policy

Staff continue to work on the development of a False Alarm Policy for the Kensington Police Service. It is hoped that a policy will be vetted through Committee of Council at their July meeting.

Sidewalk Maintenance/Replacement

The Public Works Department has developed a list of badly deteriorated sidewalk areas. The list is in the process of being finalized. Once the list is complete staff will solicit quotes to complete any required work. Further information will be provided to Town Council as this project progresses.

Musical Nights at the Kensington Railyards

A funding application has been made to the Tourism PEI's Innovation Fund to offset costs associated with a new tourism related program called "Musical Nights at the Kensington Railyards". The program would involve the presentation of live, local music on Wednesday evenings from 6:30 to 8:30 (?) throughout July and August at the Railyards Gazebo. Plans are

still being developed; further information will be provided to Town Council as the project progresses.

Respectfully Submitted,

Geoff Baker, CAO

Fire Department Occurrence Report 2016

Description	January	February	March	April	May	June	July	August	September	October	November	December	YTD total	% Total
Medical First Responder	2			1									3	11.11%
Motor Vehicle Accident	2	1	2	1	3								9	33.33%
Emergency Response - Fuel Spill, etc													0	0.00%
Fire Related														
Smoke Investigation	1												1	4%
Outside Fire - Brush, Grass, Utility Pole, etc.	1			5	1								7	26%
Structure Fire - House, Building, Vehicle, etc.		1		1	1								3	11%
Alarms	2		1		1								4	15%
Total Fire Related	4	1	1	6	3	0	0	0	0	0	0	0	15	56%
Total Incidents	8	2	3	8	6	0	0	0	0	0	0	0	27	
Mutual Aid Call Out													0	0%
Total Incidents (Including Mutual Aid Provided by KFD)	8	2	3	8	6	0	0	0	0	0	0	0	27	100%
Mutual Aid Call in													0	
Average Firefighter Attendance	12	15	16	22	15									
Regular Monthly Training - No. of Firefighters	24	22	22	18	18									
Training School - Level 1, etc. - No. of Firefighters	3	1	1											
Call Area														
Kensington	3		1	4	1								9	33.33%
Malpeque CIC	2		1	2	1								6	22.22%
Zone's 1 to 5	3		1	2	4								10	37.04%
Other													0	0.00%

Police Department Occurrence Report Summary 2016														
Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	% Total
911 Act				1	1								2	0.67%
Abandon Vehicle													0	0.00%
Abduction													0	0.00%
Alarms	3	6	3	2	1								15	5.03%
Animal Calls	1	3	2	2									8	2.68%
Arson													0	0.00%
Assault PO													0	0.00%
Assault with Weapon													0	0.00%
Assaults (Level 1)	2	4		1									7	2.35%
Assistance Calls	10	13	15	10	9								57	19.13%
Breach of Peace				2									2	0.67%
Breach of Recognizance													0	0.00%
Break and Enter (business)					1								1	0.34%
Break and Enter (other)													0	0.00%
Break and Enter (residence)			1										1	0.34%
Carry concealed weapon													0	0.00%
Child Pornography	1												1	0.34%
Child Welfare													0	0.00%
Coroner's Act			1	2									3	1.01%
Crime Prevention													0	0.00%
Criminal Harassment					1								1	0.34%
Dangerous Driving					2								2	0.67%
Disturbing the Peace													0	0.00%
Dog Act				1	1								2	0.67%
Driving while disqualified		1											1	0.34%
Drug Charges	3		2										5	1.68%
Excise Act													0	0.00%
Fail to Comply Probation		1											1	0.34%
Fail to comply undertaking													0	0.00%
Fail to remain at scene of accident				1									1	0.34%
Family Relations Act	2	1	1	1									5	1.68%
Fingerprints taken													0	0.00%
Fire Prevention Act													0	0.00%

Police Department Occurrence Report Summary 2016														
Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	% Total
Firearm Act	1				1								2	0.67%
Forcible confinement													0	0.00%
Fraud					1								1	0.34%
Harrassing Phone Calls													0	0.00%
Impaired Driver			2	1									3	1.01%
Information Files		1	2	3	2								8	2.68%
Injury Accidents													0	0.00%
Liquor Offences	2		1	1	1								5	1.68%
Litter Act	2												2	0.67%
Lost and Found	1		2	2	4								9	3.02%
Luring Minors													0	0.00%
Mental Health Act		1		2	2								5	1.68%
Mischief		3	3										6	2.01%
Motor Vehicle Accidents	4	3	1	3	2								13	4.36%
Motor Vehicle Act	4	5	6	2	2								19	6.38%
Municipal Bylaws	1			1	2								4	1.34%
Off Road Vehicle Act	1			1	1								3	1.01%
Other Criminal Code													0	0.00%
Person Reported Missing / wellbeing					2								2	0.67%
Possession of restricted weapon													0	0.00%
Property Check	2		1	2	2								7	2.35%
Resist Arrest													0	0.00%
Roadside Suspensions	1		1										2	0.67%
Robbery													0	0.00%
Sexual Assaults / Interference	1												1	0.34%
STEP (Integrated Traffic Enforcement)	1												1	0.34%
Sudden Death													0	0.00%
Suspicious Persons / Vehicle	1		2	3	4								10	3.36%
Theft Of Motor Vehicle													0	0.00%
Theft Over \$5000													0	0.00%
Theft Under \$5000	3	3	3	3	3								15	5.03%
Traffic Offences													0	0.00%
Trespass Act	1		1										2	0.67%

Year to Date Approved Development Permit Summary Report

Building Permit Category	January	February	March	April	May	June	July	August	September	October	November	December	Total Building Permit Count	Total Building Permit Fees \$	Total Estimated Construction Value \$
Single family dwelling (new)						1							1	\$200	\$97,500
Semi detached dwelling (new) - permits, not units													0		
Multi unit residential (new)				1		1							2	\$400	\$1,125,000
Modular/Mobile (new)													0		
Residential additions/alterations							1						1	\$100	\$100,000
Modular/mobile renovations													0		
Accessory Buildings		1			1	1							3	\$250	\$11,800
Other - signs, fence etc.													0		
Institutional (new)													0		
Institutional renovations/additions				1									1	\$150	\$350,000
Commercial (new)							1						1	\$300	\$450,000
Commercial renovations/additions					1								1	\$150	\$85,000
Industrial (new)													0		
Industrial renovations/additions													0		
Agriculture													0		
Demolition						1							1	\$50	
Totals	0	1	0	2	2	4	2	0	0	0	0	0	11	\$1,600	\$2,219,300

DEVELOPMENT PERMIT SUMMARY

July 2016

PERMIT NUMBER	DATE PERMIT ISSUED	PROPERTY NUMBER	APPLICANT'S NAME AND ADDRESS	TELEPHONE NUMBER	PERMIT STATUS	N E W	R E N	O T H	TYPE	ESTIMATED COST	ESTIMATED START AND COMPLETION DATE
10-16	July 4, 2016	78113	Rocky Arsenault 74 Broadway Street	902-432-0261	Approved		X		R	\$100,000	Start: July 5, 2016 Finish: Sept 2016
					DESCRIPTION:	New foundation and siding to existing building					
	N/A	76745 & 76760	MIH PEI Inc 41 Broadway Street	902-316-1770	Pending Approval	X			I-C	\$450,000	Start: August 2016 Finish: January 2017
					DESCRIPTION:	Construct a 3 tenant commercial building					
										\$	Start: Finish:
					DESCRIPTION:						
										\$	Start: Finish :
					DESCRIPTION:						
										\$	Start: Finish :
					DESCRIPTION:						

TYPE OF CONSTRUCTION

- | | | | |
|---|--------------------------|------|-------------------------|
| R | Residential Single | I-C | Industrial (commercial) |
| D | Residential Duplex | INST | Institutional |
| M | Residential Multi-Family | ED | Educational |
| A | Agricultural | O | Other |

**TOWN OF KENSINGTON
APPLICATION FOR BUILDING PERMIT**

1. Name and Address of Applicant Rocky Anagnost

74 Broadway St, V. Town Telephone 902-432-0261

2. Property Address 74 Broadway St Property Number 78113

3. Property Status:
Land purchased from _____ Year Purchased _____
If lot is located in an approved sub-division, please give
Name of Sub-Division: _____ Lot No. _____

4. Proposed Use:
Building or addition to be used for: Single Family Dwelling Duplex _____ Store _____
Private Garage _____ Commercial Garage _____ Private Storage Building _____
Other (describe) _____

5. Location of property to be developed:
Located on North South _____ East _____ West _____ side of Pleasant Street → West Side of Broadway Street
Between the property of _____ and the property of _____

6. Size of Property:
Road frontage ~77' Property depth ~115' Area ~8500 sq. ft.

7. Description of project and details of structure:
Works proposed consists of: New Construction _____ Addition to existing _____
Repairing Remodelling _____

Describe Project: New Foundation, siding etc
Porch being extended by approx. 1' to the west.

Ground floor: Length 48' Feet. Width 33' Feet.

Number of Stories _____ Number of Bedrooms 2

Type of Foundation	External Wall Finish	Roof Material	Chimney
Poured Concrete _____	Siding _____	Asphalt _____	Brick _____
Concrete block _____	Wood shingles _____	Steel _____	Prefab _____
Pier _____	Steel _____	Other _____	Other _____
Other _____	Other _____		

8. Water Supply: Private _____ Municipal

9. Sewerage System: Private _____ Municipal

10. Estimated cost of Project: \$100,000

11. Name and Address of Contractor or Chief Contractor: More All for foundation

12. Dates of expected start and finish of project: July 05/16

13. Moving a building (Describe) _____

14. Demolishing a building (Describe) _____

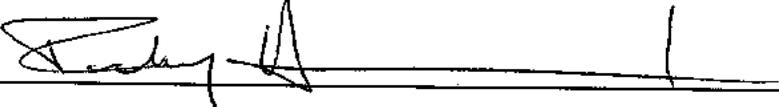
15. Please provide a diagram of proposed construction

10-16

RECEIVED
JUL 04 2016

Ed.

- a) Draw boundaries of your lot.
- b) Show existing and proposed buildings.
- c) Indicate the distance between buildings.
- d) Show location of driveway.
- e) Indicate distance to property lines and center of road.

Signature of Applicant  _____

Date: July 05 / 2016

Please note this Permit is for twelve-months only. If work is not started by that time please reapply.

dl - 0.

TOWN OF KENSINGTON
APPLICATION FOR BUILDING PERMIT

1. Name and Address of Applicant MIH PEI INC
PO Box 37 CIA 7K2 Telephone 902 316 1770

2. Property Address CORNER OF BROADWAY & VICTORIA Property Number 76745

3. Property Status:
Land purchased from _____ Year Purchased _____
If lot is located in an approved sub-division, please give
Name of Sub-Division: _____ Lot No. _____

4. Proposed Use:
Building or addition to be used for: Single Family Dwelling _____ Duplex _____ Store _____
Private Garage _____ Commercial Garage _____ Private Storage Building _____
Other (describe) COMMERCIAL BUILDING

5. Location of property to be developed:
Located on North _____ South _____ East _____ West _____ side of _____ Street
Between the property of _____ and the property of _____

6. Size of Property:
Road frontage _____ Property depth _____ Area _____ sq. ft.

7. Description of project and details of structure:
Works proposed consists of: New Construction Addition to existing _____
Repairing _____ Remodelling _____

Describe Project: 3 TENANT COMMERCIAL BUILDING

Ground floor: Length 76 Feet. Width 52 Feet.
Number of Stories _____ Number of Bedrooms _____

Type of Foundation	External Wall Finish	Roof Material	Chimney
Poured Concrete <input checked="" type="checkbox"/>	Siding _____	Asphalt <input checked="" type="checkbox"/>	Brick _____
Concrete block _____	Wood shingles <input checked="" type="checkbox"/>	Steel _____	Prefab _____
Pier _____	Steel _____	Other _____	Other _____
Other _____	Other _____		

8. Water Supply: Private _____ Municipal

9. Sewerage System: Private _____ Municipal

10. Estimated cost of Project: 450,000

11. Name and Address of Contractor or Chief Contractor MIH PEI INC

12. Dates of expected start and finish of project: AUG 1/16 - JAN 17

13. Moving a building (Describe) N/A

14. Demolishing a building (Describe) N/A

15. Please provide a diagram of proposed construction

RECEIVED
JUN 29 2016

Town of Kensington Bills List May 2016

ADL Foods	2237358	\$611.42
ADL Foods	2234835	\$31.78
ADL Foods	2241740	\$214.58
Aliant	4344660	\$31.22
Aliant	4340804	\$213.73
Andrew Griffin	MAY 2016 RRSP	\$538.28
B & K Cleaning	5	\$1,824.00
Bell Mobility	366372	\$205.49
AL Bell Ltd	0326	\$930.24
Buffie Boily Photographic Arts	3557	\$3,534.00
Brenda MacIsaac	MAY 2016 RRSP	\$273.00
Campbell's Plumbing and Heating	7594	\$561.34
Campbell's Plumbing and Heating	7595	\$106.88
Capital "T" Electric	238	\$136.80
Carleton Uniforms Inc	67442	\$14,821.60
CJL Aquaculture	471316	\$1,548.00
Combat Computer Inc	19297	\$104.08
Combat Computer Inc	19185	\$664.31
Combat Computer Inc	19236	\$478.17
Canadian Union of Public Employees	MAY 2016 UNION DUES	\$489.20
Curran & Briggs Ltd	37615	\$10,915.50
Eastlink	872467	\$53.68
Eastlink	862238	\$110.97
Eastlink	846796	\$108.55
Eastlink	915220	\$111.27
Eastlink	896009	\$122.22
Eastlink	MAY 2016	\$606.46
Elizabeth Hubley	MAY 2016 RENT	\$798.00
FDIC Atlantic	TRAINING REGISTRATIO	\$575.00
Flags & Banners	2142	\$1,621.55
Frito Lay Canada	43759670	\$130.79
Geoff Baker	MAY 2016 MILEAGE	\$330.73

Irving Oil	523321	\$275.10
Irving Oil	225142	\$189.74
Irving Oil	46491	\$379.13
Irving Oil	22418	\$612.72
Irving Oil	853126	\$416.21
Irving Oil	634269	\$353.34
Irving Oil	MAY INTEREST	\$73.27
Irving Oil	31333702	\$115.16
Irving Oil	31356740	\$223.80
Irving Oil	31367419	\$240.00
Island Petroleum	2052213681437	\$128.96
Island Petroleum	205221673066	\$54.83
Kensington Country Store	563795	\$92.15
Kent Building Supplies	849394	\$9.80
Kent Building Supplies	848974	\$31.00
Kent Building Supplies	859940	\$16.83
K'Town Auto Parts	168622	\$43.11
Kensington & Area Chamber of Commerce	73889	\$513.00
Kubota Canada Ltd	MAY 2016	\$262.21
Lee Pidgeon Electrical Ltd	4403B	\$307.80
Lewis Sutherland	MAY 2016 RRSP	\$613.48
Lewis Sutherland	MAY 2016 EXPENSE	\$110.92
Maritime Electric	MAY STREET LIGHTS	\$3,190.55
Maritime Electric	20 STEWART ST MAY	\$69.05
Maritime Electric	PW SHOP MAY	\$134.94
Maritime Electric	CGC BALLFIELD MAY 16	\$28.56
Maritime Electric	CGC SIGN MAY 2016	\$34.64
Maritime Electric	CGC SENIOR CNT MAY	\$47.01
Maritime Electric	LIBRARY MAY 2016	\$211.87
Maritime Electric	TRAIN STN MAY 2016	\$741.93
Maritime Electric	ART CO-OP MAY 2016	\$189.08
Maritime Electric	EVK POOL MAY 2016	\$56.73
Maritime Electric	FIRE HALL MAY 2016	\$367.36
Maritime Electric	CAR CHARGER MAY 2016	\$30.65

Maritime Electric	RADAR SIGNS MAY 2016	\$101.27
Maritime Electric	TOWN HALL MAY 2016	\$1,210.50
Maritime Electric	CGC RINK MAY 2016	\$1,153.09
Malpeque Bay Credit Union	MAY 2016 RRSP	\$1,552.02
Minister of Finance	285365	\$222.30
Minister of Finance	MAY TAX INSTALLMENTS	\$5,579.17
MJS Marketing & Promotions	2562040B	\$114.00
MJS Marketing & Promotions	2562011B	\$51.30
MJS Marketing & Promotions	2562004B	\$256.50
MJS Marketing & Promotions	2562042B	\$142.50
New London Rural Community Fire Company	207	\$1,040.00
Orkin Canada	6925433	\$57.00
Orkin Canada	6930117	\$28.50
Right on Board Locksmith	4671	\$262.77
Robert Wood	RWEXPMAY16	\$131.60
Mikes Independent	050516	\$13.65
Scotia Securities	DOUG KILLAM MAY RRSP	\$301.28
Scotiabank Visa	TIMS- MEETING PROVINCE	\$53.88
Scotiabank Visa	WCB CONF PARKING	\$17.50
Scotiabank Visa	UNION NEGOTIAT LUNCH	\$51.71
Scotiabank Visa	UNION NEG LUNCH	\$49.43
Scotiabank Visa	ARENA SPRAY PAINT	\$570.00
Scotiabank Visa	ANNUAL FEE 2016	\$65.00
Scotiabank Visa	FISH 070549	\$1,116.13
Sisters Cleaning	548589	\$273.60
Sisters Cleaning	548585	\$364.80
Sisters Cleaning	490451B	\$273.60
Spring Valley Building Centre Ltd	160899	\$214.27
Spring Valley Building Centre Ltd	160361	\$381.80
Stephanie Gallant	MAY 10, 2016 EXP	\$270.85
Suncor Energy Products Partnership	MAY 2016	\$580.46
Superior Sanitation	582518	\$79.80
Superior Sanitation	582519	\$182.40
Superior Sanitation	582520	\$228.00

Superior Sanitation	582521	\$182.40
T & K Fire Safety Equipment Ltd	220649	\$1,613.90
T & K Fire Safety Equipment Ltd	220926	\$273.60
Telus	TELMAY16	\$540.18
Traci Campbell	AEROBICS MAR 2016	\$208.00
Traci Campbell	MAY 2016	\$208.00
Vail's Fabric Services Ltd	257650	\$103.51
Visual Printing	4934	\$158.92
Wet n' Wild Car Wash	890325	\$80.00
Yellow Pages Group	16-2886696	\$21.07
Subtotal		<hr/> \$73,348.03
May Payroll		\$79,141.76
Total May Bills		<hr/> \$152,489.79 <hr/>

TOWN OF KENSINGTON
Income Statement Comparison of Actual to Budget for May 2016

GENERAL REVENUE	Current Month			Year to Date			Annual Budget	% Full Year
	Actual	Budget	Variance	Actual	YTD Budget	Variance		
General Revenues	\$76,324.00	\$79,393.00	-\$3,069.00	\$385,170.46	\$399,033.00	-\$13,862.54	\$957,760.00	40%
Police Service	\$599.90	\$1,700.00	-\$1,100.10	\$10,652.60	\$8,500.00	\$2,152.60	\$20,400.00	52%
Town Hall Rent	\$8,096.40	\$7,793.00	\$303.40	\$47,058.00	\$46,965.00	\$93.00	\$101,516.00	46%
Recreation	\$440.00	\$0.00	\$440.00	\$440.00	\$0.00	\$440.00	\$5,200.00	8%
Sales of Service	\$31,517.60	\$32,300.00	-\$782.40	\$133,097.30	\$161,500.00	-\$28,402.70	\$387,600.00	34%
Subtotal Revenue	\$116,977.90	\$121,186.00	-\$4,208.10	\$576,418.36	\$615,998.00	-\$39,579.64	\$1,472,476.00	39%
GENERAL EXPENSES								
Town Hall	\$16,514.50	\$14,655.00	-\$1,859.50	\$63,115.25	\$66,055.00	\$2,939.75	\$153,095.00	41%
General Town	\$24,135.85	\$24,851.00	\$715.15	\$169,538.39	\$194,044.00	\$24,505.61	\$374,091.00	45%
Police Department	\$29,839.96	\$32,371.00	\$2,531.04	\$158,710.21	\$179,225.00	\$20,514.79	\$421,992.00	38%
Public Works	\$22,104.63	\$13,045.00	-\$9,059.63	\$124,703.15	\$122,855.00	-\$1,848.15	\$239,895.00	52%
Train Station	\$1,533.82	\$2,329.00	\$795.18	\$13,038.64	\$12,345.00	-\$693.64	\$26,823.00	49%
Recreation & Park	\$8,482.52	\$18,575.00	\$10,092.48	\$17,852.49	\$30,025.00	\$12,172.51	\$72,250.00	25%
Sales of Service	\$13,849.76	\$16,970.00	\$3,120.24	\$69,271.68	\$79,440.00	\$10,168.32	\$184,330.00	38%
Subtotal Expenses	\$116,461.04	\$122,796.00	\$6,334.96	\$616,229.81	\$683,989.00	\$67,759.19	\$1,472,476.00	41%
Net Income (Deficit)	\$516.86	-\$1,610.00	-\$2,126.86	-\$39,811.45	-\$67,991.00	-\$28,179.55		
Community Gardens Complex								
Community Gardens Revenue	\$25,193.19	\$34,000.00	-\$8,806.81	\$153,988.04	\$163,700.00	-\$9,711.96	\$411,200.00	37%
Community Gardens Expenses	\$14,906.88	\$26,105.00	\$11,198.12	\$161,243.70	\$179,540.00	\$18,296.30	\$411,200.00	39%
Net Income (Deficit)	\$10,286.31	\$7,895.00	-\$2,391.31	-\$7,255.66	-\$15,840.00	-\$8,584.34		
Fire Department								
Fire Revenues	\$18,121.16	\$20,188.00	-\$2,066.84	\$102,930.88	\$100,940.00	\$1,990.88	\$242,256.00	42%
Fire Department Expenses	\$31,065.10	\$20,401.00	-\$10,664.10	\$98,033.63	\$97,205.00	-\$828.63	\$242,256.00	40%
Net Income (Deficit)	-\$12,943.94	-\$213.00	\$12,730.94	\$4,897.25	\$3,735.00	-\$1,162.25		
Consolidated Net Income (Deficit)	-\$2,140.77	\$6,072.00	\$8,212.77	-\$42,169.86	-\$80,096.00	-\$37,926.14		
Water and Pollution Control Corporation								
Water & Sewer Revenue	\$45,268.35	\$45,408.00	\$139.65	\$227,846.76	\$227,040.00	-\$806.76	\$544,896.00	42%
Water & Sewer Expenses	\$42,660.78	\$44,635.00	\$1,974.22	\$256,569.19	\$215,975.00	-\$40,594.19	\$544,896.00	47%
Water & Sewer Net Income (Deficit)	\$2,607.57	\$773.00	-\$1,834.57	-\$28,722.43	\$11,065.00	\$39,787.43		

TOWN OF KENSINGTON – MEMORANDUM

TO: GEOFF BAKER, CAO
FROM: ROBERT WOOD, COMMUNITY GARDENS COMPLEX
MANAGER
SUBJECT: MAY COMMUNITY GARDENS COMPLEX REPORT
DATE: 24/06/2016
ATTACHMENT: STATISTICAL REPORT, CANADA DAY PROGRAM

May 2016

Fitplex

Programming:

Monday's	Arthritis aerobics- Aerobics- Multi-Fit-	Arthritis Society Krista Shields	1.00pm-2.00pm 7.00-8.00 pm
Tuesday's	Seniors Aerobics- Boot Camp-	Krista Shields Traci Campbell	9.30am-10.30am 6.30pm-7.30pm
Thursday's	Seniors Aerobics- Hi-Lo-	Krista Shields Traci Campbell	9.30am-10.30am 6.30pm-7.30pm

Hours

Key FOB Entry 5.45am-12 Midnight Daily
Staffed 4pm-8pm Mon-Thursday

Arena

Painting Finished: Stands
 Dressing rooms
 Canteen

Conference room
Seniors center basement (summer camp)

Donated Arena Events: Skip Bearisto –Bike Rally for Fort McMurray
Saturday May 14 (9am-5pm)
Family and Friends Fort McMurray Benefit Dance
Friday May 20, 12-5(set up)
Saturday May 21, 11:00am-3:00am (set and dance)

Kensington Cash

May, 2016	260.00
	240.00
	250.00
	200.00
Total	950.00

Arena Programming\Special Events

- Kensington Police Service Bike Rodeo
- Fort McMurray Benefit Dance
- Fishing Derby

Ball Fields

- Kensington Rec League 5 Teams out of Kensington
- Miscouche League Play in Kensington on Sunday Mornings
- Minor Ball to have 3 teams play in Kensington
- Fast Pitch on Thursday Nights

Upcoming Events

- Relay For Life
- Canada Day –*Program Attached*
- Kensington Summer Camp will run July 4- Aug 19\2016
- Harvest Festival – Theme -Small Town Scarecrows, new events Kensington Harvest Festival Golf Tournament- Farmers Daughter Pageant-Kensington Has Talent Competition-Family day inside arena after Parade.

Program

11:00-11:45 Lady Slipper Dancers

12:00 Opening Ceremonies

Welcome by Mayor Rowan Caseley

Prayer by Rev. Al Meloche

Royal Canadian Legion Branch #9 Color Party

Raising of the Flag by Kensington Police Service

O'Canada sung by Erskine Ashley

Remarks by:

Honorable Wayne Easter, Government of Canada

Senator Elizabeth Hubley, Senate of Canada

MLA Matthew MacKay, Province of PEI

Community Awards – Citizen and Youth of the Year

11:00-12:00 Bunny Trails Petting Zoo

11:00-2:00 Face Painters, Balloon Artists, Reading Tent

12:15 Cake Cutting

12:15-1:00 Live entertainment by Nathan Condon

1:00-1:45 Live entertainment by Allan Sonier & Taylor Sonier



Canada Day Celebrations

Kensington Rail Yards

Friday, July 1st, 2016

11:00 am – 2:00 pm



Canadian
Heritage

Patrimoine
canadien

Program

11:00-11:45 Lady Slipper Dancers

12:00 Opening Ceremonies

Welcome by Mayor Rowan Caseley

Prayer by Rev. Al Melcohe

Royal Canadian Legion Branch #9 Color Party

Raising of the Flag by Kensington Police Service

O'Canada sung by Erskine Ashley

Remarks by:

Honorable Wayne Easter, Government of Canada

Senator Elizabeth Hubley, Senate of Canada

MLA Matthew MacKay, Province of PEI

Community Awards – Citizen and Youth of the Year

11:00-12:00 Bunny Trails Petting Zoo

11:00-2:00 Face Painters, Balloon Artists and Reading Tent

12:15 Cake Cutting, Free Hotdogs & Ice cream

12:15-12:45 Live entertainment by Nathan Condon

1:00-1:45 Live entertainment by Allan Sonier & Taylor Sonier



Canada Day Celebrations

Kensington Rail Yards

Friday, July 1st, 2016

11:00 am – 2:00 pm





Mayor's Report to Town Council

July 11, 2016

The Mayor's Report to Town Council is an opportunity for the Mayor to provide feedback to Council, Staff, Residents and other interested Stakeholders about activities of the Mayor on their behalf since the last Council meeting. It will include as much as possible a summary of information from meetings and discussions on behalf of the Town of Kensington. Any decisions to be made on behalf of the Town will be brought forward to Council for decisions.

The Mayor is the designated spokespersons for the town and communicates decisions made by Town Council. The Mayor chairs the monthly Town Council Meetings and the monthly Committee of Council meetings. All efforts are made to keep discussions and decisions transparent as we represent the town on behalf of the residents. Agenda's (along with supporting information) for Committee of Council meetings and Town Council meetings are posted on the town website on the Friday afternoon prior to the meeting. (www.kensington.ca)

Committee of Council meetings are held on the 4th Monday of each month at 6:30pm and Town Council meetings are held on the 2nd Monday of each month at 7:00pm. The agenda's (along with supporting information) are emailed to the County Line Courier, Journal Pioneer and CBC on the Friday afternoon prior to the meetings.

KISH Grade 8 French Immersion Class – Congratulations to the KISH Grade 8 class who placed 3rd in the Parks Canada competition and were given \$750 which they donated to the Fort McMurray Red Cross cause. It was great to be there when they received the awards and money and to see them give the prize money to a worthwhile cause. This speaks very highly of the caliber and civic duty of our youth.

Bike Rodeo – Congratulations to the Kensington Police Services and Chief Lewie Sutherland on another successful Bike Rodeo this year. It was exciting to see the looks on the faces of the children when they won a bicycle. Thanks to all the sponsors who provided 34 bicycles to give away this year. Thanks as well to Queen Elizabeth Elementary School for hosting the bike give away on Monday following the rodeo and helping to keep this event so well organized.

Indian River Opening Night – I was invited to attend the Reception and Opening Night of Indian River Festival. A great line up for 2016 and this is such a great venue for summer concerts. We are so pleased to have such a quality entertainment event located so close to our Town.

Father's Day Tea at Community Care – Enjoyed another get together with residents of Kensington Community Care and enjoyed a cup of tea and biscuits. One of the pleasures of being Mayor.

Central Development Corporation Annual General Meeting – The AGM was held in Bedeque. This organization does a lot to help develop and promote economic development in this area. I have invited the Executive Director to attend one of our Council meetings in the fall and give a brief



presentation on what they have to offer.

KISH Graduation 2016 – It was my pleasure to be a guest at the 2016 KISH graduation ceremony this year and to present one of the prizes to one of the recipients. The graduation exercise turned out another group of skilled students whom I am sure most will go on to further their education. We must never forget how important and valuable it is to our community to have an elementary, intermediate and high school located within our town boundaries.

Canada Day – Another successful Canada Day Celebration thanks to the organizing work of Robert Wood and his team. Thanks as well to Kim Caseley who coordinated and received all the applications for Citizen of the Year and Youth of the Year. The selection committee appointed by myself had a challenge deciding who would be the recipients of these awards for 2016. In the end they chose Juanita Boucher as Citizen of the Year and Brianna Mackay as Youth of the Year. Congratulations to both of these deserving citizens. Thanks as well to the selection committee for a great job as I know you had a tough time trying to pick only one.

Broadway 45 – I cannot end this report without acknowledging my first meal as a guest of Broadway 45, our newest restaurant in Kensington. So much work has gone into ensuring this venue has things done right, and it certainly showed when I was there. This will be another excellent addition to our selection of fine places to dine while in Kensington. We wish them well.

Donation of Park Benches - Thanks and appreciation to the Malpeque Bay Lions Club and the family of Roscoe Pendleton who each donated a park bench to the Town of Kensington. These benches are well constructed and have been placed at Town Center. It is great to have these additions to our downtown core area.

Rowan Caseley
Mayor – Town of Kensington

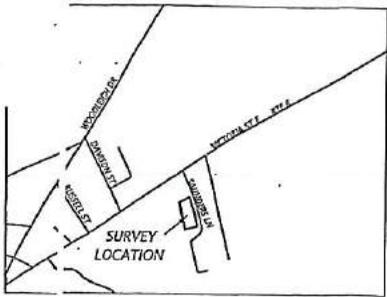
Town of Kensington - Request for Decision

Date: June 6, 2016	Request for Decision No: 2016-28
Topic: Subdivision of Lands of the Province of PEI	
Proposal Summary/Background:	
<p>At the May meeting of Town Council, Councillors provided preliminary approval of a subdivision of lands owned by the Province of PEI, located at the Queen Elizabeth Elementary School property through the following resolution:</p> <p><i>BE IT FURTHER RESOLVED THAT preliminary approval be given to subdivide PID No 498220, being lands owned by the English Language School Board (Province of PEI), into two separate parcels, Lot 2015-1 and the remainder of PID No. 498220, as per survey plan No. G-15-44 dated July 29, 2015 drawn by GIS Innovations Ltd.</i></p> <p>The purpose of the subdivision is to allow ownership of Lot 2015-1 to be transferred to the Town of Kensington to facilitate the construction of a soccer club house by the Kensington Area Soccer Club.</p> <p>A portion of the property survey map is being circulated with this Request for Decision and full size, legal survey plans will be available at the meeting for Councillors to review.</p>	
Benefits:	
<ul style="list-style-type: none"> • Will provide sufficient land required to facilitate the construction of soccer club house by the Kensington Area Soccer Club. 	
Disadvantages:	
<ul style="list-style-type: none"> • None noted. 	
Discussion/Comments:	
<p>It is recommended by the CAO that Town Council consider and approve a resolution to provide final approval of the subdivision of Lot 2015-01 from its parent parcel (PID No. 498220). The subdivision has been reviewed against the Development Control Bylaw and the Official Plan and is found to be in general compliance therewith.</p>	
Options:	
<ol style="list-style-type: none"> 1. Approve the Subdivision as recommended. 2. Not approve the Subdivision. 	
Costs/Required Resources:	Source of Funding:
N/A	N/A

Recommendation:

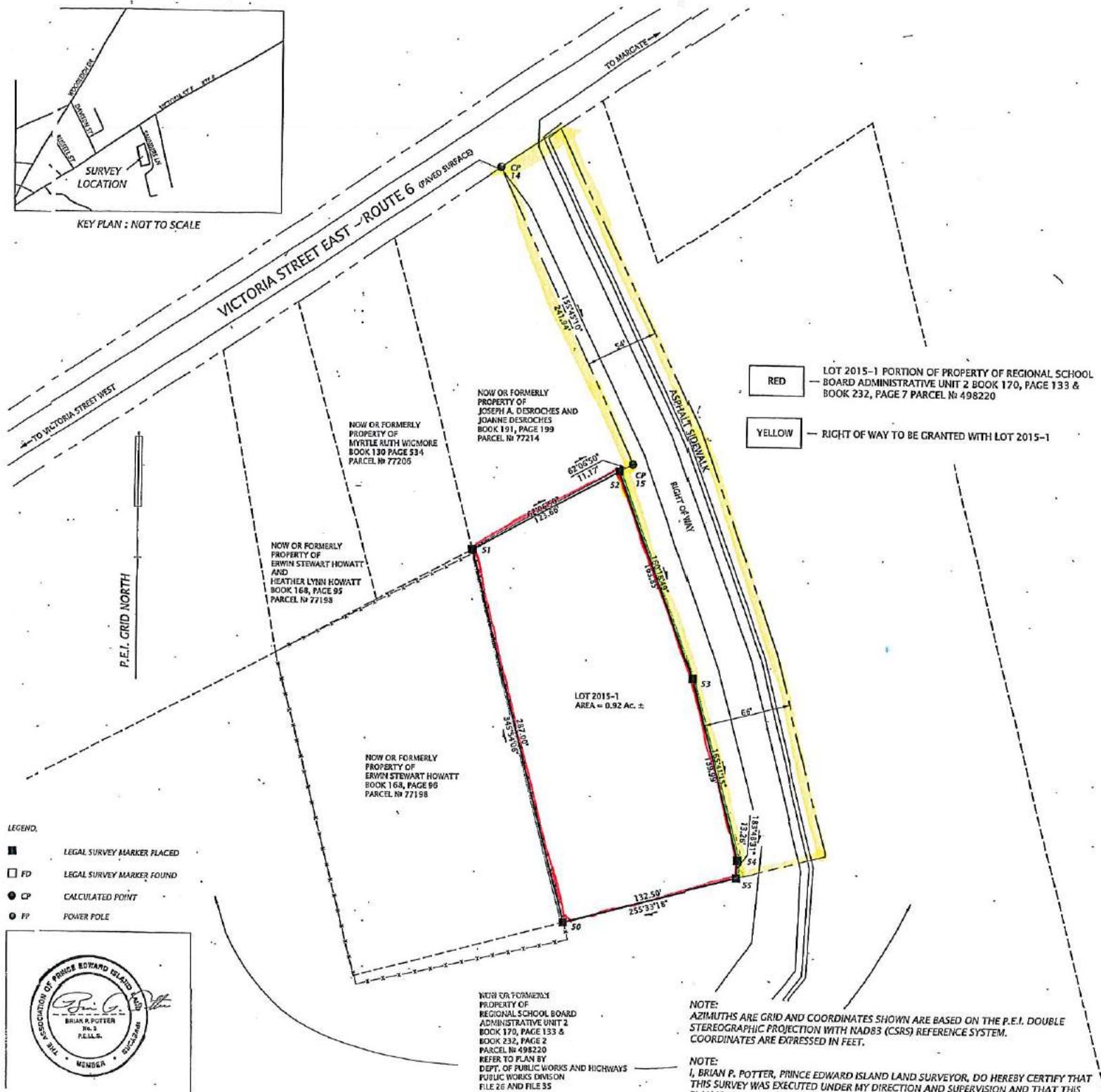
That Town Council consider and adopt the following resolution:

BE IT RESOLVED THAT approval be given to subdivide PID No 498220, being lands owned by the Province of Prince Edward Island, into two separate parcels, being Lot 2015-1 and the remainder of PID No. 498220, as per survey plan No. G-15-44 dated July 29, 2015 drawn by GIS Innovations Ltd.



KEY PLAN : NOT TO SCALE

COORDINATES EXPRESSED IN FEET		
POINT	EASTING	NORTHING
14	341200.20	405315.33
15	341299.56	405094.73
50	341250.30	404753.31
51	341180.39	405031.67
52	341289.69	405089.51
53	341344.88	404935.24
54	341379.49	404799.59
55	341378.61	404786.36



NOTE:
IT IS NECESSARY TO HAVE APPROVAL STAMPING ON THIS PLAN BEFORE DEEDS ARE PREPARED.

SCHEDULE "A"



G.I.S. Innovations Ltd.
 674 Water Street, Summerside, P.E.I. C1N 4J1
 Phone 902-436-0395

TITLE PLAN SHOWING LOT 2015-1 A PORTION OF PROPERTY OF REGIONAL SCHOOL BOARD ADMINISTRATIVE UNIT 2			
LOCATION KENSINGTON, LOT 19, PRINCE CO., P.E.I.			
SCALE 1" = 50'	FILE 2015-K-2	SHEET	OF
DATE JULY 29 2015	DRAWING G-15-44		

Town of Kensington - Request for Decision

Date: July 7, 2016	Request for Decision No: 2016-29
Topic: Home Based Business Request – Catherine Gallant – 17 Pleasant Street	
Proposal Summary/Background: A request was presented at the June Committee of Council meeting from Catherine Gallant of 17 Pleasant Street to operate a home based bookkeeping business. The business is proposed to be named “The Pleasant Bookkeeper”. The Committee recommended that the request be brought forward to the July meeting of Town Council for formal approval. A copy of the letter received from Ms. Gallant is being circulated with this Request for Decision.	
Benefits:	
Disadvantages:	
Discussion/Comments: Section 2.40 of the Town’s Development Control Bylaw defines a “Home Occupation” as an accessory use of a dwelling for gainful employment involving the provision or sale of goods and/or services. Home Based Businesses are regulated under Section 4.41 of the Bylaw. As Councillors are aware, first reading of an ‘amended ’Development Control Bylaw was given at the June 13, 2016 meeting of Town Council. One of the sections of the bylaw proposed to be amended is Section 4.41. For simplicity I have included both the current Home Based Business regulation as well as the proposed amended section: Regulations <u>Current Regulation</u> BUSINESS IN RESIDENTIAL ZONES–IN-HOME OCCUPATIONS Where a property is used for domestic and household arts, or business and professional offices in a residential zone, the following shall apply: a) the dwelling shall be occupied as a residence by the principal operator and the external appearance of the dwelling shall not be changed by the business use. b) there shall be no more than two non-resident assistants employed in the business. c) not more than 25% of the total floor area of the dwelling shall be occupied by the business. d) adequate off-street parking, in accordance with this Bylaw, separate from that required for the dwelling, shall be provided. e) there shall be no open storage or display area. f) premise signs shall be restricted to a maximum of 400 square inches in total.	

- g) domestic and household arts shall include:
 - i) Dressmaking and tailoring
 - ii) Hairdressing
 - iii) Instruction or tutoring
 - iv) Arts and crafts, weaving, painting, sculpture, and repair of garden or household ornaments, personal effects or toys.

Proposed Amended Regulation

HOME OCCUPATIONS

A home occupation is a permitted use in a single detached dwelling subject to the following:

- a) Commercial uses permitted as home occupations include:
 - i. Domestic and household arts (dressmaking and tailoring, hairdressing; instruction or tutoring, arts and crafts, weaving, painting, sculpture, and repair of garden or household ornaments, personal effects or toys);
 - ii. Business or professional offices
- b) the dwelling shall be occupied as a residence by the principal operator and the external appearance of the dwelling shall not be changed by the business use.
- c) there shall be no more than two non-resident assistants employed in the business.
- d) not more than 25% of the total floor area of the dwelling shall be occupied by the business.
- e) adequate off-street parking, in accordance with this Bylaw, separate from that required for the dwelling, shall be provided.
- f) there shall be no open storage or display area.
- g) premise signs shall be restricted to a maximum of 400 square inches in total.
- h) domestic and household arts shall include:
 - i. Dressmaking and tailoring
 - ii. Hairdressing
 - iii. Instruction or tutoring
 - iv. Arts and crafts, weaving, painting, sculpture, and repair of garden or household ornaments, personal effects or toys.

The decision to allow the operation of a home based bookkeeping business is supported by the Town's Official Plan (Policy PR-5)

Policy PR-5. In-Home Occupations

It shall be the policy of Council to permit a range of in-home businesses, provided that there are no significant negative impacts 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.

The property is owned by Catherine and Jamie Gallant. Ms. Gallant is proposed to be the principal operator and only employee of the business. There will be no modifications to the external appearance of the property and it is proposed that no sign will be installed on the property (although the Bylaw would permit the installation of a single sign, not to exceed 400 square inches in total area.

The area of the home that will be used for the business is approximately 325 sq ft. Based on a total floor area of 2040 sq ft, approximately 16% of the total floor area will be dedicated to the business.

The parking requirements under the bylaw mandate the minimum requirement for a single detached dwelling at 2 parking spaces. A Business or Professional Office would require an additional 1 parking space per 300 sq ft of floor area. Given the proposed floor area sits at 325 sq ft, 1.08 parking spaces would be required. The current parking area sits at approximately 2000 sq ft which will provide ample land area to facilitate the additionally required parking space.

It is not anticipated that significant traffic increases will be generated by the business.

This request has been reviewed by the CAO against the Town’s Development Control Bylaw and Official Plan and is found to be in general compliance therewith.

Options:

1. Approve the operation of the home based business as recommended.
2. Not approve the home based business

Costs/Required Resources:

N/A

Source of Funding:

N/A

Recommendation:

That Town Council consider and adopt the following resolution:

BE IT RESOLVED THAT the request from Catherine Gallant to operate a home based bookkeeping business out of a property located at 17 Pleasant Street be approved subject to full compliance with the Development Control Bylaw.



Town of Kensington
PO Box 418
Kensington, PE COB 1M0

Attention: Geoff Baker, Town Manager

June 20, 2016

Dear Mr. Baker:

I am currently in the planning of stage of starting my own Bookkeeping Business, The Pleasant Bookkeeper, from within my home. Today I am writing to you in hopes to gain the approval from the Town of Kensington Council. Upon review of the Town's Development Control Bylaw – Section 4.41, I have enclosed, within this letter, information about my business and residence for the Town Council to review.

My business, The Pleasant Bookkeeper, will be located within my residence at 17 Pleasant Street. I will be the sole employee and operator for this business. There will be no modifications done to the external appearance of the dwelling to accommodate the business and no signs installed on the property.

The area I will be using for my office is approximately 325 Sq Ft, with the residence being a total of 2040 Sq Ft. Our driveway is quite large, therefore, in addition to the 2 parking spaces we have for our personal vehicles, there will also be enough parking to meet the town's bylaw requirements of 1 space per 300 Sq Ft of floor area. I do not anticipate a high increase in traffic or large volumes of clients at my location on a regular basis. The traffic created would vary depending on the client's needs; for example, if paperwork is being dropped off bi-weekly, monthly or quarterly and/or if I make arrangements to pick up paperwork at their location, rather than them come to me. During the tax season, from about January-April, I am hoping to have a small increase in clients; however, with the use of technology, my plan is to do as much as possibly electronically, again saving the increase of traffic.

In hopes that this information will meet the requirements for our Town Council to make a decision, I would like to thank you for your time and consideration. It will be a great pleasure to become a part of such a wonderful business community within the Town of Kensington.

Sincerely,

Catherine Gallant

The Pleasant Bookkeeper

Pleasant St
Kensington, Prince Edward Island
[View on Google Maps](#)



Google

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Town of Kensington - Request for Decision

Date: July 7, 2016	Request for Decision No: 2016-30
Topic: New (Revised) Zoning and Subdivision Control (Development) Bylaw and Official Plan – Second Reading and Formal Adoption	
<p>Proposal Summary/Background:</p> <p>Town Councillors have considered several amendments to the Town’s Development Control Bylaw and Official Plan as put forward in a report from DV8 Consulting dated February 25, 2016 as well as correspondence between the CAO and DV8 Consulting dated March 29, 2016. A detailed summary of all proposed amendments was provided to Committee of Council on March 28, 2016 and again to Town Council on April 11, 2016. At the April 11th meeting, direction was provided to the CAO to move forward with the solicitation of public comments and concerns through a public hearing which was scheduled for, and duly held on June 9, 2016. No public were in attendance at the hearing.</p> <p>To simplify the process, discussion was held with the department of Municipal Affairs, that the Town would simply approve a new (revised) Development Control Bylaw and Official Plan, given the number of text amendments being made to the documents. While there are no significant policy changes with the documents, a large number of wording changes have been made to the documents.</p> <p>First Reading of the Bylaw was given at the June 13, 2016 meeting of Town Council.</p>	
<p>Benefits:</p> <ul style="list-style-type: none"> • The revised documents will provide clarity in wording and less potential for interpretation issues. • Will further align the documents with Planning best practices (i.e. removal of the word “family”) 	
<p>Disadvantages:</p> <ul style="list-style-type: none"> • None noted 	
<p>Discussion/Comments:</p> <ul style="list-style-type: none"> • See attached report from the CAO. 	
<p>Options:</p> <ol style="list-style-type: none"> 1. Approve second reading and formal adoption of the Zoning and Development Control Bylaw and approve Official Plan as recommended. 2. Not approve second reading of the Bylaw. 3. Not approve the Official Plan. 	
Costs/Required Resources: N/A	Source of Funding: N/A

Recommendation:

That Town Council consider and adopt the following resolutions:

Resolution 1

WHEREAS Section 16 of the Planning Act allows a municipality to make bylaws to implement their Official Plan;

AND WHEREAS the Town of Kensington's current Zoning and Subdivision Control (Development) Bylaw was reviewed for textual issues and wording conflicts and several were identified as requiring amendment;

AND WHEREAS it is considered expedient to approve a new Town of Kensington Zoning and Subdivision Control (Development) Bylaw as opposed to an amending bylaw;

AND WHEREAS Town Council has complied with the processes established in section 18 of the Planning Act;

AND WHEREAS the Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] was read and approved a first time at a meeting held on June 13, 2016;

BE IT RESOLVED that the Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] be hereby read a second time;

BE IT FURTHER RESOLVED that any previous Town of Kensington Zoning and Subdivision Control (Development) Bylaw be hereby repealed.

Resolution 2

WHEREAS Section 16 of the Planning Act allows a municipality to make bylaws to implement their Official Plan;

AND WHEREAS the Town of Kensington's current Zoning and Subdivision Control (Development) Bylaw was reviewed for textual issues and wording conflicts and several were identified as requiring amendment;

AND WHEREAS it is considered expedient to approve a new Town of Kensington Zoning and Subdivision Control (Development) Bylaw as opposed to an amending bylaw;

AND WHEREAS Town Council has complied with the processes established in section 18 of the Planning Act;

AND WHEREAS the Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] was read and approved a first time at a meeting held on June 13, 2016;

AND WHEREAS the Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] was read a second time at this meeting;

BE IT RESOLVED THAT Town of Kensington Zoning and Subdivision Control (Development) Bylaw [Bylaw #2016-03] be hereby approved.

BE IT FURTHER RESOLVED that any previous Town of Kensington Zoning and Subdivision Control (Development) Bylaw be hereby repealed.

Resolution 3 – Official Plan Approval

WHEREAS Section 14 of the Planning Act allows municipalities to adopt an official plan by resolution;

AND WHEREAS Council has followed the processes established in sections 11-14 of the Planning Act;

AND WHEREAS Council has complied with EC 640 / 97 – Planning Act Minimum Requirements for Municipal Official Plans;

BE IT RESOLVED that the Town of Kensington Official Plan be hereby formally adopted.

TOWN OF KENSINGTON - MEMORANDUM

TO: MAYOR AND TOWN COUNCILLORS
FROM: GEOFF BAKER, CHIEF ADMINISTRATIVE OFFICER
SUBJECT: ZONING BYLAW AND OFFICIAL PLAN AMENDMENTS
DATE: 09/06/2016
ATTACHMENT: ZONING BYLAW (& MAP),
OFFICIAL PLAN (& MAP)

INTRODUCTION

Town Councillors are currently considering several amendments to the Town's Development Control Bylaw and Official Plan as put forward in a report from DV8 Consulting dated February 25, 2016 as well as correspondence between the CAO and DV8 Consulting dated March 29, 2016. A summary of all proposed amendments is provided below. It is important to note that some of the Bylaw Amendments have triggered a requirement to amend the Town's Official Plan as well. The Official Plan amendments are consequential in nature.

The Bylaw Amendments were first considered by Committee of Council on March 28, 2016 where Councillors were presented with a copy of the DV8 Consulting report. Committee members were requested to review the Bylaw amendments and to provide any comments or proposed changes to the April 11, 2016 regular meeting of Town Council. No comments or proposals were received. At the April 11, 2016 regular meeting of Town Council direction was given to the CAO to move forward with a public meeting (scheduled for June 9, 2016 at 6:00 pm) to provide the general public with an opportunity to provide comments on the proposed amendments.

PROPOSED BYLAW AMENDMENTS

1. Definition of a Parking Space:

The By-law currently describes the dimensions of a parking space in two different sections. One is the minimum dimensions to satisfy the definition of a 'parking space' (9'x18'); the other describes the minimum size permitted in the Town of Kensington (10' x 20'). The difference is that a parking space is still considered a parking space if it is 9'x18', but at this size it would not meet the requirements for development to be counted

towards the minimum parking numbers. In some cases, a property owner may opt to have additional non-required, smaller parking spaces on their property.

Section 2.59 currently reads as follows:

“Parking Space” – means an area of land which is suitable for the parking of a vehicle, not less than nine feet wide and eighteen feet long, accessible to vehicles without the need to move other vehicles on adjacent areas.

And, Section 5.4 reads:

Where parking facilities are required or permitted:..

(6) A parking space shall consist of an area of not less than two hundred (200) sq ft. (18.6 sq m) measuring ten (10) ft (3 m) by twenty (20) ft (6 m), exclusive of driveways and aisles, unless otherwise authorized by Council.

Although not contradictory of one another, the two sections could be easily misinterpreted. It is proposed that Section 2.59 be amended to the following:

“Parking Space” – means an area of land which is suitable for the parking of a vehicle, accessible to vehicles without the need to move other vehicles on adjacent areas.

The proposed definition allows for flexibility in the interpretation of the term Parking Space in the future, while still maintaining the existing minimum size requirements as currently stipulated in Section 5.4.

2. Subdivision of a Semi-Detached/Town House Dwelling

The issue at hand is the current requirement for a masonry fire wall separation between two units of a semi- detached or townhouse dwelling if the owner intends to subdivide the units. Section 4.37 reads as follows:

Section 4.37 Special Requirements for Semi-detached, Row or Town House Dwellings

- 1. No semi-detached, row or town house dwelling shall be erected in a manner which will not permit subdivision into individual units pursuant to subsection (2).*
- 2. Semi-detached and row or townhouse dwellings may be divided independently for individual sale and ownership provided that:*

- a. *(Not applicable)...*
- b. *The units must be separated from the basement floor to the underside of the roof by a vertical masonry fire wall built in accordance with applicable National Building and Fire Code regulations.*
- c. ...

It is not the intent of the Town to enforce the National Building Code and National Fire Code in the construction of semi-detached, row and town house dwellings or to apply more stringent regulations than the Code with respect to fire wall separation requirements. The above regulation does not have a specific planning-related merit.

Generally speaking, a Municipal By-law should not restate, or duplicate regulations from a different Code or source when the source of the regulations can be referenced instead; this can cause errors when amendments occur and the By-law is not amended accordingly.

With respect to Section 4.37, it is proposed that (b) be amended to read as follows:

b. The units must be separated from the basement floor to the underside of the roof in accordance with the National Building and Fire Code regulations.

3. Accessory Apartments and Garden Suites

With regards to regulations pertaining to secondary units on a residential property (otherwise known as accessory apartments or garden suites), there are a number of sections in the By-law that should be addressed to clarify the existing permitted uses and to ensure that the development of a secondary unit is held to a standard that ensures adequate services and the occupants' safety.

The Town's *Official Plan* Policy PR-4 states that "*It shall be the policy of Council to permit the establishment of one accessory apartment in any single family dwelling in any zone.*" This policy is further supported by Policy PR-2 (to encourage infilling) and PR-7 (to promote Kensington as a residential development opportunity). More generally, from a good planning practices perspective secondary units is are a positive thing for a number of reasons, such as:

- It promotes residential density and allows for infill development where space may otherwise be limited;

- It promotes an efficient use of municipal services, where adequate services are available;
- It promotes alternate forms of residential housing opportunities (See Goal 4.3.2(3) in the *Official Plan*, “To provide a range residential zoning to support housing opportunities to meet various socio – economic and physical needs.”);
- It (may) provide a source of income which further supports property ownership for individuals who may otherwise not be able to afford to purchase a property; and
- It increases the tax base for the community, where a single detached dwelling with an accessory apartment is generally taxed at 1.5 dwelling units.

The following amendments to Section 2 of the By-law are proposed:

NEW “Accessory Apartment” means a dwelling unit either in or added to an existing single detached dwelling, or in an accessory building to a single detached dwelling, and is incidental and subordinate to the principal use of the main dwelling.

2.1 “Accessory Building” means a separate subordinate building, not used for human habitation, which is used or intended for the better or more convenient enjoyment of the main building to which it is accessory, and located upon the parcel of land upon which such building is or is intended to be erected, and is compatible in design to the main buildings and surrounding structures.

~~*2.43 “In-Law Suite” means a self-contained suite constructed in an owner-occupied single family dwelling for the purpose of accommodating a relative or relatives of the owner(s) during a limited period of time in which the relative may be in need of such a facility.*~~

Note that the current definition for In-Law Suite implies that there is a regulation for such a use that differs from that of an Accessory Apartment. It is a cleaner process if all secondary units are considered equal. The Town should not regulate who lives in the unit, whether or not compensation for is paid to the owner, or whether the unit is removed after the original resident is no longer in need of the dwelling.

Further it is proposed that Section 4.25 Garden Suites be removed from the By-law, and use the regulations in Sections 4.24 and 4.26 to determine when an accessory apartment is a permitted use within an accessory building.

~~*4.25 Garden Suites*~~

~~*Garden Suites (accessory buildings for human habitation which are located in the rear yard of a single detached dwelling) are not a permitted use in the Town.*~~

Section 4.26 of the By-law, addresses the regulations for Accessory Apartments as permitted within the main building (of any existing single family dwelling) or in an Accessory Building. The following amendments are proposed:

4.26 Accessory Apartments

~~At~~ One (1) accessory apartment for habitation may be constructed within any existing single family dwelling OR in an accessory building to a single family dwelling, if the owner of the dwelling, upon written application to the Council, satisfies the Council that all applicable provisions of the By-law have been met.

a) Accessory apartments are permitted within the main building or in an accessory building but in any case shall not be larger than 25% of the gross floor area devoted to the main use;

b) Accessory apartments shall not contain more than 2 bedrooms;

c) that adequate off street parking will be provided in addition to the parking space requirements for the main building, in accordance with the parking regulations of this By-law and in the side or rear yard of the building. Parking will not be permitted in the front yard.

d) that all other provisions of this By-law remain applicable to the dwelling and Council may require such changes to the exterior of the dwelling as may be necessary to ensure compliance with this By-law, whether in connection with the construction of the accessory apartment.

e) that any water and sewer upgrades must be reviewed and approved by the Town prior to any construction.

f) where the accessory apartment is to be located in a detached building or within an accessory building to the single family dwelling, the following provisions shall apply:

i. the accessory apartment must be connected to the water supply and sewerage disposal system of the main building;

ii. In the case of connection with an on-site water supply and sewerage disposal system, the intensification of use and necessary upgrades to the system(s) must be approved by the responsible provincial government department;

iii. The accessory apartment meets the requirements of the provincial Fire Marshal 's Office;

iv. In addition to the development standards for an accessory building as outlined in Section 4.24, the side yard and rear yard setbacks for an accessory building containing an accessory apartment shall be at least as wide as the minimum side yard and rear yard setbacks as required for the main building.

g) A mini home is not permitted to be used as an accessory apartment unless otherwise permitted in this by-law.

Applications subject to the proposed regulations should be relatively straight forward assuming the applicant can satisfy Council that all of the applicable provisions of the By-law have been met. Please note that the proposed additional side and rear yard setbacks for accessory buildings containing accessory apartments is primarily to ensure adequate privacy for bedroom windows adjacent to property lines. Applicants will have the option to apply for a variance if the setbacks cannot be met (for instance, if the application is to convert an existing accessory building with a reduced setback).

Finally, a minor supporting amendment to the parking table in Section 5.2 is proposed as follows:

<i>Primary Type of Building</i>	Minimum Requirement
Single Family Dwelling, Duplex, Semi-detached or Accessory Apartments	2 parking spaces/unit
Duplex Dwelling	2 parking spaces/unit
Multiple Family Dwelling (with 3 or more units)	1.5 parking spaces/unit

4. Section 9.5 – Maximum/Minimum Height in the R3 Zone

The development standards for an apartment, row or townhouse development in the Multiple Family Residential (R3) Zone currently include a ‘Maximum height of any building’ at 35 feet (10.5 m) and a ‘Minimum height’ of 2 storeys. As this is the only zone for which a minimum height regulation has been established, the intentions of the regulation are not clear. Minimum height regulations are commonly used to encourage densification in a core area and to ensure new development maximizes on the full potential of the property. It is also often used to establish a consistent and aesthetically

pleasing street façade in a downtown core environment where side yard and front yard setbacks are at a minimum. If these were the intentions behind establishing the current regulations, it would be expected that the same regulation would apply to development in the C1 Zone, which it does not.

Further, a minimum height requirement of 2 storeys could result in an unnecessary burden to a developer, who has a large property for development and intends to develop ‘senior friendly’ or ‘accessible’ multiple family dwellings, as are quite common in small communities. A minimum 2 storey building, requires stairs and/or elevator services which may not only be cost prohibitive but may also be contrary to the intentions of the development.

It is proposed that the 2 storey minimum from the table of development standards for the R3 Zone be removed. And further consideration may be warranted on whether a 2 storey minimum would be desirable for the C1, core area of the Town at a future time.

5. Text Amendments for Section 11.4

There is text amendment required for Section 11.4 due to an existing typo in the document, as follows:

*Special Requirements – Commercial Zones Adjacent to Residential Zones
The special requirements as delineated in section 10.7 of this By-law also apply in the ~~C3-Zone~~ C2 Zone.*

6. Definitions – Section 2

A review of Section 2 of the *Zoning and Subdivision Control (Development) By-law* was conducted for language and terminology consistency and their use in the By-law. It is proposed that the following be amended within the Bylaw and where applicable and consequentially, to the Official Plan:

1. Section 2.3 - The definition of the term ‘Administrator’ refers to the Chief Administrative Officer (CAO) and/or Town Manager. The CAO or Town Manager may act as the Development Officer, but the Development Officer for the Town is not necessarily the CAO/Town Manager. The term Administrator is used in Section 4.2 and 19.4(1) where the term Development Officer would be more appropriate.

2. Section 2.10. - The term ‘Block’ is defined but not used within the by-law; the defined term is unnecessary and is proposed to be removed.
3. Section 2.14 - The term ‘Building Setback’ is defined however the use of the term setback is not used in the By-law with the word ‘Building’ preceding it. This definition is proposed to be redefined for the term ‘Setback’.
4. Section 2.19 - The term ‘Coastal Area’ is defined but not used within the By-law; the defined term is unnecessary and is proposed to be removed.
5. Section 2.21 - The term ‘Condominium’ is associated with the *Condominium Act Cap. C-16* which the Town does not have jurisdiction for regulating or issuing approvals. While it is understandable that multi-unit dwellings within the Town may become condominiums, the Town cannot restrict what can and cannot become a condominium, as well the Town cannot require it as a condition of a development permit. Condominiums are also not restricted to multi-unit dwelling buildings, as I have dealt with applications for condominium commercial and industrial buildings, as well as land parcels. This term is proposed to be removed from the By-law, as well as references to the term in Section 9.2.
6. A definition for the term ‘Commercial’, which corresponds to the existing definitions for Industrial Premises and Institutional Premises. Definition is proposed as follows:

“Commercial” - means the use of a building or parcel for the purpose of buying and selling goods and supplying services.
7. The term ‘Erect’ is proposed to be identified with a Section number as it is not affiliated with the term “Dwelling” that proceeds it in the alphabetized order of the definitions.
8. Section 2.32 – The term ‘family’ has been the subject of court cases in other jurisdictions; although still common practice in PEI today, the term should not be used in association with land use and development regulations - how one defines their family is not within the authority of the Town. As such, the definition is proposed to be removed from the By-law, as well as associated uses of the term, including the following:
 - a. Single Family Dwelling - Single Detached Dwelling
 - b. Multiple Family Dwelling - Multi-unit Dwelling
 - c. Two Family Density Residential - Duplex and/or Semi-Detached Dwelling
 - d. Single Family Residential Zone (R1) - Single Residential Zone (R1)

- e. Two Family Residential Zone (R2) - Low Density Residential Zone (R2)
 - f. Multiple Family Residential Zone (R3) - Multi-Unit Residential Zone (R3)
 - g. The definition of Bed and Breakfast (Section 2.9) to *read as follows*: Bed and Breakfast means an owner occupied single detached dwelling ~~a dwelling occupied by a family and~~ used incidentally to provide accommodation of up to three (3) separate rooms and meals to transient travelers and includes a tourist home but does not include a boarding house, rooming house, domiciliary hostel, group home, hotel, motel, restaurant or lounge.
9. The term ‘Farming’ is defined but not used within the By-law; the defined term is unnecessary and is proposed to be removed; furthermore the term ‘Farm’ as a land use is sufficient for referencing the act of farming.
10. Section 2.40 - The term “Home Occupation” is defined however within the By-law the term is “In-home Occupation”; It is proposed to change the title of Section 4.41 to Home Occupations. In addition, suggest removing ‘Business in Residential Zones’ from the title which implies that businesses are a permitted use in the zone, regardless of whether or not they are within a dwelling.

Where in Section 4.41 it states that “Where a property is used for domestic and household arts, or business and professional offices in a residential zone, the following shall apply...”

Proposed to be changed to read as follows:

“A home occupation is a permitted use in a single detached dwelling subject to the following:

- a) Commercial uses permitted as home occupations include:
 - i. Domestic and household arts (dressmaking and tailoring, hairdressing; instruction or tutoring, arts and crafts, weaving, painting, sculpture, and repair of garden or household ornaments, personal effects or toys);
 - ii. Business or professional offices
 - b) The dwelling shall... “ (and continue with the existing points a through f; g is no longer necessary)
11. Section 2.42 and 2.44 - Remove the word Premises from both definitions, the terms “Industrial” and “Institutional” can stand on their own as they are not used in conjunction with the term “Premises” in the text of the By-law.

12. Section 2.51, 2.52 and 2.53 - It is uncertain as to the meaning and intent of the definition of ‘Mobile Home’ as a dwelling type that is to be differentiated from a ‘Mini home’, ‘Modular Home’ or ‘Recreational Trailer or Vehicle’. The terms more commonly referred to today are mini-home (in reference to a pre- manufactured home up to 5m in width); a modular home is any pre-manufactured housing over 5m in width; and a recreational trailer or vehicle as is currently defined (aka. a camper trailer or RV).

It is proposed to remove the definition for ‘Mobile Home’ and removing Section 4.44.

13. Section 2.69 and 2.70 - As with the term ‘Family’, the term ‘Senior Citizen’ should not be associated with land use and development regulations; it is unconstitutional for development related decisions to be made based on the age of the occupants of the proposed development. It is understood that the intent is to give special recognition to housing facilities financed by the Province or other levels of government, however if ownership or management of a building was to change, the Town would not be able to enforce regulations that restrict the occupants based on their age. From a development perspective, a senior citizen home should be handled as any residential dwelling type based on the number of units (ie. In most cases being a multi-unit dwelling). Note that this does not apply to Community Care Facilities or Nursing Homes which offer care and/or supervision to residents and which are regulated by the *Community Care Facilities and Nursing Home Act* R.S.P.E.I. 1988, Cap. C-13 – these uses can be defined by the services provided and should be considered as Institutional uses.

It is proposed to remove Section 2.69 and 2.70; and amending Section 2.44, Section 5.2 (Parking Requirements Table) and Section 9.2 by removing the reference to Senior Citizens Apartments/Homes.

14. Section 2.84 and 2.85 - are terms regulated by the PE [Environmental Protection Act, R.S.P.E.I. 1988, c. E-9](#) and although the definitions may be accurate to the current legislation, the Town’s By-law would better reflect the regulations by referencing the Act, which may or may not change in the future. Proposed to be amended as follows:

“Watercourse” has the same meaning as defined in the *Watercourse and Wetland Protection Regulations* prescribed under the *Environmental Protection Act*, as may be amended, and, in the case of any dispute, the final determination shall be made by the *provincial government* department having responsibility for enforcement of such regulations.

“Wetland” has the same meaning as defined in the *Watercourse and Wetland Protection Regulations* prescribed under the *Environmental Protection Act*, as may be amended,

and, in the case of any dispute, the final determination shall be made by the *provincial government* department having responsibility for enforcement of such regulations.



Zoning and Subdivision Control (Development)
Bylaw

Revised July 2016

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TOWN OF KENSINGTON ZONING & SUBDIVISION CONTROL (DEVELOPMENT) BYLAW

This Bylaw is made under the authority of the Planning Act, R.S.P.E.I.1988, Cap.4 and the Municipalities Act RSPEI.

BE IT ENACTED by the Council of the Town of Kensington as follows:

1. Scope

1.1. Title

This Bylaw shall be known and may be cited as the **Town of Kensington Zoning and Subdivision Control Bylaw** or the **Development Bylaw**.

1.2. Area Defined

This Bylaw applies to the geographical area within which the Town of Kensington Council has jurisdiction.

1.3. Scope

No dwelling, business, trade, or industry shall be located, nor shall any building or structure be erected altered, used or have its use changed, nor shall any land be divided, consolidated or used in the Town of Kensington, except in conformity with this Bylaw and subject to the provisions contained herein.

1.4. Authority of Development Officer

Council shall appoint a Development Officer whose duties shall be as provided in this Bylaw. The Development Officer shall have the authority to administer this Bylaw. Notwithstanding the foregoing, the Development Officer shall have the authority to approve or deny development permits in accordance with this Bylaw in all areas except for:

- 1) Commercial
- 2) Institutional
- 3) Industrial
- 4) Multi-Unit Dwelling

2. Definitions

For the purpose of this Bylaw, all words shall carry their customary meaning except for those defined hereafter.

In this Bylaw:

- 2.1 **“Accessory Apartment”** means a dwelling unit either in or added to an existing single detached dwelling, or in an accessory building to a single detached dwelling and is incidental and subordinate to the principal use of the main dwelling.
- 2.2 **“Accessory Building”** means a separate subordinate building, which is used or intended for the better or more convenient enjoyment of the main building to which it is accessory, and located upon the parcel of land upon which such building is or is intended to be erected, and is compatible in design to the main buildings and surrounding structures.
- 2.3 **“Accessory Use”** means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.
- 2.4 **“Administrator”** - means the Chief Administrative Officer and/or Town Manager of the Town of Kensington”
- 2.5 **“Alter”** - means any change in the structural component or physical appearance of a building or any increase in the volume of a building or structure.
- 2.6 **“Attached”** - means a building or structure which has a common wall and/or common roof line and the building or structure may be considered common as long as a minimum of twenty (20) per cent of the length of the wall or roof line is common with the main building or structure wall or roof.
- 2.7 **“Automobile Sales and Service Establishment”** - means a building or part of a building or a clearly defined space on a lot used for the sale and maintenance of used or new automobiles.
- 2.8 **“Automobile Service Station or Service Station”** - means a building or part of a building or a clearly defined space on a lot used for the sale of lubricating oils and/or gasoline and may include the sale of automobile accessories and the servicing and repairing essential to the actual operation of motor vehicles.

- 2.9 "Automobile Washing Establishment"** - means a building or part thereof used for the operation of automobile washing equipment which is manual, automatic or semi-automatic.
- 2.10 "Bed and Breakfast"** - means an owner occupied single detached dwelling used incidentally to provide accommodation of up to three (3) separate rooms and meals to transient travellers and includes a tourist home but does not include a boarding house, rooming house, domiciliary hostel, group home, hotel, motel, restaurant or lounge.
- 2.11 "Building"** - includes any structure having a roof supported by columns or walls intended for the shelter, housing or enclosure of any person, animal or chattel.
- 2.12 "Building Height"** - means the vertical distance measured from the averaged finished grade to the highest point of roof surface.
- 2.13 "Building Line"** - means any line regulating the position of a building or structure on a lot.
- 2.14 "Business or Professional Office"** - means premises where services are offered for a fee but does not include premises used for the retailing, wholesaling, manufacturing or conversion of goods.
- 2.15 "Campground"** - means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.
- 2.16 "Child Care Facility"** - means any institution, agency, or place, whether known as a day nursery, nursery school, kindergarten or play school, which receives for temporary care apart from the parents on a daily or hourly basis, with or without stated educational purposes and during part or all of the day, more than three children under seven years of age.
- 2.17 "Club"** - means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club shall also mean, where the context requires, premises owned or occupied by members of such association within which the activities of the club are conducted.
- 2.18 "Community Care Facility"** - means an establishment that provides care services for compensation to five or more residents who are not members of the operator's immediate family but does not, unless otherwise ordered by the Lieutenant Governor in Council, include:
- i) a group home recognized as such by the Minister,
 - ii) a residential school,
 - iii) an establishment providing accommodation only,
 - iv) a hospital,

- v) a correctional institution,
- vi) an addiction treatment facility
- vii) a nursing home, or
- viii) a residential institution

- 2.19 "Commercial"** - means the use of a building or parcel for the purpose of buying and selling goods and supplying services.
- 2.20 "Convenience Store"** - means a retail commercial establishment, not exceeding 1,500 sq. ft. (135 sq. m.) of gross floor area, supplying daily household necessities for the immediate surrounding area in which articles for sale are restricted to a limited range of primarily food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy, meat, and to compliment such items which may include the limited sale of magazines, books, housewares, toiletries, stationary, patent medicines, tobacco products.
- 2.21 "Council"** - means the Council for the Town of Kensington.
- 2.22 "Councillor"** - means any resident who has been duly elected and sworn to office in order that such resident may execute those duties as prescribed by the law.
- 2.23 "Deck"** - means a structure abutting a dwelling with no roof or walls except for visual partitions and railings, which is constructed on piers or a foundation above-grade for use as an outdoor living area.
- 2.24 "Demolition"** - means to remove, pull down or destroy a structure.
- 2.25 "Development"** - means the carrying out of any building, engineering, excavation, dumping, filling or other operations in, on, over or under land, or the making of any material change in the use, or the intensity of use of any land, buildings, or premises without limiting the generality of the foregoing.
- 2.26 "Development Officer"** - means the person charged by the Council with the duty of administering the provisions of this Bylaw.
- 2.27 "Development Permit"** - means the formal and written authorization for a person to carry out any development.
- 2.28 "Display"** - includes any item, group of items, sign, or billboard visible to the general public, indicating that items or services are offered for sale or trade, but does not include Premise Signs of 400 square inches or less.
- 2.29 "Dwelling"** - means a building or portion thereof designated or used for residential occupancy, but does not include hotels and motels.

- i. **"Dwelling Unit"** - means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided.
- ii. **"Single Detached Dwelling"** - means a building designed or used for occupancy as one dwelling unit.
- iii. **"Duplex Dwelling"** - means a building containing two dwelling units each of which has at least two independent entrances.
- iv. **"Multi-Unit Dwelling"** - means a building containing three or more dwelling units.
- v. **"Semi-detached Dwelling"** - means a building divided vertically into two (2) separate units, each of which has at least two independent entrances.
- vi. **"Townhouse Dwelling or Row House Dwelling"** - means a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit

2.30 "Erect" - means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, filling or draining.

2.31 "Farm" or "Farm Property" - means arable land, dwelling and complementary buildings containing at least 10 acres, operated as a farm enterprise and includes land leased from the Crown, but does not include land leased or rented from owners who are not bona fide farmers.

2.32 "Fence" - means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

2.33 "Floor Area" - means:

- i. With reference to **"Dwelling"** - the area contained within the outside walls excluding any private garage, porch, veranda, sunroom, greenhouse, unfinished attic, unfinished basement, and other rooms not habitable at all seasons of the year.
- ii. With reference to **"Commercial Building"** - the total usable floor area within a building used for commercial purposes excluding washrooms, furnace rooms and common halls between stores.
- iii. With reference to **"Accessory Building"** - the area contained within the outside walls.

2.34 "Frontage" - means the horizontal distance between the side lot lines bordering on a street and according to the direction of the front of the dwelling or structure.

- 2.35 "Grade"** - means the lowest point of elevation of the finished surface of the ground, paving or sidewalks within the area between the building and the property line or when the property line is more than five (5) ft. (1.5 m.) from the building, between the building and a line five (5) ft. (1.5 m.) from the building.
- 2.36 "Highway, Road or Street"** - means all the area within the boundary lines of every road, street or right-of-way which is vested in the Province of Prince Edward Island or the municipality and used or intended for use by the general public for the passage of vehicles and includes any bridge over which any such road, street or right-of-way passes.
- 2.37 "Home Occupation"** - means an accessory use of a dwelling for gainful employment involving the provision or sale of goods and /or services.
- 2.38 "Hotel"** - means a building other than a motel occupied or intended to be occupied as the temporary lodging place for any individual for a fee.
- 2.39 "Industrial"** - means premises in or from which goods or materials are manufactured, processed, assembled or extracted or premises from which wholesale trade is carried on including warehousing.
- 2.40 "Institutional"** - means premises, other than retail or industrial, used for community services and includes:
- i. Cemeteries
 - ii. churches, places of worship and religious institutions
 - iii. colleges, universities and non-commercial schools
 - iv. community centres
 - v. golf courses
 - vi. government offices
 - vii. community care facilities, and nursing homes
 - viii. hospitals
 - ix. libraries, museums and art galleries
 - x. public and private parks
 - xi. public and private recreational centres
 - xii. public and private schools
 - xiii. experimental farms
 - xiv. child care facilities.
- 2.41 "Landscaping"** - means any combination of trees, shrubs, flowers, grass, other horticultural elements, paving, or other architectural elements, all of which are designed to enhance the visual amenity of a property.

- 2.42 "Loading Space"** - means an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one (1) commercial motor vehicle while merchandise or materials are being loaded or unloaded, and such parking space shall not be for the purpose of sale or display.
- 2.43 "Lot or Property"** - means any parcel of land described in a deed or as shown in a registered subdivision plan.
- i. "Lot Area" - means the total area included within the lot lines.
 - ii. "Corner Lot" - means a lot situated at an intersection of and abutting on two or more streets.
 - iii. "Flankage Lot Line" - means the side lot line which abuts the street on a corner lot.
 - iv. "Front Lot Line" - means the lot line abutting the street upon which the building or structure erected or to be erected has its principal entrance.
 - v. "Interior Lot" - means a lot other than a corner lot.
 - vi. "Lot Depth" - means the depth from the front lot line to the rear lot line.
 - vii. "Lot Line" - means any boundary of a lot.
 - viii. "Rear Lot Line" - means the lot line further from and opposite to the front lot line.
 - ix. "Side Lot Line" - means a lot line other than a front, rear or flankage lot line.
 - x. "Through Lot" - means a lot bounded on two opposite sides by streets.
- 2.44 "Lot Consolidation"** - means the legal incorporation of two or more existing parcels of land to form a single, larger parcel.
- 2.45 "Lounge"** - means a commercial facility or structure licensed to sell alcoholic beverages to the public.
- 2.46 "Main Building"** - means that building, the nature of the use of which determines the status of the lot upon which it is authorized to be constructed or upon which it is constructed.
- 2.47 "Mini-Home"** - means a pre-manufactured dwelling unit having an average width of less than 20 feet, not including appurtenances such as porches, entries, etc. and certified under the Z240 provisions of the Canadian Standards Association (CSA).
- 2.48 "Modular Home"** - means a pre-manufactured dwelling unit having an average width of 20 ft. or more, not including appurtenances such as porches, entries, et al.
- 2.49 "Motel"** - means a building occupied in whole or in part as a temporary lodging place for an individual and for which there is an exit for any room or suite of rooms directly to the outdoors with access to grade level.

- 2.50 "Nursing Home"** - means a building, part of building, or group of buildings in which, for a fee, charge or reward, direct or indirect, there are housed patients requiring or receiving active treatment for, or convalescing from, or being rehabilitated after illness or injury, but does not include a public hospital, mental hospital, tuberculosis hospital or sanatorium.
- 2.51 "Obnoxious Use"** - means a use which, when judged by reasonable community standards, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration or by reason of the emission of gases, fumes, dust, and any objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.
- 2.52 "Open Space"** - means that portion of a lot which may be used for landscaping, recreational space or leisure activities normally carried on outdoors; but does not include space used for service drive-ways or off-street parking.
- 2.53 "Owner"** - means a part owner, a joint owner, tenant in common or joint tenant of the whole or any part of any land or building and includes a trustee, and executor, and executrix, a guardian, and agent, or mortgage in possession or other person having the care or control of any land or building in the event of the absence or disability of the person having the title thereof.
- 2.54 "Parking Space"** - means an area of land which is suitable for the parking of a vehicle accessible to vehicles without the need to move other vehicles on adjacent areas.
- 2.55 "Personal Service Shop"** - means a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons (including but not limited to: barbershop, hairdressing shops, beauty parlours, shoe repair, laundromats, tailoring, etc.)
- 2.56 "Person"** includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee, or agent and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 2.57 "Phase"** - means to develop a parcel of land over time in a series of prescribed stages; or one of such stages.
- 2.58 "Private Garage"** - means a building or part thereof which is used for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

- 2.59 "Premise Sign"** - means a sign that directs attention to a business, commodity, service, industry, or other activity, which is sold, offered, or conducted on the lot upon which such sign is located, or to which it is affixed.
- 2.60 "Public Park or Parkland"** - means land owned by the Town or some other level of government used or intended for use by members of the public.
- 2.61 "Recreational Trailer or Vehicle"** - means a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes, recreation vehicles or other similar vehicles.
- 2.62 "Restaurant"** - means buildings or structures or part thereof where food and drink is prepared and offered for sale to the public.
- 2.63 "Retail Store"** - means a building or part thereof in which foods, goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail.
- 2.64 "Service Shop"** - means a building or part thereof used for the sale and repair of household articles and shall include radio, television, and appliance repair shops but shall not include industrial, manufacturing or motor vehicle body repair shops.
- 2.65 "Setback"** - means the distance between the street line and the nearest main wall of any building or structure, except fences, and extending the full width of the lot.
- 2.66 "Sewerage System"** - means a system of pipes for the disposal of sewage controlled by a utility.
- 2.67 "Storey"** - means that portion of a building between any floor and ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 m (approximately 6 feet) above grade and provided also that any portion of a building between any floor and ceiling or roof next above exceeding 4.2 m (approximately 14 feet) in height shall be deemed an additional storey.
- 2.68 "Street or Road"** - see Highway.
- 2.69 "Street Line"** - means the boundary of a street.
- 2.70 "Structure"** - means any construction including a building fixed to, supported by or sunk into land or water, but excludes concrete and asphalt paving or similar surfacing and fencing and includes a swimming pool.

- 2.71 "Subdivision"** - means a division, consolidation, or other reconfiguration of lots.
- 2.72 "Swimming Pool"** - means any outdoor structure, basin, chamber, or tank used or which may be used for swimming, diving, or recreational bathing and having a depth of 90 cm (approximately 36 inches) or more at any point or with a surface area exceeding 10 square meters (108 square feet).
- 2.73 "Survey Plan"** - means an appropriately scaled drawing of survey details, certified by a licensed Prince Edward Island land surveyor.
- 2.74 "Tourist Establishment"** - means any premises operated to provide accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided.
- 2.75 "Town or "Municipality"** - means the area incorporated and known as the Town of Kensington.
- 2.76 "Use"** - means any purpose for which a building or other structure or parcel of land may be designed, arranged, intended, maintained or occupied, and includes any activity, occupation, business or operation carried on or intended to be carried on, in a building or other structure or on a parcel.
- 2.77 "Warehouse"** - means a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or yard.
- 2.78 "Watercourse"** - has the same meaning as defined in the *Watercourse and Wetland Protection Regulations* prescribed under the *Environmental Protection Act*, as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.
- 2.79 "Wetland"** - has the same meaning as defined in the *Watercourse and Wetland Protection Regulations* prescribed under the *Environmental Protection Act*, as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.
- 2.80 "Yard"** - means an open, uncovered space on a lot pertinent to a building and unoccupied by buildings or structures except as specifically permitted in this Bylaw.
- i. **"Front Yard"** - means a yard extending across the width of a lot between the front lot line and nearest wall of any building or structure on the lot and

"minimum front yard" means the minimum depth of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot.

- ii. **"Rear Yard"** - means a yard extending across the width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot and "minimum rear yard" means the minimum depth of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.
- iii. **"Side Yard"** - means a yard extending from the front yard to the rear yard of a lot between a side lot line and nearest wall of any building or structure on the lot, and "minimum side yard" means the minimum width of a side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot.
- iv. **"Flankage Yard"** - means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure on the lot.

2.81 "Zone" - means a designated area of land shown on the Official Zoning Map of the Bylaw within which land uses are restricted to those specified by this Bylaw

3. Development Zones

3.1. Development Zones

For the purpose of this Bylaw, the Town is divided into the following development zones, the boundaries of which are subject to section 3.2 as shown in Appendix "A" on the Official Zoning Map. Such zones may be referred to by the appropriate symbols.

ZONE SYMBOL

Mini Home Court	RM1
Single Residential	R1
Low Density Residential	R2
Multi-Unit Residential	R3
General Commercial	C1
Neighbourhood Commercial	C2
Heritage District	HD
Industrial	M1
Agricultural Reserve	A1
Public Service and Institutional	PS1
Recreation and Open Space	O1
Environmental Reserve	O2

3.2. Interpretation of Zone Boundaries

Boundaries between zones as indicated in Appendix "A" shall be determined as follows:

- a) Where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway.
- b) Where a zone boundary is indicated as following lot or property lines, the boundary shall be such lot or property lines.
- c) Where a zone boundary is indicated as following the limits of the Municipality, the limits shall be the boundary.
- d) Where none of the above provisions apply, the zone boundary shall be scaled from the original zoning map lodged with the municipality.

3.3. Official Zoning Map

Appendix "A" may be cited as the "Official Zoning Map" and forms a part of this Bylaw.

3.4. Certain Words

In this Bylaw, words used in the present tense include the future; words in the singular number include the plural; the word "shall" is mandatory and not permissive; and the word "he" includes "she".

3.5. Units of Measure

All official measurements are in metric. Where imperial measurements are provided they are for information purposes only.

4. General Provisions for All Zones

4.1. Development Approval

- 1) No development or demolition shall be undertaken until an application has been made to the Town and the Development Officer has issued a development permit.
- 2) Notwithstanding section 4.1 (1) for the purpose of this Bylaw:
 - a) laying paving materials for patios, driveways or sidewalks;
 - b) constructing fences of less than 6 feet in height;
 - c) installing clotheslines, poles, and radio or television antennae, except satellite dishes;
 - d) installing inflatable swimming pools or children's play equipment;
 - e) making a garden;
 - f) growing a crop or preparing land for a crop;
 - g) installing public or private utilities within the public Right of Way;
 - h) roofing, shingling or siding;
 - i) repainting;
 - j) chimney maintenance or chimney rebuilding;
 - k) replacement of windows and doors;
 - l) any other development that involves the interior or exterior renovation of a building that will not change the shape, dimensions, footprint and will not add more dwelling units or will not result in a change in use of the building;
 - m) making landscaping improvements or constructing ornamental structures of less than 64 sq. ft.;
 - n) other routine maintenance which has the effect of maintaining or restoring a structure or any of its elements to its original state or condition; shall not be interpreted as changing the use of land or a structure or constructing or replacing a structure and shall not require a permit from Council.

4.2. Permit Application

- 1) Any person applying for a permit shall do so on a form prescribed by Council, and shall submit the application to the Development Officer.
- 2) Every application form shall be signed by the property owner or the property owner's authorized agent, and shall be accompanied by an application fee in accordance with a fee schedule, which the Council shall establish.

4.3. Payment of Fees

Notwithstanding any Section of this Bylaw, development permits are not valid and will not be recognized until the application fee and any other required fees are paid in full and the said permit is acquired by the developer.

4.4. Development Permit

- 1) A development permit shall be valid for a twelve month period, or such additional time as may be authorized by Council.
- 2) Council may revoke a development permit where information provided on the application is found to be inaccurate.

4.5. Site Plan

Council may require an applicant to submit a site plan drawn to a convenient scale certifying the agreement of the applicant to develop the site in accordance with the plan. Council may require a site plan including existing and proposed elevations.

4.6. Conditions on Permits

Council or its agent shall have the authority to impose conditions on a permit subject to such conditions being directly related to or consistent with bylaws of the Town or the Official Plan.

4.7. Development Agreement

Council may require any applicant to enter into a Development Agreement. This Agreement shall be a contract binding on both parties, containing all conditions which were attached to the building permit. Failure to comply with a Development Agreement shall constitute an offense under this Bylaw.

A development agreement may address but shall not be limited to the following matters:

- a) site design;
- b) the design and construction cost of sidewalks, pathways and other pedestrian access matters;
- c) landscaping and screening;
- d) vehicular accesses and exits;
- e) signage;
- f) security and safety lighting;
- g) architectural harmony;
- h) methods of waste disposal;
- i) fencing; and
- j) any other matters that Council deems necessary to ensure the health, safety and convenience of Community residents and the travelling public.

4.8. Existing Non-conforming Lots

- 1) Notwithstanding any other provisions of this Bylaw:
 - a) a vacant lot held in separate ownership from adjoining parcels on the effective date of this Bylaw, having less than the minimum width, depth or area required, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in this Bylaw are satisfied;

- b) a lot containing a structure and held in separate ownership from adjoining parcels on the effective date of this Bylaw, having less than the minimum frontage, depth or area required by this Bylaw, may be used for a purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions in this Bylaw are satisfied; and
 - c) no person who owns a lot held in separate ownership from adjoining parcels on the effective date of this Bylaw, having less than the minimum frontage, depth or area required by this Bylaw, shall be deprived of the ability to make reasonable use of the lot in accordance with the zone in which it is located, and where such a person makes application for a development permit, Council may:
 - i) waive rear yard, front yard or side yard setback requirements to an extent that is reasonable and feasible and does not compromise safety, convenience or the aesthetic character of the neighbourhood and may issue a permit; or
 - ii) apply procedures set out in this Bylaw for the handling of variances if the variance from the required rear yard, front yard or side yard setback is substantial.
- 2) Council may approve an increase in the area of any undersized lot notwithstanding that it may still have less than the minimum frontage, depth or area required by this bylaw, provided that this increase does not further reduce an adjacent lot which may be below the standard set out in this Bylaw.

4.9. Non-conforming Buildings

Where a building has been erected on or before the effective date of this Bylaw on a lot having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard which does not conform to this bylaw; and,
- b) all other applicable provisions of this Bylaw are satisfied.

4.10. Non-conforming Uses

- 1) Subject to the provisions of this Bylaw, a building or structure, or use of land, buildings or structures lawfully in existence on the effective date of approval of this Bylaw may continue to exist.
- 2) A building or structure shall be deemed to exist on the effective date of approval of this Bylaw if:
 - a) it was lawfully under construction; or
 - b) the permit for its construction was in force and effect, but this clause shall not apply unless the construction is commenced within six (6) months after the date of the issue of the permit and is completed in conformity with the permit within a reasonable time;

- 3) No structural alterations that would increase the exterior dimensions, except as required by statute or bylaw, shall be made to a building or structure while a non-conforming use thereof is continued.
- 4) Notwithstanding subsection (3) above, nothing in this Bylaw shall apply to prevent the alteration and/or extension of a single detached dwelling existing at the date of passing of this Bylaw in any non-residential zone provided that the number of dwelling units is not increased and provided further that such alteration does not contravene any of the provisions of this Bylaw for such use in a residential zone.
- 5) If a building which does not conform to provisions of this Bylaw is destroyed by a fire or otherwise to an extent of fifty per cent (50%) or more of the assessed value of the building above its foundation, it shall only be rebuilt or repaired in conformity with the provisions of this Bylaw, except if the building or repair work would not be detrimental, in the opinion of Council, to the convenience, health or safety of residents in the vicinity or the general public.
- 6) Any change of tenants or occupants of any premises or building shall not of itself be deemed to affect the use of the premises or building for the purposes of this Bylaw.
- 7) A non-conforming use of land, buildings or structures shall not be permitted if it has been discontinued for a period of twelve (12) months consecutively, and in such event, the land, building or structure shall not thereafter be used except in conformity with this Bylaw.
- 8) No intensification of use or increase in business volumes or activity levels shall be made while a non-conforming use of land, buildings or structures is being continued.
- 9) No increase in the area occupied by the non-conforming use shall occur while a non-conforming use is being continued.

4.11. Lot Frontage

- 1) If a parcel of land in any zone is of such configuration that it cannot reasonably be subdivided in such a way to provide the required minimum frontage on a street, the Council may approve a reduced frontage, provided that the lot width at the building line measures at least as much as the minimum lot frontage for the zone.
- 2) In any zone, lots designed with a reduced frontage along a bend in a street or facing a cul-de-sac, may be approved by Council if in the opinion of Council adequate and safe access is provided and if the lot width at the building line measures at least as much as the minimum lot frontage for the zone.

4.12. Other Information

Council may require an applicant to submit any additional information related to the development, which it deems pertinent, including but not limited to the following:

- a) parking lot layout and internal circulation patterns;
- b) location of garbage containers and description of any screening or fencing;
- c) storm water management plan;
- d) location of open space and amenity areas;
- e) landscaping plan;

- f) buffer zones adjacent to wetland areas or watercourses;
- g) existing vegetation;
- h) easements/right of way;
- i) proposed storage areas and description of any screening or fencing;
- j) traffic impact studies
- k) survey plan
- l) elevation plan.

4.13. Access

- 1) No development permit shall be issued unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected abuts and fronts upon a street or road.
- 2) Notwithstanding Section 4.13 (1) above, Council may approve a development permit for a residential or commercial structure which fronts on a private right-of-way, provided that the following criteria are met:
 - a) no reasonable provision can be made to provide access to a public street,
 - b) safe ingress and egress from the lot can be provided,
 - c) an agreement is registered in the P.E.I. Registry Office, binding on all land owners abutting or fronting on the private right-of-way providing for the long term ownership and maintenance of the right-of-way, such agreement shall be binding on all heirs, successors and assigns of the current property owners.

4.14. Driveway Access

- 1) Driveway access for a through lot may be provided to either or both streets but in no case shall a driveway continue from one street to the other.
- 2) A driveway access to:
 - a) a local street shall be a minimum of 15 metres (50 ft.) from a street intersection;
 - b) a collector street shall be a minimum of 25 metres (80 ft.) from a street intersection;
 - c) an arterial street shall be a minimum of 30 metres (100 ft.) from a street intersection.
- 3) A lot fronting on a collector or arterial street shall be limited to one driveway access point for every 30 metres (100 ft.) of street frontage or portion thereof.
- 4) Where an entranceway permit is required under the *Roads Act Highway Access Regulations*, its issuance shall be a precondition of the approval of a subdivision or development permit.
- 5) No person shall construct or use any access driveway except where that access driveway meets the minimum sight distance standards as established under the *Planning Act*, the *Roads Act*, or any successor act.

4.15. Development Restrictions

Council shall issue a development permit for a development if, in the opinion of Council:

- a) the proposed development does not conform to this Bylaw;

- b) the method of water supply is not appropriate;
- c) the method of sanitary waste disposal is not appropriate;
- d) the proposed location of structures, water and sewer lines does not hinder future development options
- e) there is not a safe and efficient access to the public highway, street, or road;
- f) the impact of the proposed development would be detrimental to the environment;
- g) the proposed development would create unsafe traffic conditions;
- h) the proposed development would significantly or permanently injure neighbouring properties by reason of architectural disharmony;
- i) the proposed development would be detrimental to the convenience, health, or safety of residents in the vicinity or the general public; or
- j) the proposed development could injure or damage neighbouring property or other property in the Town due to water drainage or other water run-off damage.

4.16. Main Building

Except in an R1 or R2 zone, more than one (1) main building may be placed on a lot in any zone, provided all other provisions of this Bylaw are met.

4.17. Accessibility

Council may, as a condition of granting a development permit, require the applicant to design and develop a structure or provide such facilities as necessary to permit access to the building or structure by physically challenged persons.

4.18. Mixed Use

Where any land or building is used for more than one (1) purpose, all provisions of this Bylaw relating to each use shall be satisfied.

4.19. Yards

Except for accessory buildings, every part of any yard required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky.

4.20. Construction Plans

Council may require the applicant to submit a Construction Plan for the development addressing such details as construction phasing, stockpiling of soil, temporary screening or fencing, erosion or run-off control measures, heavy truck access and any other item which could in the opinion of Council present a nuisance or hazard during construction.

4.21. Permits And Compliance With Other Bylaws

- 1) Nothing in this Bylaw shall exempt any person from complying with the requirements of any other Bylaw of the municipality or from obtaining any license, permission, authority, or approval required by any other Bylaw of the municipality or any legislation or regulation of the Province of Prince Edward Island or the Government of Canada.
- 2) Where the provisions of this Bylaw conflict with those of any other Bylaw of the

municipality or regulation of the Province or the Government of Canada, the higher or more stringent provision shall prevail.

4.22. Site Work

No person shall carry out any site work in any zone which, when judged by reasonable community living standards, can be considered improper activity such as to create a nuisance, hardship or other inconvenience to persons in the vicinity.

4.23. Authorization for Inspection

An application for a development permit shall constitute authorization for inspection of the building or land in question by an officer or agent of the Town for the purpose of ensuring compliance with the provisions of this Bylaw.

4.24. Accessory Structures

- 1) Accessory uses, buildings and structures shall be permitted on any lot but shall not:
 - a) be used for human habitation except where a dwelling is a permitted accessory use;
 - b) be located within the front yard or flanking side yard of a lot;
 - c) be built closer than three (3.0') feet (0.9 m.) to any lot line;
 - d) except in an industrial zone, commercial zone or on a farm property exceed fifteen (15.0') feet (4 m.) in height above grade, unless a special permit has been issued by Council allowing a greater height in order to achieve architectural harmony with the main building or within the neighbourhood;
 - e) except in an industrial zone, commercial zone or on a farm property exceed 50% of the total floor area of the main building on the lot;
 - f) be built within seven (7) ft. of the main building on the lot;
 - g) exceed a maximum of two (2) buildings per property.
- 2) All accessory buildings shall be included in the calculation of maximum lot coverage as described in the Lot Requirements for the applicable zone. Satellite dishes, wind turbines or similar structures greater than 3 feet in diameter shall not be erected in any zone in the Town unless a special permit has been issued by Council.
- 3) Notwithstanding the above provisions, Council may issue a special development permit for an accessory structure located within the front yard or flanking side yard of a lot, where Council is satisfied the structure will be architecturally compatible with adjacent structures and no permanent injury would be caused to adjoining properties, subject to such conditions as Council may impose.

4.25. Accessory Apartments

One (1) accessory apartment may be constructed within any existing single detached dwelling OR in an accessory building to a single detached dwelling, if the owner of the dwelling, upon written application to the Council, satisfies the Council that all applicable provisions of the By-law have been met.

- a) Accessory apartments are permitted within the main building or in an accessory building but in any case shall be incidental and subordinate to the main use;
- b) Accessory apartments shall not contain more than 2 bedrooms;
- c) that adequate off street parking will be provided in addition to the parking space requirements for the main building, in accordance with the parking regulations of this By-law and in the side or rear yard of the building. Parking will not be permitted in the front yard.
- d) that all other provisions of this By-law remain applicable to the dwelling and Council may require such changes to the exterior of the dwelling as may be necessary to ensure compliance with this By-law, whether in connection with the construction of the accessory apartment.
- e) that any water and sewer upgrades must be reviewed and approved by the Town prior to any construction.
- f) where the accessory apartment is to be located in a detached building or within an accessory building to the single detached dwelling, the following provisions shall apply:
 - i. the accessory apartment must be connected to the water supply and sewerage disposal system of the main building;
 - ii. In the case of connection with an on-site water supply and sewerage disposal system, the intensification of use and necessary upgrades to the system(s) must be approved by the responsible provincial government department;
 - iii. The accessory apartment meets the requirements of the provincial Fire Marshal's Office;
 - iv. In addition to the development standards for an accessory building as outlined in Section 4.24, the side yard and rear yard setbacks for an accessory building containing an accessory apartment shall be at least as wide as the minimum side yard and rear yard setbacks as required for the main building.
- g) A mini home is not permitted to be used as an accessory apartment unless otherwise permitted in this by-law.

4.26. Permits Posted

All permits shall be posted by the developer in a location easily visible for viewing.

4.27. Moving of Buildings

No building shall be moved within or into the area covered by this Bylaw without a development permit and such other permits as may be required by law.

4.28. Height Regulations

The height regulations of this Bylaw shall not apply to church spires, water tanks, flag poles, lighting standards, television or radio antennae, ventilators, skylights, chimneys, clock towers, wind turbine towers or utility poles.

4.29. Intersection Triangle

When, in the opinion of the Town Council and/or Town safety officials it is considered necessary from a safety, health or other justifiable concern, on a corner lot, a fence, sign, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than two feet above grade of the streets which abut the lot within the triangular area indicated by the street boundary lines for a distance of 20' (6 m.) from their point of intersection.

4.30. Permitted Uses In All Zones

The following uses are permitted in all zones:

- a) Temporary construction facilities such sheds, scaffolds and equipment incidental to building on the premises for so long as work is in progress or for a maximum period of six (6) months, whichever is the shorter period.
- b) Public and private utility buildings and structures which are considered by Council to be necessary and appropriate to the municipality.

4.31. Construct In Accordance With Application

Any person who has been granted a development permit shall agree to develop in accordance with the information given on the prescribed application form and the conditions laid down by the development permit or development agreement and shall comply therewith.

4.32. Denying Permits

- 1) No development permit shall be issued if the proposed development could create a hazard to the general public or any resident of the municipality or could injure or damage neighbouring property or other property in the municipality, such injury or damage to include but not be limited to water, drainage or other water run-off damage.
- 2) No development permit shall be issued if the proposed development could create a health, fire or accident hazard or increase the likelihood of the existence of rodents, vermin, or other pests.

4.33. Underground Petroleum Storage Tanks

Underground Petroleum Storage Tanks shall require a development permit before installation may proceed. In processing such application, the Town shall refer the application initially to the government authority having jurisdiction for these facilities whereupon such application will be processed in accordance with applicable regulations. The Town will not issue a permit to the Developer until it has received written approval from the appropriate authority. However, the written approval of the latter shall not alone be conclusive of the right to have a permit issued hereunder.

4.34. Outdoor Swimming Pools

The installation of a swimming pool shall be permitted in any zone in accordance with the following provisions:

- a) The land owner shall first secure a Development Permit from Council;
- b) A 6 ft.(1.8 m.)fence or enclosure shall be constructed in such a manner so as to impede unauthorized persons from entering over or under said fence. Such fence shall be aesthetically presentable and preference will be given to wood type fences;
- c) Any gate on such fence shall be capable of being locked;
- d) Disposal of water after de-chlorination shall be either through the sanitary sewer system or carried off by truck unless otherwise authorized by Council; and
- e) The Developer shall agree that other reasonable initiatives regarding maintenance and safety which are reasonable and prudent shall be carried out either at the initiative of the Developer or the Council.

4.35. Surveys Required

Where the Development Officer is unable to determine whether the proposed development conforms to this Bylaw, the Development Officer may require that the plans submitted be based upon a survey certified and stamped by a Licensed Land Surveyor.

4.36. Special Requirements For Semi-detached, Row or Town House Dwellings

- 1) No semi-detached, row or town house dwelling shall be erected in a manner which will not permit subdivision into individual units pursuant to subsection (2).
- 2) Semi-detached and row or townhouse dwellings may be divided independently for individual sale and ownership provided that:
 - a) a subdivision of the parcel of land has been approved by Council (such subdivision to provide for appropriate easements or common area to allow entry by an owner of any portion of the building to his back yard area);
 - b) the units must be separated from the basement floor to the underside of the roof in accordance with the National Building Code and Fire Code regulations;
 - c) a separate water and sewer service is provided for each unit in accordance with policies governing water supply and sewerage services for the Town;
 - d) a separate electrical service is provided for each unit;
 - e) a separate heating device is provided for each unit;
 - f) separate parking is provided unless Council waives same;
 - g) a copy of any legal agreement made between the owners covering the following terms is registered on the title of each unit:
 - i) common walls
 - ii) maintenance
 - iii) fire insurance
 - iv) easements
 - v) parking
 - vi) snow removal and

- vii) any other items jointly owned or used.
- viii) any other terms and conditions as shall be imposed by Council.

4.37. Grade of Site

No permanent building shall be erected or placed without first providing existing and proposed grade elevations relative to the adjoining property, and to the public right of way, as well as showing the pattern and allowing for surface water run off on the lot so as not to cause damage or water run off onto adjacent lots.

4.38. Landscaping

- 1) The provision and maintenance of adequate landscape buffering and/or appropriate fencing shall be required to the satisfaction of the Council between residential zones and new commercial, industrial or other land uses characterized by significant traffic generation, the heavy use of trucks, noise, outdoor storage, congregations of people other factors that may adversely affect adjacent residential amenity;
- 2) The provision and maintenance of adequate landscaping shall be required for new development to the satisfaction of the Development Officer;
- 3) Where a C1, C2 or an M1 Zone abuts a Residential Zone along a side and/or rear lot line, a strip of not less than fifteen (15') ft. (4.5 m.) in width along the said side and/or rear lot shall be landscaped to the satisfaction of the Development Officer as part of the development for which a building permit has been granted.

4.39. Petroleum Storage

- 1) Underground gasoline storage facilities shall not be permitted in any residential zone;
- 2) The storage of gasoline on a residential lot shall be limited to 50 litres (13 gallons); and
- 3) All home heat tanks shall be installed according to the regulations listed in the "Environmental Protection Act Home Heat Tanks Regulations"

4.40. Home Occupations

A home occupation is a permitted use in a single detached dwelling subject to the following:

- a) Commercial uses permitted as home occupations include:
 - i. Domestic and household arts (dressmaking and tailoring, hairdressing; instruction or tutoring, arts and crafts, weaving, painting, sculpture, and repair of garden or household ornaments, personals effects or toys);
 - ii. Business or professional offices
- b) the dwelling shall be occupied as a residence by the principal operator and the external appearance of the dwelling shall not be changed by the business use.
- c) there shall be no more than two non-resident assistants employed in the business.
- d) not more than 25% of the total floor area of the dwelling shall be occupied by the business.
- e) adequate off-street parking, in accordance with this Bylaw, separate from that

required for the dwelling, shall be provided.

- f) there shall be no open storage or display area.
- g) premise signs shall be restricted to a maximum of 400 square inches in total.
- h) domestic and household arts shall include:
 - i) Dressmaking and tailoring
 - ii) Hairdressing
 - iii) Instruction or tutoring
 - iv) Arts and crafts, weaving, painting, sculpture, and repair of garden or household ornaments, personal effects or toys.

4.41. Maximum Lot Coverage

Maximum lot coverage shall be determined as the percentage of the lot covered by the main building, attached or detached garage and any accessory buildings.

4.42. Recreational Trailers or Vehicles

No person shall use or occupy a Recreational Trailer or Vehicle other than in an approved Campground, for a period in excess of two full weeks, unless Council has issued a temporary permit for such use.

4.43. Mini Homes

Mini Homes shall not be permitted to be located within the municipality, other than in a designated Mini Home Park.

4.44. Bed and Breakfast

Bed and breakfast establishments shall be permitted to operate in any single detached dwelling in any residential Zone subject to the following:

- a) the dwelling shall be occupied as a residence by the principal operator and the external appearance of the dwelling shall not be changed by the bed and breakfast operation;
- b) not more than three (3) rooms shall be offered for overnight accommodation;
- c) adequate off-street parking, in accordance with this Bylaw, separate from that required for the dwelling, shall be provided. This requirement may be waived where Council deems there is adequate on-street or off-street parking capacity in the area.
- d) premise signs shall be restricted to a maximum of 900 square inches;
- e) notwithstanding 4.45 (b), Council may allow a larger number of rooms, where it is deemed that such a development is appropriate and there would be no significant inconvenience or nuisance to adjoining properties.

5. Parking Requirements

5.1. Preamble

For every building to be erected, placed, used or enlarged, there shall be provided and maintained off-street parking on the same lot to the extent, at least, prescribed in this Section.

5.2. Parking Requirements

<i>Primary Type of Building</i>		<i>Minimum Requirement</i>
Single Detached Dwelling, Duplex, Semi-detached or Accessory Apartment		2 parking spaces/unit
Multi-Unit Dwelling (with 3 or more units)		1.5 parking spaces/unit
Hotel, Motel or other Tourist Establishment		1 parking space per guest/room or rental unit and 1 parking space for each 23 sq. m. (250) sq. ft.) of floor area devoted for public use (e.g.) banquet rooms, lounge)
Auditoriums, churches, halls, libraries, museums, theatres, arenas, private clubs or recreation	<i>Fixed Seating</i>	1 parking space for every four (4) other places of assembly seats
	<i>No Fixed Seating</i>	Based on the Fire Marshall's seating capacity rating.
Hospitals and Nursing Homes		0.75 parking spaces/bed
Community Care Facilities		1.0 parking space/dwelling unit
Elementary School		1.5 parking spaces per teaching classroom and 1 parking space for each six seats of seating capacity in the auditorium.
Funeral Home	<i>Fixed Seating</i>	1 parking space per four seats of seating capacity
	<i>No Fixed Seating</i>	Seat count will be based on the Fire Marshall's rating of seating capacity.
Business and Professional Offices, Service and Personal Service Shops		1 parking space per 28.0 sq. meters (300 sq. feet) of floor area.
Automobile Dealership		1 parking space per 4.65 sq. meters (50sq. ft.) of floor area
Shopping Centre (Indoor Mall)		1 parking space per 18.6 sq. meters (200sq. feet) of gross floor area.
Restaurant or Lounge		1 parking space per four seats of seating capacity
Other Commercial/Retail Stores		1 parking space per 14 sq. meters (150 sq. ft.) of floor area
Industrial		1 parking space per 28 sq. meters (300sq. ft.) of floor area or 1 parking space per employee, whichever is greater.
Secondary Schools, Colleges		As determined by Council

5.3. Additional Parking Spaces

Additional parking spaces may be required, if in the opinion of Council the spaces required under Section 5.2 will not meet anticipated parking requirements.

5.4. Other Requirements

Where parking facilities are required or permitted:

- 1) The parking area shall be maintained with a stable surface;
- 2) The lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from the streets, adjacent lots and buildings;
- 3) A structure not more than ten ft.(10') (3 m.) in height and not more than fifty (50) sq. ft. (4.6 sq. m.) in area may be erected in the parking area for the use of attendants;
- 4) The parking area shall be within three hundred ft.(300') (91.4 m.) of the location which it is intended to serve and shall be situated in the same zone;
- 5) When the parking area is of a permanent hard surfacing, each parking space shall be clearly demarcated with painted lines and maintained on the parking lot;
- 6) A parking space shall consist of an area of not less than two hundred (200) sq. ft. 18.6 sq. m.) measuring ten (10) ft. (3 m.) by twenty (20) ft.(6 m.), exclusive of driveways and aisles, unless otherwise authorized by Council;
- 7) Entrances and exits to parking areas shall not exceed a width of thirty ft.(30') (9 m.) at the street line and edge of pavement; and
- 8) The width of a driveway leading to a parking or loading area, or of a driveway or aisle in a parking area, shall be a minimum width of ten ft. (10') (3 m.) for one-way traffic, and a minimum width of twenty ft. (20') (6 m.) for two-way traffic.

5.5. Loading Zones

- 1) In any commercial or industrial zone, no person shall erect or use any building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary or other uses involving the frequent shipping, loading or unloading of persons, animals, or goods, unless there is maintained on the same premises with every such building, structure or use one (1) off-street space for standing, loading and unloading for every thirty thousand (30,000) sq. ft. (2,790 sq. m.) or fraction thereof of building floor area used for any such purpose;
- 2) Each loading space shall be at least twelve feet (12') (3.6 m.) wide with a minimum of fourteen ft. (14') (4.25 m.) height clearance.
- 3) The provision of a loading space for any building with less than fifteen hundred (1500) sq. ft. (139.5 sq. m.) shall be optional.
- 4) No such loading spaces shall be located within any required front yard or be located within any yard which abuts a residential or open space zone, unless in the opinion of Council adequate screening is provided.

5.6. Waiver of Commercial Parking Requirements

- 1) Notwithstanding the provisions of Section 5, above, or other provisions of this Bylaw, Council may through a development agreement waive or reduce the parking requirements in a commercial or industrial zone in return for parking fees or other considerations as approved by Council, such as arrangements for shared parking or bicycle parking, which will further the objectives and policies of the Official Plan in relation to development in the Town.
- 2) In rendering its decision, Council shall give consideration to the following:
 - a) availability of parking in the proximity of the proposed development
 - b) the extent to which the proposed development contributes toward the objectives and policies of the Official Plan
 - c) estimated traffic generation of the proposed development.

6. Mini-Home Court Zone (RM1)

6.1. General

- 1) Except as provided by this Bylaw, all buildings and structures or parts thereof erected, placed or altered or any land used in a RM1 Zone shall conform with the provisions of this Section.
- 2) Any mini-home to be located in the zone shall be located in a mini-home court and no person shall locate a mini-home in this zone without first obtaining a permit from the Council.
- 3) No person shall establish or make an extension to a mini-home court without first submitting a detailed plan to the Council and receiving a written notice of approval from Council.
- 4) Council may approve a new mini-home court, or any extension to an existing mini-home court if the new facility will provide a suitable residential environment which meets the mini-home court standards set out in these bylaws.
- 5) In any new mini-home court or an expansion of a mini-home court, a minimum of 10 percent of the total land being used shall be designated for open space and playground purposes.

6.2. Permitted Uses

Mini-Homes
Single detached Dwellings in conformance with the R1 lot and structure standards
Accessory Buildings
Utility Buildings
Parks

6.3. Lot Requirements

Minimum lot/site area	4,000 sq. ft. (360 sq. m.)
Minimum lot/site width at building line	40 feet (12 m.)
Minimum length	100 feet (30 m.)
Minimum front yard depth	17 feet (5 m.)
Minimum side yard depth	10 feet (3 m.)
Minimum rear yard depth	20 feet (6 m.)
Maximum building height	1 storey (14 feet, 4.2 m.)
Maximum lot/site coverage including main building and accessory buildings	35%

6.4. Other Requirements

- 1) mini-home court grounds, facilities, outdoor furnishings, and equipment shall be in good repair and sanitary condition;

- 2) a mini-home court shall have an operator providing regular supervision;
- 3) sufficient covered receptacles shall be used for garbage, refuse, recyclables and liquid wastes, and removal of wastes shall be done at regular intervals.
- 4) all areas shall be free of litter, rubbish, and inflammable material;
- 5) all lots/sites shall be served by a piped common water and sewage disposal system, and each mini-home shall be connected to the system;
- 6) each site shall have access on a continuous right-of-way which is not less than 25 feet (7.5 m.)wide, and is connected to a public road; each lot shall have access to a public road;
- 7) the travelled portion of a right-of-way shall be surfaced with a minimum width of 20 feet (6 m.) of pavement;
- 8) a playground or other recreational park shall be provided in every mini-home court, based on a minimum of 400 square feet (36 sq. m.) for each lot, and located in such a way as to provide convenient access from all parts of the court;
- 9) each lot/site shall be provided with a paved driveway connecting with the paved right-of-way or road; and
- 10) all lands within the mini-home court shall be landscaped in such a way as to provide adequate storm water run-off and to provide a suitable residential environment.

7. Single Residential Zone (R1)

7.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in an R1 Zone shall conform with the provisions of this Section.

7.2. Permitted Uses

Single detached Dwellings
Parks and Playgrounds
Accessory Buildings
Private Garages
Bed and Breakfasts

7.3. Special Permit Uses

Notwithstanding Section 7.2 above, Council may issue a special development permit for the following uses where it deems the development is appropriate, all other relevant provisions of this Bylaw are met, and subject to such conditions as Council may impose:

- 1) Group homes
- 2) Child care facilities
- 3) Inns or Bed and Breakfasts with over 3 bedrooms

7.4. Servicing

All developments in an R1 Zone shall be serviced by municipal sewer services and municipal water supply where services exist.

7.5. Lot Requirements

1)

Minimum lot area	6,500 sq. ft. (585 sq. m.)
Minimum frontage	65 feet (20 m.)
Minimum front yard	15 feet (4.5 m.)
Minimum rear yard	15 feet (4.5 m.)
Minimum side yard	10 feet (2.3 m.)
Minimum Flankage Yard	15 feet (4.5 m.)
Maximum height of any building	35 feet (10.5 m.)
Minimum floor area	500 sq. ft.
Maximum lot coverage	35%

- 2) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time, as noted in Appendix "B". Notwithstanding the above regulations, within existing approved subdivisions, Council may require that new developments conform to the development standards and development character which has been established, even if these standards exceed the minimum standards stated above.

8. Low Density Residential Zone (R2)

8.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in an R2 Zone shall conform to the provisions of this Section.

8.2. Permitted Uses

Single detached Dwellings
Duplex or Semi-Detached Dwellings
Parks and Playgrounds
Accessory Buildings
Private Garages
Bed and Breakfasts

8.3. Special Permit Uses

Notwithstanding Section 8.2 above, Council may issue a special development permit for the following uses where it deems the development is appropriate, the development is physically separated from existing residential development, the development is fully serviced, all other relevant provisions of this Bylaw are met, and subject to such conditions as Council may impose:

- 1) Group Homes
- 2) Child Care Facilities
- 3) Inns or Bed and Breakfasts with over 3 bedrooms
- 4) Community Care Facilities

8.4. Servicing

All developments in a R2 Zone shall be serviced by municipal sewer services and municipal water supply where services exist.

8.5. Lot Requirements

1)

<i>Standard</i>	<i>Single</i>	<i>Duplex or Semi-Detached</i>
Minimum lot area	6,500 sq. ft. (585 sq. m.)	8,000 sq. ft. (720 sq. m.) or fully serviced 4,000 sq. ft. (360 sq. m.) for each unit
Minimum frontage	65 feet (20 m.)	75 ft. (22.5 m.) or 37.5 ft. (12 m.) for each unit
Minimum front yard	15 feet (4.5 m.)	15 feet (4.5 m.)
Minimum rear yard	15 feet (4.5 m.)	15 feet (4.5 m.)

Minimum side yard	10 feet (2.3 m.)	10 feet (3 m.)
Minimum Flankage Yard	15 feet (4.5 m.)	15 feet (4.5 m.)
Maximum height of any building	35 feet (10.5 m.)	35 feet (10.5 m.)
Minimum floor area	500 sq. ft.	500 sq. ft.
Maximum lot coverage	35%	35%

- 2) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time, as noted in Appendix “B”.
- 3) Notwithstanding the above regulations, within existing approved subdivisions, Council may require that new development conform with the development standards and development character which has been established, even if these standards exceed the minimum standards stated above.

9. Multi-Unit Residential Zone (R3)

9.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in an R3 Zone shall conform with the provisions of this Section.

9.2. Permitted Uses

1)

Duplex
Semi-Detached Dwellings
Row or Town House Dwellings up to (8) units
Multi-Unit Dwellings-up to 12 units
Parks and Playgrounds
Accessory Buildings
Private Garages
Bed and Breakfasts
Community Care Facility

- 2) The following conditional uses subject to such terms and conditions as shall be imposed by Council:
- a) **Multi-Unit Dwellings** with over 12 units

9.3. Special Permit Uses

The provisions of Section 8.3 shall also apply to an R3 Zone.

9.4. Servicing

All developments in an R3 Zone shall be serviced by municipal sewer services and municipal water supply.

9.5. Lot requirements

1)

<i>Standard</i>	<i>Duplex or Semi-Detached</i>	<i>Apartments</i>	<i>Row or Townhouse</i>
Minimum lot area	8,000 sq. ft. (720 sq. m.) or fully serviced 4,000 sq. ft. (360 sq. m.) for each unit	6,000 sq. ft. (540 sq. m.) plus 1,000 sq. ft. (90 sq. m.) for each dwelling unit	10,000 sq. ft. (900 sq. m.) for the 1 st 3 units plus 3,000 sq. ft. (270 sq. m.) for each additional unit
Minimum frontage	75 feet (22.5 m.) or 37.5 feet (12 m.) for each unit	75 feet (22.5 m.)	100 feet (30 m.) for the 1 st 3 units plus 25 feet (7.5 m.) for each additional unit
Minimum front yard	15 feet (4.5 m.)	15 feet (4.5 m.)	15 feet (4.5 m.)
Minimum rear yard	15 feet (4.5 m.)	15 feet (4.5 m.)	15 feet (4.5 m.)
Minimum side yard	10 feet (3 m.)	10 feet (3 m.)	10 feet (3 m.)
Minimum Flankage Yard	15 feet (4.5 m.)	15 feet (4.5 m.)	15 feet (4.5 m.)
Maximum height of any building	35 feet (10.5 m.)	35 feet (10.5 m.)	35 feet (10.5 m.)
Minimum floor area	500 sq. ft.		
Maximum lot coverage	35%	35 %	35%

- 2) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time, as noted in Appendix "B".
- 3) Notwithstanding the above lot requirements, Council may authorize reduced lot requirements where the applicant agrees to provide underground parking.

9.6. Minimum Lot Frontage and Yard Requirements

Minimum lot, frontage and yard requirements for Community Care facilities in R-3 Zone shall be the same as those requirements for Row or Townhouse Dwellings.

10. General Commercial Zone (C1)

10.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in a C1 Zone shall conform with the provisions of this Section.

10.2. Permitted Uses

Retail Stores
Business and Professional Offices
Service and Personal Service Shops
Banking and Financial Institutions
Restaurants and Lounges
Hotels, Motels or other Tourist Establishments
Entertainment Facilities
Institutional Buildings
Multi-Unit Dwellings
Accessory Buildings
Transient or Temporary Commercial
Funeral Homes
Public Parking Lots or Structures
Other uses deemed by Council to be compatible with the surrounding uses in the zone

10.3. Special Permit Uses

Notwithstanding Section 10.2 above, Council may issue a special development permit for the following uses where it deems the development is appropriate, all other relevant provisions of this Bylaw are met and subject to such conditions as Council may impose:

- 1) Child care facilities
- 2) Dwelling units in a commercial building
- 3) Service stations and other activities associated with the automobile trade, except for a scrap yard or body shop.

10.4. Servicing

All developments in a C1 zone shall be serviced by municipal sewer and water services.

10.5. Lot Requirements

1)

Minimum lot area	6,500 sq. ft. (585 sq. m.)
Minimum frontage	65 feet (20 m.)
Minimum front yard	15 feet (4.5 m.) (if no parking is provided in front of building) or: the average of the front yard setbacks of the adjacent buildings, where their setback is less than 15 feet (4.5 m.)
Minimum rear yard	15 feet (4.5 m.)
Minimum side yard	10 feet (2.3 m.)
Minimum Flankage Yard	15 feet (4.5 m.) (if no parking is provided in front of building) or: the average of the front yard setbacks of the adjacent buildings, where their setback is less than 15 feet (4.5 m.)
Maximum height of any building	35 feet (10.5 m.)

- 2) Multi-Unit Residential developments shall conform to Section 9.5 `Lot Requirements for R3 Zone.
- 3) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time, as noted in Appendix "B".

10.6. Fire-Rated Buildings

In a General Commercial (C1) Zone, where a building or structure is approved by the Fire Marshall or certified under the National Building Code to have an appropriate fire-rated barrier, such building or structure may be permitted by Council to be located on the side lot line or rear lot line.

10.7. Special Requirements- Commercial Zones Adjacent To Residential Zones

- 1) Where a Commercial Development located on lands zoned General Commercial (C1) directly abuts on any residential zone, the following conditions shall be complied with:
 - a) a strip of land not less than 15 ft. (4.5 m.) in width along the lot line within the C1 Zone and adjacent to the residential zone shall be maintained clear of any structure, driveway or parking area and shall be adequately landscaped to provide a visual buffer
 - b) any exterior lighting or illuminated sign shall be so arranged as to deflect light away from the adjacent residential zone; and
 - c) outdoor storage shall be prohibited adjacent to a residential zone unless it is

hidden from view by means of a landscaped buffer hedge of adequate size or architectural screening such as a wall, fence or other appropriate structure.

- 2) Notwithstanding any other provisions of this Bylaw, Council may, for special cause, authorize variances from the provisions of these regulations within the Commercial zone in regards to lot area and width, and front, side and rear yard minimum depth. Such variances to be granted only where:
 - a) Council deems no inconvenience or nuisance for neighbouring properties would be created,
 - b) the variance is desirable or necessary in keeping with the present development of the Commercial zone, and,
 - c) all other provisions of this Bylaw are met including the approval of the Fire Marshal where appropriate.

10.8. Dwellings in Commercial Buildings

Where a dwelling unit is provided in connection with a commercial use the following minimum standards shall apply:

- a) the dwelling unit is not above a restaurant, lounge, automobile service station, dry cleaning establishment or repair shop storing explosive materials;
- b) separate entrances serve the dwelling unit;
- c) for each dwelling unit, 400 sq. ft. (47 sq. m.) of landscaped open area and 1.0 parking space are provided;
- d) each dwelling unit meets the requirements of the Provincial Fire Marshall;
- e) the floor area in residential use is a minimum of four hundred (400) sq. ft. and does not exceed the commercial floor area.

10.9. Transient or Temporary Commercial Permits

Notwithstanding any other provision of this Bylaw, temporary permits may be issued for a transient-type Commercial operation subject to compliance with the following:

- a) the development shall not result in any traffic hazard;
- b) the development shall not interfere with the parking requirements of permanent users of the lot in which the development will be located;
- c) the development shall not create a public nuisance;
- d) the temporary permit shall not exceed a twenty (20) week period;
- e) the applicant shall provide a letter of support from the owner of the lot on which the temporary development will be situated;
- f) where required, the applicant shall satisfy Council that such development complies with all health regulations.

10.10. Automobile Service Station

- 1) Notwithstanding any other provisions of this Bylaw, the following special provisions shall apply to an Automobile Service Station:
 - a) Minimum Lot Frontage 150 feet (45 m.)
 - b) Minimum Pump Setback 20 feet (6 m.)

- c) Minimum Pump Distance from access or egress 30 feet (9 m.)
 - d) Minimum Width of Driveway 25 feet (7.5 m.)
- 2) Where the service station includes an automobile washing facility, all washing operations shall be carried on inside the building.

10.11. Multi-Unit Dwellings

The number of dwelling units in a Multi-Unit dwelling in a commercial zone shall not exceed twenty-four (24) units.

10.12. Parking in Front of Buildings

Where parking is provided in front of any building in a C1 Zone a five foot (5') (1.5 m.) landscaped buffer shall be provided between the parking area and the street boundary.

11. Neighbourhood Commercial Zone (C2)

11.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in a C2 Zone shall conform with the provisions of this section.

11.2. Permitted Uses

Convenience Stores of no greater than 139 sq. m. (1,500 square feet)
Business and Professional Offices
Service and Personal Service Shops

11.3. Lot Requirements

The lot requirements as delineated in section 10.5 of this Bylaw shall also apply in a C2 Zone.

11.4. Special Requirements- Commercial Zones Adjacent to Residential Zones

The special requirements as delineated in section 10.7 of this Bylaw also apply in a C2 Zone.

12. Heritage District Zone (HD)

12.1. General

In the Heritage District (HD) Zone, which functions as an overlay zone, the following provisions shall apply, in addition to the standard provisions which apply to the underlying zone.

12.2. Special Requirements- Building Facades

Any existing building within the Heritage District (HD) Zone having been constructed during the period prior to 1940, and still having, in the opinion of Council, a facade reflecting the architectural style of the time period it was constructed, shall retain such facade. Where such facade is in need of exterior renovation, replacement or repair, said facade shall be replaced or repaired in the original style of the building. Detailed renovation or repair plans shall be submitted to Council and shall receive Council's approval prior to the commencement of any renovation or repair.

12.3. New Buildings/Building Conversions

- 1) All new buildings constructed within the Heritage District Zone, or any other building within the zone being converted to a commercial use, shall adopt an "early 20th Century" (1900-1940 or earlier) architectural theme for the building's facade, which shall in the opinion of Council be in keeping with the "early 20th Century" facades of other buildings within the zone. Building location shall also be subject to the approval of Council and shall be compatible with adjacent structures and with a streetscape approved by Council.
- 2) Any developer wishing to construct a building or convert a building to a commercial use with a Heritage District (HD) Zone, shall be required to enter into a development agreement with Council.

12.4. Building Demolition or Moving

No building or structure within a Heritage District (HD) Zone shall be demolished or moved without the prior approval of Council. Council shall not grant permission for the demolition or moving of "period" structures unless the developer can present an overwhelming case that renovation or repair of the structure is not feasible or in the public interest.

13. Industrial Zone (M1)

13.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in a M1 Zone shall conform with the provisions of this Section.

13.2. Permitted Uses

1)

Manufacturing and Assembly
Warehousing
Transport Operations
Activities connected with the Automobile Trade other than a scrap yard
Wholesale Operations
Business and Professional Offices
Service Shops
Commercial uses accessory to a main use permitted in an M1 Zone
Restaurants and Cafeterias
Farm Machinery and Heavy Equipment Dealerships and Repair Shops
Accessory Buildings
Food Processing
Marine or shipping related activities
Activities related to the fishery
Activities related to agriculture

2) Notwithstanding the foregoing, any use which is deemed by Council to be obnoxious by reason of sound, odor, dust, fumes, smoke shall be denied approval.

13.3. Special Permit Uses

Notwithstanding Section 12.2 above, Council may issue a special development permit for the following uses where it deems the development is appropriate, all other relevant provisions of this Bylaw are met and subject to such conditions as Council may impose:

- 1) Storage of Sand and Aggregate
- 2) Concrete plants
- 3) Building supply dealership

13.4. Lot Requirements

1)

Minimum lot area	15,000 sq. ft. (1,350 sq. m.)
Minimum frontage	100 feet (30 m.)
Minimum front yard	25 feet (7.5 m.)
Minimum rear yard	25 feet (7.5 m.)
Minimum side yard	15 feet (4.5 m.)
Minimum Flankage Yard	25 feet (7.5 m.)
Maximum height of any building	35 feet (10.5 m.)

2) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time, as noted in Appendix “B”.

13.5. Exceptions to Maximum Building Height

Notwithstanding Section 12.3 and the location of public and private utilities, Council may approve an application for a structure exceeding the Maximum Building height of 35 feet in the Industrial (M1) Zone provided:

- a) The applicant is willing to enter into a development agreement with Council.
- b) The structure conforms to all relevant provisions of this Bylaw and other applicable fire and building codes.
- c) The proposed height of the structure is physically necessary for the manufacturing processes which will be carried out in the facility, and
- d) The proposed height of the structure would not exceed 30 metres or would not exceed 20 metres where the structure is within 100 metres of an existing dwelling.

13.6. Special Requirements- Industrial Zone Adjacent to Residential Zones

The special requirements as delineated in Section 10.7 of this Bylaw also apply in a M1 Zone.

13.7. Servicing

All developments in the M1 Zone shall be serviced by municipal sewer services and municipal water supply.

13.8. Environmental Impact Assessment

Where a proposed industry may occasionally have heavy usage of Town roads, sewerage or water systems or have a significant environmental impact on the surrounding area, Council may prepare terms of reference for, and require the developer to undertake an Environment Impact Assessment, in conjunction with the Provincial Department responsible for the Environment, prior to consideration of a development permit application by Council.

14. Agricultural Reserve Zone (A1)

14.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in an A1 Zone shall conform with the provisions of this Section.

14.2. Permitted Uses

Single Detached Dwellings
Agriculture
Forestry
Parks and Open Space
Accessory Buildings which in the opinion of Council are clearly incidental to the main use of land
Accessory Buildings for the purpose of human habitation, in connection with a farm

14.3. Lot Requirements

1)

Minimum lot area	43,560 sq. ft. (1 acre) (0.4 hectares)
Minimum frontage	150 feet (45 m.)
Minimum front yard	50 feet (15 m.)
Minimum rear yard	25 feet (7.5 m.)
Minimum side yard	15 feet (4.5 m.)
Minimum Flanking Yard	50 feet (15 m.)
Maximum height of any building	35 feet (10.5 m.)

2) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time, as noted in Appendix "B".

14.4. Intensive Livestock Operations

- 1) For the purpose of this Section "Intensive Livestock Operation" means a feedlot, piggery, dairy, fox ranch or similar operation, or a building used for the raising of poultry.
- 2) The following minimum separation distances shall apply to all new Intensive Livestock Operations or extensions and to new residential development in the vicinity of an Intensive Livestock Operation:
 - a) Distance from any dwelling on an adjacent property 500 feet (150 m.)
 - b) Distance from Public Road 150 feet (45 m.)
 - c) Distance from any domestic Well 500 feet (150 m.)
 - d) Distance from any watercourse or wetland 300 feet (90 m.)
 - e) Distance from any lot line 50 feet (45 m.)

- 3) Where a new intensive livestock operation is proposed within 1000 feet (305 metres) of an existing residential subdivision Council shall notify the property owners within 1000 feet (305 metres) of the proposed operation and invite their comments.
- 4) All intensive livestock buildings shall have a manure storage facility with a capacity for retention of manure for a period of time for which conditions do not permit spreading.
- 5) Council may consult the Department of Agriculture for manure storage capacities and design standards and shall require the livestock operator to follow these capacity and design requirements.
- 6) The developer shall also be required to undertake an Environmental Impact Assessment in conjunction with the Department of the Environment and provide details of the assessment to Council as part of the application process.

15. Recreation and Open Space Zone (O1)

15.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in a Recreation and Open Space O1 Zone shall conform to the provisions of this Section.

15.2. Permitted Uses

Public and Private Parks and Linear Parks
Open Space and Conservation Activities
Golf Courses
Recreational Uses
Pavilions and Band Shells
Recreation Administrative Offices
Parking lots related to the above
Accessory Buildings

15.3. Lot Requirements

1)

Minimum lot area	43,560 sq. ft. (1 acre) (0.4 hectares)
Minimum frontage	150 feet (45 m.)
Minimum front yard	50 feet (15 m.)
Minimum rear yard	50 feet (15 m.)
Minimum side yard	25 feet (7.5 m.)
Maximum height of any building	35 feet (10.5 m.)

- 2) Notwithstanding the noted lot requirements, parks may be created, and may be exempt from minimum lot requirements.
- 3) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time as noted in Appendix "B".

16. Public Service and Institutional Zone (PS1)

16.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in a PSI Zone shall conform to the provisions of this Section.

16.2. Permitted Uses

15.2 PERMITTED USES

Institutional Buildings and Uses
Group Homes
Civic Centres
Accessory Buildings
Public and Private Parks
Recreational Uses
Clubs

16.3. Lot Requirements

1)

Minimum lot area	7,500 sq. ft. (675 sq. m.)
Minimum frontage	75 feet (22 m.)
Minimum front yard	15 feet (4.5 m.) (where there is no parking in the Front Yard)
Minimum rear yard	15 feet (4.5 m.)
Minimum side yard	10 feet (3 m.)
Minimum flankage yard	15 feet (4.5 m.)
Maximum height of any building	35 feet (10.5 m.)
Maximum Lot Coverage	75%

2) All lots shall also conform to the Provincial Minimum Lot Standards as amended from time to time as noted in Appendix "B".

16.4. Parking in Front Yard

Where parking is provided in front of any building in a PSI Zone, a ten-foot (10') (3 m.) landscaped buffer shall be provided between the parking area and the street boundary.

17. Environmental Reserve Zone (02)

17.1. General

Except as provided in this Bylaw, all buildings and parts thereof erected, placed or altered or any land used in a 02 Zone shall conform to the provisions of this Section.

17.2. Permitted Uses

Passive recreational uses, such as skiing or hiking
Conservation related activities

17.3. Zone Boundaries

The Zone Boundaries shall be interpreted to include all the area defined as either a "wetland" or "watercourse" and in addition shall include the area within seventy-five ft. (75') (23 m.) of a "wetland" or "watercourse".

17.4. Zone Requirements

Within a 02 Zone no person shall cut down any trees or disturb the natural ground cover without first submitting a landscape plan to Council documenting all proposed changes to the topography and vegetation and measures to control erosion and siltation.

17.5. Water Course and Wetland Buffer

- 1) All subdivisions served with on-site water and sewer systems and which incorporate or are adjacent to wetlands or watercourses shall provide a seventy five (75) foot wide buffer measured from the inland boundary of a wetland or the high water mark up to the watercourse to the nearest lot boundary.
- 2) All subdivisions served with central water and sewage systems and which incorporate or are adjacent to wetlands or watercourses shall provide a thirty-five (35) foot wide buffer measured from the inland boundary of a wetland or the high water mark of the watercourse to the nearest lot boundary.

17.6. Setbacks

- 1) No building or structure having a proposed residential, institutional, commercial, or recreational use shall be constructed within seventy-five (75) feet of a watercourse, or wetland measured from the landward boundary of a wetland or the high water mark of a watercourse to the nearest boundary of the watercourse to the nearest exterior part of the building or structure.
- 2) No building or structure having a proposed agricultural or industrial use shall be constructed within one hundred and fifty (150) feet of any watercourse or wetland measured from the landward boundary of a wetland or the high water mark of a watercourse to the nearest exterior part of the building or structure.

- 3) If Council, after consultation with the staff of the Minister responsible for the Environment, determines that the minimum setback required under this section is not sufficient to protect the watercourse from the adverse impact of contaminants discharged lawfully or unlawfully from the proposed buildings or structures, Council, in issuing a development permit, may stipulate that the building or structure be located at some greater fixed distance from the watercourse.
- 4) This section does not apply to buildings or structures used for fishing or bait sheds, aqua-culture operations, boat launches, structures or buildings on a wharf, or wharf structures, but Council, in issuing a development permit, may stipulate that the building or structure be located some fixed distance from the watercourse or wetland.

18. Minor Variance

18.1. Minor Variance

- 1) Council may authorize a minor variance not exceeding 10% from the provisions of this Bylaw if the variance is desirable and appropriate, and if the general intent and purpose of this Bylaw is maintained.
- 2) Authorization for a minor variance shall be documented and recorded in writing.
- 3) No variance shall be granted where the difficulty experienced is the result of intentional or negligent conduct of the applicant in relation to the property.
- 4) Notwithstanding any other section of this Bylaw, Council may authorize variances in excess of ten (10%) percent variance from the provisions of this Bylaw if Council deems such a variance desirable and appropriate and if such variance is in keeping with the general intent and purpose of this Bylaw.
- 5) Where Council deems that a variance application could have a significant effect on adjacent properties or properties in the general vicinity, Council may require that a public meeting be held.

19. Amendments

19.1. Application for Amendment

Any person desiring an amendment(s) to the provisions of these Bylaws shall apply to Council, in writing, describing, in detail, the reasons for the desired amendment(s) and requesting Council to consider the proposed amendment(s).

19.2. Application for Re-Zoning

- 1) Any application for re-zoning shall be deemed to be an application to amend these Bylaws.
- 2) Any application to re-zone shall include a legal description of and the location of the property/properties to be re-zoned, the name and address of the owners of the property/properties and, if the applicant is not the owner, a statement as to the applicant's interest in the property.

19.3. Amendment Fee

- 1) Any application for an amendment shall be made, in writing, along with a non-refundable application fee according to the fee schedule set by Council to the Development Officer.
- 2) If the amount paid by the applicant is not sufficient to cover the costs of notifying affected property owners and other expenses related to the cost of the amendment, the applicant shall pay to the Development Officer the additional amount required, before Council gives final approval to the amendment; or if the amount paid is more than sufficient, the Development Officer shall refund the excess amount.

19.4. Notice to Property Owners

- 1) When an application has been received for a re-zoning, the Development Officer shall notify all affected property owners within a five hundred (500) foot (152 metre) radius of the subject property of the application.
- 2) This notification of affected property owners set out in clause (a) shall be in addition to the advertisements for the public hearing, and shall be delivered to all affected property owners at least seven (7) clear days prior to the date fixed for the public meeting.

19.5. Council's Review

- 1) Council shall determine whether or not to pursue such an amendment, and before making any decision shall examine the Official Plan to ensure that the proposed amendment will not be contrary to any policy within the Official Plan.
- 2) No amendment shall be made in these Bylaws which would be contrary to any policy of the Official Plan without a review and amendment of the Official Plan in accordance with the requirements of Section 18 (2) of the *Planning Act* (1988).

19.6. Public Meeting

- 1) No amendment shall be made to the provisions of these Bylaws unless Council provides for adequate public notice and a public meeting pursuant to the provisions of the ***Planning Act***.
- 2) At any public meeting called in respect of a proposed amendment(s) to these Bylaws, Council shall preside, the person proposing the amendment or their designate shall describe and defend the proposed amendment, and the opinions of any person shall be heard for consideration by Council.
- 3) Council shall instruct the Development Officer to notify the applicant that the proposed amendment to these Bylaws has been approved or denied. Where a proposed amendment to these Bylaws has been denied by Council, the reasons for the denial shall be stated, in writing to the applicant.
- 4) Council shall not entertain any new application for the same proposed amendment(s) to these Bylaws for a period of one (1) year from the date of previous application of proposed amendment to these Bylaws.

20. General Provisions for Subdividing Land

20.1. Subdivision Approval

- 1) No person shall subdivide one or more lots or any portion of a lot and no person shall consolidate two or more parcels of land until the conditions of this Bylaw have been complied with and the applicant has received final approval from the Council.
- 2) No person shall sell or convey any interest in a lot in a subdivision before Council has issued a stamp of approval for the subdivision in which the lot is situated.

20.2. Permission to Subdivide

No person shall subdivide land within the Town unless the subdivision:

- a) conforms with the requirements of this Bylaw;
- b) is suitable to the topography, physical conditions, soil characteristics, and natural and surface drainage of the land;
- c) will not cause undue flooding or erosion;
- d) has convenient street access;
- e) has adequate utilities and services available or can be conveniently provided with such utilities and services;
- f) will reasonably conform with existing land use in the immediate vicinity;
- g) will provide for safe and convenient traffic flow;
- h) is designed so that lots will have suitable dimensions, shapes, orientation and accessibility;
- i) is suitable to the use for which it is intended, and the future use of adjacent lands; and,
- j) the parcel of land in respect of which the permit is requested has frontage on a public road or a private right-of-way established pursuant to Section 4.11 of this Bylaw.

20.3. Changes to Existing Lots

- 1) No person shall reduce the dimensions or change the use of any lot in an approved subdivision where Council deems these would be a detrimental effect on neighbouring property owners.
- 2) Where an application to subdivide land would change the dimensions or the use of a lot in an existing approved subdivision, Council shall notify all property owners within 500 feet (152 metres) of the boundaries of the lot in writing, informing them of the details of the application and soliciting their comments.

20.4. Special Requirements- Agricultural Reserve (A1) Zone

- 1) Within an Agricultural Reserve (A1) Zone, no person shall be permitted to subdivide from any existing parcel of land more than two (2) lots.
- 2) For the purposes of this Section “existing parcel” shall mean a parcel of land which was

held in separate ownership as of January 25, 1989

- 3) No person shall establish more than one access driveway for each 10 chains (660 feet) of property frontage on a highway.
- 4) Any lots subdivided pursuant to this Section shall conform to the lot requirements for an A1 Zone and all other relevant provisions of this Bylaw.
- 5) Within an Agricultural Reserve (A1) Zone:
 - a) A residential subdivision shall not be permitted within five hundred (500) ft. (150 m.) of an existing intensive livestock operation.
 - b) Where a residential subdivision is proposed, Council shall notify operators of intensive livestock operations within 1,000 ft. (300 m.) and invite their comments.
 - c) Where a new intensive livestock operation is proposed within 1,000 feet of an existing residential subdivision Council shall notify the property owners and invite their comments.

20.5. Procedure

- 1) Any person seeking Council's approval of a subdivision shall first make application for preliminary approval, and shall be required to submit, along with the application, six (6) copies of a preliminary subdivision plan drawn to scale showing:
 - a) the true shape and dimensions of every lot;
 - b) the location of every existing building or structure on the parcel;
 - c) existing and proposed services and utilities;
 - d) proposed widths and locations of all streets;
 - e) location of land proposed for recreation and public open space use; and
 - f) the existing use of the land and all immediately adjacent properties, showing buildings, fields, streams, rivers, swamps, wooded areas and areas subject to flooding or erosion.
- 2) Council may also require the applicant to provide additional information required to assist it in evaluating a proposed subdivision, including, but not limited to:
 - a) a soil test conducted in a manner acceptable to Council;
 - b) contours and spot elevations;
 - c) traffic surveys.
- 3) Council may refuse to approve a subdivision which is un-suitable under the provisions of this Bylaw. In formulating its decision, Council may consult with government officials and private consultants and may conduct a public hearing to consider public opinion.
- 4) Council shall evaluate any proposed subdivision to determine whether appropriate street design standards and lot configurations have been used to promote the development of safe, convenient and pleasant neighbourhoods.

20.6. Parkland Dedication and/or Park Dedication Fee

- 1) Council may require, for the purpose of developing parkland, that up to 10% of the lands being subdivided be conveyed to the Town. Council shall determine the physical condition and location of parkland.

- 2) When a dedication of land is not deemed to be appropriate or the exercising of the full ten percent (10%) conveyance is not appropriate. Council may impose a park dedication fee up to a maximum of 10% of the value of the lands being subdivided, which sum shall be specifically designated for the purchase, development or maintenance of public parklands in the Town. It is understood that the park dedication fee shall be calculated on the then current assessed value of lands being subdivided and shall not take into account value of structures on such lands. Council retains the right to consult with other levels of government or with a professional land appraiser in determining the value of land.

20.7. Subdivision Agreement

Council may require an applicant to enter into a sub-division agreement as a condition of subdivision approval. The subdivision agreement may cover any matters as required by Council and may include, but not be limited to the following:

- a) design and construction costs of sidewalks, water supply, sanitary and storm sewers, roads, and street lighting;
- b) dedication of land for recreation and public open space purposes, or payment of a fee in lieu of land;
- c) deeding of roads to the Department of Transportation and Public Works;
- d) posting of a financial guarantee satisfactory to Council;
- e) provision of a controlled landscape plan and storm water management plan to facilitate the drainage of water and to guard against flooding of lots within the subdivision and adjacent properties;
- f) provision of such services, facilities or actions as are necessary to ensure the satisfactory development of the subdivision; and
- g) provision for the phasing of the subdivision.
- h) preservation and enhancement of surface water drainage systems.

20.8. Final Approval

- 1) Final subdivision approval shall be granted by Council only after the applicant has complied fully with all applicable requirements of this Section and has submitted six (6) copies of a final survey plan showing all lots pinned and certified by a surveyor registered to practice in the province. Council may grant final approval to part of a subdivision which is proposed to be developed in phases.
- 2) Council shall give notice of final approval of a subdivision in writing, and shall place its seal on the five copies of the survey plan and shall return one copy to the sub-divider.
- 3) Council shall file a copy of the final survey plan with:
 - a) the Registrar of Deeds
 - b) the Department responsible for Transportation
 - c) Council files
 - d) Local utilities, as required.

20.9. Severances/Consolidation

Notwithstanding the above provisions, Council may approve applications for single lot subdivisions, partial lots or easements and lot consolidations at its discretion, having regard for only those provisions which it deems applicable to each individual application, provided the application conforms with all other Sections of this Bylaw.

20.10 Building Permits

A building permit shall not be issued in a subdivision until all the requirements of the subdivision approval have been fulfilled.

21. Penalties

A person who violates any provision of this Bylaw is guilty of an offence and liable on summary convictions.

- 1) In the case of a first or subsequent offence, to a fine not exceeding one thousand (\$1,000.00) dollars in each case together with the cost of prosecution and in default of payment of the fine and costs, to imprisonment for a term not exceeding three (3) months, unless the fine and costs of enforcing the same, are sooner paid.
- 2) Where the offence is a continuing offence, to a fine not exceeding two hundred (200.00) dollars for every day the said offence continues, together with the cost of prosecution, and in default of payment of the fine or costs, to imprisonment not exceeding three (3) months, unless the fine and costs of prosecution are paid within the time provided by the court.
- 3) The Judge presiding on any prosecution under this Bylaw may fix the costs of prosecution to be paid by the person found guilty hereunder.

22. Repeal

22.1. Effective Date

This Bylaw shall come into force effective

22.2. Repeal

Any previous Town of Kensington Zoning and Subdivision Control Bylaw are hereby repealed.

APPENDIX “A”

OFFICIAL ZONING MAP

APPENDIX “B”

Notwithstanding any other provisions of this Bylaw, no person shall subdivide a lot intended to be serviced by an on-site sewerage system except in conformance with the minimum lot size standards noted in Table 1 and Table 2 below.

**CHAPTER P-8
PLANNING ACT
PROVINCE-WIDE MINIMUM DEVELOPMENT STANDARDS
REGULATIONS**

**TABLE 1 - MINIMUM LOT SIZE STANDARDS:
RESIDENTIAL LOTS**

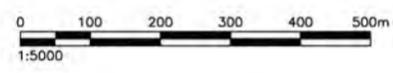
<i>(a) Servicing</i>	<i>(b) Lot Category</i>	<i>(c) Minimum Lot Frontage</i>	<i>(d) Number of Dwelling Units</i>	<i>(e) Minimum Lot Area sq. ft. / sq. m.</i>	<i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i>
on-site water supply and on-site sewage disposal system	I	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
			2	30,000 sq. ft. / 2,787 sq. m.	160 ft. / 48.8 m.
			3	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			4	40,000 sq. ft. / 3,717 sq. m.	200 ft. / 61 m.
			more than 4	40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	200 ft. / 61 m.
on-site water supply and on-site sewage disposal system	II	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			2	40,000 sq. ft. / 3,717 sq. m.	200 ft. / 61 m.
			3	45,000 sq. ft. / 4,180.5 sq. m.	225 ft. / 68.6 m.
			4	50,000 sq. ft. / 4,645 sq. m.	250 ft. / 76.2 m.
			more than 4	50,000 sq. ft. / 4,645 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	250 ft. / 76.2 m.

on-site water supply and on-site sewage disposal system	III	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1	51,000 sq. ft. / 4,738 sq. m.	225 ft. / 68.6 m.
			2	56,000 sq. ft. / 5,202 sq. m.	250 ft. / 76.2 m.
			3	61,000 sq. ft. / 5,667 sq. m.	275 ft. / 83.8 m.
			4	66,000 sq. ft. / 6,131 sq. m.	300 ft. / 91.4 m.
			more than 4	66,000 sq. ft. / 6,131 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	300 ft. / 91.4 m.
on-site water supply and on-site sewage system	IV	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1	75,000 sq. ft. / 6,975 sq. m.	300 ft. / 91.4 m.
			2	80,000 sq. ft. / 7,440 sq. m.	
			3	85,000 sq. ft. / 7,905 sq. m.	
			4	90,000 sq. ft. / 8,370 sq. m.	
			more than 4	90,000 sq. ft. / 8,370 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	
on-site water supply and on-site sewage system	V	N/A	N/A	not developable	N/A
central water supply and on-site sewage disposal system	I	50 feet / 15.25 metres	1	20,000 sq. ft. / 1,858 sq. m.	125 ft. / 38.1 m.
			2	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
			3	30,000 sq. ft. / 2,787 sq. m.	160 ft. / 48.8 m.
			4	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			more than 4	35,000 sq. ft. / 3,251 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	175 ft. / 53.3 m.
central water supply and on-site sewage disposal system	II	50 feet / 15.25 metres	1	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
			2	30,000 sq. ft. / 2,787 sq. m.	160 ft. / 48.8 m.
			3	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			4	40,000 sq. ft. / 3,717 sq. m.	200 ft. / 61 m.
			more than 4	40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	200 ft. / 61 m.
	III	50 feet / 15.25 metres	1	40,000 sq. ft. / 3,717 sq. m.	200 ft. / 61 m.

central water supply and on-site sewage disposal system			2	45,000 sq. ft. / 4,180.5 sq. m.	225 ft. / 68.6 m.
			3	50,000 sq. ft. / 4,645 sq. m.	250 ft. / 76.2 m.
			4	55,000 sq. ft. / 5,110 sq. m.	275 ft. / 83.8 m.
			more than 4	55,000 sq. ft. / 5,110 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	275 ft. / 83.8 m.
central water supply and on-site sewage disposal system	IV	50 feet / 15.25 metres	1	60,000 sq. ft. / 5,580 sq. m.	275 ft. / 83.8 m.
			2	65,000 sq. ft. / 6,450.5 sq. m.	
			3	70,000 sq. ft. / 6,510 sq. m.	
			4	75,000 sq. ft. / 6,975 sq. m.	
			more than 4	75,000 sq. ft. / 6,975 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	
central water supply and on-site sewage disposal system	V	N/A	N/A	not developable	N/A
on-site water supply and central waste treatment system	I or II	50 feet / 15.25 metres	1	15,000 sq. ft. / 1,393.5 sq. m.	100 ft. / 30.5 m.
			2	20,000 sq. ft. / 1,858 sq. m.	125 ft. / 38.1 m.
			3	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
			4	30,000 sq. ft. / 2,787 sq. m.	160 ft. / 48.8 m.
			more than 4	30,000 sq. ft. / 2,787 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	160 ft. / 48.8 m.
on-site water supply and central waste treatment system	III	50 feet / 15.25 metres	1	20,000 sq. ft. / 1,858 sq. m.	125 ft. / 38.1 m.
			2	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
			3	30,000 sq. ft. / 2,787 sq. m.	160 ft. / 48.8 m.
			4	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			more than 4	35,000 sq. ft. / 3,251.5 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	175 ft. / 53.3 m.
central water supply and waste treatment systems	I, II, or III	n/a	any number	as determined by the Minister	as determined by the Minister

**TABLE 2 - MINIMUM LOT SIZE STANDARDS:
NON-RESIDENTIAL LOTS**

<i>(a) Servicing</i>	<i>(b) Lot Category</i>	<i>(c) Minimum Lot Frontage</i>	<i>(e) Minimum Lot Area</i>	<i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i>
on-site water supply and on-site sewage disposal system	I	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
on-site water supply and on-site sewage disposal system	II	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
on-site water supply and on-site sewage disposal system	III	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	51,000 sq. ft. / 4,738 sq. m.	225 ft. / 68.6 m.
central water supply and on-site sewage disposal system	I	50 feet / 15.25 metres	20,000 sq. ft. / 1,858 sq. m.	125 ft. / 38.1 m.
central water supply and on-site sewage disposal system	II	50 feet / 15.25 metres	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
central water supply and on-site sewage disposal system	III	50 feet / 15.25 metres	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
on-site water supply and central waste treatment system	I, II or III	50 feet / 15.25 metres	15,000 sq. ft. / 1,393.5 sq. m.	100 ft. / 30.5 m.
central water supply and waste treatment systems	I, II or III	n/a	as determined by the Minister	as determined by the Minister

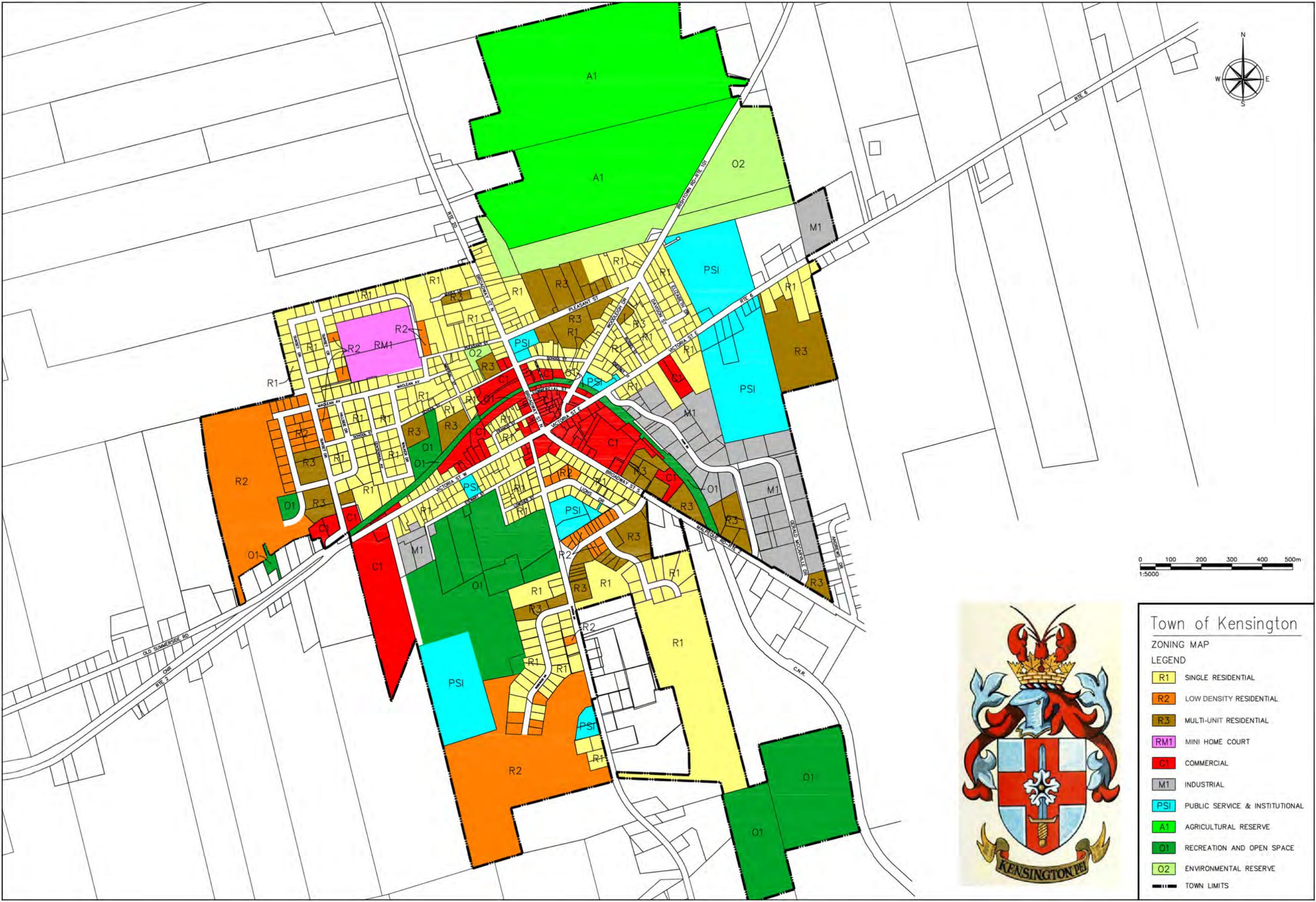


Town of Kensington

ZONING MAP

LEGEND

- R1 SINGLE RESIDENTIAL
- R2 LOW DENSITY RESIDENTIAL
- R3 MULTI-UNIT RESIDENTIAL
- RM1 MINI HOME COURT
- C1 COMMERCIAL
- M1 INDUSTRIAL
- PSI PUBLIC SERVICE & INSTITUTIONAL
- A1 AGRICULTURAL RESERVE
- O1 RECREATION AND OPEN SPACE
- O2 ENVIRONMENTAL RESERVE
- TOWN LIMITS





Official Plan

Revised February 2013

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1. 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 second 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 2027

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 and Monitoring

An Official Plan is intended to be a dynamic 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. On an annual basis Council will review the continuing effectiveness of the Official Plan and will make recommendations to amend the Plan, if necessary. Council may pass resolutions to amend the Official Plan at any time. A formal, comprehensive review shall be undertaken every five years, starting in the year 2017.

1.6. Plan Contents

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

- **A statement of economics, 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. 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 fill 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 it becoming a separate province).

The Town grew up around the intersection of five roads taking people through Kensington to and from Charlottetown, Kelvin Grove, Traveller’s 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 a wealthy land owner 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 their descendants traditionally made 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 that at one time were in operation on the Island. It was designed by C.R. Chappell and is referred to as a “boulder station” because it was

Town of Kensington Official Plan

made from boulders as opposed to timber. Early in the century, the station was recognized as an attraction to the area and that function continues to this day.

In 1914, the Town was incorporated, with Dr. Donald Darrach serving as the first Mayor. Kensington had a population of 612 at the time of incorporation. Since that time, many services have been provided. In 1914, the first Fire Station was also established. In 1917, the first electrical power was installed. A new Post Office was built in 1927 and it was replaced again in 1953 by the Federal Building which at that time 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 1,400. This system was upgraded in 2002 to accommodate approximately 2,000 people.

The Town has participated in several housing programs. In 1964, construction began on 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. Presently, seven buildings contain a total of 55 dwelling units. In the mid-1970s, the Town of Kensington participated in the Neighbourhood Improvement Program. The Town worked in conjunction with the federal and provincial governments on programs to improve housing. In 1984, the Federal Government in conjunction with three local Masonic lodges (MLD Corporation), opened a six unit housing project.

Recommendations made in the 1975 report of the Kensington Area Development Committee included the establishment of new community facilities. As a result, the Kensington Community Centre was constructed in 1977. Currently, it houses the Town Hall, Police Department, Physiotherapist, Medical Center, and several commercial spaces.

Recreation has always been an important part of the community. Numerous skating rinks have been constructed over the years in Kensington. The present Community Gardens was built after a fire in 1979 destroyed its predecessor. To mark Prince Edward Island's centennial as a province of Canada in 1973, the Kensington Regional Committee opened Centennial Park adjacent to the recreation center. Since that time, an outdoor swimming pool has been added. Playing fields are located adjacent to the Community Gardens and the schools.

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 Station has evolved and expanded as a tourist attraction accommodating a variety of functions over the years.

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. **Site and Situation**

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

The topography of the Town features prominent hills rising 50 m above sea level in the north eastern corner and another 44 m above sea level 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 above sea level 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 above sea level. From this point, the land drains gently to the southwest toward the sewage lagoon which is located at approximately 22 m elevation.

Kensington comprises part of the Kensington North Watershed. The Kensington North Watershed Association area (Kensington North) is situated on the north shore of Prince Edward Island between Malpeque Bay on the west and New London Bay on the east. The Kensington North area straddles the boundary between Prince County and Queens County covering all of Lot 18 and parts of Lots 19, 20 and 21. Two municipalities are situated within the Kensington North area: the Town of Kensington and the Community of Malpeque Bay and together they cover nearly 49% of the total area of the watershed while the remainder is unincorporated. The total area of the Town of Kensington is 3.1 square kilometres or 766 acres.

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, historically for production of 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.

2.3. **Existing Land Use**

Kensington has 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 two large schools located close to the eastern boundary of the Town. Commercial development, while centred in the core has also developed to extend just beyond the Town boundaries along Route 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 and Castle Building Supplies have also developed just outside of the Town boundary to the southeast.

The current property taxation system on Prince Edward Island coupled with lack of available municipal land provides incentive for potential municipal residents to live or carry out their business outside the Town of Kensington. A large amount of ribbon development occurs and has occurred in the past on the periphery of the Town's boundary.

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

New residential lots, homes and apartments have been developed in the southern portion of the Town. Residential development has also occurred in the north-western corner of Town. The 2006 Census provided a summary of private dwellings by type as summarized in Table 1 below.

**Table 1
Selected Occupied Private Dwelling Characteristics**

	2006	2011
Total Number of dwellings	625	705
Number of owned dwellings	410	
Number of rented dwellings	210	
Owned dwellings as a percentage of all dwellings (Kensington)	66%	
Owned dwellings as a percentage of all dwellings (PEI)	74%	

Source: Statistics Canada 2006 Census

2.3.1. ***Residential Building Permit Activity***

In the past, towns traditionally 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 bussing to schools, there has been a pattern of increased 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 detached units constructed, averaging approximately two and one-half units per year. The years 1992-2001 saw that rate increase as 51 single detached dwelling permits were granted during that period. From 2002-2010 residential building activity increased; 63 development permits were issued for a variety of residential dwellings. In addition, commercial building permit activity has increased and remained strong. (See Table 2).

Table 2
Building Activity
1992 – 2010

	Single detached	Duplex	Multiple	Commercial	Institutional	Recreational	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	9	14	24
1995	5	1	1	2	0	0	10	19
1996	3	0	1	1	0	0	15	20
1997	3	0	0	4	0	0	6	16
1998	5	0	0	1	0	0	6	12
1999	3	0	1	3	1	0	15	27
2000	7	0	0	0	1	0	12	20
2001	6	0	3	1	2	0	15	27
2002	4	1	0	5	2	0	28	40
2003	6	2	0	9	4	0	21	42
2004	7	2	0	6	2	0	20	37
2005	3	1	3	4	2	0	17	30
2006	2	2	0	4	2	0	17	27
2007	0	8	0	7	1	0	10	26
2008	5	4	0	3	1	0	31	44
2009	2	3	1	2	0	0	15	23
2010	3	3	1	7	2	0	23	39
Total	80	27	13	61	21	9	291	500

*Other: Additions, storage building, garages

Source: Town of Kensington Building Permits

2.3.2. **Service Centre**

Unlike many other small communities that 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. 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. Route 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.

The Town offers a variety of retail and services businesses, as well as professional, financial and government services. An indicator for the performance of Kensington as a

service centre is the fact that since 2008 the Kensington & Area Chamber of Commerce has seen a 50% increase in membership.

2.4. Population Analysis

After a decade of almost stagnant population growth in the 1990s, the Town of Kensington has returned to a healthy population increase of 8.0 per cent from 1,385 in 2001 to 1495 in 2011. However, most of this increase occurred during the period from 2001 to 2006, with a very small increase (0.7 per cent) between 2006 and 2011. Conversely, the overall population in the Province grew by only 0.4 per cent between 2001 and 2006, but 3.2 per cent between 2006 and 2011. Table 3 outlines the age profile of residents in Kensington according to the 2011 Census.

**Table 3
Age Profile**

Characteristics	Kensington Total	Male	Female	Total PEI	Male	Female
Total – All Persons	1,495	700	795	140,205	67,605	72,605
Age 0 – 4	70	35	40	7,275	3680	3,590
Age 5 – 9	85	40	45	7,390	3700	3,685
Age 10 – 14	85	50	30	8,395	4320	4,080
Age 15 – 19	105	55	50	9,650	4930	4,720
Age 20 – 24	75	25	50	8,765	4325	4,440
Age 25 – 29	55	30	30	7,300	3540	3,765
Age 30 – 34	60	25	30	7,585	3560	4,025
Age 35 – 39	95	40	50	8,435	4015	4,420
Age 40 – 44	95	50	45	9,485	4535	4,955
Age 45 – 49	120	60	60	11,230	5430	5,800
Age 50 – 54	125	55	70	11,155	5320	5,830
Age 55 – 59	110	55	60	10,550	5140	5,405
Age 60 – 64	95	45	50	10,205	4970	5,235
Age 65 – 69	80	40	45	7,170	3500	3,670
Age 70 – 74	65	25	35	5,400	2610	2,790
Age 75 – 79	75	30	45	4,295	1930	2,370
Age 80 – 84	45	20	30	2,935	1210	1,720
Age 85 and over	60	20	45	2,995	890	2,105
Median Age	46.8	44.5	48.3	42.8	41.9	43.6
% Over 15 Years	84.4	81.9	85.6	83.6	82.7	84.3

Source: Statistics Canada 2011 Census

A growing senior citizen population will place increasing demands on the community to supply specialized health and social / recreational programming. Senior 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 inventory of serviced residential building lots and to address existing boundary issues.

2.5. **Future Development**

The Town of Kensington is well situated to accommodate more growth. A range of retail services, excellent schools, a variety of churches and meeting places, including recreational facilities, are all located within a fairly compact downtown area. 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. The Town's location leaves it well positioned to continue to grow and develop. Ongoing tourism and seasonal residential growth along the north shore should also continue to strengthen the Town's commercial sector.

2.6. **Municipal Services / Infrastructure**

2.6.1. ***Sewage Treatment and Collection***

The Town of Kensington's sewage collection and treatment infrastructure consists of a network of collection pipes, two lift stations and two waste stabilization lagoons.

The first lagoon was constructed in the late 1950's and the second was constructed in the mid 1970's. In 2002, the treatment facility underwent a significant upgrade including the addition of aeration to one of the lagoons. Also included was berm construction and reinforcement, installation of a clay liner, upgrading of the inlet and outlet structures, addition of UV filtration as well as the construction of perimeter safety fencing and a proper controls building. A 100 KW wind turbine was added to the site in 2009 to help stabilize energy costs associated with the treatment of waste water.

Sewer collection throughout the Town is primarily gravity fed, except the north side of Pleasant Street and the northeastern side of Town which requires adequate pumping facilities to move the wastewater. This creates limits for expansion of the system without the construction of additional pumping stations.

The sewer collection system consists of approximately 10km of collection mains and force mains. Approximately 60% of the Town's sewer mains are constructed of concrete with the remaining approximately 40% consisting of PVC piping.

2.6.2. ***Central Water Supply***

The Town's water supply is provided by four wells. Most properties within the Town are now connected to the central water supply system. Additional areas have been added in recent years.

All water supplied goes to a central location where flow is monitored and all supply is disinfected with chlorine. A 300,000 gallon water tower is located at the top of Gerald McCarville Drive.

2.6.3. Well Field Protection

The Town has purchased a 75 acre property where four wells are located in order to provide increased protection of its water supply. There is currently no comprehensive Wellfield Protection Plan in place.

2.6.4. Storm Management

While some areas of the Town are provided with a system of catch basins and storm drains, other parts of the Town have no storm sewers or proper ditches on their streets. Periodic ponding problems occur along Pleasant Street, Broadway Street South and on Garden Drive. New draft subdivision road standards have been developed to adequately address storm water management. There is currently no comprehensive Storm Water Management Plan in place.

2.6.5. 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.

2.6.6. Fire Protection

The Town operates a municipal fire department with 30 members. 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 firehouse 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.

2.6.7. Police Protection

The Town maintains its own municipal police force. The department consists of a Police Chief, Corporal, one full time constable, and one part time constable and several casual constables.

2.6.8. General Government and Administration Services

The Town provides planning and development control services and Town Hall / Community Centre operations. The Town does not have a professional planner on staff. Planning services are provided mainly by the Chief Administrative Officer in consultation with planning consultants as required.

2.6.9. Snow Clearing

Kensington's Public Works Department handles snow clearing and removal from all sidewalks, boardwalks and other municipally owned properties. Snow clearing service for municipal streets is currently contracted out to independent service providers through the Province of Prince Edward Island.

2.6.10. Road Maintenance

The Town's Public Works Department maintains the municipal road system and surface infrastructure such as street signs.

2.6.11. Recreational Services

Services provided include maintenance of the Community Gardens Complex, two ball fields, parks, the EVK Swimming Pool, and a variety of other recreational facilities.

2.7. Transportation

2.7.1. Road Network

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 Route in the province, carrying large volumes of traffic from across the province. This route generates significant year round traffic through the core area of the Town. The next major road is Route 6 which connects from Route 2 to the north shore tourist area including Cavendish. This route also connects to a large rural service area. Volumes of traffic on Route 6 are particularly high during the tourist season.

Route 20 connects to the northwest and the Malpeque area. Route 101 or the Irishtown Rd. connects due north toward Irishtown and Park Corner. Route 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 Infrastructure Renewal.

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. Upgrading to the main intersection has improved matters but concerns remain for pedestrians crossing this intersection and for turning movement conflicts at Garden Drive. Discussions are ongoing between the Province of P.E.I. and the Town to address transportation safety upgrades and improved traffic flow.

2.7.2. Pedestrian Circulation

Pedestrians are well served in Kensington by a large and well maintained sidewalk system. The sidewalk system will require ongoing maintenance and expansion as new residential areas are developed. The Confederation Trail also bisects the Town and offers excellent recreational opportunities as well as cycling and pedestrian access to the core area. The Trail is in excellent condition through the Town.

2.8. 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 Senior High School. There are also six churches: Kensington United Church; Kensington Presbyterian Church; Holy Family Roman Catholic Church; Kensington Anglican Church; the Church of the Nazarene and Community Church.

There is no hospital in Kensington but Prince County Hospital in Summerside is within easy access. Ambulance services are provided by Island EMS and all dispatch is provided through 911 telephone system. The Kensington Medical Clinic includes office space for 4 family physicians, a nurse practitioner and a public health nurse. The Town also has one dentist, a veterinary clinic and a pharmacy.

2.9. Recreation

2.9.1. Arts, Culture, Parks and Recreational Facilities

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.

**Table 4
Park and Recreational Facilities and their Location**

Location	Facilities
Kensington Community Gardens Complex	Ice rink, fitplex, ball diamonds (lighted)
Queen Elizabeth Elementary School	Intermediate and primary play ground, soccer fields
Centennial Park	Edward Von Kroughnet outdoor swimming pool
Kensington Heritage Library	Book lending, library programs, internet access
Early Childhood Education Centre	Childcare facilities
Kensington Intermediate High School	Tennis Courts, gymnasium, soccer/ rugby fields, ball fields, track
Confederation Trail	Pedestrian / bike trail (snowmobiles in winter)
Murray Christian Education Centre	Hall
Town Hall	Municipal Administration Offices, Meeting Rooms, Police Offices, Medical Centre, Physiotherapist, Commercial Space
Royal Canadian Legion	War Museum, Hall with banquet facilities
Train Station	M.F. Schurman Memorial Gazebo
Lions Subdivision	Pre – School Playground
Alysha Toombs Memorial Park	Memorial Park/ Picnic Area

2.9.2. John A. Hogg – Kensington Public Forest

In 2002, the Public Forest Council held a public meeting in Kensington to hear concerns about Prince Edward Island’s forests. Many citizens from Kensington and nearby communities attended and spoke on the need to conserve the remaining forest and establish a public forest in the area. Thus, the Public Forest Council, the Town of Kensington, and Government of Prince Edward Island combined their efforts to establish a public forest in or near Kensington.

To accomplish this, forested lands were assessed and two sections of primarily hardwood forest were identified as priorities. The woodlands of Robert and Jacquelynn (nee Irwin) Paynter in Kelvin Grove had the core attributes, namely, mature hardwood including sugar maple, yellow birch, red maple, and red oak, a number of older white pine and eastern hemlock, and rare plants such as Christmas fern. The Paynters have had a strong emotional connection to trees and their conservation, used these Acadian forest woodlands personally for hiking, skiing, and horseback riding and allowed others to walk and ski them.

They expressed the desire for this forest to remain forest into the future. Thus, in 2003, Robert, Jacquelynn, Amy, and Emily Paynter agreed to transfer 5.7 hectares (14 acres) of Acadian forest to the province provided that it was conserved as public forest with access to the public. As this section of forest was maintained through the decisions of five generations, they requested that the property be named after the first family member that owned this land, namely, John Andrew Hogg.

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To facilitate public access from the Town of Kensington and the Confederation Trail, the Province purchased a 9.2 hectare (22.8 acre) portion of the adjacent Buried Treasure Farms property. This land included a portion of the Acadian forest ridge, a recent softwood cutover area and an agriculture field. A right-of-way from the Kelvin Grove Road for forest management was also acquired. The acquisition of the Kensington public forest was announced in August 2004. In 2005, the Kensington Public Forest Management Committee was established with representation from the Town of Kensington, Public Forest Council, Kensington Intermediate Senior High School, and the P.E.I. Department of Environment, Energy and Forestry's Provincial Forest Section. Work started on the development of the ecological principles for the property, and the first trail was mowed in the field adjacent to the Confederation Trail in August, 2006. The John A. Hogg ~ Kensington Public Forest trails were officially opened on August 21st, 2007.

3. Economic Development

3.1. The Local Economy

Kensington is primarily a service centre, serving the needs of a large and relatively prosperous rural area which is dominated by agriculture, fisheries and aquaculture. The growth of tourism and seasonal residences along the north shore of P.E.I. has been quite steady in recent years. Kensington has benefitted as an adjacent centre, it may be able to further capitalize on its location, and continue to develop its role as a service centre.

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

Similar figures were not available via the 2006 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 Co-op Atlantic). Many other local businesses depend on the farming industry for a considerable portion of their business.

A review of the labour force statistics (2006 Census) provides an excellent indicator of the makeup of the local economy. It confirms the dominance of the service sector (50% of the local labour force), followed by manufacturing and construction industries (16 percent of the total labour force), including workers from Cavendish Farms plant. Closely following are the agricultural and resource based industries, which make up 15 per cent of the total labour force.

Table 5
Labour Force by Industry

All industries	745
Manufacturing and construction industries	120
Agricultural and resources based industries	110
Wholesale and retail trade	50
Health and education	70
Business Services	110
Finance and Real Estate	20
Other services	260

Source: Statistics Canada 2006 Census

In terms of occupations, of Kensington's total labour force of 745 persons in 2006, the largest portion worked in business, finance and administrative occupations (21%), followed by sales and service occupations (17%) and primary industries (15%).

3.2. Recent Developments and Trends

Development trends in the Town of Kensington and the surrounding region remain stable. The Town's banking and service sector remains strong; the Credit Union has expanded and Scotiabank has been renovated. 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 growth 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 Kent facility, a new Tim Horton's restaurant, 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. A wide variety of restaurants and cafés continue to operate in and around the Town. The tourism sector has remained stable in recent years; including recent expansion of tourism attractions, most notably the Haunted Mansion.

The core area has benefitted from the reconstruction of the main intersection in 1995 and the Railyard Development Project in 1999. Renovations to the Town Hall included an expanded Medical Centre to accommodate a total of three doctors. A new Fire Hall was completed in 2001; a new water tower and Lion's Hall in 2000. KenNet Centre, Prince Edward Island's first regional technology centre, which opened in 2002, was a 1,000 square foot incubator space for developing IT companies and entrepreneurs. It has since changed locations. The original KenNet Building now houses a state of the art early childhood education centre.

Housing growth has occurred in the southern portion of the Town. New subdivisions continue to be developed, although the Town's limited land base hinders Kensington's ability to effectively address growth and development.

3.3. Boundary Extension

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. Kensington continues to explore logical expansion of the Town's boundaries. This will include efforts to fill in or to incorporate currently un-incorporated areas surrounded by municipal lands.

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, banking, retail and other services, a post office, medical services, and a wide range of

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other cultural programs and activities. The Town's Industrial Park and other businesses provide employment for many rural residents. The infrastructure and administration provided by the Municipality facilitate provision of this wide range of services in a compact area.

Urban development within the Town occurs in an efficient and centrally serviced manner, while development outside the Town boundaries is relatively uncontrolled and privately serviced. This pattern of development outside municipal boundaries leads to dispersed and wasteful development patterns which remove valuable farm land from production. This pattern has led to the creation of widespread land use conflicts including increased risks to ground water supplies, and decreased highway efficiency due to more and more driveways and uncontrolled turning movements.

The need for a boundary extension is clear. Incorporation under a municipal umbrella would serve to create a clear and transparent process to manage land use and development. The Town will continue to work with the surrounding community and with the Province of Prince Edward Island to develop a plan to address the concerns of all those involved, to protect agricultural activities and to efficiently service all properties within the municipality. The Town will work toward incorporating recommendations from the "New Foundations" Report of the Commission on Land and Local Governance 2009.

4. Future Development Goals

4.1. Introduction

The goals presented in this Section are broad statements indicating the overall shared vision of Kensington's Council, residents, property owners and businesses 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. Like most relatively small communities, Kensington faces increasing demands for services while having a limited land base. Kensington is one of only a handful of Municipalities on the Island currently showing positive population growth.

Kensington is a crossroads community, conveniently located between Charlottetown, Summerside, Borden and the north shore of the Island. Future development will be directly affected by its relationship to its physical and social environment. The Town will work to foster regional cooperation with its service area, and will take initiatives to lead the area in development of environmental goals to protect the integrity of the area's land, air and water.

The Town of Kensington will work to expand and diversify its economy (employment), active land use and assessment base. Kensington's role as a vital regional service centre will be maintained and strengthened. Kensington has an active Chamber of Commerce and Tourist Association; it will continue to support and encourage regional development. Proximity to the City of Summerside creates opportunities for continued commercial and residential development. Healthy lifestyles will be encouraged through continued development of fitness and wellness facilities, infrastructure and programs. Energy efficiency and sustainability will be promoted or facilitated through policies in the Official Plan and the Bylaw, in an effort to reduce the carbon footprint of the municipality as a whole.

Kensington's attractive and healthy residential neighbourhoods will be protected and enhanced. Our local culture and built heritage will be nurtured. High quality and efficient municipal infrastructure and community services will continue to be developed.

The Town of Kensington will plan to develop in a manner which enhances the health, safety and wellbeing of all residents. Council will work to promote a sustainable living

and working environment while cooperating with other regional stakeholders to protect and promote a clean environment. The Municipality will develop policies to foster compatibility through protection from conflicting land uses.

4.3. **Goals**

4.3.1. **General**

- To promote Kensington's role as a service centre for the region.
- To enhance the overall appeal of Kensington as a place to live, visit and operate a business.
- To foster sustainability with regards to land use practices.

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 residential zoning to support housing opportunities to meet various socio – economic and physical needs.

4.3.3. **Economic**

- To enhance the viability of the commercial core area.
- To facilitate the development of small businesses, agricultural and fishery related businesses, light industries, tourism development and high technology firms.
- To encourage the expansion of retail and service activities.
- To increase the Town's commercial and assessment base.
- To maintain reasonable property tax rates.
- To facilitate sustainable management of the Public Utilities.
- To encourage sustainability by adopting a regional approach; by partnering with local service clubs and neighbouring community groups to provide regional programs and services.
- 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.

4.3.4. **Physical**

- To establish a plan for future development which minimizes potential land use conflicts.
- To foster efficiency of services through compact urban form.
- To ensure an adequate supply of serviced land to accommodate the projected needs of various land uses within the Town.
- To promote expansion of municipal boundaries.
- To encourage the maintenance of a safe and efficient vehicular and pedestrian circulation system in the Town.

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- To manage storm water run-off in a safe and environmentally sustainable manner.
- To encourage the maintenance of high standard of physical appearance for all properties in the Town.
- To foster urban beautification through programs and services. (Such as tree planting programs to offset carbon emissions.)

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 integrity or quality of the land resources.
- To protect and enhance significant natural areas in the Town.
- To partner with regional stakeholders to address mutual environmental goals.

5. 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. Boundaries

Kensington has a stable (residential and) commercial base, which continues to develop. However, the impact of dispersed and sprawled development (outside Town boundaries) continues to affect the long term viability of the Town. This largely uncontrolled and individually serviced development has led to poor land use practices on the periphery of the Town's boundaries. Such uncontrolled growth has consumed prime agricultural land and has led to increased land use conflicts. Uncontrolled development just outside the municipal boundaries has undermined municipal efforts to promote a sustainable and compact urban form.

The Town of Kensington will promote environmentally sustainable land use management. The Town will continue to focus on promoting a compact urban form through infill and redevelopment. The Town will develop strategies to expand the existing boundaries to encompass logical growth patterns. Boundary changes are necessary to ensure the long term sustainability of the Town.

Objectives

- 1. Ensure the continued orderly growth and development of the Town of Kensington by implementing environmentally sustainable land use policies.**
- 2. Minimize land use conflicts and premature loss of agricultural land in the rural areas adjacent to the Town.**
- 3. Ensure an adequate land base for the Town of Kensington to accommodate future growth and to provide adequate, effectively controlled buffers.**
- 4. Consider sensitive land use, development, servicing and taxation policies for any newly annexed portions of the Town.**
- 5. Ensure that agricultural land in active production is zoned accordingly, to protect its existing use, and to minimize conflicting land uses.**

Policies

Policy BE-1. **Boundary Extension**

It shall be the policy of Council to continue to pursue an appropriate extension to the boundaries of the Town and to ensure clear policies exist for land use and zoning, agricultural preservation, servicing, area utility rates and real property taxation for newly annexed areas.

Plan Action:

- Council shall immediately prepare a servicing strategy and submission to the Island Regulatory and Appeals Commission to annex land on the periphery of the Town boundary.
- Council shall prepare a strategy to identify and annex an appropriate area of land necessary to provide for the long term sustainability of the Town.
- To develop a land inventory and a community housing profile.

5.3. Agriculture

While there is 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. The Town will develop Agricultural Zoning policies to protect and enhance farmland and farming practices.

Objectives

1. The Town shall act to minimize conflicts between farmers, businesses and residents within the Town.
2. The Town shall undertake an agricultural land quality study to determine areas of prime land and shall implement zoning to preserve this land for agricultural use.
3. To continue to foster a strong relationship between the Town and its agricultural service area.
4. To ensure that agricultural land in active production is zoned accordingly, to protect existing use, and to minimize conflicting land uses.

Policies

Policy PA-1. **Zoning**

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 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 develop zoning policies to minimize land use conflicts.

Policy PA-2. **Property Tax**

Council will apply work with the Province to develop policies to encourage land to be maintained in agricultural use.

5.4. Residential

Housing demand in Kensington is strong. Serviced residential lots, however, are in short supply. The Town intends to address the marketplace for more innovative, energy efficient and diverse housing types.

Objectives

- | |
|---|
| 1. To actively promote the Town as a residential location. |
| 2. To encourage residential development standards which stress energy efficiency and land use compatibility. |

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.

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 Detached, Low Density and Multi-Unit forms of 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.
- 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 Town will carefully analyze new developments within established residential neighbourhoods prior to permits being issued to ensure that they are compatible. 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 detached dwelling in any zone.

Plan Action:

- The Development Bylaw shall permit one accessory apartment in any single detached 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 neighbourhood appearance, parking requirements, infrastructure requirements, and other matters.

Policy PR-5. **Home Occupations**

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

Plan Action:

- The Development Bylaw shall permit the establishment of limited in-home occupations in all single detached 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**

Manufactured housing has evolved in recent years to offer a variety of housing types. In keeping with a move toward more sustainable types, the Town intends to promote development of more energy efficient housing. 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 dilapidated, Council shall take action to encourage their removal.
- Modern “mini-homes” shall only be permitted within the Mini-Home Court Zone
- Larger “modular homes” shall be permitted in all residential zones.
- No further mini-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 visual buffering through fencing and planting is developed and maintained.

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 work with land owners and developers to provide a variety of residential development opportunities.

5.5. Commercial

The Town will encourage commercial development. While the core area remains strong, there are some vacant or underutilized buildings. The Town will encourage compact development and re-development within the core area. The demand for commercial land beyond the boundaries of the Town will be addressed by developing a strategy to expand municipal boundaries.

Objectives

1. To actively support and strengthen existing local businesses.
2. To identify an expanded commercial area on the General Land Use Plan.
3. To promote the Town as a commercial location.
4. To stimulate and support efforts to upgrade and reinvigorate the downtown core area.
5. To expand the commercial property tax base.

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 various commercial zoning designations and development standards for commercial zoning (General Commercial C1 and Neighbourhood Commercial C2).

- The Development Bylaw shall zone commercial land in conformance with the General Land Use Plan.
- Zones will be established and set out in the bylaws which separate different uses and concentrate compatible uses.
- The Town will develop additional commercially zoned areas in future, as needed or as municipal boundaries are extended.

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

It shall be the policy of Council to support development of 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.
- Council shall encourage sustainability by adopting a regional approach; by partnering with service clubs and neighbouring community groups to provide regional programs and services.
- Council shall work to ensure that appropriate locations for commercial, retail and service development are zoned and that municipal services are provided to support such developments.
- Council shall work to develop an Economic Development Strategy, a “Development Prospectus”, and a Town brand which will serve to emphasize commercial opportunities.

Policy PC-3. **Land Use Conflict**

It shall be the policy of Council to mitigate, where possible, conflicts between different land uses.

Plan action:

- The Zoning and Subdivision Control Bylaw shall set out the standards for General Commercial C1 zoning and Neighbourhood Commercial C2 zoning.
- 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, 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 within the Town. Council shall consider implementing policies to optimally use existing parking areas. It shall be the policy of Council to encourage alternate forms of transportation to reduce the overall need for parking spaces.

Plan Action:

- Council will continue to monitor the parking situation in the Town and any alternative solutions which may be available.
- Methods to improve parking availability may include some of the following:
 - Exploring opportunities for shared parking/ on street parking;
 - Exploring opportunities to minimize car use;
 - Encouraging the supply of bicycle parking;
 - Establishing unloading zones with enforced time limits;
 - Requiring businesses to provide adequate staff parking off-street;
 - Considering the 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. **Signage**

It shall be the policy of Council to review the current signage regulations.

Plan Action:

- Council shall research the utility of developing and adopting a Municipal Signage 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. Additional industrial land must be identified to accommodate long term growth in this sector.

Objectives

-
- 1. To continue to promote Kensington as an industrial/service location.**
 - 2. To effectively manage the present industrial areas in the Town.**
 - 3. To expand space for industrial/service uses.**
-

Policies

Policy PM-1. **Zoning**

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

Plan Action:

- The Development Bylaw shall zone adequate land within the Town as Industrial.
- The Development Bylaw shall establish development standards for all industrial development.
- Any existing industrial uses outside the Industrial Zone shall be considered “non-conforming” and shall be subject to the regulations of such as outlined in the Zoning and Subdivision Control Bylaw.

Policy PM-2. **Appearance**

A pleasant physical appearance of business zoned for industrial use and other industrial areas will be promoted.

Plan Action:

- Design standards and landscaping requirements will be established for all developments zoned for industrial use.

Policy PM-3. **Expansion**

It shall be the policy of Council to expand the industrial base within the Town.

Plan Action:

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

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. The Town will continue to support the development of a multi-use / wellness centre.

Policies

Policy PI-1. **Zoning**

It shall be the policy of Council 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 by promoting regional cooperation and shared / multi-use facilities.

Plan Action:

- Council shall support sustainability through development of shared facilities.
- Council shall support and encourage efforts to develop energy efficient buildings and technologies to support such buildings.
- Council shall support efforts to locate additional institutional facilities in the Town and to expand current facilities.
- Council shall zone adequate land for nursing homes.
- Council shall continue to work with the School Board 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 and baseball 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 facilities and programs can play a major role in the promotion of healthy lifestyle. It also recognizes that volunteers play a major role in developing and maintaining programs within the Town.

Objectives

1. To promote active transportation in and around the Town.
2. To continue to offer a variety of facilities and programs to foster healthy lifestyles.
3. To encourage the direct participation of recreation users from outside the municipality in recreational program planning and operations.
4. To foster co-ordination and promotion of recreational programs and special events.
5. To promote improved active play areas within easy and safe access of residential neighbourhoods throughout the Town.

Policies

Policy PP-1. **Recreational Programs and Facilities**

It shall be the policy of Council to support recreational programs and facilities that meet the needs of all residents and to support the efforts of other groups or individuals in promoting healthy and active lifestyles. 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 municipally owned recreational facilities.
- Available upgrading budgets shall be allocated based on physical need and program participation levels.
- Council shall continue to work in conjunction with other partners 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 support the efforts to maintain and improve the Confederation Trail system and access to the Confederation Trail system.
- Council shall consider hiring a recreation director.

5.9. **Heritage Buildings**

The Town of Kensington has a long history in the area and contains a number of buildings from various time periods. These buildings contribute to the character of the town.

Objectives

1. **To promote preservation and maintenance of historic buildings that contribute to the character of the Town.**

Policies

Policy HB-1. **Heritage Buildings**

It shall be the policy of Council to promote preservation and maintenance of historic buildings within the Town.

Plan Action:

- Council shall work in conjunction with and support the Kensington Historical Society in identifying and promoting those buildings and sites that have heritage values.

5.10. **Municipal Services**

The Town of Kensington directly provides a wide 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.

The Town's municipal services and infrastructure are in good condition and are maintained to facilitate delivery of a high level of service.

Objectives

1. To provide efficient and cost effective central waste water collection and treatment services for all present and future property owners within the Town.
2. To provide high quality domestic water supply for all residents, property owners and businesses in the Town.
3. To provide for the special servicing needs of industrial users.
4. To provide cost effective police and fire services.
5. 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 shall review the capacity of the existing water tower and will make plans to upgrade to a larger facility when indicated.

Policy PS-3. **Wellfield Protection**

Council will develop a Well Field Protection Plan. See also policy PE-1.

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-4. **Storm Water Management**

It shall be the policy of Council to work closely with the staff of the Minister responsible for Transportation and Infrastructure Renewal to ensure that storm water run-off is

managed in a manner which is cost-effective, is environmentally sensitive and minimizes risks to public health, safety and private property.

Plan Action:

- Council shall develop an overall Storm Water Management Plan for the Town.
- Council will cooperate with other regional stakeholders to develop an approach to watershed management that considers the region as a whole.
- The Town will work with the Department of Transportation and Infrastructure Renewal 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 Infrastructure Renewal.
- 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-5. **Police Services**

It shall be the policy of Council to provide police services and to provide for the adequate security of its residents and property owners.

Plan Action:

- Council shall continue to support the delivery of police services through adequate levels of staffing, equipment, facilities and training.
- Council shall monitor and review police services on a regular basis to ensure that service delivery meets the needs of the municipality.

Policy PS-6. **Fire Protection Services**

Council acknowledges that regional cooperation can enhance provision of 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 resources to provide cost effective fire services.

Plan Action:

- Council shall continue to support the efforts of the Kensington Fire Department to maintain equipment, facilities and training at adequate levels to provide cost effective fire services.
- All new development will support fire rated service.

5.11. **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. The Town will consider the utility of a comprehensive traffic study, to optimize pedestrian safety and traffic flows. The Town will consider how to reduce the municipality's carbon footprint with regards to transportation.

Objectives

1. To maintain an acceptable standard of maintenance on regional arterial routes and Provincial highways in the Town.
2. To maintain a standard of maintenance on municipally owned streets.
3. To address traffic hazards in the Town.
4. To improve storm water drainage on municipally owned streets.
5. To maintain a safe and efficient pedestrian circulation system in the Town.
6. To develop destination facilities along the Confederation Trail.
7. 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 staff of the Minister responsible for Transportation and Infrastructure Renewal to ensure that the key routes leading to the Town and Provincially controlled streets within the Town are maintained at acceptable levels. Council shall also ensure that municipally owned streets are developed and maintained at a standard which adequately reflects their role and level of use. Council will develop new road standards for municipally owned streets.

Plan Action:

- Council shall continue to work with the staff of the Minister responsible for Transportation and Infrastructure Renewal to monitor the condition of all Provincial roads within the Town and key connecting routes to the Town.
- Council shall maintain all municipally owned streets to the highest level possible within local budgetary constraints.
- Council shall map all streets within the Municipality.

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 staff of the Minister responsible for Transportation and Infrastructure Renewal will prepare a transportation plan for the Town.
- Arterial roads will be designated to 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.

- Collector streets will be designated to 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 will be designated to 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 improve intersections and improve signage and sight lines for all users including vehicles, pedestrians, cyclists and other street users.
- Council shall review the existing provincial standards and policies for the development and redevelopment of all public roads within the Town; the Town may consider developing and adopting municipal standards in future.

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 designs and construction to be included in all subdivision and development agreements.

Policy PT-5. **Pedestrian Circulation**

It shall be the policy of Council to continue 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 school, 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.

5.12. Environment

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

Perhaps the single greatest environment concern across Prince Edward Island at present is the protection of our vital ground water resources. The current municipal well field is located on lands owned and maintained by the Town. A comprehensive Well field Protection Plan shall be prepared to ensure that adequate measures are in place to protect the integrity of the municipal water supply.

Objectives

1. To protect the quality and quantity of the Town's vital ground water resources.
2. To develop a Well field Protection Plan.
3. To protect and enhance the quality of surface water systems in the Town.
4. To protect and enhance wildlife habitat areas within and adjacent to the Town.
5. To encourage the preservation and planting of trees in the Town.
6. To implement policies controlling erosion from construction and farming activities in the Town.
7. To encourage acceptable minimum maintenance standards and the control of unsightly premises.
8. To protect air quality and minimize nuisances related to noise, dust, vibration, etc.
9. To implement policies to address environmental issues and to work to reduce the carbon footprint of the Town.
10. To facilitate greater energy efficiency in municipal structures.
11. To establish a Windmill Bylaw, which may form part of the Zoning and Subdivision Control Bylaw.

Policies

Policy PE-1. **Ground Water**

It shall be the policy of Council to work with the staff of the Minister responsible for 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 staff of the Minister responsible for 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, underground petroleum storage or other potentially hazardous activities.
- 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 recharge areas both within and outside the Town. Council will consider use of zoning to clearly identify permitted uses in such areas.
- 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. Council shall work with the staff of the Minister responsible for the Provincial Department of the Environment, Energy and Forestry, other agencies and stakeholders in the region to ensure adequate surface water protection.

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 will, in future, develop a tree planting program.
- Council shall implement a bylaw controlling the burning of leaves, grass and refuse in the Town.

6. General Land Use Plan

The General Land Use Plan is a conceptual representation of the direction Council envisions land use patterns emerging over the next fifteen years. It lays the foundation and establishes the direction for the Zoning Map in the Development Bylaw, which is much more precise in terms of boundaries and land use designations. The Zoning Map must, however, conform to the General Land Use Plan. See Appendix A Map 1 General Land Use Plan.

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

- Land use conflicts shall be minimized,
- Commercial development shall generally be directed to established commercial areas,
- Industrial development shall generally be directed to locate in established industrial areas,
- Higher density residential developments shall generally be located adjacent to major traffic routes,
- Established residential areas shall generally be protected, although conversion to other uses as the Town expands may be supported in appropriate areas (such as conversion to commercial uses along a major road),
- Residential and commercial “infilling” shall be encouraged,
- New peripheral residential development shall be encouraged,
- All other relevant policies and principles included in this Plan.

7. Implementation

7.1. Administration

Administration of this Plan is the responsibility of Council. Council shall 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 Land Use Planning Consultant, or to a Development Officer appointed by Council.

7.2. Development Bylaw

Immediately upon the approval of this Plan by the Minister responsible for Municipal 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, where more stringent standards are justified, 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 consider Official Plan policies when making budgetary decisions.
- Council shall strive to maintain stable property tax and utility rates while providing adequate services and allowing for long term maintenance of infrastructure and services.
- Council shall pursue all available options for cost-sharing and maximize the 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 Town has completed a formal Integrated Community Sustainability Plan, and it shall designate particular projects as priority projects. Sustainable planning is essential for continued long term economic development and for continued protection of the environment. The following tables designate suggested Priority Projects.

**Table 6
Priority Projects**

Project	Year	Projected Impact
Replacement of Pleasant St. Sewer Lift Station	2012	Improved Capacity and Reliability
Storm Water System Upgrades	2012-2015	Reduced flooding damage Reduced infiltration
Sidewalk Extension and Maintenance	2012-2013	Safer pedestrian circulation
Downtown Upgrading	2012	Strengthen local economy
Community Gardens Upgrade/ Wellness Centre	2014	Accommodate community events and business functions/Upgrade ice surface
Residential Street Upgrades (as required)	Annual 2012-2015	Improved streets
Sanitary Sewer Upgrades (as required)	Annual 2012-2015	Improved capacity and reliability

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

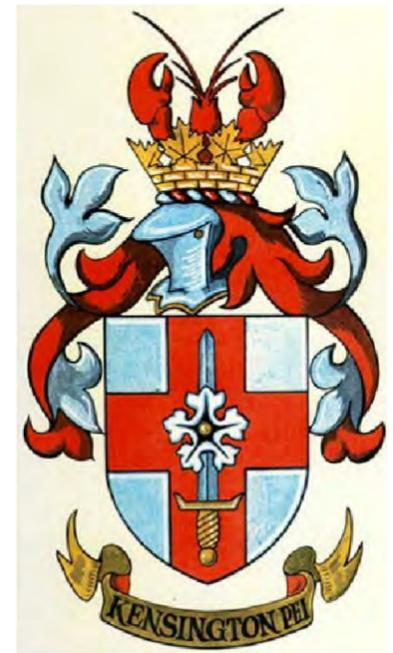
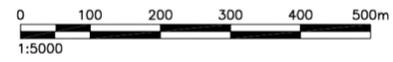
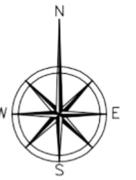
The Official Plan and Development Bylaw may be amended as circumstances require in the Town or in response to requests from the public, provided that all provisions of the **Planning Act** are met.

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.**

APPENDIX “A”

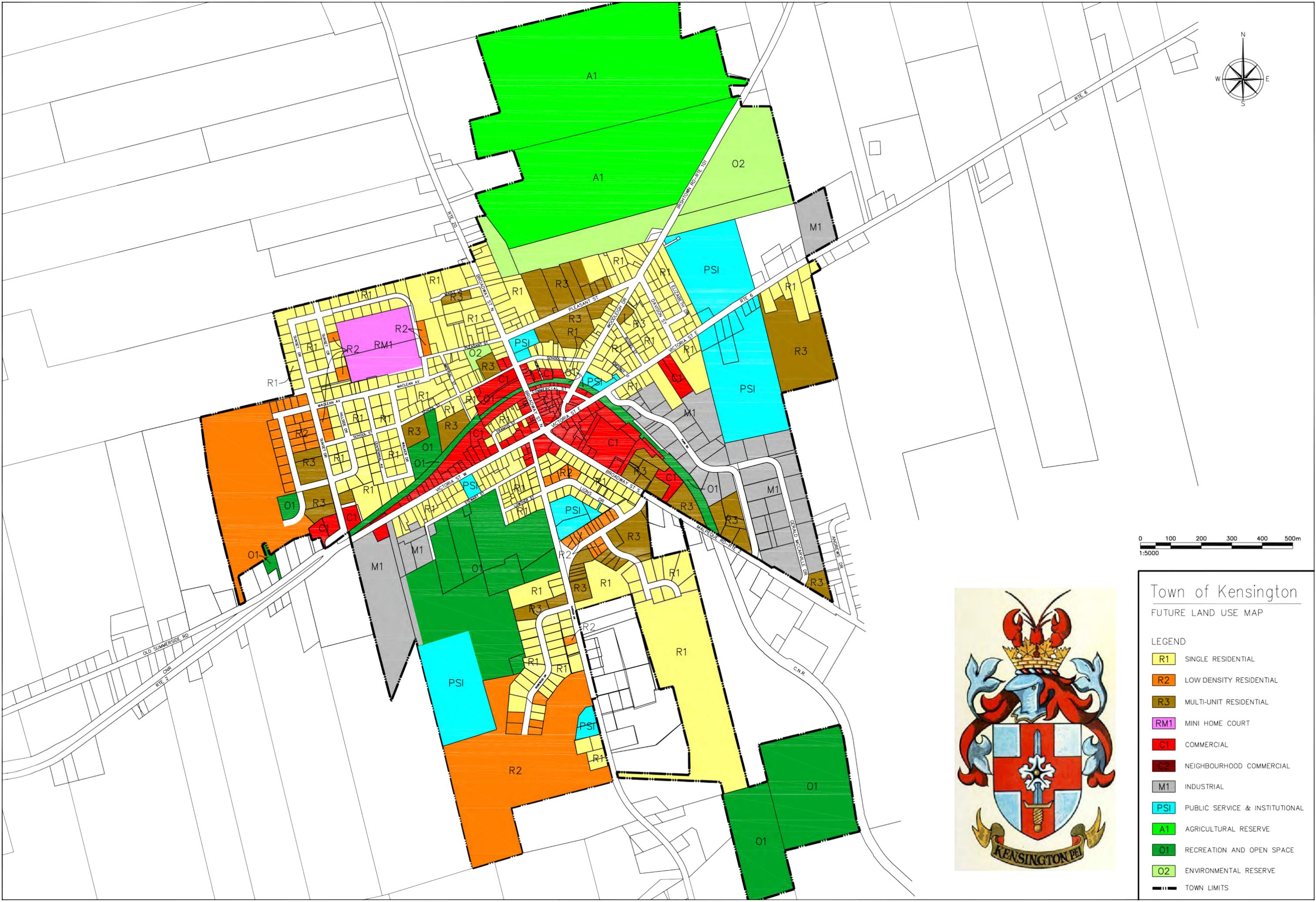
GENERAL LAND USE MAP



Town of Kensington

FUTURE LAND USE MAP

- LEGEND
- R1** SINGLE RESIDENTIAL
 - R2** LOW DENSITY RESIDENTIAL
 - R3** MULTI-UNIT RESIDENTIAL
 - RM1** MINI HOME COURT
 - C1** COMMERCIAL
 - C2** NEIGHBOURHOOD COMMERCIAL
 - M1** INDUSTRIAL
 - PSI** PUBLIC SERVICE & INSTITUTIONAL
 - A1** AGRICULTURAL RESERVE
 - O1** RECREATION AND OPEN SPACE
 - O2** ENVIRONMENTAL RESERVE
 - TOWN LIMITS



Town of Kensington - Request for Decision

Date: July 7, 2016	Request for Decision No: 2016-31
Topic: Kensington Fire Department – Thermal Imaging Camera	
<p>Proposal Summary/Background:</p> <p>In December of 2015 representatives from the Kensington Fire Department submitted a request to the Public Safety Committee to consider the purchase of a new thermal imaging camera for the department. At the time, only one quotation had been solicited and the fire department were requested to secure an additional quote. It was indicated at that time that the proposed acquisition would be considered in the 2016 budget. A second quote has been received and the Fire Department are again, requesting Committee’s consideration of purchasing this vital piece of equipment.</p> <p><i>Two quotes were requested by the Fire Department as follows:</i></p> <p><i>MicMac Fire Safety Source Ltd. - \$15,162.00 including HST</i> <i>T&K Fire Equipment Ltd. - \$18,400.00 including HST</i></p> <p>The proposed purchase was presented to Committee of Council at their June 27, 2016 meeting where it was recommended to be brought forward to Town Council for approval.</p>	
<p>Benefits:</p> <ul style="list-style-type: none"> • Will allow for a safer and more efficient response for firefighters in fire situations. 	
<p>Disadvantages:</p> <ul style="list-style-type: none"> • None noted 	
<p>Discussion/Comments:</p> <p>A thermal imaging camera is integral in the modern firefighting operation. The cameras allow firefighter to see areas of heat through smoke, darkness, or heat-permeable barriers. They are constructed using heat- and water-resistant housings, and ruggedized to withstand the hazards of firefighting operations. Infrared technology help firefighters find victims, pinpoint fires and fire sources and helps to identify structural dangers before they have an opportunity to cause injuries and/or deaths.</p>	
<p>Options:</p> <ol style="list-style-type: none"> 1. Approve the purchase of the Thermal Imaging Camera as recommended 2. Not approve the purchase. 	
<p>Costs/Required Resources:</p> <p>\$15,162.00 including HST</p>	<p>Source of Funding:</p> <p>Fire Department 2016 Capital Budget</p>

Recommendation:

That Town Council consider and adopt the following resolutions:

BE IT RESOLVED THAT Town Council authorize the CAO to proceed with the purchase of a BUL-T4X Thermal Imaging Camera Bundle from MicMac Fire Safety Source Ltd. as per their quote dated May 18, 2016 in the amount of \$15,162.00 including HST.



email: sales@mmfss.ca
 website: http://www.mmfss.ca

121 Ilsley Avenue, Unit 4
 Dartmouth, NS B3B 1S4
 PH: (902) 468-6060 FX: (902) 468-9090

QUOTE
 00027518
 Date: 18-May-2016
 Page #: 1

Our GST/HST No: 104688296RT0001

QUOTE FOR		SHIP TO		
Kensington Fire Department PO Box 418 Kensington, Prince Edward Island C0B 1M0		Kensington Fire Dept Kenmac Auto Body 1 Industrial Park Kensington, Prince Edward Island C0B 1M0		
REFERENCE		CONTACT		
		TEL	902-888-7379	FAX - -

CUSTOMER NO.	SHIP TO	SALES PERSON	FOLLOW UP DATE	EXPIRY	ENTERED BY
00823	SHIPTO1	John Dunbar		17-Jun-2016	J.DUNBAR

TERMS	F.O.B.	SHIP VIA	P.S.T.
Net 30			

DESCRIPTION	DELIVERY	UOM	QUANTITY	PRICE	AMOUNT
-------------	----------	-----	----------	-------	--------

BUL-T4XBUNDLE T4X FACTOR 5 YR WARRANTY & TRUCK CHARGER T4x gives fire departments everything they'll need in high performance - 320 X 240 ultra-resolution - Equipped with (ICE) Image Contrast Enhancement processing technology - Extra-Large 4.3" widescreen format on a new LCD display increases brightness and improves contrast -Electronic Thermal Throttle enables firefighters to isolate heat sources -Super Red Hot Colorization alerts firefighters to areas of intense heat - Temperature measurement in numeric and relative heat indicator formats - Zoom 2X, and 4X for size up on Hazmat calls - 2 NIMH Battery		EA	1	\$13,200.00	\$13,200.00
BUL-T3RETRAC RETRACTABLE LANYARD FOR T3 T4 TI CAMERA		EA	1	\$100.00	\$100.00

SUBTOTAL	MISCELLANEOUS	FREIGHT	HST	SALES TAX	TOTAL
\$13,300.00	\$0.00	\$0.00	\$1,862.00	\$0.00	\$15,162.00

DATE PRINTED: 18 May, 2016 9:40:26 am

CANADIAN

\$15,162.00



Sales Quote

16 Walker Drive
 Charlottetown PE, C1A 8S6
 (902) 368-3016 bus
 (902) 368-3942 fax
Sales@tkfire.com

Quotation Number: TK05301601
 Quotation Date: 05/30/16
 Salesman: Brad Hickey
 Customer: Kensington FD
 ATTN: Rodney Hickey

QTY	Description	Price	Amount
1	MSA Evolution 6000 Xtreme TIC	15'000	15'000
1	Vehicle charger	1000	1000
			TOTAL
			16'000

Prices quoted above do NOT include applicable taxes (HST)

We are pleased to submit the above quotation for your consideration. Should you place an order, be assured it will receive our prompt attention. This quotation is valid for 60 days. Thereafter it is subject to change without notice. Thank you.

By Brad Hickey Accepted _____ Date _____

#18,400.00

[Footwear](#)[Electrical](#)[Ladders](#)[Contact Us](#)[Links](#)

OUTSTANDING Performance

The T4X uses infrared engine technology running at an ultra-fast 60 Hertz image update rate and incorporates Image Contrast Enhancement (ICE™) technology for the ultimate image performance in fire conditions. Loaded standard with advanced features in a 320 x 240 ultra-high-resolution, the T4X gives fire departments everything needed in a high-performance thermal imager.

T4X Thermal Imager

BRIGHTEST LCD Display

LCD display greatly increases brightness and improves contrast, enabling firefighters to see more clearly in thick smoke and direct sunlight. The 4.3" widescreen format is the largest in the market.

ADVANCED Features

The T4X is loaded standard with advanced features, including Bullard's exclusive Electronic Thermal Throttle®, which enables firefighters to optimize scenes with the touch of a button; Super Red Hot colorization that alerts firefighters to areas of intense heat; temperature measurement in numeric and relative heat indicator formats; and 2x and 4x digital zoom.

NEW Look & Feel

The T4X is distinguishable from other thermal imagers with a cool, blue metallic swirl color. Multiple colors are also available.

FIVE YEAR Warranty

All X Factor Thermal Imagers come standard with a five-year, best in class, full service warranty on parts and labor. Upgrade to the CareFree® warranty to get five years of coverage on batteries.

Town of Kensington - Request for Decision

Date: July 7, 2016	Request for Decision No: 2016-32
Topic: 2015 Capital Borrowing	
Proposal Summary/Background:	
<p>Staff has reviewed all capital asset purchases out of current revenues over the 2015 fiscal year. The Town utilized current revenues to purchase smaller capital items from the General Fund in 2015 in the amount of \$123,290.68. The Community Gardens Complex has utilized current revenues to purchase capital over 2015 in the amount of \$13,298.50. Purchasing assets out of current revenues through short term borrowing impacts the town's ability to maintain positive cash flow.</p> <p>A detailed list of capital items purchased in 2015 is being circulated with this Request for Decision.</p>	
Benefits:	
<ul style="list-style-type: none"> • Will reduce demand on short term borrowing (operating line of credit). 	
Disadvantages:	
<ul style="list-style-type: none"> • Will increase long term debt (proposed 5 year term). 	
Discussion/Comments:	
<p>It is recommended that Town Council proceed with borrowing the amounts listed above over a five year term, to sustain positive cash flow in the General and Community Gardens Complex Accounts.</p>	
Options:	
<ol style="list-style-type: none"> 1. Approve the borrowing as recommended. 2. Not approve the borrowing. 	
Costs/Required Resources:	Source of Funding:
N/A	N/A
Recommendation:	
<p>That Town Council consider and adopt the following resolution:</p> <p><i>WHEREAS S. 43 of the Municipalities Act, R.S.P.E.I., Cap. M-13, Prince Edward Island authorizes a Municipal Council to borrow money for certain purposes;</i></p> <p><i>AND WHEREAS Town Council is desirous of reducing demand on the Town's Operating Line of Credit;</i></p> <p><i>AND WHEREAS the Town has purchased capital assets over 2015 in the amount of \$136,589.18 from current revenues;</i></p>	

BE IT RESOLVED that Town Council authorize the borrowing of \$136,589.18 from the Scotiabank repayable in full over an amortization period not to exceed 5 years at a floating rate of interest, to finance capital purchases made by the Town of Kensington and the Community Gardens Complex in 2015.

**Town of Kensington
2015 Detailed Capital Purchase List**

Item	Project	Cost
EQUIPMENT		
Police		
Hand Held Radar	Hand Held Radar	\$1,644.27
Speed Radar Signs	Speed Radar Signs	\$17,453.78
Installation of Speed Radar Signs	Installation of Speed Radar Signs	\$4,818.56
EVK Pool		
New Pool Liner	Replace Pool Liner	\$10,333.20
New Skimmers	Replace Pool Skimmers	\$1,578.47
ELECTRONIC EQUIPMENT		
Police		
New Computer	Replace Computer	\$2,323.31
Town Hall		
10 Receptacles for Chamber	Install Receptacles	\$1,676.33
In Line Blower	Replacement of In Line Blower	\$1,744.00
Water Heater	Install Water Heater	\$1,272.18
Train Station		
Reshingle Roof	Freight Shed Roof Replacement	\$7,321.97
Reshingle Roof	Blacksmith Shop Roof Replacemnt	\$2,417.65
Water Heater	Water Heater Replacement	\$1,100.00
EVK Memorial - Swimming Pool		
Reshingle Roof	EVK Pool Roof Replacement	\$2,698.48
Public Works		
200m of paving on Stewart St	200m of paving on Stewart St	\$21,298.60
Police		
2010 Dodge Charger	2010 Dodge Charger	\$1,650.00
New Turbo	Replaced Turbo	\$4,274.97
Fire		
4 New Personal Breathing Units	Breathing Equipment	\$8,640.00
8 New Personal Air Tanks	Air Bottles	\$1,728.00
18" Electric PPV	Var Speed Exhaust Fan	\$3,849.31
Fire Hall		
Concrete in Front of Fire Dept	Concrete Repairs	\$25,467.60
Total General Gov't		\$123,290.68
CGC Equipment		
Canteen Equipment	Canteen Equipment	\$1,675.00
CGC		
Monofilament Protective Netting	Supply and Install Netting	\$4,000.00
Temp Glass	Temp Glass	\$898.80
Key Fobs	Installation	\$6,228.47
Key Fobs - Extra Monitors in Canteen	Installation	\$496.23
Total CGC		\$13,298.50
Total 2015 Capital Borrowing		\$136,589.18

Town of Kensington - Request for Decision

Date: July 8, 2016	Request for Decision No: 2016-33
Topic: Consolidation of Lands of Kenway Inc.	
<p>Proposal Summary/Background:</p> <p>A survey plan (Drawing No. M-16-61) has been received from Kenway Inc. along with a request for Town Council's consideration to consolidate Property No. 76760 (being lands of Kenway Inc.), identified as Parcel 1 and Parcel 2 on Drawing No. M-16-61 to Property No. 76745, identified as Lot 2016-A on Drawing No. M-16-61 (being lands of Kenway Inc.).</p> <p>PID No.'s 76760 and 76745 currently carry a commercial zoning designation.</p> <p>An excerpt of Drawing No. M-16-61 is being circulated with this Request for Decision. Full size hardcopies of the Drawing will be available at the meeting for Councillors review.</p>	
<p>Benefits:</p> <p>None Noted.</p>	
<p>Disadvantages:</p> <p>None Noted.</p>	
<p>Discussion/Comments:</p> <p>The property consolidation is found to be in general compliance with the Development Control Bylaw and contravenes no policies of the Official Plan. The consolidation has been reviewed by the CAO and is being recommended for approval.</p>	
<p>Options:</p> <ol style="list-style-type: none"> 1. Approve the property consolidation as recommended. 2. Not approve the consolidation. 	
<p>Costs/Required Resources:</p> <p>N/A</p>	<p>Source of Funding:</p> <p>N/A</p>
<p>Recommendation:</p> <p>That Town Council consider and adopt the following resolution:</p> <p><i>WHEREAS Section 20 of the Town of Kensington Development Control Bylaw authorizes Town Council to consolidate single lots at its discretion;</i></p> <p><i>AND WHEREAS an application has been received from Kenway Inc. to consolidate PID No's 76745 and 76760, being lands of Kenway Inc.;</i></p>	

AND WHEREAS such application is deemed to comply with the relevant provisions of the Development Control Bylaw;

BE IT RESOLVED that Town Council approve a lot consolidation of PID No 76745 (identified on Drawing No. M-16-61 as Lot 2016-A) and PID No 76760 (identified on Drawing No. M-16-61 as Parcel 1 and Parcel 2), being lands of Kenway Inc. as per Drawing No. M-16-61, drawn by Mantha Land Surveys Inc, dated May 9, 2016.

Thank you for
the generous
donation to The
Alysha Tombs
Memorial Golf
Tournament

Wade & Cindy
Tombs



Geoff Baker

From: Nancy MacLeod (x2011ajo) <x2011ajo@stfx.ca>
Sent: Tuesday, June 28, 2016 2:19 PM
To: townmanager@townofkensington.com
Subject: Camp Triumph Kayak Relay

Hello Mr. Baker,

My name is Nancy MacLeod and I'm the Senior Counsellor and Medical Officer for Camp Triumph. As I'm sure you are aware, Camp Triumph is an adventure-based residential summer camp for children who have a parent or sibling with a serious chronic illness or disability. At our camp, children are given the opportunity to build confidence and self-esteem, they are provided with positive role models, and they are encouraged to participate in individual and group activities that develop cooperation, respect, and resilience.

Camp Triumph is offered free of charge to all children who have a chronically ill family member, which would not be possible without the help of our sponsors. One of our major fundraisers is a Kayak Relay which will be held at the Cabot Beach Provincial Park on Friday, August 12th, 2016 at 4pm. For our relay, groups or individuals can sponsor a boat for a donation of \$500 and can either enter a team of 5-12 members or choose to have Camp Triumph campers participate. This annual event is a very enjoyable day for all participants and spectators and is always followed with a barbecue picnic.

We would love to have the support of the Town of Kensington for this unique and memorable event; if you have any further questions, please do not hesitate to contact me!

Thank you,

Nancy MacLeod
Senior Counsellor and Medical Officer
Camp Triumph
Malpeque Bay, PEI
(902)969-3886

PCH
FOUNDATION
Women's Golf
Classic

Correspondence

June 2016

Mayor Rowan Caseley
Town of Kensington
P.O. Box 418
Kensington, PE C0B 1M0

Dear Mayor Caseley:

"Fore" the Benefit of PCH

In 2015, we completed the largest annual campaign goal to date (nearly \$2.3 million). Your support and that of many others made that success possible; and thanks to that assistance, we will be able to provide every item on the 2015 "greatest needs" list. As we closed that chapter, we began to lay the groundwork for another challenging year that will see your support help provide items like Hospital Beds (\$110,000), an Electrocautery Unit (\$120,000), and a Portable Fluoroscopy Unit (\$250,000) for the Prince County Hospital.

To support this year's efforts, the Prince County Hospital Foundation will be hosting the *9th Annual Women's Golf Classic* on September 23rd, 2016. This women only event is a chance for players of all ability levels to enjoy a fun filled day of golf at Red Sands Golf Course followed by dinner and auction at the Stanley Bridge Country Resort. Since 2008 this event has raised over \$175,000 and our goal this year is to top \$25,000.

As we move forward in our plans, we would like to offer you the opportunity to be a "hole sponsor" of this prestigious event, benefiting Islanders at a cost of \$250. The sponsor recognition package is attached for your review and consideration. If you would like to reserve your spot, please fill out the form and fax it back to (902) 432-2551 or use the return envelope provided.

It would be our pleasure to speak with you to further explain the details of this important charitable event for our hospital. If you have any questions please email hematheson@ihis.org or call (902) 432-2547.

Sincerely,



Heather Matheson
Managing Director
Prince County Hospital Foundation
Women's Golf Classic Committee

PCH FOUNDATION

Women's Golf Classic

HOLE SPONSORSHIP FORM - 2016

Company/Name: _____

Contact Person: _____

Phone: _____ Email: _____

Mailing Address: _____

City/Province: _____ Post: _____

HOLE SPONSORSHIP - \$250

Yes, I will be a HOLE SPONSOR and help to support medical equipment needs at Prince County Hospital.

PAYMENT METHOD:

____ Please send me an invoice.

____ Cheque enclosed made payable to PCH Foundation

____ Mastercard/Visa # _____ Exp. _____

Please mail completed form to: PCH Foundation, PO Box 3000, Summerside, PE C1N 2A9

PLEASE NOTE:

- Payment must be received by Friday, September 2nd in order for the hole sponsor signs to be completed.
- You will be contacted for an electronic copy of your logo. For further questions or information regarding signage please contact Bevan Woodacre at 432-2858 or bdwoodacre@ihis.org.



377, rue Bank Street,
Ottawa, Ontario K2P 1Y3
tel./tél. 613 236 7238 fax/télé. 613 563 7861

June 6, 2016

Wendy MacKinnon
Deputy CAO
Town of Kensington
PO Box 418
Kensington, PE C0B 1M0

Wendy MacKinnon,

Re: Federal government reviewing our public postal service - Have your say!

I am writing to let you know that the federal government is conducting a review of Canada Post. It says that everything but postal privatization is on the table. This means daily mail delivery, restoring home delivery, postage rates, the moratorium on post office closures and more.

The review will have two phases. The government has appointed an independent task force to collect input from Canadians, do research, gather facts and identify options for the future of our postal service by September 2016. Following this, a parliamentary committee will consult with Canadians on the options identified by the task force and make recommendations to the government by year's end. The government expects to announce its decisions about Canada Post in the spring of 2017. For more information, go to CUPW.ca/canadapostreview and Canada.ca/canadapostreview

While CUPW welcomes the opportunity to look at the future of our public postal service, we have a number of concerns about the review. The review's first phase – the part that determines the options that will be examined – is being held over the summer. As well, there has been very little information and advertising about the review, except in social media. We are concerned people will not learn about the review until it's too late.

CUPW would like to ensure that the views of municipalities are considered. Therefore, we would like you, if at all possible, to provide input to the Canada Post Review. We have attached a resolution for your consideration, information on providing input and some fact sheets on key issues.

Thank you very much for considering our request. There's a lot at stake and we appreciate anything you can do to help. We would also like to take this opportunity to express our gratitude to the many municipalities that supported our campaign to stop the cuts that Canada Post announced in December 2013, including the end of home mail delivery. We had a major victory when Canada Post announced a temporary hold on its plan to eliminate door-to-door delivery. CUPW is confident that we can build on this success and convince the Canada Post Review to recommend against further cuts in favour of new services that generate revenues and allow us to build a universal, affordable and green public postal system for future generations.

In solidarity,

Mike Palecek
National President

c.c. National Executive Committee, Regional Executive Committees, National Union Representatives, Regional Union Representatives, Specialists, Campaign Co-ordinators, Negotiators, CUPW locals



Public review on future of Canada Post

Whereas Canada Post announced drastic cutbacks to our public postal service in December 2013, including plans to end home mail delivery in our country.

Whereas there was a huge public outcry in response to the cutbacks and stiff opposition from most federal parties, including the Liberal Party, which promised to halt the delivery cuts and conduct a review of Canada Post, if elected.

Whereas the delivery cuts were halted and our Liberal government is currently conducting a Canada Post Review, starting with an independent task force that will collect input from Canadians, do research, gather facts and draft a discussion paper in September of 2016, identifying viable options for postal service in this country.

Whereas a parliamentary committee will consult with Canadians in the fall of 2016 on the options that have been identified in the task force's discussion paper and then make recommendations to the government on the future of Canada Post.

Whereas it will be crucial for the task force and parliamentary committee to hear our views on key issues, including the importance of maintaining the moratorium on post office closures, improving the Canadian Postal Service Charter, restoring home mail delivery, keeping daily delivery, adding postal banking, greening Canada Post, and developing services to assist people with disabilities and help older Canadians to remain in their homes for as long as possible.

Therefore be it resolved that (name of municipality) provide input to the Canada Post Review task force and make a submission when the parliamentary committee consults with Canadians this fall.

CONTACT INFORMATION FOR CANADA POST REVIEW

Step 1: Providing input to the task force now

The task force is collecting input from Canadians through a 'question of the week'. It is also providing a number of ways for people to make general comments (June 23rd deadline for municipalities and organizations, end of July deadline for public):

- Online: Canada.ca/canadapostreview
- Email: TPSGC.ExamendeSPC-CPCReview.PWGSC@tpsgc-pwgsc.gc.ca
- Twitter: Tweet and use #CPReview2016 hashtag
- Facebook: Like, share and comment at [Facebook.com/Canada-Post-Review-521437564704406](https://www.facebook.com/Canada-Post-Review-521437564704406)
- Instagram: Share photos and include the #CPReview2016 hashtag
- Fax: 1-844-836-8138
- Mail:
Canada Post Review
CP 2200
Matane, QC G4W 0K8

Please share your input with us at Feedback@cupw-sttp.org or mail to Mike Palecek, President, Canadian Union of Postal Workers, 377 Bank Street, Ottawa, Ontario, K2P 1Y3

What to say?

Tell the task force what you want from your public postal service and what you don't want. Make suggestions on how postal services could be expanded. You can get information on new services and other issues in the weeks to come at CUPW.ca/canadapostreview

Step 2: Providing input to the parliamentary committee in the fall

The government says that details about the parliamentary committee's consultations will be made public as they become available.



A Canada Post for Everyone



Daily door-to-door delivery: It's not just more convenient. It's better for the environment.

Canada Post delivers billions of letters and parcels to homes and businesses every year. Many Canadians consider it a trusted and valuable service.

But did you know that home mail delivery is the most environmentally friendly way of moving letters and parcels from sender to receiver? And it's greener when it's done five or six days a week.

Why Canada Post is the greener option

The boom in online shopping means that millions more parcels are being delivered by Canada Post and other delivery companies. That's a lot of cars and trucks on delivery runs.

Last year, the number of parcels delivered by Canada Post alone increased by almost 10%. But with Canada Post, the amount of greenhouse gas emissions barely increases. Why? Because, unlike other delivery companies, Canada Post already has people delivering mail and parcels to every neighbourhood in the country on a daily basis.

From an environmental perspective, Canada Post is the best delivery option. According to a 2011 report, getting a parcel delivered by Canada Post can cause up to 6 times less CO2 emissions than an overnight delivery by a courier, and 3 times less than having a customer make a 5-km trip to pick it up in a store.

Why daily delivery is the greener option

If we cut mail delivery back to three days per week, Canada Post would lose its environmental advantage. It would make Canada Post's parcel delivery more expensive, which would result in the corporation losing market share to less environmentally efficient companies.

A vehicle delivering letters and parcels together keeps down the cost and environmental impact of each piece.



**Our daily
door-to-door
delivery network
is part of a
sustainable future
for Canada Post.**

**Let's keep it
greener.**

What if I don't get my mail every day?

Lots of us don't get mail every day. That kind of fluctuation in volume is already built into the delivery system. Having carriers deliver fewer days per week would only make it harder to reduce our carbon footprint.

Businesses of all sizes rely on daily delivery for cash flow and time-sensitive items. So courier companies would step in to fill in the gap, meaning three or more delivery trucks and vans driving the same streets.

Why door-to-door delivery is the greener option

There are many reasons why people hate so-called "community mailboxes":

- they cause more traffic congestion
- lower property values
- thefts, and injuries due to slips and falls

They also cause more people to drive to pick up their mail, creating more pollution. Cars sit idling while residents struggle to open frozen locks and get the mail.

One poll shows that over a third (34.2%) of people drive to pick up their mail from a group mailbox.



A Canada Post for Everyone



Our Postal Service is Under Review: What's In It For You?

The federal government says it wants to ensure that "Canadians receive quality postal services at a reasonable price."

It's asking Canadians for our input. So, how do you think our national postal service should change with the times?

High Quality Service to Meet Our Changing Needs.

People everywhere are sending fewer letters through the mail, which has affected the revenues of post offices around the world. Some postal systems have raised prices or cut services and jobs, as Canada Post did when the Conservatives were in power.

But post offices in many other countries have expanded their services and branched out into new avenues in order to make more money.

It's time for Canada Post to make full use of its presence in every community and add new revenue-generating services. Here are a few options to think about:

Why Not Get More At The Counter?

With 6,300 outlets, Canada Post has the largest retail network in the country. It could be doing a lot more with this network.

Get Your Documents:

Canada Post already processes passport applications and issues fishing and hunting licenses. It could also accept identity card applications, provide identity authentication services, register voters, certify documents, issue permits and much, much more.

Canada Post could also process payments and cheques for federal and provincial governments, and offer government services in places that don't have any.

Get a Bank for Everyone:

Canada Post used to and could still provide financial and banking services like other post offices around the world. We could provide savings and chequing accounts; bank machines; lines of credit, mortgages, money transfers, etc.

Postal banking is profitable in many parts of the world and could reinvest its profits back into our communities. See CUPW's A Bank for Everyone campaign and go to cupw.ca/PostalBanking.

Get Display Space:

Canada Post's retail space could be better used in many locations. Why not rent display space to artists and producers for showcasing their specialty goods for fixed lengths of time? Showcase "Canadiana"? Or help on-line sales of products through a website portal like the Swiss post office?

Why Not Get Better Cell, Internet and Secure Data Service?

Canadians want simple, affordable internet and cell phone service. Canada Post could offer basic cell phone packages. It could also use its infrastructure to provide high-speed internet in rural and remote areas that do not have access to this service. Many post offices in Europe, such as the UK, Italy and France, already offer internet and cell service.

Canada Post could also collect data quickly and frequently for ethical use in transportation, infrastructure and public planning.

Why Not Get More at the Door?

With the largest delivery network in the country, Canada Post could deliver a lot more.

Get More Parcels:

The parcel delivery sector is growing rapidly as a result of e-commerce and internet marketing. It doesn't make sense to have multiple courier companies driving down the same streets every day to deliver parcels.

Canada Post could provide last mile delivery for the entire sector. This would lower prices and be good for the environment because it would reduce our use of fossil fuels, and cut pollution and traffic congestion.

Canada Post already provides last mile for FedEx in rural and small communities.

Get Your Groceries:

Canada Post could partner with large grocery stores to offer home delivery across the country like the Swiss and Danish post offices.

Remember, It's A Canada Post for Everyone

Of course, Canada Post isn't simply about making money. Like other Crown corporations, it is supposed to serve our public interest.

As well as considering revenue-generating services, Canada Post ought to be strengthening and expanding the services it provides to all Canadians. For example:

Get Better Services to Indigenous and Northern Communities:

- Postal Banking
- Food Mail

Get a Greener Canada Post:

- Electric Car Charging Stations at Post Offices
- Made in Canada Electric Postal Fleet
- Door-to-door as the greener option

For more information, visit cupw.ca and deliveringcommunitypower.ca



Get Better Services for Seniors and People with Mobility Issues:

Our population is aging and we need to keep our communities connected.

Canada Post used to have a service called Letter Carrier Alert that allowed letter carriers to monitor seniors and people with disabilities. Many letter carriers still informally check up on their neighbourhoods and the people on their routes. In partnership with municipal governments, communities, health care providers and seniors, we can keep doing this, helping older Canadians to remain in their homes for as long as possible.

La Poste in France is a leader in testing such new roles for the letter carriers. It partners with pharmacies to deliver medicine and works with organizations to check on people who are vulnerable, isolated or disabled.

Japan Post also has a service called "Watch Over" that checks on seniors and reports back to family members for a small monthly fee.

This service costs the equivalent of about \$8.40 US per month. According to the Inspector General of the United States Postal Service, a similar service in the US would generate \$12.6 million in revenues annually if just one per cent of its 12.5 million older adults that live alone signed up.

Japan Post will deliver 4-5 million iPads to seniors by 2020. The iPads will have apps that facilitate check-ins and remind seniors to take their medications, eat and exercise.



A bank for everyone

Support Postal Banking

Postal banking is the provision of financial and banking services through a post office. It is not a new or radical idea. Postal banks already exist in many parts of the world where they are used to:

- increase financial inclusion
- promote economic development
- and generate revenue to preserve public postal service and jobs

In fact, our post office used to have a national savings bank – up until 1969 – and there is no reason we shouldn't have one today.



Why do we need postal banking?

- 1** Banks are failing to meet the needs of a growing number of Canadians. Thousands of towns and villages across our country do not have a bank. But many of them have a post office that could provide access to financial and banking services.
- 2** Nearly two million Canadians in urban and rural areas desperately need an alternative to predatory payday lenders. A postal bank could be that alternative.

3 Canadian banks have raked in enormous profits while cutting service, closing branches and charging some of the highest banking and ATM fees in the world. We deserve better.

4 Post administrations around the world, including Canada Post, have seen traditional mail volumes decline in recent years. Many post offices have added or expanded financial services in order to lessen their dependence on declining mail volumes and revenues. Postal banking could help Canada Post make money and increase its ability to provide public postal service and create decent jobs in communities throughout Canada.

Postal banking is lucrative!

New Zealand: Kiwibank generated 81% of New Zealand Post's after tax profits.

Switzerland: PostFinance produced 48% of Swiss Post's operating profits.

Italy: BancoPosta profits allowed the Italian post office to make 57 million Euros in profits (\$86.1 million CAD) in spite of losses incurred by its postal business.

France: La Banque Postale's operating profits of 842 million Euros (\$1271.6 million CAD) made a significant contribution to Le Group La Poste's operating profits of 719 million Euros (\$1085.8 million CAD).

Sources: New Zealand Post, Swiss Post, Poste Italiane and Le Group La Poste, 2014

Postal banking has social & economic benefits

France: Banque Postale has an obligation to provide products and services to as many people as possible. It provides a Livret A or passbook savings account, at no charge, to anyone who requests it. It also provides banking services to the financially vulnerable and financing for social housing, voluntary organizations and microentrepreneurs lacking bank credit.



LA POSTE

Brazil: Since its creation in 2002, Banco Postal at Brazil's post office has opened over 6,200 postal bank branches and provided bank accounts to about ten million people. These efforts are largely designed to meet the needs of poor and marginalized populations living in rural and underdeveloped areas.



CORREIOS

Italy: BancoPosta offers current accounts, payment services and postal savings products on behalf of Cassa depositi e prestiti (CDP). The CDP, which is 80% owned by the Italian government, supports the development of the country

Posteitaliane

by financing the investments of public entities, helping local authorities leverage their real estate assets, investing in social housing, and supporting energy efficiency policies.

We had a postal bank

Canada had postal banking for over a hundred years. The federal government passed legislation establishing a post office savings bank system just after Confederation in 1867 in order to provide a savings service to the working classes and small town residents. This system began operating in 1868 with 81 locations and grew quickly. By 1884, there were 343 post office savings banks, with a balance of \$13 million from almost 67,000 accounts. However, Canada's postal banking system confronted challenges from chartered banks by the 1890s. These banks, facing a recession, became interested in attracting the kind of small-time depositors who used post office savings





**Nearly two million Canadians
in urban and rural areas
desperately need an alternative
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We deserve better.**

banks and they actively worked to undermine postal banking. In 1898, the chartered banks successfully lobbied the government to reduce the interest rate paid on deposits at postal savings banks from 3% to 2.5%. They also worked to eliminate advertising by postal banks. As time went on, chartered banks and credit unions increased their presence in communities and the post office and government became less interested in maintaining the network. The post office savings bank system was closed down in 1969.

Support for postal banking

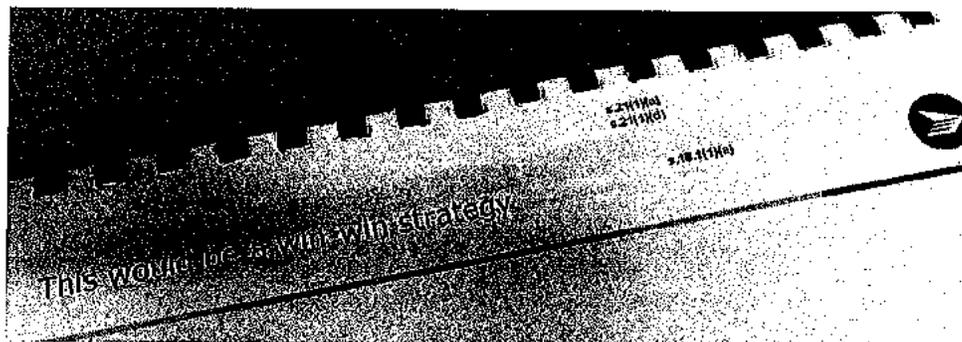
Municipalities: Over 600 municipalities have passed resolutions that support postal banking.

Public: Almost two out of every three respondents (63%) to a 2013 Stratcom poll supported Canada Post expanding revenue-generating services, including financial services like bill payments, insurance and banking.

Canada Post: A number of former Canada Post presidents have considered and even promoted the notion of the corporation getting more involved in financial services: Michael Warren, Andre Ouellet, Moya Greene.

Universal Postal Union: The UPU, a United Nations agency, thinks post offices should be looking at expanding financial services. It has produced a global roadmap for the future. This roadmap calls for the continued development of postal networks along three dimensions – physical, financial and digital/electronic.

Federal parties: Most federal parties have expressed either support for or an interest in postal banking. In 2014, the Liberal Party postal critic said the merits of postal banking should be explored in the context of several different options for the future of Canada Post.



Canada Post's secret postal banking study

Canada Post conducted a secret four-year study on postal banking that indicates that adding this service "would be a win-win strategy" for the corporation. This study was obtained through an Access to Information (ATI) request. Unfortunately, 701 of the study's 811 pages were redacted. CUPW has asked Canada Post's President to release the full report, but he has refused.

What would a postal bank look like?

There are many different models of postal banking. Some postal administrations set up their own bank. Others act as a financial intermediary by providing services in partnership with banking and other financial institutions, such as credit unions. In this instance, they work with one or a number of institutions, which operate nationally or in different regions. Some postal banks deliver a broad range of financial services, while others provide a more limited offering.

Services provided by postal banks:

- Savings and checking accounts
- Online banking
- Bank machines
- Credit cards, debit cards, pre-paid cards
- Money transfers, including remittances
- Insurance (home, auto, travel, etc.)
- Loans and mortgages
- Investment products (RRSPs, mutual funds, annuities)
- Foreign currency
- Other services such as financial counselling

Government review of Canada Post

CUPW wants the government review of Canada Post to recommend the addition of financial and banking services at Canada Post, or at a minimum, a task force to determine how to deliver new financial and banking services through our postal service.

Please consider making this recommendation to the review.

For more information:

A postal bank for everyone – Support Postal Banking
www.cupw.ca/PostalBanking

Why Canada Needs Postal Banking
<https://www.policyalternatives.ca/publications/reports/why-canada-needs-postal-banking>

The Banks Have Failed Us: Postal Banking To The Rescue
<http://www.cupw.ca/postal-banking-rescue>

Rural Canada is underserved by financial services:
Why post offices need to offer banking services
http://cpaa-acmpa.ca/pub/files/banking_services_SEPT23Eng.pdf

Banking on a future for posts
<http://www.cupw.ca/campaign/resources/banking-future-posts>

