

Town of Kensington Official Plan

2023



Prepared by DV8 Consulting

Land Acknowledgement

The land upon which the Town of Kensington (Kataqanek) is located is in unceded Mi'kmaq territory and is covered by the historic Treaties of Peace and Friendship.

We pay our respects to the Indigenous Mi'kmaq People who have occupied this land for over 12,000 years; past, present, and future.

Town of Kensington Official Plan (2023)

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1. INTRODUCTION

1.1 TITLE AND INTERPRETATION

This document will be known as the *Town of Kensington Official Plan (2023)* and may be referred to as the *Official Plan*. Any reference to the Town, municipality, or Council refers to the Town of Kensington and the Council for the Town of Kensington, unless otherwise specified.

The *Official Plan* covers the geographic area contained within the legal boundaries of the Town, as approved on May 1, 2021.

1.2 PURPOSE

The *Official Plan* is a formalized statement of the goals, objectives, policies, and plan actions approved by Council to address the nature, extent and pattern of land use and development within the Town until the year 2038. The *Official Plan* also includes objectives relating to physical features, infrastructure, and utilities; housing and social wellbeing; the local economy and livelihoods; environmental sustainability; and administration and implementation

The objectives are intended to address a wide range of municipal issues, including but not limited to affordable housing, development standards, climate change, economic development initiatives, environmental protection, equity and diversity in social programming, municipal services and utilities, reconciliation, social programming, and administration and fiscal management.

Goals indicate the overall shared vision for the future of the Town. They provide the framework and general direction for the more detailed objectives and policies.

Objectives address performance targets and indicate the policy direction.

Policies indicate the approach the Town will take in pursuing the objectives with regards to specific topics and issues.

Plan Actions are the tools and/or initiatives that will be used to implement the policies.

1.3 LEGAL ENABLEMENT

The municipality derives its planning authority from the *Municipal Government Act, R.S.P.E.I. 1988, Cap. M-12.1* and the *Planning Act, R.S. P.E.I., Cap p – 8*. The *Municipal Government Act* enables Council to make bylaws, and/or to develop programs or strategies to help implement the *Official Plan*. The *Planning Act* empowers Council to appoint a Planning Board, adopt an official plan, and, subsequently, to adopt bylaws. The *Planning Act* requires that the *Official Plan* include the following information: a statement of economic, physical, social, and environmental objectives; a statement of policies for future land use, management, and development, expressed with reference to a specified period not exceeding fifteen years; and proposals for its implementation, administration, and the periodic review of the extent to which the objectives are achieved.

1.4 MUNICIPAL INTERESTS

Council in carrying out their responsibilities in relation to municipal planning services and the effects of proposed development, will have regard for municipal interests, which are in alignment with that of the provincial interest statements described in the *Planning Act* as follows:

- a. The protection, conservation and management of resource lands;
- b. The protection, conservation and management of ecological systems;
- c. The prevention of fragmentation of land and of loss of natural habitat connectivity and biodiversity;
- d. The supply, efficient use and conservation of water;
- e. The supply, efficient use and conservation of energy;
- f. The adequate provision and efficient use of communication, transportation, sewage and water services, storm water management systems, waste management systems and other public services in relation to planning development, and the effect of planning development on those services;
- g. The effect of proposed planning development on, and measures for the protection of, public health and safety;
- h. The protection of features of significant archaeological, cultural, architectural, historical and scientific interest;
- i. The protection of viewsapes that contribute to the unique character of Prince Edward Island and the Town of Kensington;
- j. The direction of development to areas designed to support servicing;
- k. The orderly and sustainable development of a safe and healthy community;
- l. The adequate provision of a full range of housing options;
- m. The promotion of a built environment that supports public transit and active transportation;
- n. The promotion of a built environment that incorporates the principles of conservation design;
- o. The adaptation of the built and natural environment to address the effects of climate change;
- p. The mitigation of greenhouse gas emissions; and
- q. Adaptation to a changing climate.

2. CONTEXT AND PHYSICAL DESCRIPTION

The Town of Kensington covers 4.8 km² (1186 acres). It is located 1.5 km south of the Rural Municipality of Malpeque Bay, about 15 km northeast of the City of Summerside, and is otherwise surrounded by rural unincorporated lands (Figure 1).

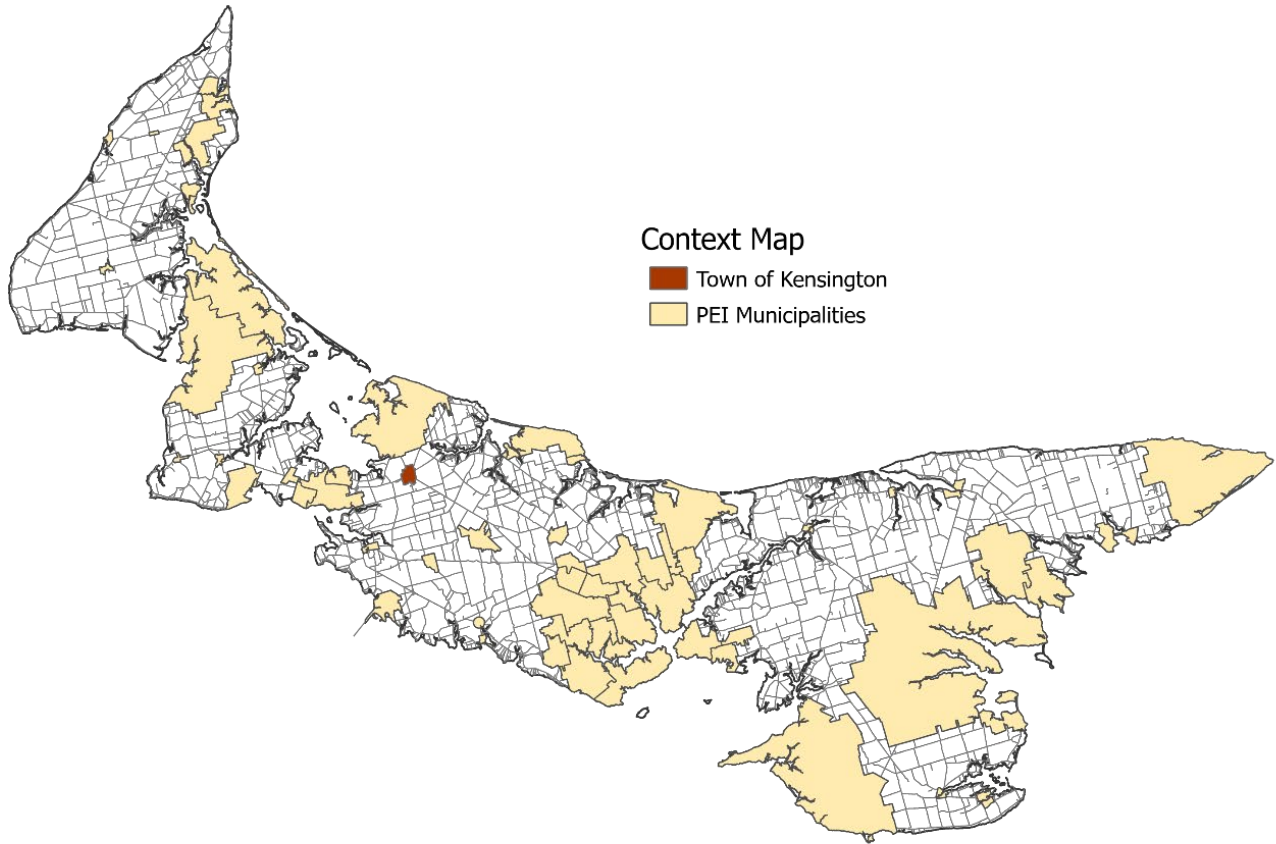


Figure 1. Location of the Town of Kensington in relation to other incorporated municipalities

2.1 MUNICIPAL RESTRUCTURING

In 2019, the Town conducted a comprehensive study to assess the growth and development opportunities of the municipality and the need to restructure the municipal boundary. The study found that the Town had grown to the full extent of its boundary and was landlocked with few opportunities for new development.

The study resulted in a proposal that reflected a measured approach to restructuring. Properties that were annexed into the municipality were done so based on the following criteria:

- properties that have already benefited from and/or were connected to municipal services;
- properties that were surrounded by municipal properties - where the municipal boundary had leap-frogged properties in the past;
- properties that present an opportunity for future economic growth and investment through subdivision and development (e.g., a new Industrial or Business Park); and,

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- properties that required improved environmental management and/or protection through the provision of land use planning.

Following a public hearing of the Island Regulatory and Appeals Commission in the fall of 2020, the new boundary was approved by the Province on May 1, 2021. The new boundary increased the Town's land area by approximately 1.5 km², an increase of about 45%.

Currently, the Town does not intend to pursue a larger annexation of the surrounding agricultural, unincorporated land. However, should residents in the unincorporated area of the Kensington Fire District express interest in conducting a larger regional study, Kensington would welcome the opportunity to work collaboratively on such a municipal restructuring initiative.



Figure 2. Town of Kensington municipal boundary. The yellow dashed line indicates the previous boundary. The solid red line indicates the current boundary as approved on May 1, 2021. Note the 2020 air photo has been used for visual reference only.

2.2 LAND USE PATTERNS

Kensington has a well-defined commercial core area and commercial uses are also located along Victoria St W (Route 2), the arterial highway that passes through the Town. The industrial park is accessed from Broadway St S (Route 2) and from Victoria St E (Route 6). To accommodate the high demand for business growth, the Town has recently developed a second industrial/business park accessed from Victoria St W (Route 2) near the western boundary of the Town. The roads and services of the new business park have been constructed and properties are now for sale and are ready for development.

Residential neighbourhoods surround the commercial core, with most of the original housing in the northeast and northwest. New residential development has occurred primarily in the southwest (e.g., Barrett St, Rosewood Dr and Douglas St) and on the eastern boundary (e.g., Brookins Dr). Institutional land uses are scattered throughout the core area. There are also two large public-school properties located close to the eastern boundary on opposite sides of Victoria St E (Route 6).

Open space and recreation facilities are also located throughout the Town, including the Credit Union Centre, school properties, sports fields, and an outdoor community swimming pool. The Town has a healthy supply of land area dedicated to parks, open space, and environmental reserve, which includes a protected forested area in the south.

The Corporate Land Use Inventory (Figure 3) is a province-wide land use and land cover classification that is prepared by the Provincial Government every 10 years. This map identifies current land use coverage within the Town boundary. It is useful for identifying the developed or current land uses, in contrast to the Future Land Use Map which identifies land uses permitted.

Corporate Land Use Inventory (PEI 2010)

LANDUSE

- Agriculture
- Residential
- Institutional
- Commercial
- Urban
- Industrial
- Transportation
- Recreation
- Forestry
- Wetland
- Non-identified

| Land Use | Total Area (km2) | Percentage |
|--------------------|------------------|-------------|
| AGR | 1.62 | 33.73% |
| RES | 0.11 | 2.19% |
| INT | 0.17 | 3.48% |
| COM | 0.06 | 1.17% |
| URB | 1.46 | 30.36% |
| IND | 0.05 | 1.12% |
| TRN | 0.25 | 5.16% |
| REC | 0.11 | 2.21% |
| FOR | 0.46 | 9.66% |
| WET | 0.18 | 3.66% |
| NON | 0.35 | 7.27% |
| Grand Total | 4.81 | 100% |

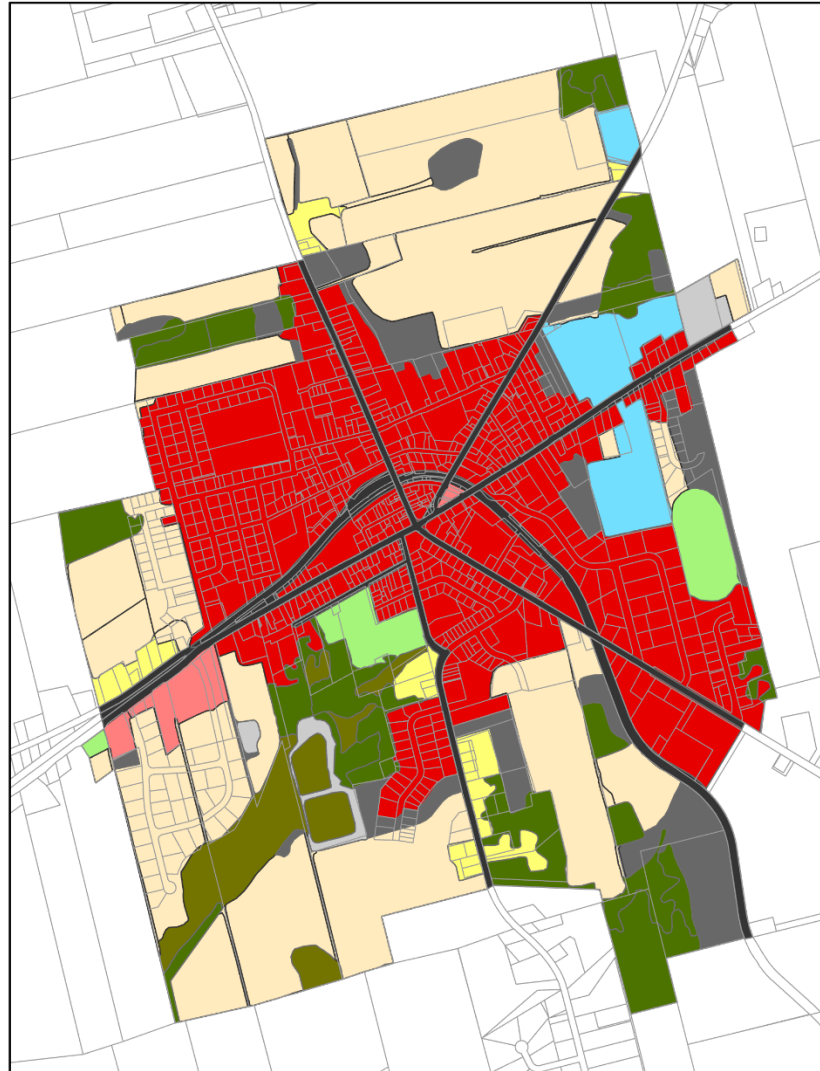


Figure 3. PEI 2010 Corporate Land Use Inventory for the land area within the current Town of Kensington Boundary

* Note that the data for the 2020 PEI Corporate Land Use Inventory was not available to include in the Official Plan. When this data is made available, Council intends to update Figure 3.

2.3 ENVIRONMENTAL FEATURES

The topography of the area features prominent hills in the north, northeast and in the southeast edges of the Town. The land slopes gently toward the west and to the center of Town which is relatively flat.

There are three tributaries of the Barbara Weit River that originate within the Town, and which flow in the southwest direction. Approximately two-thirds of the Town falls within the Barbara Weit Watershed, with the remaining land in the Indian River Watershed and the Tuplin Creek Watershed. Most of the soils in the region are rated as Class II and are highly productive and capable of supporting a wide range of crops.

Natural assets within the Town include a 14.9 acre provincially protected, Acadian forest called the John A. Hogg, Kensington Public Forest Trails. This protected area includes mature hardwoods including sugar maple, yellow birch, red maple, and red oak, as well as white pine, eastern hemlock, and rare plants such as the Christmas fern. On the Northeast boundary, approximately 19 acres of woodlands was donated to protect the Town's wellfield.

2.4 TRANSPORTATION

REGIONAL ROAD NETWORK

Kensington is located on a prominent node within PEI's transportation network – a point at which arterial and collector roads from five different communities converge.

Victoria St W and Broadway St S, Route 2, is the primary east-west arterial highways connecting to western PEI. Route 2 generates significant year-round traffic.

Victoria St E, Route 6, connects to a large rural service area and the Resort Municipality to the east. Traffic volumes on Route 6 are particularly high during the summer season.

Broadway St N, Route 20, connects to the northwest and the Malpeque area.

Woodleigh Dr (Irishtown Road), Route 101, connects north toward Irishtown and Park Corner.

Barrett St/Kelvin Rd, Route 109, connects south towards Kelvin Grove, Freetown and Kinkora.

LOCAL ROADS

The Town has turned over ownership and maintenance responsibility of public roads to the provincial government. The PEI Department of Transportation and Infrastructure maintains the roads, including snow clearing in the winter. Some of the older, local streets are relatively narrow and stormwater drainage has been identified as a concern by residents.

There are some residential developments on private roads within the town. The maintenance of these roads, including snow clearing, is the responsibility of the owners.

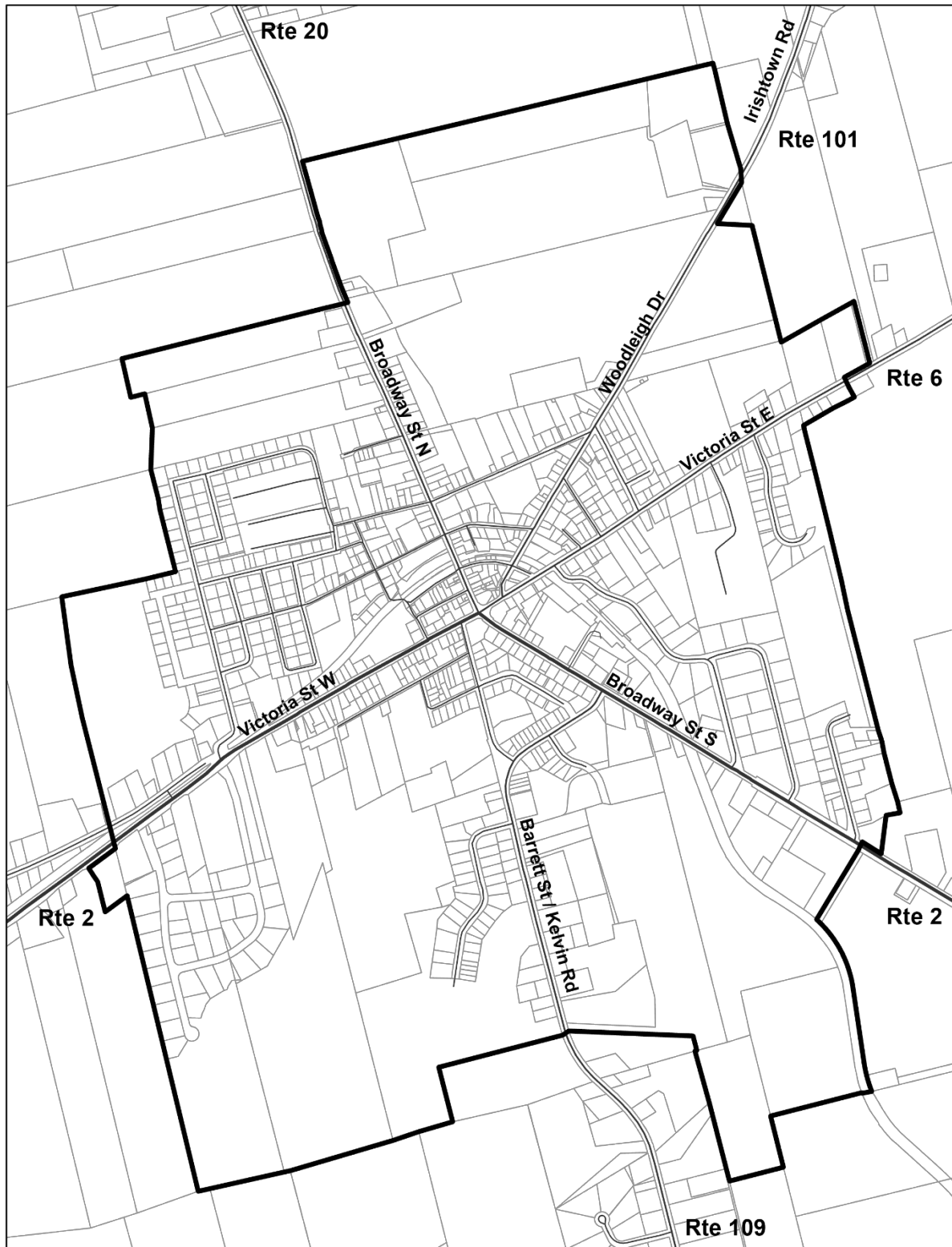


Figure 4 Town of Kensington arterial and collector road network

ACTIVE AND ALTERNATIVE FORMS OF TRANSPORTATION

Pedestrians are served by a well-maintained sidewalk network within the Town. The sidewalk network has been expanded in recent years as new residential areas have been developed. The Confederation Trail also bisects the Town offering excellent recreational opportunities and access to the core area. The Town is working on identifying priority areas for sidewalk extensions and new trail connectors.

The Confederation Trail provides snow mobile access to the Town during the winter months. The local Snowmobile Association maintains a groomed trail connecting north to Burlington, east to Stanley Bridge/North Rustico, and southeast to Fredericton. The Quad Trax ATV Club also maintains a trail network that connects Kensington to North Granville and Borden with over 60 km of trails. Within the Town the trails to services on Route 2 including the Trailside Plaza, Frosty Treat and Bakin' Donuts.

The provincial T3 Rural Transit Charlottetown/Summerside Route connects through Kensington Monday-to-Friday with 6 runs in each direction daily. Bus stops are currently located at the Independent Grocer and the Post Office/Irving. In the summer months of 2022, a route from Summerside to Charlottetown through Cavendish and North Rustico was also added to support employees and tourists accessing north shore communities.

2.5 HERITAGE

There are five designated heritage properties within the Town (*See, Schedule B, Heritage Properties Map*).

The Kensington Railway Station was built in 1905 next to the former railway tracks, which is now part of the Confederation Trail. The Railway Station was designated as a National Historic Site in 1976. Its designation recognizes its distinctive architecture and its significant role in the history of the PEI railway.

The other four properties are provincially designated heritage places, including:

- St. Mark's Anglican Church (e. 1885) located at 49 Victoria St E;
- an office building, owned by the Government of Prince Edward Island, housing the local Post Office and other provincial government offices (e. 1954) located at 62 Victoria St W;
- a mid-Victorian mansard roofed residence (e. 1878) located at 7 Imperial St; and,
- an ornate Victorian home in the Gothic Revival style (e. 1895) located at 74 Victoria St W.



Figure 4. Kensington Railway Station. (Photo Credit: www.waymarking.com/waymarks/WMWAG0_Kensington_Railway_Station_Kensington_PEI)

3. MUNICIPAL AND COMMUNITY SERVICES

3.1 ADMINISTRATION AND PLANNING

The Town's Administration Department is responsible for the day-to-day management of the Municipal Corporation in accordance with the *Municipal Government Act*. The department provides support services to and on behalf of the Council and provides general leadership to support the Town's operations. The Town's Administration Department recently completed the *Town of Kensington Strategic Plan 2019-2024 (2019)* and the *Town of Kensington Municipal Restructuring Proposal (2020)*. This Department also provides planning and development control services. Planning services are provided by the CAO and municipal clerk in consultation with a planning consultant, when required.

3.2 SEWAGE TREATMENT AND CENTRAL WATER SUPPLY

The Town of Kensington Water and Sewer Utility is responsible for providing clean water and effective wastewater treatment. Sewer and water services are billed separately from property tax rates, and as such only those properties connected to the services, pay for these services.

The Town's sewage collection and treatment infrastructure were upgraded in 2002 to a capacity that can support approximately 2,500 people. The sewerage system is primarily gravity fed, except for the north side of Pleasant Street and the northeastern side of Town which requires pumping facilities to move the wastewater. The Town plans to conduct a study on servicing capacity and population growth trends within the next year.

The water supply is provided by four wells and a water tower located on Gerald McCarville Drive. Most properties are connected to the central water supply system. The Town owns approximately 24 acres of property where the wells are located which provides increased protection of the water supply. Although extensions of the water supply are feasible, water pressure limitations may influence decisions regarding further expansion. A Wellfield Protection Plan was prepared in 2019 with recommendations relating to land use and development controls within and around the wellfield.

Properties that were outside the municipal boundary but connected to the sewerage and/or water services, or that were located within the Town's wellfield, have recently been incorporated into the Town through the recent boundary restructuring process.

3.3 RECREATIONAL AND SOCIAL SERVICES

Recreational services provided by the Town include maintenance of the Credit Union Centre and Fitplex, EVK Swimming Pool, two ball fields, a tennis court, skate park, parks, playgrounds, and a variety of other recreational facilities. The Town provides the building at 25A Garden Drive for meetings and activities of the Senior Surfers Club of Kensington and Area. Recreational services and other social activities are available for both municipal residents and residents of the regional service area.

3.4 EMERGENCY SERVICES

The Town maintains its own municipal police force. In addition to serving the Town, the police provide support to the RCMP for calls in the regional service area. The Town also operates a municipal fire department. The department supplies services to the Kensington Fire District, which includes the Town, the Rural Municipality of Malpeque and a large unincorporated area (Figure 5). A regional fire services levy is collected on behalf of the Town by the provincial government. A Fire Services Master Plan was completed in 2018.

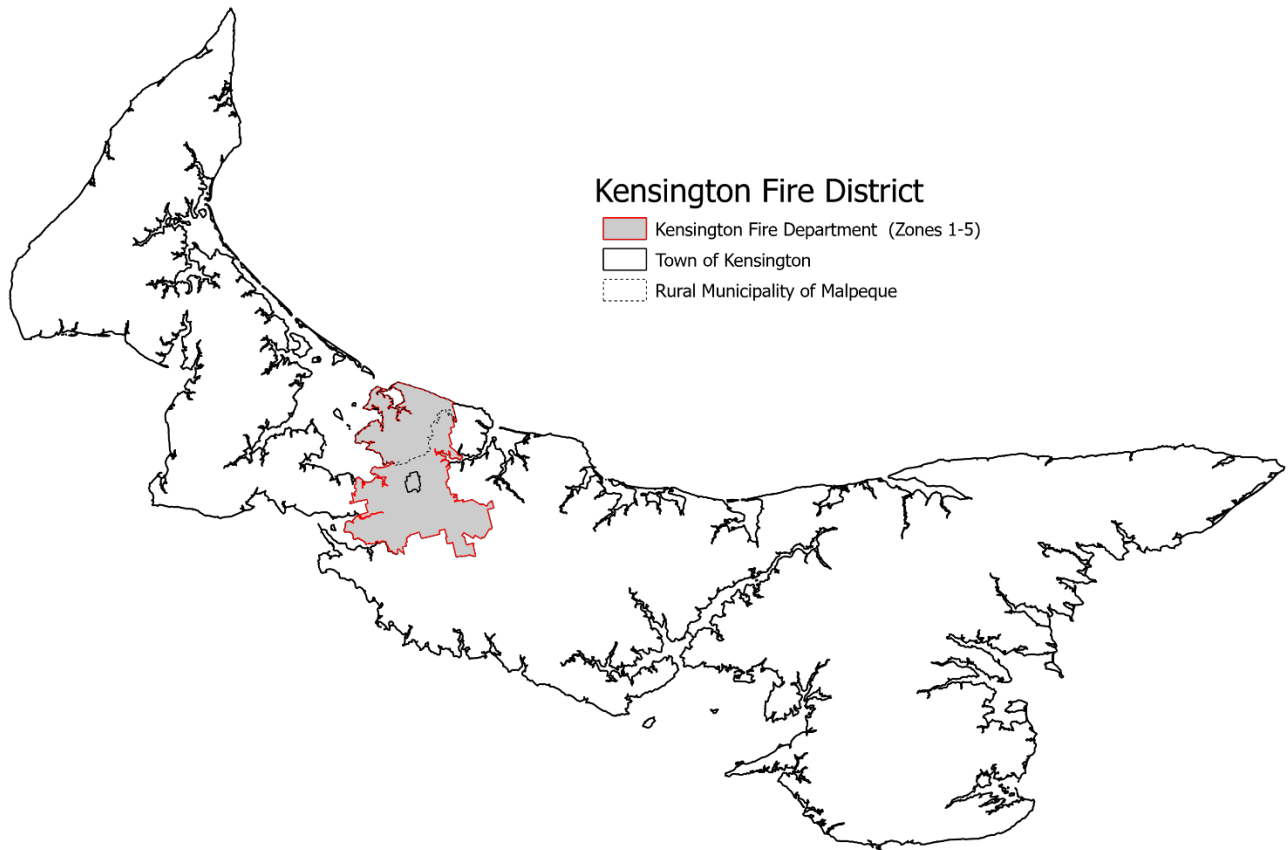


Figure 5 The Town of Kensington Fire Department service coverage area

In the aftermath of Hurricane Dorian (2019), the Town enhanced its Emergency Reception Centre by installing a generator at the Murray Christian Education Centre, in the Kensington United Church. The Town has also installed a fixed, permanent generator at its wellfields.

3.5 PUBLIC WORKS AND PROPERTY MAINTENANCE

The Public Works Department provides a wide range of services. They are responsible for the daily upkeep, maintenance and cleanliness of Town properties and buildings. Other responsibilities include grass mowing; snow clearing from sidewalks, the boardwalk and Town owned properties; and maintenance of the EVK Memorial Pool. The Public Works Department is also responsible for operational duties related to the Kensington Water and Sewer Utility.

3.6 STORM WATER 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 ditches. Stormwater management within the public right-of-way is the responsibility of the Province. There is currently no comprehensive Stormwater Management Plan in place for the Town.

3.7 INSTITUTIONAL FACILITIES AND SOCIAL SERVICES

Kensington has educational facilities for children of all ages including the Queen Elizabeth Elementary School (Grades K-6), Kensington Intermediate Senior High School (Grades 7-12), and Fun Times, an early childhood education centre. An afterschool program currently operates out of the Queen Elizabeth Elementary School.

There are four churches in the Town including Kensington United Church, Kensington Presbyterian Church, Holy Family Roman Catholic Church, and Kensington Anglican Church. The Royal Canadian Legion, Branch #9 recently relocated from Victoria St W to Garden Drive.

There is no hospital in Kensington but Prince County Hospital in Summerside is within 15 km and ambulance services are provided by Island EMS. The Kensington Medical Clinic includes office space for 2 family physicians, a nurse practitioner, and a public health nurse. The Town also has a dentist, a veterinary clinic, and a pharmacy.

The Kensington North Watershed Association (KNWSA) covers the area situated on the north shore between Malpeque Bay and New London Bay.

3.8 COMMERCIAL SERVICES AND EMPLOYMENT OPPORTUNITIES

Kensington has a variety of retail stores, professional, financial and government services, and restaurants and cafés. With the development of a second industrial park, the number and type of commercial services available in the Town are expected to increase, as will employment opportunities.

Kensington is an essential service centre, meeting the needs of a large rural area which is dominated by agriculture, fisheries and tourism industries. The services in the Town also support many seasonal residents from the Rural Municipality of Malpeque, and the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico.

The Kensington and Area Chamber of Commerce serves approximately 130 member organizations. The *Heart of PEI* is a Chamber led initiative that helps promote tourism and economic growth in Kensington and the surrounding area. The *Heart of PEI* slogan accurately reflect the close relationships between the Town and the surrounding communities represented by local organizations. Regional cooperation and mutual support of one another's natural assets, services and amenities is the driving force behind the sustainable, healthy growth in this region.

4. DEMOGRAPHICS AND DEVELOPMENT TRENDS

The Town of Kensington has a population of over 1,800 residents (Census, 2021). In comparison to the two (2) cities and nine (9) other towns on the Island, Kensington is the seventh largest municipality. The Town has consistently ranked high for population growth over the past 10 years (See Table 1) with an increase of at least 12% since 2016, which is higher than the provincial growth rate, and is third highest of all PEI municipalities.

While the 2021 Census did not reflect the recent increase in land area, or the additional residents gained through the municipal restructuring process, the current population density can be estimated at approximately 376 people/km². As such, Kensington has the third highest population density of the ten Towns on the Island.

Table 1. Census overview (2021) of PEI and the largest municipalities, Cities (C) and Towns (T)

| | 2021 | 2016 | 2011 | Growth (2016-2021) | Density persons/km ² |
|-------------------------|--------------|--------------|--------------|-----------------------|------------------------------------|
| PEI | 154,331 | 142,907 | 140,204 | 8.0% | 27 |
| Charlottetown (C) | 38,809 | 36,094 | 34,562 | 7.5% | 877 |
| Summerside (C) | 16,001 | 14,829 | 14,751 | 7.8% | 567 |
| Stratford (T) | 10,927 | 9,706 | 8,574 | 12.5% | 482 |
| Three Rivers (T) | 7,883 | - | - | - | 18 |
| Montague* | - | 1,961 | 1,895 | - | - |
| Georgetown* | - | 555 | 675 | - | - |
| Cornwall (T) | 6,574 | 5,348 | 5,162 | 22.9% | 233 |
| Kensington (T)** | 1,812 | 1,619 | 1,513 | 11.9% | 376 |
| Alberton (T) | 1,301 | 1,145 | 1,135 | 4.7% | 277 |
| Souris (T) | 1,079 | 1,053 | 1,173 | 7.5% | 299 |
| O'leary (T) | 876 | 815 | NA | 7.5% | 479 |
| Tignish (T) | 744 | 719 | 779 | 3.5% | 127 |
| Borden-Carleton (T) | 788 | 724 | NA | 8.8% | 61 |
| North Rustico (T) | 648 | 617 | NA | 5.0% | 246 |

* Georgetown and Montague are now included in the new Town of Three Rivers;

** Kensington's 2021 population, rate of growth and density statistics are an underestimate, based on the current land area and the census data for the previous, smaller municipal boundary

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The age distribution of residents in the Town is consistent with that of other municipalities in the province (See Table 2). However, the average age is 47 years which is older than the provincial average of 43. The Town has a notable growing seniors demographic, with about 30% of residents being over the age of 60.

Table 2 Distribution of Population* by Age Groups (Census 2021)

| Age Range | Total |
|-------------------------------|-------|
| 0 to 19 years | 360 |
| 20 to 29 years | 165 |
| 30 to 39 years | 170 |
| 40 to 49 years | 215 |
| 50 to 59 years | 250 |
| 60 to 69 years | 305 |
| 70 to 79 years | 220 |
| 80 and older | 140 |
| Average age of the population | 47 |

* Kensington's 2021 population is an underestimate, based on the current land area and the census data for the previous, smaller municipal boundary

Development trends in Kensington have been relatively stable for the past 10 years with a substantial increase in housing in the past few years. New development for housing has been primarily located in subdivisions in the southern portion of the Town.

Table 3 Development Permit Records by Dwelling Type and Land Use

| Development Type by Land Use | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|------------------------------|------|------|------|------|------|------|------|------|------|------|------|
| Residential | 14 | 8 | 8 | 5 | 4 | 4 | 2 | 3 | 8 | 12 | 2 |
| Single Detached | 5 | 4 | 4 | 2 | 1 | 2 | 0 | 2 | 6 | 9 | 0 |
| Attached - Semi/Duplex | 4 | 2 | 4 | 3 | 1 | 2 | 2 | 1 | 1 | 1 | 1 |
| Attached - Apartment | 5 | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 1 | 2 | 1 |
| Commercial/Industrial | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 8 | 3 | 2 |
| Institutional | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 1 | 1 | 0 |
| Recreation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 26 | 21 | 6 | 9 | 10 | 14 | 17 | 11 | 21 | 16 | 16 |

* Other: includes renovations and accessory buildings on existing properties

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The predominant residential dwelling type in the Town is still single detached however there has been a steady increase in the number of residents in other dwelling types (semi-detached, rowhouses, apartments, secondary suites and movable dwellings) (Census, 2016 and 2021). This trend is consistent with the demographics of an aging population and the trend is likely to continue due to the current housing crisis impacting households across the province.

Table 4 Number of Occupied Dwellings by Type (Census 2016 and 2021)

| Dwelling Characteristics* | 2016 | 2021 |
|--|------------|------------|
| Single-detached house | 410 | 475 |
| Attached dwellings: | 270 | 325 |
| Semi-detached house | 90 | 120 |
| Row house | 60 | 70 |
| Apartment/Secondary suite | 120 | 135 |
| Movable dwelling (Mobile and/or Mini Home) | 65 | 75 |
| Total number of occupied dwellings | 745 | 865 |

* Note that this data is based on the dwelling characteristics as identified by the individuals completing the census. Definitions may vary from that of the Town of Kensington's Bylaw. For example, for the purpose of the census a movable dwelling includes mobile homes and other movable dwellings such as houseboats, recreational vehicles, and railroad cars.

5. MUNICIPAL VISION STATEMENT AND GOALS

VISION 2037 – In 2037, the Town of Kensington is a community that:

Offers a quality of life and actively engages residents.

Is recognized as being safe and walkable.

Has a growing residential community, attracting and retaining young families.

Offers all the amenities required to support its residents and the surrounding region.

Is environmentally conscious.

Is resilient to a changing climate.

Embraces the principles of reconciliation.

Provides good governance.

Celebrates our rich history and culture.

The Town of Kensington is where people choose to be.

Adapted from the Town of Kensington Strategic Plan 2019-2024

The Town is committed to pursuing the goals as described in the VISION 2037 statement.

The Town will continue to promote a range of affordable housing types and established residential areas will be enhanced by strategic growth policies. These policies will support infill development, increasing the efficiency of municipal services, protecting vulnerable environmental assets and reducing unnecessary sprawl.

Open space and natural assets will be preserved, protected, and restored. The location of the Town's wellfield, and potential future wellfield(s), will inform decisions related to land use in these areas to ensure the protection of the Town's vital groundwater resources.

Responding to the threat of climate change is necessary for the Town to continue to develop sustainably. To be better prepared, the Town will assess its risks to various climate hazards and prioritize adaptation strategies. Climate mitigation measures will be promoted through policy and initiatives to help reduce the carbon footprint of residents, local businesses, and municipal services.

Administratively, the Town will improve application processing and increase public engagement and transparency in planning processes. The Town will continue to provide services and initiatives by strengthening collaboration and partnerships with local and regional organizations.

The Town recognizes that the land subject to Council's policies and regulations is unceded Mi'kmaq territory covered by the historic Treaties of Peace and Friendship. The Town supports the celebration and recognition of Mi'kmaq history and culture, and Council and staff welcome future opportunities to work with and support the Lennox Island and Abegweit First Nations.

6. GENERAL LAND USE

6.1 OBJECTIVES

The objectives of the General Land Use Policies outlined in this section are to:

- promote a compact urban form to reduce sprawl, increase efficiency of municipal services and protect rural agricultural land; and
- accommodate an appropriate balance of land uses, to ensure housing availability, commercial and retail services, and employment and recreational opportunities.

6.2 FUTURE LAND USE MAP OBJECTIVES

The *Future Land Use Map* (See, Schedule A) is a long-term conceptual representation of the distribution of land uses within the Town, drawn in accordance with the policies and objectives of the *Official Plan*. It is distinct from the *Zoning Map* because it is a representation of the direction envisioned for land use patterns that will emerge as land uses change in the future. The *Future Land Use Map* is not intended to denote a zone designation on a property-by-property basis.

In the development of the *Future Land Use Map*, Council has and will continue to consider the following land use specific objectives.

RESIDENTIAL LAND USE OBJECTIVES

- Older neighbourhoods that were originally designed with larger lots to accommodate on-site services and are predominantly single detached dwellings will be designated as low-density residential areas.
- Medium density residential areas will be located near commercial services, with convenient access to public parks, greenspace, and active transportation routes.
- Medium density residential areas will include a combination of street-oriented neighbourhoods with detached and/or attached dwellings, multi-unit residential and/or cluster housing developments.
- Residential land uses will be connected to municipal water and sewerage services.

COMMERCIAL LAND USE OBJECTIVES

- Commercial land uses will be centralized in the core area and on Route 2, where safe and appropriate access can be provided.
- Infilling of commercial land uses will be encouraged.
- Mixed-use residential-commercial uses will be supported, especially in the core area.
- Commercial land uses will be connected to municipal water and sewerage services.

INDUSTRIAL LAND USE OBJECTIVES

- Industrial land uses will be in the new and existing industrial and business parks.
- Industrial land uses will be connected to municipal water and sewerage services.

PUBLIC SERVICE AND INSTITUTIONAL LAND USE OBJECTIVES

- Public service and institutional land uses may be located throughout the Town and within residential areas when they provide residential or neighbourhood-oriented services.
- Public service and institutional land uses that generate a level of traffic and activity similar to that of a commercial land use will be located in the core area or on Route 2, where safe and appropriate access can be provided.
- Public service and institutional land uses will be connected to municipal water and sewerage services.

AGRICULTURAL LAND USE OBJECTIVES

- Established agricultural land uses will be protected through land use designation to minimize land use conflicts.
- Limited development on or adjacent to agricultural land will be permitted to protect it against premature development and changes in land use.

RECREATION AND OPEN SPACE OBJECTIVES

- Public parks and open spaces, including the active transportation trail network, will be protected through the Recreation and Open Space land use designation.
- The location of new public parks and open spaces will prioritize public accessibility.

ENVIRONMENTAL RESERVE OBJECTIVES

- Natural assets and vulnerable areas will be protected through the Environmental Reserve land use designation.
- The 250-day Wellfield Protection Zone, as described in the Town of Kensington Well Field Protection Plan report and as depicted on the Well Field Map (See, Schedule C), will be protected through an Environmental Reserve Overlay land use designation on the *Future Land Use Map*.

6.3 POLICIES

POLICY 1. LAND USE DESIGNATIONS AND ZONING

It shall be the policy of Council to adopt a *Future Land Use Map* that reflects the goals and objectives of the *Official Plan*.

Plan actions:

- a. The *Future Land Use Map* will be developed based on the objectives described within the *Official Plan*.
- b. All land within the Municipality will be designated with a land use zone and the zone designations will be identified on the *Zoning Map*.
- c. The *Land Use and Development Bylaw* will establish permitted land uses and development standards for each zone identified on the *Zoning Map*.
- d. The *Land Use and Development Bylaw* will set out a process for considering applications for a change in land use, otherwise referred to as a rezoning.
- e. When rezoning applications are considered, they will conform to the *Future Land Use Map*.
- f. The conversion of agricultural land to residential land uses will only be permitted where municipal services can be extended; new public streets can be connected to existing neighbourhoods; and, where vulnerable environmental features will remain protected.
- g. Existing nonconforming land uses will continue to be supported until an opportunity for redevelopment supports the transition of the land into a land use that aligns with the *Future Land Use Map*.

POLICY 2. LAND USE CONFLICT

It shall be the policy of Council to mitigate conflicts between different land uses through zoning and development standards.

Plan actions:

- a. The *Future Land Use Map* and *Zoning Map* will separate different uses and concentrate compatible uses.
- b. The *Land Use and Development Bylaw* will establish requirements for a land use buffer between new commercial and/or industrial land uses that are developed near residential areas.
- c. Spot rezoning applications that create the potential for land use conflict will not be considered.

POLICY 3. MUNICIPAL BOUNDARY

It shall be the policy of Council to consider future boundary extensions only as necessary for the long-term sustainability of the Town.

Plan Actions:

- a. Council will monitor the vacant land inventory within the Town to ensure sustainable growth is not restricted by the current boundary.
- b. Council will pursue boundary extensions when it is necessary for the provision of municipal services, or when growth and development within the Town becomes restricted.
- c. Council will only consider applications for boundary extensions where municipal utility services can be extended and where the extension is mutually beneficial for both the Town and resident/property owner.
- d. Council will not pursue a large annexation of the surrounding regional service area until such time as residents of the service area express interest in having local municipal representation and increased access to municipal services.

7. PHYSICAL FEATURES, INFRASTRUCTURE AND UTILITIES

7.1 OBJECTIVES

The objectives of the Physical Features, Infrastructure and Utility Policies outlined in this section are to:

- ensure provincially owned public infrastructure is properly maintained;
- ensure that all new public infrastructure meets a minimum standard for development;
- ensure that new subdivisions and developments address stormwater management;
- maintain a safe and efficient active transportation network for pedestrians and cyclists;
- provide safe and convenient access to active and passive recreation areas;
- identify the servicing needs of the growing population and continue to provide high quality and cost-effective water and sewerage services; and
- support efforts to develop renewable energy sources and to improve the energy efficiency of existing buildings and services.

7.2 POLICIES

POLICY 4. TRANSPORTATION NETWORK

It shall be the policy of Council to ensure that the provincially owned streets are maintained at acceptable levels and that new streets be vested in the Province.

Plan Actions:

- a. Council will continue to work with the Province to monitor the condition of the provincially owned roads and to advocate for improvements when necessary.
- b. Council will identify and pursue funding opportunities for cost-shared investments for public infrastructure maintenance and improvements.
- c. The *Land Use and Development Bylaw* will require that all new streets meet provincial standards and that all new streets be vested in the Province.
- d. The location of existing private roads and right-of-ways will be identified on the *Future Land Use Map*, and no other land use will be permitted on these properties other than that which supports access and/or a road, and no development or land use will be permitted that could impede future access across these lots.
- e. Council will review the Town of Kensington Civic Addressing Policy and update it as necessary to accommodate the civic addressing needs of different types of development within the Town, and if necessary, changes to the civic addresses of properties within the Town will be addressed.

POLICY 5. STORMWATER MANAGEMENT

It shall be the policy of Council to ensure that stormwater run-off is managed in a manner which is cost-effective, environmentally sensitive and minimizes risks to public health, safety and private property.

Plan Actions:

- a. Council will monitor the condition of the provincially owned stormwater systems and will advocate for improvements when necessary.
- b. Council will identify and pursue funding opportunities for cost-shared investments in stormwater infrastructure to address areas of concern.
- c. The *Land Use and Development Bylaw* will establish regulations for new subdivisions and developments and will require stormwater management plans as necessary.
- d. Council will cooperate with regional stakeholders to develop an approach to watershed management that considers the whole region.

POLICY 6. ACTIVE TRANSPORTATION

It shall be the policy of Council to provide safe active transportation linkages throughout the Town and between all major destinations.

Plan Actions:

- a. Council will identify gaps in the existing active transportation network, and identify opportunities for sidewalk extensions, trails and street crossings, and connections between the Confederation Trail system and existing parks and other major destinations within the Town.
- b. Council will identify and pursue funding opportunities to support investment into the Town's active transportation network.
- c. Council will support opportunities to provide provisions (e.g., bike racks, water refill stations, seating, shade) for users of the active transportation network.

POLICY 7. SAFETY

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

Plan Actions:

- a. Council will work with the Province to improve intersections, signage and sight lines for all users including vehicles, pedestrians, cyclists, and other street users.
- b. Council will monitor the use of the active transportation network and identify ways to improve safety through enhanced visibility and/or lighting.
- c. Council will monitor the condition of sidewalks and will implement maintenance as required.

POLICY 8. OPEN SPACE AND RECREATIONAL FACILITIES

It shall be the policy of Council to maintain existing open spaces and recreational facilities, and to establish new spaces for active and passive recreation, while prioritizing the provision of safe and convenient access.

Plan Actions:

- a. New open spaces and recreational facilities will be considered where gaps exist in existing neighbourhoods and to support new development.
- b. The Land Use and Development Bylaw will establish development standards for new open space and recreational land uses to ensure that the provision of public land, its location and proposed use are adequate to meet the needs of the Municipality.

POLICY 9. SITE DEVELOPMENT

It shall be the policy of Council to ensure that new development is designed to meet minimum site development principles with regards to vehicle and pedestrian circulation, garbage storage and collection, service deliveries, stormwater management, greenspace, and adequate permeable surface area to support groundwater recharge.

Plan Actions:

- a. The *Land Use and Development Bylaw* will require that detailed site plans be submitted with all new development applications.
- b. Council may request input on proposed site plans as necessary from the provincial government and other relevant stakeholders, including but not limited to the Provincial Department of Transportation and Infrastructure, the Town of Kensington Fire Department, and Island Waste Management Corporation.

POLICY 10. PARKING

It shall be the policy of Council to encourage an adequate supply of parking for all new development while promoting active transportation and pedestrian circulation within the core area.

Plan Actions:

- a. Council will monitor the parking demands and opportunities for public parking.
- b. The *Land Use and Development Bylaw* will require that new development provide adequate off-street parking for residents, visitors, and staff.
- c. The *Land Use and Development Bylaw* will require that new parking lots are designed to meet a minimum standard for safe and effective vehicle circulation.
- d. The *Land Use and Development Bylaw* will provide flexibility to parking requirements where suitable alternatives (e.g., shared parking, street parking, bicycle parking) are proposed as an alternative.

POLICY 11. CENTRAL SEWAGE COLLECTION AND TREATMENT

It shall be the policy of Council to provide high-quality, cost-effective sewage collection and treatment services.

Plan Actions:

- a. Council will continue to place a high priority on completing an inspection of all sewer lines and will continue a regular flushing program.
- b. Sewer lines found to be in poor condition or incurring frequent repairs will be replaced on a priority basis.
- c. The *Land Use and Development Bylaw* will require that all new development that can be connected to the Town sewerage system is connected.
- d. Council will monitor the Town's population growth and plan infrastructure upgrades accordingly.

POLICY 12. CENTRAL WATER SUPPLY

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

Plan Actions:

- a. The *Land Use and Development Bylaw* will require that all new development that can be connected to the Town central water supply is connected.
- b. Council will commission a study on the capacity of the existing central water supply.
- c. Council will monitor the Town's population growth and plan infrastructure upgrades for water services as required.

POLICY 13. RENEWABLE ENERGY SOURCES AND IMPROVED EFFICIENCY

It shall be the policy of Council to encourage the use of renewable energy by residents and businesses, and to improve the energy efficiency of municipal buildings, facilities, and services.

Plan Actions:

- a. The *Land Use and Development Bylaw* will establish development standards for the installation of renewable energy structures (e.g., solar array) on private property.
- b. The *Land Use and Development Bylaw* will permit the development of a solar array as a public utility service.
- c. Council will support the installation of electric vehicle charging stations in publicly accessible parking areas.

8. HOUSING AND SOCIAL WELLBEING

8.1 OBJECTIVES

The objectives of the Housing and Social Wellbeing Policies outlined in this section are to:

- promote the Town as a community with a variety of affordable housing options;
- prioritize safety, affordability, sustainability and land use compatibility in residential areas;
- protect established residential areas by ensuring that redevelopment and infill development are consistent with the existing streetscape form;
- support the development of a range of alternate forms of housing;
- support the preservation and maintenance of culturally significant, heritage properties that contribute to the character of the Town;
- support established public service and institutional land uses with consideration of their needs for future growth and/or redevelopment;
- offer a range of social services, programs and facilities that meet the needs of the growing population and which foster healthy, active lifestyles;
- welcome the participation of residents and visitors from outside the municipality in social program planning and operations; and
- work with local and regional organizations to coordinate and promote programs and special events.

8.2 POLICIES

POLICY 14. RESIDENTIAL DEVELOPMENT STANDARDS

It shall be the policy of Council to establish residential development standards in order to enhance the health, safety and convenience of neighbourhoods for residents.

Plan Actions:

- a. The *Land Use and Development Bylaw* will support a range of housing options.
- b. The *Land Use and Development Bylaw* will include development regulations relating to density, building type, lot size, setbacks, open space, parking, services, and land use buffers where necessary.
- c. Council will consider an increase to the maximum height permitted in medium density and commercial areas to promote sustainable development and increased density, giving consideration for public safety and emergency service provisions.
- d. The *Land Use and Development Bylaw* will establish development standards for accessory buildings, structures and accessory land uses on residential properties.
- e. The redevelopment of large, older buildings into multiple dwelling units or mixed-use developments, will be supported when the existing building form and street line can be maintained, the density is appropriate for the area, and all other requirements of the *Land Use and Development Bylaw* can be met.

- f. The *Land Use and Development Bylaw* will permit additional dwelling units in the Agricultural Zone when the primary use of the property is a Farm and the dwelling units will accommodate farm workers.

POLICY 15. INFILLING

It shall be the policy of Council to support infill development in existing low density residential areas.

Plan Actions:

- a. The *Land Use and Development Bylaw* will establish standards based on density and availability of services to support infill development on or between existing low density residential properties.
- b. The *Land Use and Development Bylaw* will establish regulations for flag lots, and they will only be permitted where direct frontage on a future street is not possible.
- c. Infill residential development will be connected to municipal services.
- d. The *Land Use and Development Bylaw* will establish standards for narrow residential lots in medium density residential areas and in existing neighbourhoods with narrow lot frontages.

POLICY 16. ACCESSORY APARTMENTS

It shall be the policy of Council to permit accessory apartments to facilitate the expansion of housing options throughout the Town.

Plan Actions:

- a. The *Land Use and Development Bylaw* will permit accessory apartments in single detached dwellings and in accessory buildings to single detached dwellings.
- b. The *Land Use and Development Bylaw* will establish minimum standards for accessory apartments relating to the maximum floor area and number of bedrooms, parking, and other infrastructure requirements.

POLICY 17. CLUSTER HOUSING

It shall be the policy of Council to permit cluster housing developments to facilitate the expansion of sustainable and alternative housing options.

- a. Cluster housing developments will accommodate multiple residential buildings, including mini homes, tiny homes, or single detached dwellings, on a single lot and access to each unit will be via a private internal drive.
- b. The *Land Use and Development Bylaw* will establish standards for cluster housing developments that include common outdoor space and facilities, required spacing between units, and other sustainable development principles.

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- c. Cluster housing developments will not be permitted where the development will block or prevent future public road access to undeveloped areas within the Town.
- d. All dwelling units within a cluster housing development will be connected to municipal water and sewerage services.

POLICY 18. TINY HOMES AND MINI HOMES

It shall be the policy of Council to permit tiny homes and mini homes where appropriate to facilitate the expansion of housing options.

Plan Actions:

- a. The *Land Use and Development Bylaw* will permit the use of tiny homes or mini homes in cluster housing developments.
- b. Council may permit the use of a tiny home or mini home on a legally existing, undersized lot within a residential zone, when a single detached dwelling cannot reasonably or feasibly be constructed on the property in accordance with the Bylaw regulations.

POLICY 19. MODULAR BUILDINGS AND UNITS

It shall be the policy of Council to permit prefabricated modular units as residential dwellings and as accessory commercial units.

- a. The *Land Use and Development Bylaw* will permit prefabricated dwellings in any zone that permits residential dwellings.
- b. The *Land Use and Development Bylaw* will permit the use of prefabricated units in a non-residential zone as an accessory building.

POLICY 20. HERITAGE BUILDINGS AND PROPERTIES

It shall be the policy of Council to support the preservation and maintenance of culturally significant, heritage properties.

Plan Actions:

- a. Designated heritage properties will be identified on the *Town of Kensington, Heritage Properties Map*, See Schedule B.
- b. Council will encourage residents and property owners to protect and enhance designated heritage properties and other sites that have heritage values.
- c. Council will provide support for innovative solutions for redevelopment and/or reuse of designated heritage properties and other culturally significant sites to ensure preservation of the building or properties in a sustainable manner.
- d. Council will work with local and regional organizations and support their efforts to preserve heritage buildings and properties.

POLICY 21. RECREATIONAL PROGRAMS AND FACILITIES

It shall be the policy of Council to support a range of recreational programs and facilities to meet the needs of all residents and to promote healthy, active lifestyles.

Plan Action

- a. Council will conduct routine inspections of all municipally owned recreational facilities and will upgrade facilities as budgets permit, based on an assessment of need and demand.
- b. Council will continue to work with external partners and regional organizations to support growth of recreation programs.
- c. Council will support and encourage programs designed for and accessible to vulnerable populations.
- d. Council will monitor program requirements to ensure the level of service provided is adequate.

POLICY 22. PUBLIC SERVICE AND INSTITUTIONAL FACILITIES

It shall be the policy of Council to support the long-term viability of established institutional facilities and to designate additional institutional lands only as necessary for the expansion and diversification of institutional service delivery.

Plan Actions:

- a. The Land Use and Development Bylaw will establish development standards for all institutional land uses.
- b. The Land Use and Development Bylaw will permit new institutional land uses that provide residential-type or neighbourhood-oriented services (e.g., community care facility or childcare facility) within medium density residential areas.
- c. Council will encourage regional cooperation to support sustainable development and to maximize opportunities to share institutional spaces for multiple purposes.
- d. Council will support efforts to locate additional institutional facilities in the Town where gaps in services are identified, and to support the expansion of current facilities.
- e. Council will consider applications to convert an institutional property to a land use compatible with surrounding properties when the existing use no longer is needed in the community.
- f. Council will continue to work with the Province to improve access to the existing school facilities for other community activities.

9. LOCAL ECONOMY AND LIVELIHOODS

9.1 OBJECTIVES

The objectives of the Local Economy and Livelihoods Policies outlined in this section are to:

- promote the Town as a regional service centre for the surrounding agricultural area and rural municipalities;
- support existing commercial and industrial operations with consideration of their needs for future growth and/or redevelopment;
- support new employment opportunities in the commercial core area, and existing and new industrial/business parks;
- support appropriate home-based businesses, including the use of residential properties as tourism establishments;
- enhance the viability of the commercial core area by supporting mixed use and infill development; and
- protect agricultural and resource land uses by minimizing encroachment of premature development.

9.2 POLICIES

POLICY 23. COMMERCIAL DEVELOPMENT STANDARDS

It shall be the policy of Council to encourage development of new commercial operations and to continue to provide support to existing businesses.

Plan Actions:

- a. The *Land Use and Development Bylaw* will establish development standards for all commercial uses including but not limited to parking requirements, loading, garbage storage and collection, outdoor storage.
- b. Businesses that present pedestrian-friendly storefront opportunities will be encouraged to locate within the commercial core area.
- c. Businesses that generate high traffic, or that require large outdoor space and/or parking facilities will be encouraged to locate within the industrial/business parks.
- d. Council will work with local development groups and the business community to identify and pursue opportunities for joint promotion of the Town and regional businesses and attractions.

POLICY 24. INDUSTRIAL DEVELOPMENT STANDARDS

It shall be the policy of Council to encourage development of new industrial uses and to continue to provide support to existing operations.

Plan Actions:

- a. The *Land Use and Development Bylaw* will establish development standards for all industrial uses including but not limited to parking requirements, loading, garbage storage and collection, outdoor storage.
- b. The *Land Use and Development Bylaw* will permit retail commercial land uses in the industrial parks to support the development of mixed-use retail-manufacturing facilities.

POLICY 25. PROTECTION OF AGRICULTURAL LANDS

It shall be the policy of Council to protect agricultural land from development and to support the development of resource-based commercial and industrial uses.

Plan Actions:

- a. The *Land Use and Development Bylaw* will permit agricultural resource-commercial or agricultural resource-industrial land uses, which directly support agricultural uses in the Agricultural Zone.
- b. An application to subdivide a property within the Agricultural Zone for a proposed change of use, will require a rezoning application to consider whether the subdivision and change of use proposal is premature development for the Town.

POLICY 26. HOME OCCUPATIONS

It shall be the policy of Council to permit appropriate small businesses to operate inside residential dwellings including the use of a residential property as a tourism establishment, provided land use conflicts can be minimized.

Plan Actions:

- a. The *Land Use and Development Bylaw* will permit the establishment of appropriate home-based businesses in residential dwellings.
- b. The *Land Use and Development Bylaw* will define the types of business activities which may be permitted in a residence.
- c. The *Land Use and Development Bylaw* will permit licensed bed and breakfast establishments and short-term rentals in single detached dwellings in residential zones and will establish standards for their use to minimize land use conflicts.
- d. The *Land Use and Development Bylaw* will establish development standards for home-based businesses, to minimize land use conflicts and address other factors which may impact the safety, convenience, or enjoyment of adjacent residential properties.

10. ENVIRONMENTAL SUSTAINABILITY

10.1 OBJECTIVES

The objectives of the Environmental Sustainability Policies outlined in this section are to:

- protect and enhance significant natural and environmentally vulnerable areas;
- protect the quality of the Town's groundwater resources;
- support the local watershed association and other organizations in their efforts to protect and enhance the quality of surface water and watershed systems; and
- encourage the planting of trees on both private and public properties.

10.2 POLICIES

POLICY 27. WELLFIELD PROTECTION PLAN

It shall be the policy of Council to review and implement appropriate recommendations of the Wellfield Protection Plan in a timely manner and as the budget permits.

Plan Actions:

- a. Industrial land uses, and other land uses that present a risk for contamination, will not be permitted within or adjacent to the Wellfield Protection Zone.
- b. Development applications (including change-of-use applications) within or adjacent to the Wellfield Protection Zone will be considered for risk of contamination and Council may consult an expert at the applicant's expense, where a decision relating to wellfield risk or risk mitigation strategies is required.
- c. Council will pursue funding opportunities to undertake the necessary hydrological review to identify and secure a future well field site(s) to ensure a plan is in place should a second well field be needed.

POLICY 28. GROUND WATER

It shall be the policy of Council to protect both the quantity and quality of ground water resources available to the Town.

Plan Actions:

- a. Land uses which would pose a serious risk for ground water contamination will not be permitted in the Town.
- b. Council will work with the Province to identify and control potential point sources of pollution.
- c. The *Land Use and Development Bylaw* will require that applicants disclose chemical storage areas, underground petroleum storage or other potentially hazardous activities existing or proposed on a site.

- d. Council will support local organizations and programs that promote water conservation, safe disposal of household and business hazardous wastes, and other efforts relating to the protection of the water supply.

POLICY 29. SURFACE WATER

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

Plan Actions:

- a. The *Land Use and Development Bylaw* will require development projects adjacent to watercourses and/or wetlands to implement erosion control measures.
- b. The *Land Use and Development Bylaw* will restrict infilling or alteration of surface drainage features, and any application to do so must be submitted with a copy of the necessary approvals from the Province.

POLICY 30. URBAN TREES AND FORESTS

It will be the policy of Council to protect urban trees and forests from development.

- a. Council will support local organizations and programs that promote tree preservation and planting on public and private lands.
- b. Council will prioritize the protection of existing tree stands and hedgerows in selecting the location of public land dedicated through the subdivision process.

POLICY 31. AIR QUALITY

It will be the policy of Council to restrict those activities in the Town which would be detrimental to air quality.

Plan Actions:

- a. The *Land Use and Development Bylaw* will 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.

11. MUNICIPAL GOVERNANCE AND SERVICES

11.1 OBJECTIVES

The objectives of the Municipal Governance and Services Policies outlined in this section are to:

- advance reconciliation through policy and relationship building;
- support the needs of vulnerable populations living in the Town and within the regional service area;
- understand the risks of climate change, and support efforts to address climate mitigation, and to enhance resilience and decrease vulnerability to climate hazards;
- continue to provide cost effective police and fire services for the growing population;
- support urban beautification through programs and services and responsible waste management;
- encourage acceptable maintenance standards and to address unsightly premises;
- make informed decisions based on the established policies outlined in this Official Plan and on planning best practices to minimize land use conflicts; and
- improve the effectiveness of municipal policies and bylaw regulations.

11.2 POLICIES

POLICY 32. RECONCILIATION

It shall be the policy of Council to consider all programs, policies and initiatives including those presented in this *Official Plan* through principles that support allyship and reconciliation.

Plan Actions:

- a. Council acknowledges that the land upon which the Town is located is unceded Mi'kmaq territory covered by the historic Treaties of Peace and Friendship.
- b. Council commits to building respectful relationships with the Lennox Island and Abegweit First Nations and will welcome opportunities to celebrate the culture and history of the Mi'kmaq.
- c. Council will invite the Lennox Island and Abegweit First Nations, or their designate, to be involved in decisions relating to land use and development matters.

POLICY 33. EQUITY AND DIVERSITY

It shall be the policy of Council to consider all programs, policies and initiatives through an equity and diversity lens.

- a. Council will make provisions to accommodate all people in programs and initiatives and will seek recommendations to improve accessibility from those who may feel excluded.
- b. Council will include all residents in public planning processes by ensuring that public notice is adequately posted in visible locations and is circulated through online forums.
- c. Council will welcome opportunities to recognize and celebrate the diversity of residents.

POLICY 34. CLIMATE CHANGE

It shall be the policy of Council to support innovative solutions for climate mitigation and adaptation by residents and businesses, and to pursue the same for municipal properties and services.

- a. Council will seek funding opportunities to undertake a climate change risk assessment to identify climate hazards and prioritize climate adaptation strategic initiatives.
- b. Council will pursue funding opportunities to support climate change mitigation and/or adaptation projects.
- c. Council will review annually the Emergency Management Plan and will provide updated information to the Provincial Emergency Management Office.
- d. Council will ensure that all new infrastructure projects, including renovations and upgrades to existing facilities, consider options for climate adaptation and improved energy efficiency.

POLICY 35. PLANNING

It shall be the policy of Council to pursue long term planning exercises to ensure that future development within the Town aligns with 15-minute community strategies.

- a. Council will develop a Secondary Plan for the undeveloped areas within the Town, to identify the optimal configuration for a interconnected public road system, an active transportation network, and for the expansion of the municipal water and sewerage system.
- b. Council will consider the need for a range of community services to be located within proximity to residential areas, to support the basic, day-to-day needs of Town residents.
- c. Council will pursue the adoption of a Bylaw Enforcement Bylaw to improve bylaw enforcement administration processes.

POLICY 36. FIRE PROTECTION SERVICES

It shall be the policy of Council to provide municipal and regional fire services through the Kensington Fire Department and will to continue to provide the department with the resources necessary for cost effective fire services.

Plan Actions:

- a. Council will 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.
- b. Council will monitor and review fire services on a regular basis to ensure that service delivery meets the needs of the municipality.
- c. Council will review the recommendations of the Fire Services Master Plan (2018) and will implement necessary changes as budget permits.
- d. Council will hire a part-time permanent Fire Chief to continue to meet the needs of the growing municipality and Fire District.

POLICY 37. POLICE SERVICES

It shall be the policy of Council to provide police services that ensures adequate security of its residents, visitors, and local businesses.

Plan Actions:

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

POLICY 38. URBAN BEAUTIFICATION AND WASTE MANAGEMENT

It shall be the policy of Council to support urban beautification through programs and services and to address unsightly premises.

- a. Council will review and update as necessary the unsightly premises policies and regulations.
- b. Council will consider programs and initiatives that support private properties to enhance the streetscape through urban beautification features.
- c. The *Land Use and Development Bylaw* will require non-residential and multi-unit residential development proposals to include information on the proposed site plan to demonstrate accessible, waste management storage and collection facilities.

POLICY 39. BUDGETING

It shall be the policy of Council to ensure that the municipal budget supports the implementation of the goals, objectives and plan actions identified in the *Official Plan*.

- a. Council will consider *Official Plan* policies when making budgetary decisions.
- b. Council will strive to maintain stable property tax and utility rates while providing adequate services and allowing for long term maintenance of infrastructure and services.
- c. Council will pursue funding opportunities from other levels of government and will consider all available options for cost-sharing on municipal and public infrastructure projects.
- d. Council will continue to maintain low permanent staff levels and contract out for specialized services until needs and projected savings warrant additional staffing.
- e. Council will pursue a “user pay” approach for programs and services where appropriate.
- f. Council will include a Capital Reserve Fund in the annual budget.
- g. Council will expense smaller, routine capital expenditures on an annual basis; and major capital expenditures will be amortized over an appropriate period of years in order to maintain stable tax rates and utility rates.

12. ADMINISTRATION AND IMPLEMENTATION

12.1 ADMINISTRATION

Administration of the *Official Plan* is the responsibility of Council. The primary implementation tool for the *Official Plan* is the *Land Use and Development Bylaw*, however some policies and plan action may be implemented through other municipal bylaws and regulations; operating policies and procedures; the municipal budget; programs and initiatives or other appropriate Council actions.

12.2 LAND USE AND DEVELOPMENT BYLAW

The *Land Use and Development Bylaw* will set out specific land use zones, the permitted uses for each zone, development standards and application procedures for development and land use. The *Bylaw* will also establish the standards and application procedures for the subdivision of parcels of land.

Council will seek direction from the objectives and policies in the *Official Plan* and from the *Future Land Use Map* in making decisions regarding changes in land use (i.e., rezoning applications), *Land Use and Development Bylaw* amendments, and for applications for variances to the development standards.

Council will appoint a Development Officer to administer the *Land Use and Development Bylaw*. Council will, as necessary, refer to a Land Use Planning Consultant for professional services and/or recommendations on the implementation of the *Official Plan* and *Bylaw*.

Council may also appoint and seek recommendations from a Planning Board on matters pertaining to the development and implementation of the *Official Plan* and *Land Use and Development Bylaw*.

PERMIT APPLICATIONS

The *Land Use and Development Bylaw* will require any person undertaking any development, change of use of land or premises to apply for a permit using a standard application form. Exceptions will be noted in the *Bylaw*. Council may attach such conditions as it deems appropriate to any development permit in order to ensure conformance with this *Plan* and the *Bylaw* regulations.

The receipt of a development permit does not excuse the applicant from complying with any provincial or federal laws in force, such as building code, fire protection, health and safety, sewage disposal, plumbing and electrical installation, environmental protection, accessibility, etc.

VARIANCES

The *Land Use and Development Bylaw* will require any person seeking a variance for a development and/or change of use application to apply using a standard application form.

Council may grant a variance to the provisions of the *Land Use and Development Bylaw* where strict compliance would represent an inappropriate burden to the applicant and where the general intent of this *Plan* is upheld. When a variance may impact adjacent properties, appropriate notice will be provided to seek public input on the application.

SUBDIVISIONS

The *Land Use and Development Bylaw* will require any person undertaking a subdivision (to divide a parcel into one or more new parcels, to combine two existing parcels into one, or to change the boundary between two or more existing parcels) to apply for a subdivision using a standard application form.

The *Land Use and Development Bylaw* will establish the requirements for subdivision applications including but not limited to minimum lot size, lot frontage, stormwater management, road development and driveway access, municipal servicing, public land dedication and environmental reserve.

Variances will not be permitted to the requirements for subdivisions, unless specified as an exception in the *Bylaw*.

DEVELOPMENT AGREEMENTS

Council may, at its discretion, require the developer of a subdivision or a major development to enter into a Development Agreement. This agreement will contain all conditions for the proposed development and/or subdivision and will be legally binding on both parties.

12.3 REVIEW OF THE *OFFICIAL PLAN*

The *Official Plan* has been developed in consideration of the Town's existing land uses, development trends, demographics, and environmental features; as well as, the surrounding context of the adjacent rural areas and municipalities, and the regional transportation network.

The *Official Plan* reflects the findings identified during the review process, which was undertaken over an extended period (2019-2022) due to disruptions caused by the Municipal Boundary Restructuring Application, the global pandemic, the provincial Land Matters review, and the 2022 municipal election. Despite delays, this review was undertaken in accordance with Section 15.1 of the *Planning Act*.

The *Official Plan* is intended to be a dynamic planning tool, which will be subject to ongoing review. It should be monitored to confirm objectives are achieved and to address changing circumstances as necessary. A comprehensive review of the *Official Plan* is required every five (5) years, with the next review scheduled for 2028.

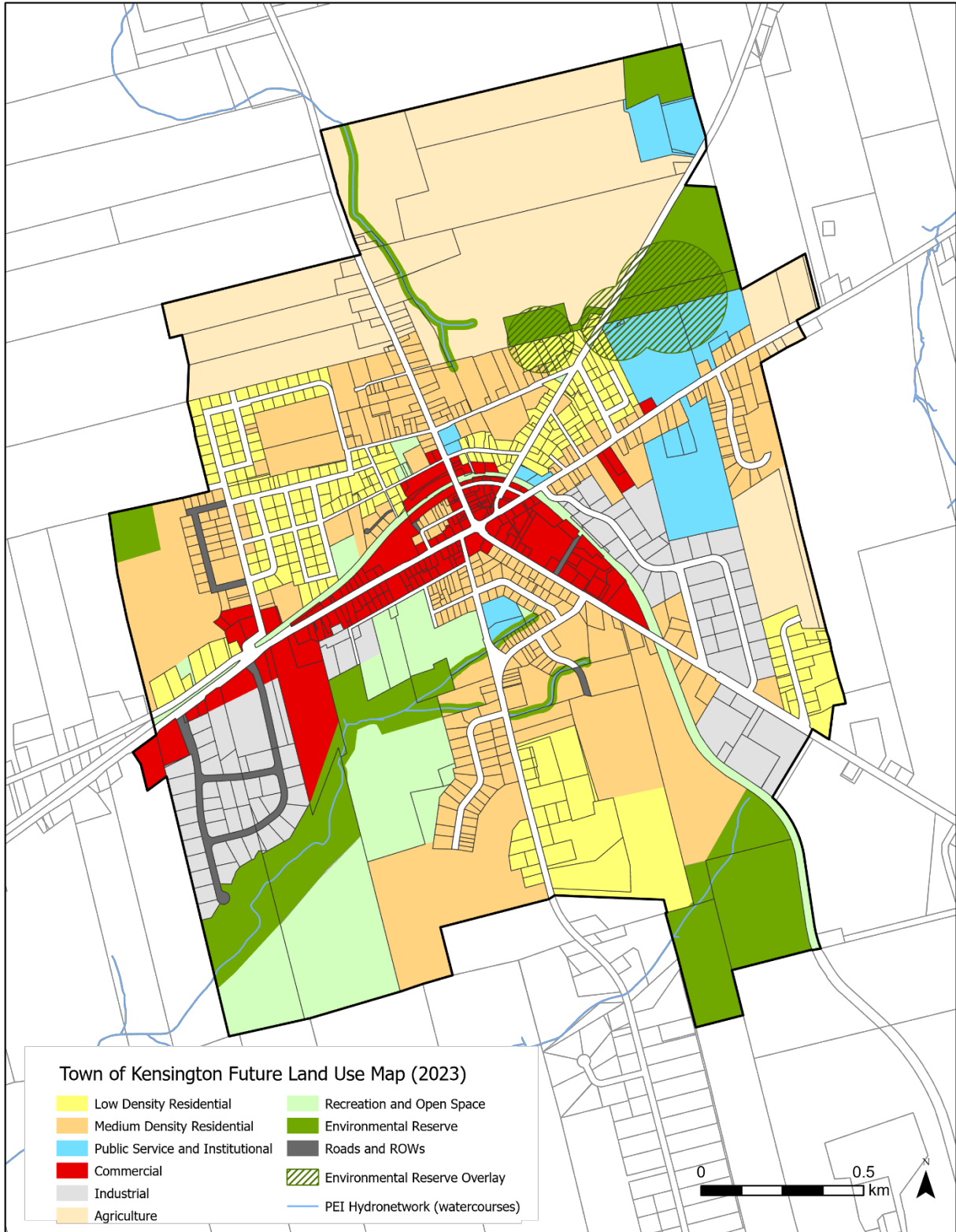
12.4 AMENDMENTS

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

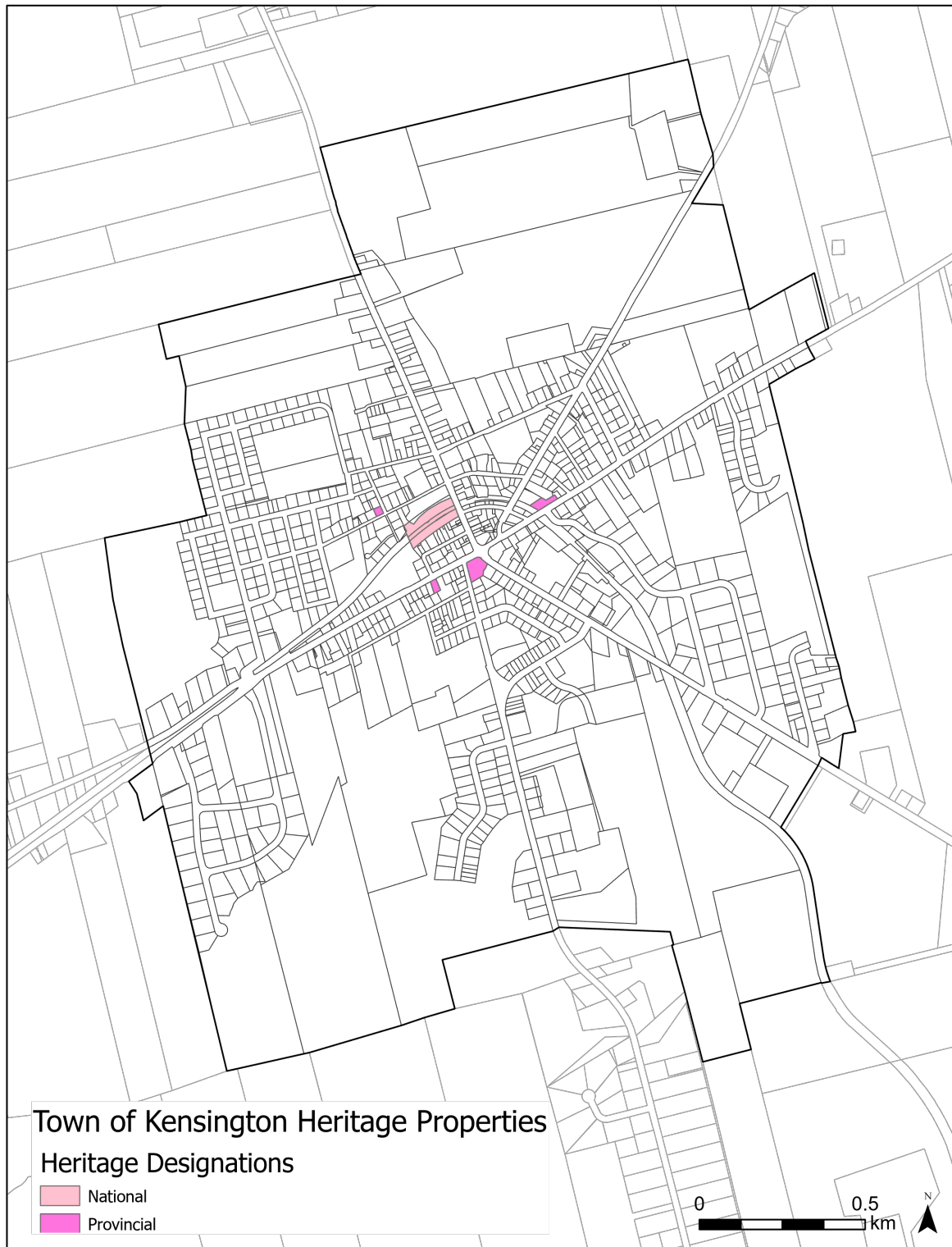
12.5 APPEAL PROCEDURE

Any person who is dissatisfied with a decision of Council in the administration of the *Official Plan* or the *Land Use and Development Bylaw* may, within 21 days of the decision, appeal the decision to the Island Regulatory and Appeals Commission.

SCHEDULE A - FUTURE LAND USE MAP



SCHEDULE B - HERITAGE PROPERTIES MAP



SCHEDULE C - WELL FIELD PROTECTION ZONES

