

Notice of Appeal

(Pursuant to Section 28 of the *Planning Act*)

TO: The Island Regulatory and Appeals Commission
 National Bank Tower, Suite 501, 134 Kent Street
 P.O. Box 577, Charlottetown PE C1A 7L1
 Telephone: 902-892-3501 Toll free: 1-800-501-6268
 Fax: 902-566-4076 Website: www.irac.pe.ca

NOTE:
 Appeal process is a public process.

TAKE NOTICE that I/we hereby appeal the decision made by the Minister responsible for the administration of various development regulations of the **Planning Act** or the Municipal Council of N/A (name of City, Town or Community) on the 20 day of November, 2025, wherein the Minister/Community Council made a decision to deny the subdivision Application for property having PID# 88567

(attach a copy of the decision).

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the **Planning Act**, the grounds for this appeal are as follows: (use separate page(s) if necessary)

- The Minister did not follow the proper process.
- The Minister failed to recognize the property's change of use to residential use.
- The Minister misapplied the test for sound planning.
- The Minister incorrectly found a detrimental impact by applying government 'policies' that are neither laws nor part of the Planning Act, nor applicable.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the **Planning Act**, I/we seek the following relief: (use separate page(s) if necessary)

- Approval of the Subdivision Application
- or in the alternative,
- Preliminary approval of the subdivision, with conditions as appropriate under the Act

EACH APPELLANT MUST COMPLETE THE FOLLOWING: (print separate sheets as necessary)

Name(s) of Appellant(s): Mike James & Sheldon Stewart
 Please Print

Signature(s) of Appellant(s):

Andrew G. MacDonald for Applicants

Mailing Address: c/o Key Murray Law- 494 Granville St

City/Town: Summerside

Province: Prince Edward Island

Postal Code: C1N 5Y1

Email Address: andrew.macdonald@keymurraylaw.ca

Telephone: (902)436-4632

Dated this 9 day of December, 2025.
 day month year

IMPORTANT

Under Section 28.(6) of the **Planning Act**, the Appellant must, within seven days of filing an appeal with the Commission serve a copy of the notice of appeal on the municipal council or the Minister as the case may be.

Service of the Notice of Appeal is the responsibility of the Appellant

Information on this Form is collected pursuant to the **Planning Act** and will be used by the Commission in processing this appeal.
 For additional information, contact the Commission at 902-892-3501 or by email at info@irac.pe.ca.



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PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Housing, Land
and Communities

Logement, Terres
et Communautés



31, promenade Gordon
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

November 20, 2025

Sheldon Stewart & Mike James
P.O. Box 700
Kensington, PE
C0B 1M0

Dear Applicants:

Subject: 26 Lot Subdivision Proposal for Residential Use
Property ID #: 88567
Property Location: Campbellton Road, New London, PE
Our File References: Case # 25533

The Minister of Housing, Land and Communities has reviewed your application for a 26 Lot Subdivision for Residential (Single Unit Dwelling) Use, Case 25533, received on March 14, 2025, located in New London.

A. The Application

Subdivision: Subject parcel PID # 88567, being approximately 40 acres in area, is located within the community of New London, Queens County (the "Subject Property"). The application proposes the subdivision of PID # 88567 into 26 lots for Residential (Single Unit Dwelling) Use (the "Proposed Subdivision").

B. Decision

The Subject Property is within a geographic area where land use and development are not regulated by a local official plan or zoning by-law. Therefore, the Subject Property falls within the jurisdiction of the Department of Housing, Land and Communities. Land use and development are regulated by the *Planning Act* and *Planning Act* Subdivision and Development Regulations and other provincial laws and regulations.

In accordance with the *Planning Act*, as well as the *Planning Act* Subdivision and Development Regulations subsections 3. (1)(a) & (d) and 13. (a), (b) & (j), **the above noted application is Denied.**

C. Reasons

The reasons for this decision, as well as relevant subsections of the *Planning Act* Subdivision and Development Regulations are explained below, and in more detail in the attached report prepared by Chrystal Fuller, LPP, RPP, MCIP, with Brighter Community Planning and Consulting.

The Proposed Subdivision is considered inconsistent with provincial policies aimed at protecting farmland and coastal areas. The development would convert high-quality agricultural land, potentially impact buffer zones, fragment the rural landscape and create long-term conflicts and infrastructure costs.

This subdivision would create a detrimental impact as defined in the *Planning Act* Subdivision and Development Regulations. It would increase coastal and flood risk, reduce and break up good farmland, raise land-use conflicts and erode rural and tourism values. It does not align with provincial goals to protect farmland and sensitive coasts.

***Planning Act* Subdivision and Development Regulations**

3.(1) No person shall be permitted to subdivide land where the proposed subdivision would
(a) not conform to these regulations or any other regulations made pursuant to the Act;

...

(d) have a detrimental impact.

1.(f.3) “detrimental impact” means any loss or harm suffered in person or property in matters related to public health, public safety, protection of the natural environment and surrounding land uses, but does not include potential effects of new subdivisions, buildings or developments with regard to

(i) real property value;

(ii) competition with existing businesses;

(iii) viewsapes; or

(iv) development approved pursuant to subsection 9(1) of the *Environmental Protection Act*;

13. Subdivision designs shall be based on sound planning, engineering, and environmental principles, and shall demonstrate that the proposed subdivision is suited to the intended use, having due regard for

(a) compatibility with surrounding uses;

(b) the topography of the site;

...

(j) natural features.

D. Right of Appeal

Notice of this decision will be posted on the PEI Planning Decisions website. We suggest typing "PEI Planning Decisions" into your internet search engine to link to the website.

Please be advised that pursuant to section 28 of the *Planning Act*, this decision may be appealed to the Island Regulatory & Appeals Commission ("IRAC") (PO Box 577, Charlottetown, PE, C1A 7L1: <http://www.irac.pe.ca>). An appeal must be filed within 21 days after the date of this letter or the Commission is under no obligation to hear the appeal. For more information about appeals, please contact IRAC.

If you have any questions in regard to this decision, contact me at emlloyd@gov.pe.ca or (902) 368-4465.

Sincerely,



Eugene Lloyd
Manager of Development Control
Land Division
Department of Housing, Land and Communities

Enc: Planning Report by Chrystal Fuller (Brighter Community Planning and Consulting) Re: Planning Review of Subdivision Application for New London PE - PID 88567 – Dated: September 2, 2025

2025-09-02

Eugene Lloyd, Manager of Development Control
Province of PEI
Via email

Re: Planning Review of Subdivision Application for New London PE- PID 88567

Summary

- What's being proposed: 26 house lots on about 30 acres (≈ 12 ha) of active farmland off Campbellton Road, New London. One new public road about 370 metres long. A second access would use Browns Road, a private cottage road that is not maintained in winter.
- How the decision is made: Under PEI's Planning Act Subdivision and Development Regulations, a subdivision should not be approved if it would cause a "detrimental impact." That means clear harm to public safety, the environment, or how the use fits with neighbours. Property values or views are not part of this test.
- Why the coast matters: The site is in a coastal policy area. Wide buffers are required near streams and the shore. More pavement and roofs mean more runoff to these areas and can weaken the protection buffers provide.
- What the hazard data says: Past shoreline changes here averaged about 8 centimetres a year (up to 26). The risk is labelled "low" today but likely under-stated because sea levels are rising. A salt marsh sits in front of the property and will move inland as water rises. Small parts of the site are in mapped flood areas.
- What often happens after approval: New coastal lots usually lead to requests for rock walls or similar "armouring." These can help one lot for a while but often speed up beach loss and harm nearby coasts.
- Roads and services: Provincial Transportation flagged fixes: a wider right-of-way, safer curves, moved access for sight-distance, and stormwater easements (about nine metres wide). Any lots using Browns Road would have seasonal access only. Some issues may be solved with redesign, but that may add to the overall footprint and complexity.
- Farmland at stake: This would permanently remove some of PEI's better Class-2 soil from farming. Each rural subdivision on good soil adds to long-term farmland loss.
- Farming conflicts: Turning a large field into many small lots makes the remaining farm work harder. New neighbours may complain about normal farm practices (odour, noise, night work), which can limit farm operations.

- Tourism link: PEI's appeal includes open farm views and scenic rural roads. Spreading houses along these roads weakens that character.
- Bigger picture: Most rural land is under provincial planning. Thousands of rural lots have been approved in recent years, adding pressure on coasts and farmland.
- *Professional opinion:* This subdivision would create a detrimental impact as defined in the Regulations. It would increase coastal and flood risk, reduce and break up good farmland, raise land-use conflicts, and erode rural and tourism values. It does not align with provincial goals to protect farmland and sensitive coasts.
- If approval is still considered: Harm could be reduced by clustering lots away from the coast, keeping coastal buffers public, and meeting all road and drainage rules. These steps help, but they do not fix the core problems: farmland loss, broken-up fields, and long-term coastal risk.

Introduction

The proposal under review is a 26-lot subdivision off Campbellton Road in New London, Prince Edward Island. The development would convert approximately 30 acres (about 12 hectares) of Class 2 farmland into residential lots. I conducted a site visit on August 13th, 2024. At that time, the land appeared to be in hay production. The land is on the coast and is in a primarily agricultural area with an adjacent seasonal road with cottages/housing units on it.

The proposed subdivision includes new public road approximately 370 m long and 20 m wide that would bisect the field and provide access to the lots. Another road access is off Browns Road, a seasonal, privately maintained cottage road, but this road is not maintained in winter.

Provincial subdivision approval and compliance with the Planning Act Subdivision and Development Regulations is required to create lots. Instead of focusing on lot size and engineering details, this assessment examines whether the proposal would have a detrimental impact in the statutory sense, looking at public health, safety, the natural environment and compatibility with surrounding land uses.

This report provides an assessment of the application against the Planning Act and the Subdivision and Development Regulations. I have also included potential mitigations where they are appropriate and that the province may wish to consider if it proceeds with an approval.

To complete this assessment, I reviewed:

- Previous IRAC decisions
- The Climate Hazard and Risk Information System (Chris)
- Subdivision and Development Regulations
- Prince Edward Island Interim Coastal Policy Recommendations Report (2023)
- Canada Land Inventory - Agricultural Land Classifications
- State of the Island Report (2023)

- [Climate Brief](#) – Canadian Institute of Planners (2023)
- The Gift of Jurisdiction: Our Island Province (Carver Report) June 2013
- Stats Canada Data on Farmland Loss
- Dictionary definition of detrimental.
- Now is the Time – Final Report of the Land Matters Advisory Committee (July 2021)
- The Economic Impact of Tourism Expenditures in PEI – 2019
- Provincial Tourism Strategy (2022-2023)
- Canada's Food Island: An Economic Impact Assessment – June 2021
- [PEI Website 2024 Tourism Stats](#)
- Protecting Habitat: A Guide for Municipalities on PEI
- A Study of Prince Edward Island Local Governance – June 2007
- Canada's Supply of Agricultural Land - 2019

Statutory Test for Detrimental Impact

Definition and Legal Test

Prince Edward Island's Planning Act Subdivision and Development Regulations stipulate that a subdivision shall not be approved if it would have a detrimental impact. In these regulations, detrimental impact is defined as any loss or harm suffered in person or property in matters related to public health, public safety, the protection of the natural environment and surrounding land uses. The definition expressly excludes impacts on real property value, competition with existing businesses, views or developments approved under subsection 9(1) of the Environmental Protection Act. In ordinary English, the adjective detrimental means "obviously harmful; damaging" <https://www.merriam-webster.com/dictionary/detrimental>. The legal test therefore asks whether the proposed subdivision would cause obvious harm to health, safety, environmental protection or compatibility with neighbouring land uses. Previous IRAC decisions put importance on professional planning advice and evaluation, so best planning practices are also reference or included in this assessment.

The following sections assess coastal, agricultural and socio-economic factors under this test.

Assessment of Coastal Impacts

The property is within the 500 m coastal policy belt defined in the Planning Act. Along streams and rivers in Prince Edward Island a minimum vegetated buffer of 15 m is required on each side, and the buffer increases to 60 m in certain situation. More generally, coastal buffer zones extend from about 30 m to 500 m inland and are recognized in planning bylaws as tools for separating development from coasts, reducing coastal hazards, and protecting scenic and tourism values. Riparian buffer zones absorb runoff and reduce erosion, performing an important protective function and damping the flow of agricultural runoff; even buffers only 15 m wide have been shown to remove more than twice as much nitrogen from runoff as 8 m buffer. Wider, vegetated buffers slow shoreline erosion and retain property values by reducing the risk of storm damage.

The proposed subdivision would convert a working field within this coastal buffer area to residential use. Instead of cropland absorbing rainfall and runoff, paved roads and rooftops would increase impervious surfaces and channel stormwater toward streams and wetlands. The Watercourse, Wetland and Buffer Zone Regulations were designed to reduce agricultural runoff and safeguard riparian areas; removing farmland diminishes the very buffer system that protects water quality. Past practice on the Island shows that once a coastal subdivision is approved, shoreline armouring often follows to protect homes. Research on coastal armouring notes that seawalls and revetments may temporarily protect property but accelerate erosion of beaches and adjacent properties, narrowing shorelines and diminishing coastal ecosystems. Approving a subdivision here would heighten pressure for armouring in future decades.

The Interim Coastal Policy Decision Framework provides useful guidance when considering detrimental impacts. The first line of defence in areas without a Land Use Plan is prevention to preserve the natural coast and enhance public safety. Prevention would include restricting development in areas where there is risk from coastal erosion

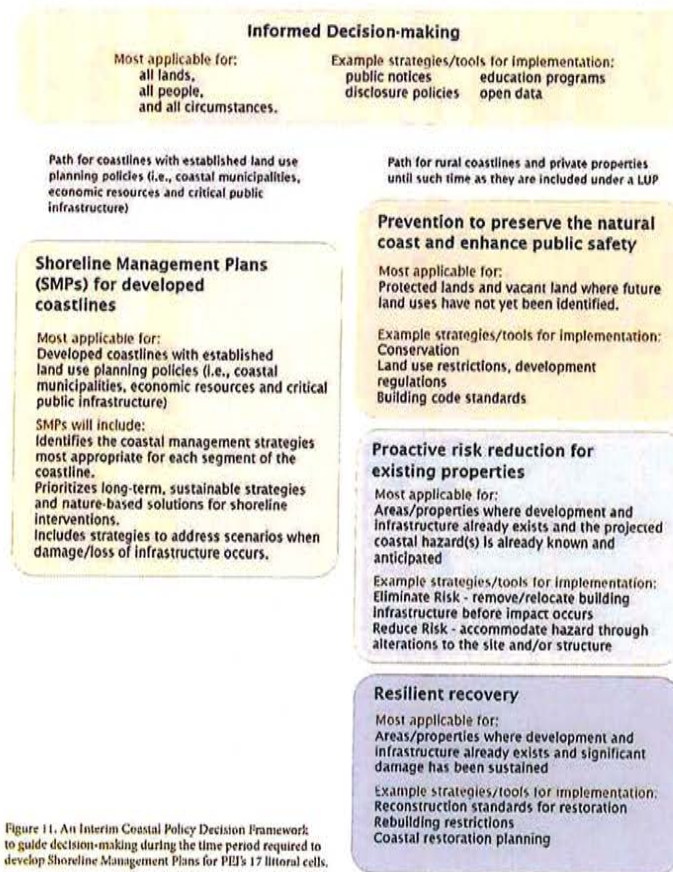


Figure 11. An Interim Coastal Policy Decision Framework to guide decision-making during the time period required to develop Shoreline Management Plans for PEI's 17 littoral cells.

The Chris System and Coastal Hazard Assessment

The Climate Hazard and Risk Information System (CHRIS) shows that the subject property (PID 88567) falls within a low erosion hazard area. The Coastal Hazard Assessment (CHA) recorded an average historical erosion rate of 8 cm per year between 1968 and 2020, with a maximum rate of 26 cm per year. Although the CHA labels the site "low hazard," it warns that the figures understate the true risk because climate change and sea level rise will accelerate erosion.

A saltmarsh fronts the property, but the CHA did not include it when calculating erosion rates. Saltmarshes absorb wave energy, filter runoff, and store carbon. As sea levels rise, this marsh will migrate inland, reducing developable land and reshaping coastal processes.

The CHA identifies most of the site as minimal flood hazard, but about 5 % of the property lies in the High Flood Hazard Zone, with another small portion (<5 %) in the Moderate-Low Hazard Zone. Over 90% of the parcel remains above the 2100 floodplain. Extreme storm events already affect part of the property, and their frequency and intensity are projected to increase.

These findings carry clear implications for subdivision planning. If the province approves the application, the subdivision will likely remain occupied well into the next century. Homeowners will face growing risks from shoreline instability, storm damage, and land loss. Approving residential lots beside a saltmarsh will also create future pressure for shoreline armouring. Research shows that while armouring may protect homes in the short term, it accelerates erosion on neighbouring properties and damages coastal ecosystems.

The province can mitigate some of these risks by requiring public ownership of coastal buffer areas. Public ownership would prevent private encroachment and ensure that buffers function as intended: protecting the environment and public safety. This approach also reflects the precautionary principle in the Interim Coastal Policy, which directs decision-makers to prevent development in areas at risk of coastal hazards.

In short, while CHRIS labels this site as "low hazard," the saltmarsh, the presence of flood-prone areas, and the long lifespan of residential development all point to higher long-term risk. These factors strengthen the argument that approving this subdivision could create detrimental impacts under the Planning Act.

Department of Transportation and Infrastructure Consideration

The Department of Transportation and Infrastructure (DTI) reviewed the preliminary plan and provided several engineering comments. A right-of-way width of 20.1 m is required for the new public road. The preliminary design shows three horizontal curves; the DTI requires a minimum centreline radius of 40 m for each curve. Stopping sight distance on Campbellton Road meets the minimum 110 m requirement for a Local Class 2 highway, but it fails to meet the 140 m requirement for a Seasonal Highway. The DTI suggests relocating the access about 35 m southeast to achieve adequate sight distance. Because the plan does not show contour lines or drainage, the department expects that storm-water drainage easements will be needed across

the property with a minimum width of 9 m, shared along property lines where possible. Finally, any lots taking access from Browns Road will require a seasonal entrance permit, and Browns Road will not be maintained in winter. These requirements show that the site present servicing challenges and that the road network would need adjustments and easements, increasing the footprint of disturbance.

DTI has requested changes to the subdivision plan, and it appears that the development can accommodate these changes.

Assessment of Agricultural Impacts

Soil Capability and Significance of Farmland

The Canada Land Inventory groups soils into capability classes. Class 1 soils have slight limitations, while Class 2 soils have *moderate* limitations that restrict the choice of crops or require moderate conservation practices. The subject property has Class 2 soils—fertile land well suited to field crops with careful management. Converting this land to residential use would permanently remove some of the Island's better farmland from production. While it is true that PEI does not have significant agricultural land when compared to the rest of Canada, this does not necessarily mean that agricultural is not important on PEI, but rather that the agricultural industry needs to be analyzed for its impact provincially rather than nationally.

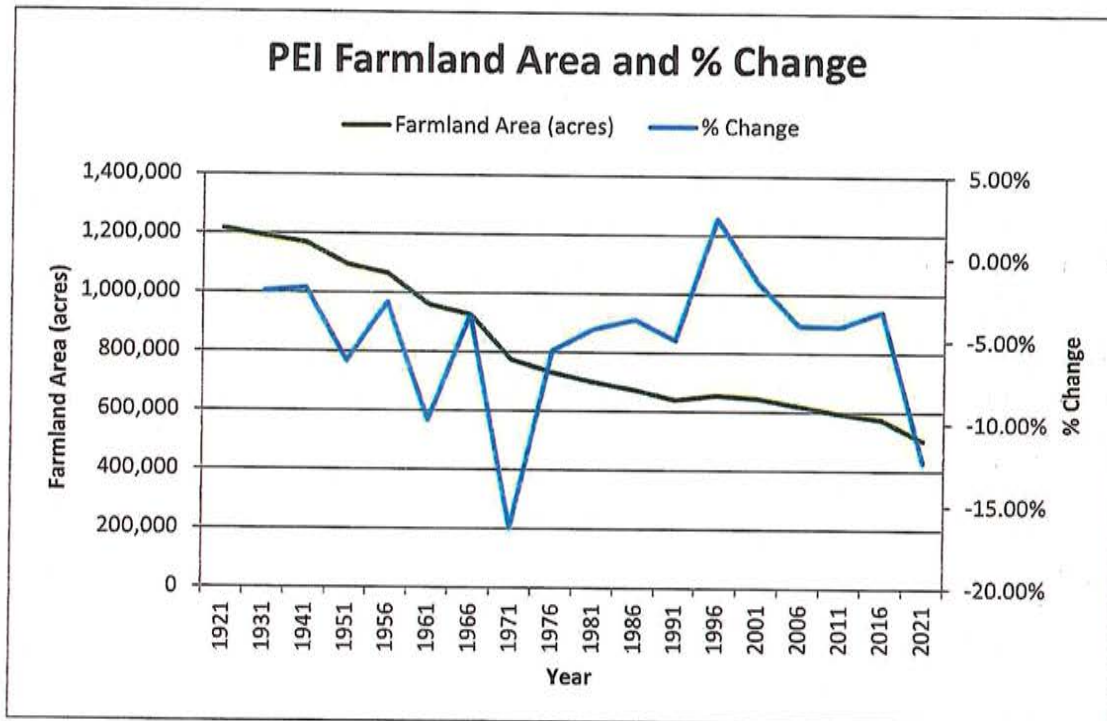
Farmland Loss and Fragmentation Trends

Prince Edward Island has experienced rapid farmland loss. According to the 2021 Census of Agriculture, total farm area declined to about 504,674 acres—down 12.3 % from 2016—and land in crops fell to 375,141 acres (a 6.3 % decrease). Over the longer term the province has lost roughly 0.15 million acres (21.3 %) of farmland. At the same time, the number of farms fell to around 1,195 and the average farm size increased markedly. These statistics reveal a century long trend: fewer farms cultivating larger parcels of land while overall agricultural area shrinks. Each new subdivision carved from farmland accelerates this trend.

Fragmentation amplifies the impact of acreage loss. Agricultural land assessments note that breaking large parcels into smaller lots reduces the efficiency of mechanized farm operations and makes the remaining land less attractive for crop production. Separate ownership of remnant parcels further fragments the landscape and reduces the suitability of land for cropping. Nationally, only about 5 % of Canada's land base is suitable for agriculture; yet more than half of urban and suburban land sits on good farmland, and agricultural land is lost not only to urban expansion but also through severances and poorly planned rural development. When ex-urban residents move into severed lots they often object to odours, noise and night work, leading to restrictions that hamper farm operations. The proposed subdivision would remove arable land for the road and house lots and leave two irregular remnants that are noted as open space. However, these areas are likely wetlands and should not be considered as open space for passive or active recreation.

In the planning literature, planners consider the impact on adjacent uses of a new use. The

reduction of these land use conflicts is carefully considered. Planners describe this as the 'urban shadow effect,' where adjacent residential uses reduce farm viability through complaints and higher land values.



Conflicts at the Rural-Urban Interface

PEI planners have long warned about "ribbon development" along rural roads. The Now is the Time report observed that ribbon development causes loss of agricultural land, scenic views and wildlife habitat; it creates a car dependent landscape and slows traffic, leading to conflicts with adjacent agricultural activities such as manure odour and pesticide spray. Nonfarm residents often complain about routine farming activities (noise, dust, night harvests), prompting local governments to impose restrictions that shrink the farm "envelope." These conflicts make it harder for farms to remain viable and discourage reinvestment. By inserting 26 residential lots into an active field, the proposal would introduce a new interface between residents and farming operations, increasing potential for complaints and regulatory constraints.

Although the 30 acres may not appear significant, it is the cumulative impact when many 30 acres are converted from farmland to a non-farm use. To understand the cumulative impacts requires an analysis of the overall decline/growth of agricultural land on PEI, and an understanding of the impact of agricultural loss on other key industries, such as tourism.

Tourism and Rural Character

Tourism is a pillar of Prince Edward Island's economy. In 2019 tourism expenditures sustained about 8,900 full-time equivalent jobs and contributed roughly \$420.3 million in value added (about 5.6 % of provincial GDP). Tourism accounts for approximately 6 % of the province's GDP—about three times the national average—and supports over 8,900 full-time jobs. Visitors are drawn to PEI's pastoral landscapes, including rolling fields, hedgerows and coastal vistas. Food and Agri-tourism experiences such as farm-to-table dining, culinary trails and on-farm tours depend on active agricultural production and unspoiled rural scenery. Subdivision development along scenic roads can undermine this visual authenticity and erode the Island's competitive advantage in tourism. The Federation of PEI Municipalities and other policy briefs emphasize the need to prevent ribbon development along scenic highways to protect tourism assets.

Evidence from government, industry, and research over the last five years strongly supports the claim that agriculture is important to PEI's tourism economy. High-level strategic plans incorporate agriculture and food as central to tourism growth, and specific statistics illustrate substantial economic linkages. Tourists visit PEI for its beaches and heritage, but also for its fresh seafood dinners, farm-to-table cuisine, farmers' markets, and agricultural landscapes. Food-related spending by visitors injects tens of millions into the economy annually, making agriculture an integral part of tourism revenue and employment.

While PEI's tourism industry has multiple facets (coastal attractions, culture, Anne of Green Gables, etc.), agriculture consistently emerges as a key pillar rather than an incidental player. The province's own branding as *Canada's Food Island* reflects a deliberate melding of the farm and travel sectors. Looking ahead, maintaining this synergy will require supportive policies (e.g. farmland protection, culinary infrastructure) to ensure that agriculture continues to thrive alongside tourism. Conversely, a decline in agriculture or loss of rural landscape would not only harm farm GDP but also diminish the unique character that draws visitors.

In summary, recent high-quality sources – from Tourism PEI and TIAPEI reports to academic and economic analyses – affirm that agriculture is both directly and indirectly vital to PEI's tourism economy. It provides the raw ingredients for memorable visitor experiences, fuels a significant share of tourism spending, and reinforces the Island's identity in a crowded travel market. Far from being separate silos, the success of tourism and agriculture in Prince Edward Island are tightly interlinked, each bolstering the other's economic and social value. This dual strength is a distinctive asset for PEI, underpinning growth in a sustainable, locally rooted way.

The impacts of agricultural land loss can be summarized as follows:

Challenge	Implication for Planning
Farmland loss	Reduces visual appeal and erodes the economic base for tourism
Rural sprawl	Threatens cohesive landscapes and drives infrastructure costs

Fragmentation of agricultural lands

Disrupts farm viability and long-term land stewardship

Planning Gaps, Secondary Homes and Development Pressure

Approximately 82 % of PEI's land—mostly rural and unincorporated areas—falls under provincial planning authority, leaving limited municipal oversight. Over the past decade more than 4,000 subdivision applications were approved, creating over 6,500 residential lots; roughly 70 % of those lots were in rural, unincorporated areas (State of the Island Report). Around 27 % of the Island's housing stock consists of secondary homes, many owned by non-residents. These factors contribute to development pressure on farmland, especially near coastal corridors. The opening of the Confederation Bridge in 1997 improved accessibility and spurred growth in tourism and population. According to the State of the Island report, without strategic planning, development can fragment farmland and diminish the rural landscapes that underpin both agriculture and tourism. While some rural development may support Agri-tourism (for example, farm stays or visitor accommodations), scattered subdivision activity erodes visual continuity and drives up infrastructure costs for government.

Planning Implications and Conclusion

The proposed 26-lot subdivision would convert fertile Class 2 farmland some of which is within a coastal buffer area to residential use. It would remove productive soils from agriculture, fragment the remaining land and introduce residential-agricultural conflicts. The site lies within the coastal policy belt, where vegetated buffers of at least 15 m—and in sensitive areas up to 60 m—are intended to protect waterways and coasts. Once developed, impervious surfaces and septic systems would increase runoff and undermine the buffer system designed to absorb pollutants and wave energy. Future homeowners may seek shoreline armouring to protect their property, and research shows that armouring accelerates erosion on beaches and adjacent properties. The Department of Transportation and Infrastructure has already identified geometric and sight-distance issues; meeting these requirements would require moving the access road, widening the right-of-way and creating drainage easements, further disturbing the landscape.

At a provincial level, PEI is losing farmland at an unsustainable rate. Between 2016 and 2021 the total farm area declined by 12.3 % and over the long term the province has lost roughly one-fifth of its farmland. Fragmentation reduces farm efficiency and increases conflict. Ribbon development along rural roads have long been recognized as a problem that consumes farmland and scenic views and produces car-dependent sprawl. Tourism, which contributes roughly 6 % of PEI's GDP and supports thousands of jobs, depends on the rural landscapes threatened by scattered subdivisions. Given these factors, approving the subdivision would have obvious and cumulative harmful effects on environmental protection, agricultural viability, public infrastructure costs and the Island's tourism economy. Under the Planning Act's statutory test, such impacts are detrimental.

The land is not subject to a land use bylaw which provides for flexibility for the final land use, and housing is required to meet the needs of Islanders. The province is also beginning a process to examine possible provincial land use policies but there is no estimate of when or if new provincial policies will be available to guide this site. In the absence of clear policies, the assessment of this property must be based on the "detrimental impacts" which can be reduced with appropriate mitigation measures. Mitigations could include a clustered design, public buffer ownerships or other innovative approaches proposed by the developer.

In conclusion, the proposed 26-lot subdivision off Campbellton Road should be considered inconsistent with provincial policies aimed at protecting farmland and coastal areas. The development would convert high-quality agricultural land, potentially impact buffer zones, fragment the rural landscape and create long-term conflicts and infrastructure costs. Strategic land-use planning should instead focus on conserving prime farmland and directing residential growth toward serviced areas, or exploring conservation subdivision designs that cluster housing and preserve large contiguous farm blocks. Maintaining working landscapes is essential not only for food production but also for preserving the Island's identity and sustaining its tourism economy.

Sincerely,



Chrystal Fuller, LPP, RPP, MCIP

Brighter Community Planning & Consulting

Appendix A: Site Visit pictures

Site visit pictures from August 13th, 2024



Figure 1 - Subject property and view of salt marsh



Figure 2 - Agricultural field directly across the Street on Campbellton Road

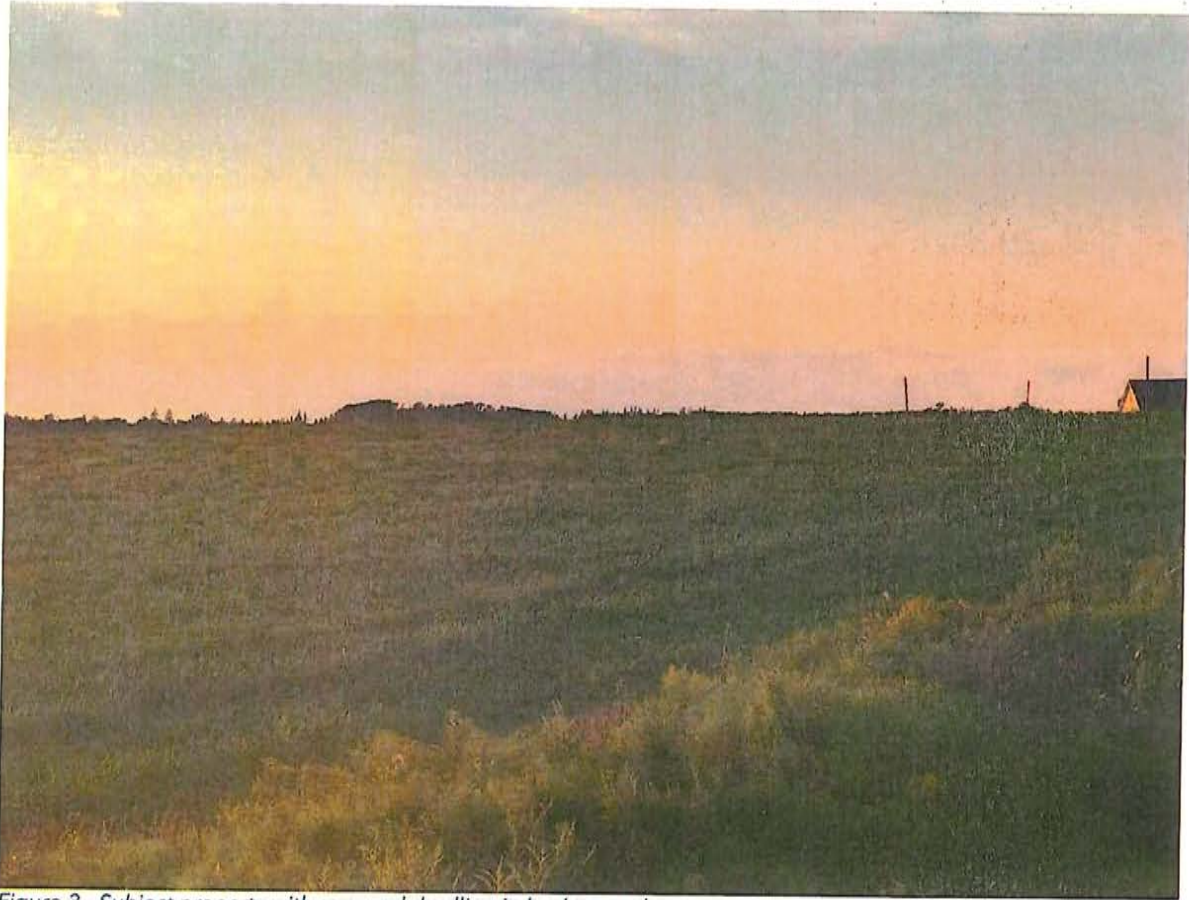


Figure 3 - Subject property with seasonal dwelling in background



Figure 4 - View of bank in front of subject property



Figure 5 - Close up views of coastal bank area