
RECORD FILED BY THE RURAL MUNICIPALITY OF NORTH SHORE
F. SHEILA GALLANT v. RURAL MUNICIPALITY OF NORTH SHORE
Docket No. #LA26010

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Contents

Cover	1
1. 2022.04.17 RMNS - Official Plan - Pre-Amendment	3
2. 2022.04.17 RMNS - Land Use Bylaw - Pre-Amendment	41
3. 2021.11.10 Lloyd - Final Resort Development Permit	114
4. 2026.05.27 RMNS - Calendar of dates followed	117
5. 2026.06.02 RMNS - Draft Schedule of Events and Deliverables	118
6. 2026.06.03 RMNS - Planning Report	120
7. 2026.06.09 RMNS - Planning Board Agenda and Minutes	126
8. 2026.06.09 RMNS - Planning Board Agenda, Minutes, and Resolution	132
9. 2026.06.10 Guardian - Meeting Announcement	140
10. 2026.06.10 RMNS - Images of Signage	141
11. 2026.06.11 Blackbush - Property Layout Map	144
12. 2026.06.22 Kent Larter - Wordpress Comment	145
13. 2026.06.22 RMNS - NS Letter Public Notice - resort	154
14. 2026.06.22 RMNS - Public Meeting Unapproved Minutes	157
15. 2026.06.23 RMNS - Public Feedback Report	159
16. 2026.06.25 333985 - Wordpress Comment	162
17. 2026.06.25 RMNS - Planning Board Agenda and Draft Minutes	163
18. 2026.06.29 RMNS - Plan Amendment OPA-2026-05	169
19. 2026.06.29 RMNS - Special Council Meeting Agenda, Minutes, and Resolutions	177
20. 2026.06.30 RMNS - Bylaw 2021-E	189
21. 2026.06.30 RMNS - Council Meeting Draft Minutes and Resolutions	201
22. 2026.06.30 RMNS - Council Meeting Draft Minutes and Resolutions(2)	211
23. 2026.06.XX RMNS - Notification Map	221
24. 2026.07.16 RMNS - Official Plan - As Amended	222
25. 2026.07.16 RMNS - Land Use Bylaw - As Amended	264
26. 2026.07.16 RMNS - NS FLUM	344
27. 2026.07.16 RMNS - NS Zoning Map	345
28. 2026.07.16 RMNS - NS Amendments	346
29. 2026.07.24 Post Master - Verification Letter	348
30. Undated RMNS - Draft NS newspaper Public Notice resort	349
31. Undated RMNS - Public Meeting Announcement (Full Text)	351
32. Undated RMNS - Public Meeting Announcement and Property Searches	353
33. Undated RMNS - Zoning Map	377

Rural Municipality of North Shore 2021 Official Plan



Original date of approval by Minister	
Amendments:	
Amendment Number	Effective Date

TABLE OF CONTENTS

1.	INTRODUCTION.....	1
1.1	Title and interpretation	1
1.2	PURPOSE	1
1.3	PLANNING AREA	1
1.4	LEGAL ENABLEMENT	2
1.5	OFFICIAL PLAN REVIEW AND MONITORING.....	2
2.	EXISTING CONDITIONS AND CONTEXT	3
2.1	CONTEXT	3
2.2	ENVIRONMENT.....	4
2.3	DEMOGRAPHICS.....	5
3.	MUNICIPAL AND COMMUNITY SERVICES	7
3.1	GOVERNANCE AND ADMINISTRATION.....	7
3.2	PLANNING AND DEVELOPMENT CONTROL	7
3.3	INSTITUTIONAL AND SOCIAL SERVICES	7
3.4	RECREATION SERVICES	8
3.5	FIRE AND POLICE PROTECTION SERVICES.....	8
3.6	WATER AND SEWER SERVICES	8
3.7	TRANSPORTATION NETWORK	9
4.	LAND USE AND DEVELOPMENT TRENDS	10
4.1	LAND USE DISTRIBUTION	10
4.2	DEVELOPMENT TRENDS	11
5.	MUNICIPAL GOAL	14
6.	FUTURE LAND USE MAP OBJECTIVES, POLICIES AND PLAN ACTIONS.....	14
6.1	THE FUTURE LAND USE MAP	14
6.2	FUTURE LAND USE MAP OBJECTIVES	14
6.2.1	Land Use Designation and Zoning.....	14
7.	ECONOMIC OBJECTIVES, POLICIES AND PLAN ACTIONS.....	16
7.1	ECONOMIC OBJECTIVES	16
7.2	POLICIES TO SUPPORT THE ECONOMIC OBJECTIVES.....	16
7.2.1	Agricultural Designation Policy	16
7.2.2	Sustainable Agriculture Policy.....	16
7.2.3	Intensive Livestock Operations Policy.....	16

7.2.4	Resource-Based Commercial and Industrial Uses Policy	17
7.2.5	Non-Resource Commercial and Industrial Development Policy	17
7.2.6	Tourism Establishment Policy	17
8.	PHYSICAL OBJECTIVES, POLICIES AND PLAN ACTIONS.....	19
8.1	PHYSICAL OBJECTIVES	19
8.2	POLICIES TO SUPPORT THE PHYSICAL OBJECTIVES.....	19
8.2.1	Conflicting Land Use Policy	19
8.2.2	Minimum Lot Size Policy	19
8.2.3	Minimum Roads Standards Policy.....	20
8.2.4	Alternative Forms of Transportation Policy	20
8.2.5	Off-Street Parking Policy	21
8.2.6	Sewage Disposal Systems Policy	21
8.2.7	Water Supply Policy	21
8.2.8	Water and Wastewater Education and Monitoring Policy	22
8.2.9	Excavation Pit Policy	22
8.2.10	Renewable Energy Policy.....	22
9.	Social objectives, policies and plan actions	23
9.1	SOCIAL OBJECTIVES	23
9.2	POLICIES TO SUPPORT THE SOCIAL OBJECTIVES	23
9.2.1	Residential Land Use Policy.....	23
9.2.2	Residential Development Standards Policy.....	23
9.2.3	Residential Density Policy	24
9.2.4	Home Occupations Policy	24
9.2.5	Secondary Suites Policy.....	24
9.2.6	Institutional and Public Recreational Land Use Policy	25
9.2.7	Volunteerism Policy	25
9.2.8	Open Space and Recreation Policy.....	25
10.	Environmental objectives, policies and plan actions	26
10.1	ENVIRONMENTAL OBJECTIVES.....	26
10.2	POLICIES TO SUPPORT THE ENVIRONMENTAL OBJECTIVES	26
10.2.1	Environmentally Sensitive Areas Policy	26
10.2.2	Partnerships Policy	27
10.2.3	Ground and Surface Water Protection Policy.....	27

10.2.4	Environmental Buffer Policy	27
10.2.5	Waterfront Development Policy	28
11.	Administration and implementation	29
11.1	ADMINISTRATION AND IMPLEMENTATION OBJECTIVES	29
11.2	ADMINISTRATION POLICIES.....	29
11.2.1	Good Governance Policy.....	29
11.2.2	Conformity with Provincial / Federal Laws and Regulations	29
11.2.3	<i>Land Use Bylaw</i> Administration Policy.....	30
11.2.4	Municipal Services Policy.....	30
11.2.5	Supporting Local Organizations Policy.....	31
11.2.6	Budget Policy	31
11.2.7	Capital Cost Sharing Policy.....	32
APPENDIX A. FUTURE LAND USE MAP		33

1. INTRODUCTION

1.1 TITLE AND INTERPRETATION

This document shall be known and may be cited as the *Rural Municipality of North Shore Official Plan (2021)*, or the *Official Plan*.

Any reference in the *Official Plan* to the Municipality or Council, refers to the Rural Municipality of North Shore and the Council for the Rural Municipality of North Shore, respectively, unless otherwise specified.

1.2 PURPOSE

The *Official Plan* is a formalized statement of the Municipality's Goals, Objectives, Policies and Plan Actions approved by Council, concerning the nature, extent, and pattern of future land use and development within the Municipality until the year 2036, a time horizon that is extended out by five years with each review.

The Municipality's Goals are presented as a broad vision statement that looks to the future and provides a framework and general direction for the subsequent, more detailed statements which follow.

The Objectives address performance targets and indicate the overall policy direction of the Municipality. The *Official Plan* includes future land use, social, economic, physical, environmental, and administrative Objectives.

The Policies indicate the approach the Municipality will take in pursuing these Objectives with regards to specific topics.

Finally, Plan Actions are the concrete measures, actions and/or initiatives that will be undertaken to implement the Policies.

The *Official Plan* will assist Council in establishing priorities and in making decisions relating to: changes in land use, development standards, social programming, municipal services, environmental stewardship, and fiscal management. The *Official Plan* will also provide the policy framework for the *Rural Municipality of North Shore Land Use Bylaw (2021)*.

1.3 PLANNING AREA

The *Official Plan* applies to the geographic area contained within the legal municipal boundaries of the Rural Municipality of North Shore.

The *Official Plan* has been developed in consideration of the existing land uses, development trends, demographics, and the environment both within and beyond the municipality, as well as issues affecting the region and the province.

1.4 LEGAL ENABLEMENT

The Rural Municipality of North Shore derives its powers primarily from the Prince Edward Island *Planning Act*, R.S.P.E.I. 1988, c. P-8, and the *Municipal Government Act*, R.S.P.E.I. 1988, Cap. M-12.1.

The *Municipal Government Act* empowers the Municipality to make bylaws and/or develop programs or strategies which help, in part, to implement the *Official Plan*.

The *Planning Act* empowers Council to appoint a Planning Board, adopt an *Official Plan*, and subsequently adopt bylaws to implement the *Official Plan*. Section 12 of the *Planning Act*, states the following:

An official plan shall include

- a. a statement of economic, physical, social and environmental objectives;*
- b. a statement of policies for future land use, management and development, expressed with reference to a specified period not exceeding fifteen years;*
- c. proposals for its implementation, administration and the periodic review of the extent to which the objectives are achieved.*

1.5 OFFICIAL PLAN REVIEW AND MONITORING

The *Official Plan* is intended to be a dynamic planning tool, which will be subject to ongoing review to compare the extent to which the objectives have been achieved. Furthermore, the *Official Plan* should be monitored on an ongoing basis to ensure compatibility with changing circumstances.

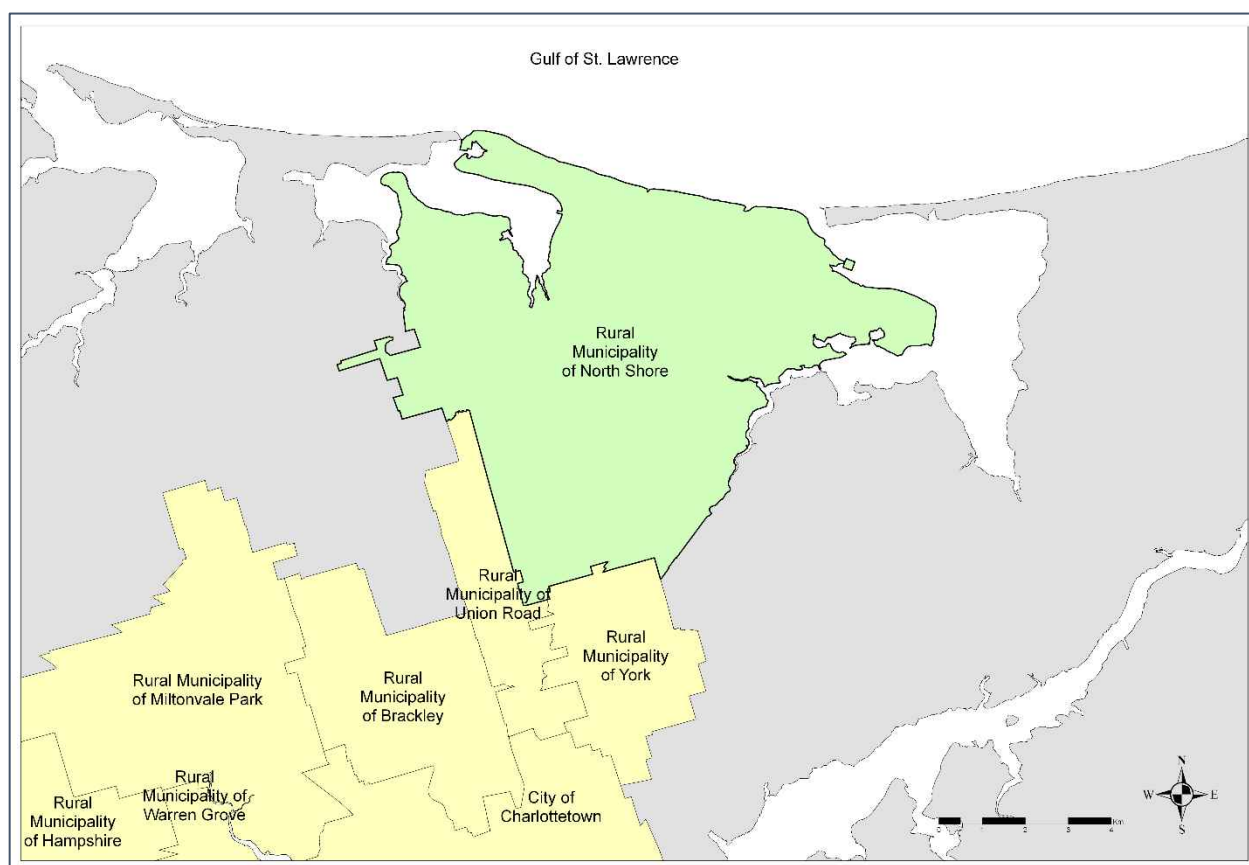
A comprehensive review of the *Plan* is required every five (5) years, with the next review scheduled for 2026.

2. EXISTING CONDITIONS AND CONTEXT

2.1 CONTEXT

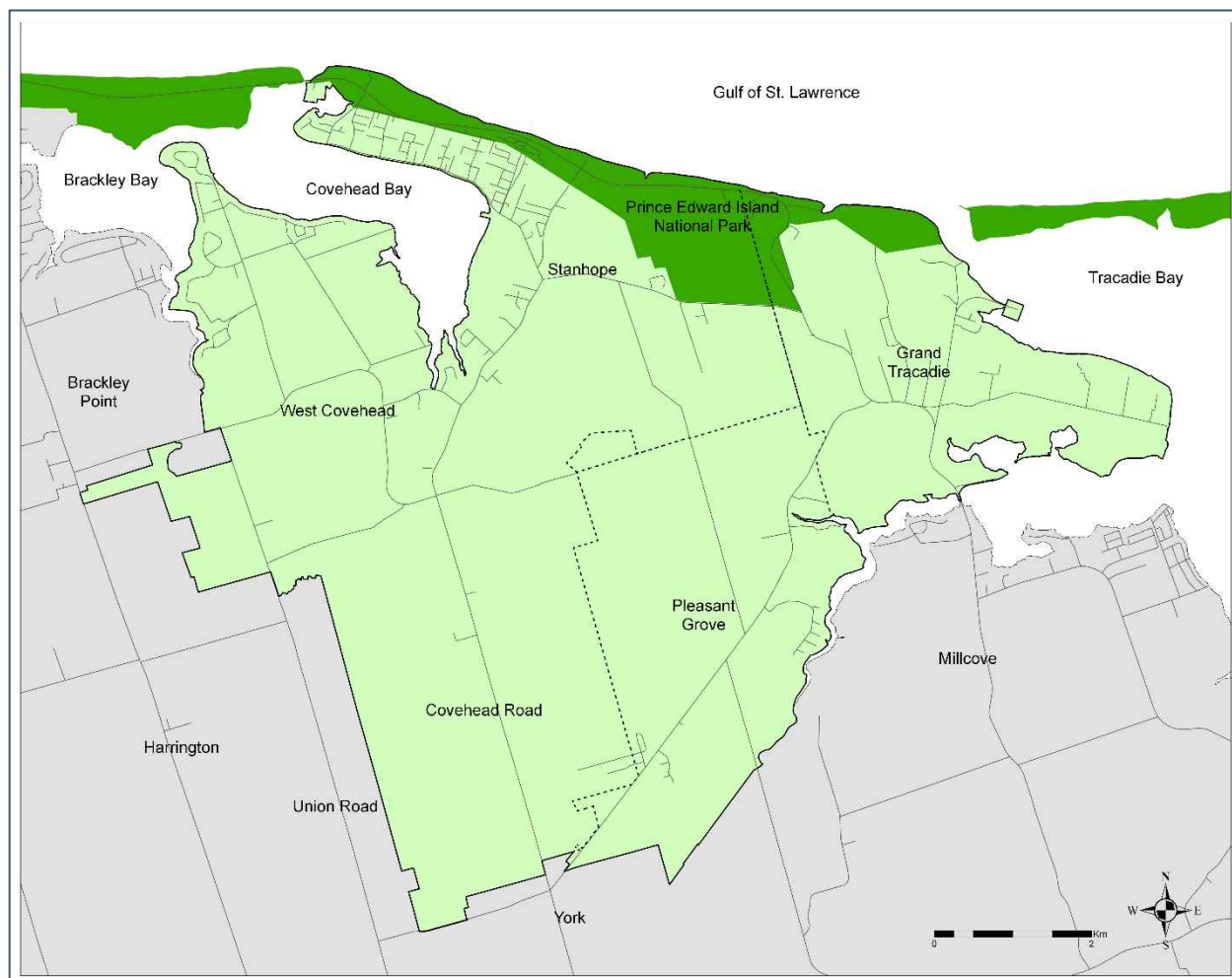
The Rural Municipality of North Shore is located in Queens County, Prince Edward Island. The Municipality is adjacent to the Rural Municipalities of York and Union Road, and is approximately 12 km north of the City of Charlottetown (See: Figure 1). The Municipality identifies with its productive land and sea resources, and has a growing, diverse population. While some neighbourhoods within the Municipality have developed primarily as a bedroom community for residents who commute to Charlottetown or other regions for work, other areas may be better characterized as retirement, recreational or seasonal communities, as they contain a mix of year-round and seasonal residents seeking close proximity to the beauty and opportunities presented by the coast on the Gulf of St. Lawrence.

Figure 1. Rural Municipality of North Shore and surrounding context.



The Municipality was incorporated on September 28, 2018, upon the approval of the amalgamation of three existing municipalities: the Rural Municipality of North Shore, the Rural Municipality of Grand Tracadie, and the Rural Municipality of Pleasant Grove. The restructured municipality now encompasses the communities of West Covehead, Covehead Road, Stanhope, Grand Tracadie and Pleasant Grove. The Municipality also includes a relatively long section of the Prince Edward Island National Park. (See Figure 2).

Figure 2 Rural Municipality of North Shore communities and adjacent waterways



2.2 ENVIRONMENT

The Municipality covers approximately 72 km² of land area. It is the seventh largest municipality in land area in PEI, and the largest in Queens County.

The Municipality has an extensive shoreline. The exposed coast, which is characterized by sand dunes and salt marshes, is entirely contained within the National Park boundary. Many private properties however benefit from waterfront access within the estuaries of Brackley, Covehead and Tracadie Bays. Additionally, the viewscape enhanced by the Bays are enjoyed by all residents and visitors and contribute to the enjoyment and quality of life for all.

There are four watersheds that fall within the boundaries of the Municipality, including the Dalvay Lake, Black River, Bells Creek and Winter River watersheds. Watershed associations active in the region include the Friends of Covehead-Brackley Bay Watershed and the Winter River-Tracadie Bay Watershed Association. Friends of Covehead-Brackley Bays has operated since 2000. A report recently published, Covehead Bay Review, identifies the range of users of the local waterways and their impacts. This report highlights the importance of a multi-user approach in current and future planning for Covehead-Brackley Bays and the need to focus on a collaborative, ecological, and shared-use approach for the sustainability of the bays. The watershed review is

an attempt to create a more socially cohesive and collaborative approach for the future sustainable planning of the resource, Covehead Bay, seen by many as a 'jewel of the community'. Recommendations in the report indicated ways in which the Municipality can contribute to sustainable watershed management through responsible land use planning, the protection of environmental buffer zones, and consideration of the risks associated with coastal flooding and erosion due to climate change.

2.3 DEMOGRAPHICS

The Municipality has a population of approximately 2,000 residents and experienced a relatively high population growth of 9.8% between 2011 and 2016.

The population density of the Municipality is approximately 29 persons/km² which is higher than the provincial average, but significantly lower than that of the cities and towns in PEI. The density is comparable to that of the adjacent municipalities, York and Union Road, at 32.9 and 20.5 persons/km² respectively; however, these neighbouring municipalities are both much smaller in land area and population. Within the Municipality, the population density is highly variable, with areas such as the Stanhope Peninsula as high as 92 persons/km².

Table 1. Comparison of 12 rural municipalities (RM), the City of Charlottetown and the PE provincial census data (2016).

Region	2016	2011	Growth	Area	Density (2016) /km ²
Prince Edward Island (Province)	142,907	140,204	1.9%	5,686	25.1
Charlottetown (City)	36,094	34,562	4.4%	44.34	814.1
Belfast (RM)	1670	1637	2.0%	229.60	7.27
Eastern Kings (RM)	709	702	1.0%	141.00	5.03
Central Prince (RM)	1112	1162	-4.3%	133.20	8.35
Lot 11 and Area (RM)	613	635	-3.5%	101.40	6.05
Malpeque Bay (RM)	1030	1029	0.1%	96.70	10.65
Central Kings (RM)	339	329	3.0%	73.70	4.60
North Shore (RM)*	2080	1901	9.4%	71.40	29.13
Kingston (RM)	1096	794	38.0%	48.00	22.83
Afton (RM)	1291	1222	5.6%	39.80	32.44
Miltonvale Park (RM)	1148	1153	-0.4%	35.45	32.38
York (RM)	408	284	43.7%	12.4	32.9
Union Road (RM)	204	235	-13.2%	9.97	20.5

* Precise population figures are not currently available for the North Shore because 2016 Census boundaries were not aligned with the new municipal boundaries. As such, demographics information has been interpolated from the data available from the census Dissemination Blocks (DBUID) in the area.

The total number of dwellings in the Municipality is approximately 1600. The average dwelling density is 15.3 dwellings/km² with 1.8 persons/dwelling. Dwelling density is also highly variable within the Municipality. In the Stanhope Peninsula, the dwelling count increases to 156 dwellings/km² while the population per dwelling drops to only 0.56 persons. The decrease in persons per dwelling count in this area is likely attributed to the high number of seasonal dwellings; seasonal residents and tourists are not included in the population count.

3. MUNICIPAL AND COMMUNITY SERVICES

3.1 GOVERNANCE AND ADMINISTRATION

The Municipality has six Councillors and a Mayor. Councillors were elected in 2018 based on a newly structured ward system to ensure equal representation from across the Municipality following amalgamation.

The committees of Council include the Finance/Infrastructure and Administration Committee; Planning Board; Recreation and Community Engagement Committee; Environmental and Community Sustainability Committee; Water and Environment Committee; and EMO – Emergency Measures Organization.

The Municipality's chief administrative officer is responsible for the day-to-day management of the municipal office. The Municipality also has a part-time recreation and events coordinator, a bylaw enforcement officer and a custodian, and has engaged a development officer. Summer students are hired to assist with seasonal events and activities when funding is available.

3.2 PLANNING AND DEVELOPMENT CONTROL

The *North Shore Official Plan* and *Bylaw* were last updated in January 2014. The Municipality provides planning and development control services for that portion of the Municipality that encompassed the original Rural Municipality of North Shore at that time. A development officer with the Municipality assists with the administration of the *Bylaw*.

Prior to amalgamation, the Rural Municipalities of Grand Tracadie and Pleasant Grove did not offer planning services and as such development control fell under provincial jurisdiction in accordance with the provincial *Subdivision and Development Regulations*. Following the current review and adoption of the present *Official Plan*, land use planning services will cover the full extent of the municipal boundary and development control responsibilities will be taken over fully by the Municipality.

3.3 INSTITUTIONAL AND SOCIAL SERVICES

The Municipality owns and operates three community centres: the North Shore Community Centre; Stanhope Place; and the Grand Tracadie School Centre. All three facilities are available to rent for private events.

The North Shore Community Centre contains the municipal offices, a board room, gym and auditorium. Most municipal committee meetings, special events, and activities are offered at this location. Council meetings alternate monthly between the Community Centre and the Grand Tracadie School Center.

The Grand Tracadie School Center is located in the former Grand Tracadie Elementary School. The School Center offers evening classes and social activities. Stanhope Place contains the main office of the Friends of Covehead-Brackley Bays watershed association and provides space for meetings of the Stanhope Historical Society, and other social events and activities.

There are four churches within the Municipality: St. James United Church (Covehead), St Eugene's Church (Covehead), St. Michael's Catholic Parish Church (Grand Tracadie) and Stanhope United Church (Stanhope).

The Municipality is served by the recently restructured Charlottetown Family of Schools and the Province provides bus services to transport children to schools within the City of Charlottetown.

3.4 RECREATION SERVICES

The Municipality owns and maintains a ball field and outdoor rink at Community Park in Grand Tracadie and a playground, ball fields, and soccer field at the North Shore Community Centre; the Municipality also maintains a second privately-owned soccer field adjacent to the Centre. There are also a few small undeveloped park areas, owned by local homeowner's associations, located within and around newer residential subdivisions.

Although the Prince Edward Island National Park is managed and maintained by Parks Canada, the Park plays an important role in the Municipality as a major recreational destination for residents and visitors. Another major recreational facility is the privately owned and operated Stanhope Golf and Country Club. Residential properties have developed within walking distance of the golf course and the clubhouse serves as a local gathering place.

The Municipality also has a popular promenade for walking, running and biking. The promenade, which was developed with federal funds and is maintained jointly by the Municipality and Province, commences at the golf course and runs parallel to Route 25, where it connects to the Gulf Shore Parkway within the National Park.

3.5 FIRE AND POLICE PROTECTION SERVICES

The Municipality falls within the North Shore Fire District and receives fire protection services from the North Shore Fire Department. The Fire Hall is located at 2030 Covehead Rd. The building was renovated in 2004 and now accommodates storage for five trucks, an underground water tank, a meeting area and an exercise room. The Fire Department has approximately 25 volunteer members.

Police protection within the Municipality is provided by the Royal Canadian Mounted Police (RCMP) through a contract between the Province and the Government of Canada.

3.6 WATER AND SEWER SERVICES

There are no municipally owned water or wastewater systems within the Municipality, and almost all properties are serviced by on-site systems. The National Park operates a central water system and two central sewerage systems, and a few residential subdivisions have privately owned systems operated by their homeowner associations.

A Long-Term Water and Wastewater Servicing Study was completed in 2009, which recommended that the Municipality consider a future well field and/or a future sewerage treatment facility for the Stanhope peninsula area where residential development is dense and properties are small and do not meet current standards for on-site servicing. In response to the recommendations of the report, the Municipality has adopted a number of educational, monitoring and regulatory actions intended to extend the life span of on-site water and wastewater systems

on the peninsula. More recently, Council has been engaged in discussions with Parks Canada with regards to a long-term plan for a sustainable water supply.

There is one water well restricted area located in West Covehead along Route 25 adjacent to Bells Creek. Water well restricted areas are identified under the *Environmental Protection Act* Water Well Regulations and where they exist, a well permit is required in addition to the general requirements for drilling wells.

3.7 TRANSPORTATION NETWORK

The Municipality does not own or have direct responsibility for any of the public or private roads; however, through the provision of land use planning the Municipality does have an important role in transportation planning. Council currently works with the provincial department responsible for transportation and infrastructure to ensure the existing public transportation network is safe and well maintained. However, most residential subdivisions within the Municipality are currently serviced by private roads, over which the Province and the Municipality have no authority. Provincial services such as snow clearing, garbage collection and school buses are not offered to properties serviced by private roads. As such, the development of new private roads is no longer permitted within the Municipality.

4. LAND USE AND DEVELOPMENT TRENDS

4.1 LAND USE DISTRIBUTION

The provincial corporate land use database, which is based on a 2010 land use analysis, indicates that of the 72 km² of land area within the Municipality, a combined 75% of the land is classified as either forest cover (44.3%) or agriculture (31.3%). A relatively high percentage of land area is also classified as wetlands (7.8%), most of which is located within the National Park. Residential and/or urban land uses account for another 7.8%. The final 7.8% accounts for all other uses combined, including transportation (roadways), commercial, industrial, institutional, recreation, and unclassified land uses. (See Figure 3)

According to the provincial property tax records, there are 2050 unique properties within the Municipality. More than one-third (727) of these properties, which cover approximately 42 km² of land area (or 60% of the total land area) have not yet been assigned a civic address and as such are assumed to be undeveloped. Unfortunately, despite the large stock of existing undeveloped lots, almost half (approximately 350) of these undeveloped lots are too small to meet the current provincial minimum lot size standards for the installation of on-site water and waste-water treatment systems.

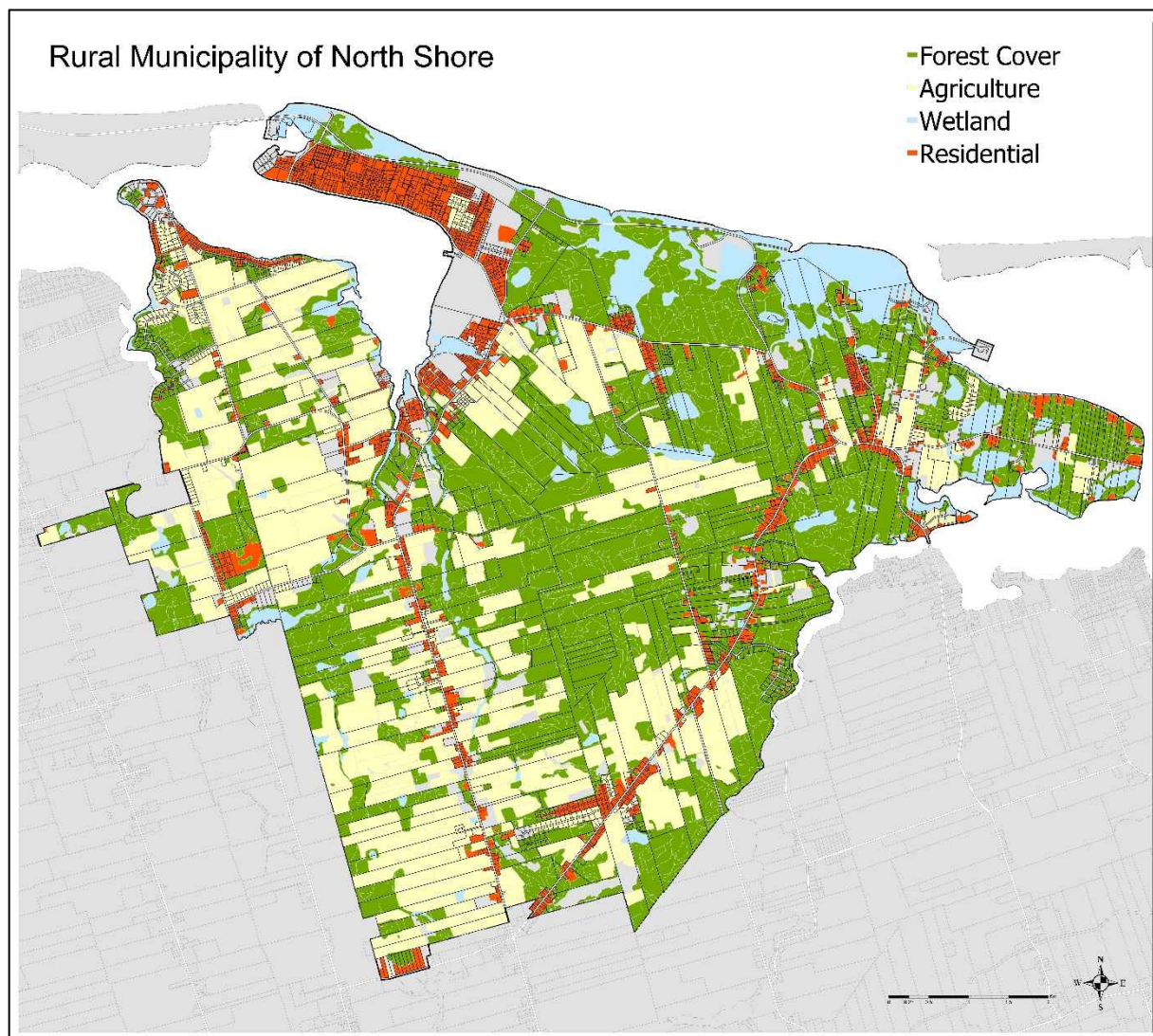
Of the 1313 properties with civic addresses (developed properties), 1166 properties (89%) have a residential tax assessment associated with them. Residential development throughout the Municipality is characterized by low-density single detached dwellings, dispersed along the primary transportation routes, where lots were subdivided off of the front of agricultural properties.

In areas closer to the coastline, residential properties were subdivided with small lots that front on private roadways. The dwellings in these areas range from small seasonal cottages or cottage rentals to large year-round single detached dwellings. As with the undeveloped lots, almost 2/3 (747) of the existing developed lots in the Municipality are smaller than the current provincial lot size standards for on-site service provisions, despite the majority of these properties currently using on-site services.

Twenty-seven (27) properties in the Municipality, accounting for 6.5 km² (or 9% of the total land area), are owned by the Government of Canada, which includes the National Park properties and two small-craft harbours in Stanhope and Grand Tracadie. Further, based on the mailing addresses of the property owners, 25% (315) of the properties are owned by Canadians who are non-PE residents, and an additional 100 properties are owned by someone from a country other than Canada.

While 213 properties in the Municipality are owned by registered businesses, there are very few commercial or industrial enterprises that are not directly related to the agriculture or fisheries sectors. Most of the other businesses are commercial tourist accommodations or other seasonal operations, including the golf course in Stanhope and the campground in Grand Tracadie.

Figure 3 Rural Municipality of North Shore Existing Land Use Map (PE Government Corporate Land Use Inventory, 2010)



4.2 DEVELOPMENT TRENDS

The development permit records for the three municipalities prior to amalgamation are available from the provincial government, as well as for Grand Tracadie and Pleasant Grove areas since amalgamation, as these areas are still under provincial planning authority.

There has been little to no commercial, industrial, institutional or agricultural development in the Municipality over the past 5 years. However, some permits (in the 'other' category) were issued for renovations or additions to existing non-residential properties.

Generally, residential development trends indicate that residential growth has been consistent over this time period, and that 2019 saw a significant surge in development, with permits issued for 31 single detached dwellings and 8 seasonal dwellings. Seasonal dwellings are distinguished from single detached dwellings in permit records when the property does not front on a public road; however, many seasonal dwellings are found to be occupied year-round. There have been no permits issued for new multi-unit dwellings during this time period.

While growth and development are good indicators of the strengths of the Municipality and the desirability of the region to residents, it is further noted that there continues to be a relatively high number of lots being subdivided for the number of dwellings being constructed. As the Municipality has a surplus of vacant approved lots, the new subdivisions indicate that development is continuing to push into the agricultural area and that the older undersized lots may not be as desirable as a newly subdivided lot that meets regulations for services.

Table 2 Development permit records and number of lots subdivided in North Shore (NS), Pleasant Grove (PG) and Grand Tracadie (GT) since 2015 (*2020 records are as of August 2020). Note records appear to be missing for NS in 2015. Other includes additions, decks and accessory buildings on existing properties

	Single Detached	Seasonal Residential	Multi-Unit Residential	Commercial/ Industrial/ Institutional/ Agriculture	Other	Subdivision (new lots)
2015						
NS		1				
PG	4	1				13
GT	4	1				17
2016						
NS	11	10		1	18	6
PG	3				2	1
GT	1	1			2	1
2017						
NS	15	13			25	1
PG	5	1			3	4
GT		1		1		41
2018						
NS	7	11			15	7
PG	7	1			3	2
GT		2			1	3
2019						
NS	21	8		1	16	7

PG	9				5	12
GT	7	1			1	11
2020*						
NS	14	6		3	22	4
PG	12				2	21
GT	7	7		1		1

5. MUNICIPAL GOAL

The residents in the Rural Municipality of North Shore have a strong attachment to traditional rural, agricultural lifestyles. The Municipality includes the communities of West Covehead, Covehead Road, Stanhope, Grand Tracadie and Pleasant Grove. While each community is unique in its history, development trends and demographics, the Municipal Goal represents the collective values of residents from across the Municipality.

The goal of the Rural Municipality of North Shore is to continue to be a rural municipality, with a core economic base in agriculture, fisheries and tourism; where residential development, and social and recreational services support diverse, inclusive and life-long communities; where ecological stewardship of the land and waterways is highly valued and the natural beauty is respected; and where innovation and resource-related economic development is supported.

6. FUTURE LAND USE MAP OBJECTIVES, POLICIES AND PLAN ACTIONS

6.1 THE FUTURE LAND USE MAP

The Future Land Use Map (Appendix A) captures the long-term vision for growth within the Municipality and will serve as a guide for the spatial arrangement of land uses within the Municipality. It is distinct from the Existing Land Use Map and the Zoning Map because it is a conceptual representation of the direction envisioned for land use patterns that will emerge in the future as land uses within the Municipality change. The Zoning Map and any decisions relating to changes in the Zoning Map must conform to the Future Land Use Map.

6.2 FUTURE LAND USE MAP OBJECTIVES

In developing the *Future Land Use Map*, Council has applied the following Objectives:

- i. Preserve the traditional rural agricultural character across the Municipality as the predominant land use.
- ii. Support organized and sustainable residential development, while protecting productive agricultural land and natural assets and minimizing further strip development.
- iii. Support new resource-related commercial and industrial development, as well as services related to the tourism sector in appropriate areas.
- iv. Protect environmentally sensitive areas.
- v. Identify coastal areas at risk of coastal erosion and/or flooding due to storm surge and projected sea level rise, and prevent further development within these areas.
- vi. Protect long term access to properties fronting on private roads and across public rights-of-way by identifying transportation corridors as a distinct land use.
- vii. Support all other relevant policies and principles included in this Plan.

6.2.1 Land Use Designation and Zoning

Council will designate and zone land in accordance with the goals, objectives, and policies of this Official Plan.

Plan Action

a.	All land within the Municipality will be designated with a land use zone and the zone designations will be identified on the Zoning Map.
b.	The <i>Land Use Bylaw</i> will establish permitted uses and minimum development standards for each zone.

7. ECONOMIC OBJECTIVES, POLICIES AND PLAN ACTIONS

7.1 ECONOMIC OBJECTIVES

The Economic Objectives of the Municipality are as follows:

- i. Protect the agricultural and fishing economies and minimize future subdivision of and development on productive agricultural land.
- ii. Support sustainable agricultural land use practices.
- iii. Support existing non-resource commercial and industrial land uses.
- iv. Support innovative economic development and local commercial services for residents suitable for a rural municipality.
- v. Support existing tourism establishments and new development related to the tourism sector in appropriate areas.

7.2 POLICIES TO SUPPORT THE ECONOMIC OBJECTIVES

7.2.1 Agricultural Designation Policy

Agricultural and other resource-related land uses will be protected from the intrusion of conflicting land uses; and the conversion of primary resource lands into non-resource uses will be discouraged.

Plan Actions:

a.	All land currently in agricultural and/or resource commercial or industrial use, will be zoned as Agricultural (A) on the Zoning Map.
b.	The number of lots permitted to be subdivided within the Agricultural Zone will be limited to protect productive land and minimize strip development.
c.	Forestry will be a permitted use in the Agricultural Zone.

7.2.2 Sustainable Agriculture Policy

Sustainable agricultural practices that protect and enhance the local watershed, soil, ground and surface water resources will be promoted and supported.

Plan Actions:

a.	Council will work with local property owners, farmers, neighbouring municipalities, organizations and other levels of government to promote sustainable agricultural practices.
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7.2.3 Intensive Livestock Operations Policy

Existing intensive livestock operations will be protected from encroachment of conflicting land uses.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “intensive livestock operations” in accordance with provincial legislation.
b.	A separation distance will be established between residential development and intensive livestock operations.

7.2.4 Resource-Based Commercial and Industrial Uses Policy

Resource-based commercial and industrial land uses which provide necessary support for the agricultural and fishing sectors may continue to operate.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “resource commercial use” and “resource industrial use” as land uses.
b.	Resource commercial and industrial land uses will be permitted in the Agricultural Zone subject to development regulations established to mitigate potential land use conflicts.

7.2.5 Non-Resource Commercial and Industrial Development Policy

Existing non-resource commercial and industrial operations and new innovative economic development suitable for a rural area may continue to operate.

Plan Actions:

a.	Growth of existing non-resource commercial and industrial operations will be supported, provided that potential land use conflicts can be mitigated and that the proposed development does not involve the loss of productive resource land.
b.	All land currently in a non-resource commercial or industrial use will be zoned as General Commercial (C) or Light Industrial (M1) respectively on the Zoning Map.
c.	New innovative economic development opportunities and other small-scale commercial services that provide direct services to local residents will be supported where productive agricultural land will not be impacted and potential land use conflicts can be mitigated.

7.2.6 Tourism Establishment Policy

Existing licensed tourism establishments (accommodations) may continue to operate and Council will pursue further research on the future development of tourism establishments in the municipality.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “tourism establishment” in accordance with provincial legislation.
b.	All tourism establishments must be licensed under the applicable provincial legislation.
c.	The Land Use Bylaw will establish a registry of provincially-licensed tourism establishments and will require operators to register with the municipality.
d.	Existing tourism establishments, previously zoned Resort Commercial Zone, will be zoned as Tourism Establishment (TE) on the Zoning Map.
e.	Council will undertake a study on the impacts and opportunities associated with tourism establishments in the municipality, with the intent to adopt land use and development regulations and/or a Municipal Tourism Establishments Bylaw in accordance with the results and recommendations of the study.

8. PHYSICAL OBJECTIVES, POLICIES AND PLAN ACTIONS

8.1 PHYSICAL OBJECTIVES

The Physical Objectives of the Municipality are as follows:

- i. Minimize land use conflicts.
- ii. Support improvements to the existing transportation system and establish development standards for new transportation infrastructure associated with subdivisions and development.
- iii. Support the long-term effectiveness of on-site water and wastewater systems which are privately owned and maintained by property owners.
- iv. Support residents' efforts to ensure a secure and safe supply of potable water.
- v. Facilitate development of pathways, parks, and additional recreation infrastructure.
- vi. Limit the development of excavation pits in areas where potential land use conflicts cannot be mitigated.
- vii. Support the development of renewable energy generation.

8.2 POLICIES TO SUPPORT THE PHYSICAL OBJECTIVES

8.2.1 Conflicting Land Use Policy

Adequate buffers and/or separation distances between conflicting land uses will be established to minimize negative effects of one land use on another.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish a range of compatible land uses that will be permitted within each zone.
b.	The <i>Land Use Bylaw</i> will establish buffer, landscape edges and/or separation distance requirements on the boundaries between different zones and/or between incompatible land uses.
c.	The <i>Land Use Bylaw</i> will establish buffer, landscape edges and/or separation distance requirements between non-resource commercial and industrial land uses, and land uses intended for public access, recreation, and open space.

8.2.2 Minimum Lot Size Policy

A minimum lot size for new development will be established based on the proposed land use and servicing capabilities of the property.

Plan Action:

a.	The <i>Land Use Bylaw</i> will establish a minimum lot size for new development based on the proposed land use and servicing capabilities of the property, and in no event shall the minimum lot size be less than as prescribed in the <i>Province-Wide Minimum Development Standards Regulations</i> of the <i>Planning Act</i> .
b.	The <i>Land Use Bylaw</i> will establish land use regulations and minimum development standards for existing undersized lots.

8.2.3 Minimum Roads Standards Policy

All new roads constructed shall meet minimum development standards as established by the Province, at the developer's expense, and shall be deeded to the Province.

Plan Actions:

a.	All new roads constructed shall meet minimum development standards as established by the Province, and the road will be deeded to the Province as a public right-of-way prior to the approval of any development applications for properties with access to the new road. No new private or seasonal roads will be permitted.
b.	The <i>Land Use Bylaw</i> will establish a Right of Way (ROW) Zone that will apply to public or privately owned lots, on which the primary land use is access and/or a road, and no development or land uses will be permitted in the ROW Zone that could impede future access across these lots.

8.2.4 Alternative Forms of Transportation Policy

The development and maintenance of parks and pathways will be facilitated by Council to enable safe and efficient access through the Municipality by means of alternative forms of transportation (i.e. non-motorized).

Plan Actions:

a.	Subdivisions that involve the construction of a new road will include adequate space to accommodate alternative forms of transportation.
b.	When applicable, land that is to be deeded to the Municipality will be provided in the form of a pathway or public right-of-way which connects to other existing or proposed pathways.
c.	Active transportation within the Municipality will be supported with connectivity to the National Park's existing system.
d.	The Municipality will support efforts by the Province and advocate for improving conditions for safe active transportation access on provincially owned and maintained transportation routes.

8.2.5 Off-Street Parking Policy

Sufficient off-street parking will be provided on a property to accommodate the proposed land use of a development.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish a minimum number of off-street parking spaces required for a development based on the proposed land use.
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8.2.6 Sewage Disposal Systems Policy

Properties will operate on privately owned on-site sewage disposal systems.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will require as part of the subdivision and/or development application process that applicants meet all requirements of the <i>Environmental Protection Act</i> and the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations for any proposed on-site sewage disposal system or a communal-type sewage disposal system for a multiple-lot subdivision, if applicable.
b.	The <i>Land Use Bylaw</i> will establish land use and development standards for existing or proposed developments and parcels with an on-site sewage disposal system despite not meeting the minimum lot size requirements of the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations.

8.2.7 Water Supply Policy

Properties will operate on privately owned water supply systems.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will require as part of the subdivision and/or development application process that applicants meet all requirements of the <i>Environmental Protection Act</i> and the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations for any proposed water supply system.
b.	The <i>Land Use Bylaw</i> will establish land use and development standards for a existing or proposed developments with an on-site water supply despite not meeting the minimum lot size requirements of the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations, including for development in areas identified as high risk for well contamination.
c.	Council will continue to explore options for a long term, sustainable water supply for at-risk areas and will be proactive in securing the necessary resources if, and when, an opportunity to secure a future water supply is presented.
d.	Council will undertake a study on the impacts on the water quality and availability under a full build-out scenario for potential development on the Stanhope Peninsula based on current land use regulations. The study will seek

	recommendations for further development regulations and/or the need for water utility options under this scenario, if necessary, to ensure adequate water supply for all.
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8.2.8 Water and Wastewater Education and Monitoring Policy

Educational opportunities will be provided to residents on the interrelationship of private water supply systems, wastewater management systems, water quality, and the importance of regular maintenance and testing of private systems.

Plan Actions:

a.	The Municipality will make information available to residents on best management practices for on-site water and wastewater systems, sewerage system maintenance, and water quality testing.
b.	Council will develop a Bylaw to regulate the maintenance, testing and reporting of private water and wastewater systems in accordance with the applicable provincial legislation and best practice recommendations.

8.2.9 Excavation Pit Policy

New excavation pits will not be permitted in areas that may present land use conflicts.

Plan Actions:

a.	New excavation pits will not be permitted where productive agricultural land will be impacted or reduced by the change of use, or where potential land use conflicts cannot be mitigated.
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8.2.10 Renewable Energy Policy

The generation of renewable energy will be supported provided it does not pose a risk to the public and potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish application requirements, development standards and a process for review for wind turbines consistent with provincial legislation.
b.	The <i>Land Use Bylaw</i> will establish application requirements, development standards and a process for review for solar panels and solar fields.

9. Social objectives, policies and plan actions

9.1 SOCIAL OBJECTIVES

The Social Objectives of the Municipality are as follows.

- i. Protect the traditional rural character of the Municipality by maintaining low density residential development standards.
- ii. Support a variety of residential dwelling types to meet the changing needs of a diverse population.
- iii. Establish residential development standards to promote safety, efficiency, and land use compatibility, and to protect the character of existing neighbourhoods.
- iv. Facilitate and welcome diversity and inclusion.
- v. Facilitate and promote recreational and cultural opportunities and foster social interaction and healthy lifestyles for residents in all stages in life.
- vi. Foster volunteer participation in all aspects of recreation.
- vii. Support new institutional development and redevelopment of existing facilities as needed.
- viii. Consider the nature and extent of future recreation and public open space services and facilities required, and attempt to meet those need.
- ix. Provide safe and active play spaces and trails, and maintain, improve or extend the current facilities.
- x. Facilitate opportunities for residents to have access to natural areas and the shoreline.

9.2 POLICIES TO SUPPORT THE SOCIAL OBJECTIVES

9.2.1 Residential Land Use Policy

Sufficient land will be designated for residential use to accommodate the projected housing needs of the plan period.

Plan Actions:

a.	Existing residential subdivisions will be zoned as Residential (R) on the Zoning Map.
b.	Low density residential development will be permitted in the Agricultural Zone.

9.2.2 Residential Development Standards Policy

Residential subdivision and development standards will be established to enhance the health, safety and convenience of municipal residents.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will include standards for residential development relating to density, lot size, lot coverage, setbacks, building height, servicing, parking, secondary uses, buffers and other related matters.
b.	The <i>Land Use Bylaw</i> will establish criteria for parkland, open space and marine access, where applicable, for subdivision applications.
c.	Development standards for residential development will be consistent for seasonal and year-round residences.

9.2.3 Residential Density Policy

The existing low-density character of the Municipality will be maintained, while a variety of housing options will be supported to support diverse, inclusive and life-long communities.

Plan Actions:

a.	Low density residential areas will be protected by maintaining consistent development standards between existing and new development.
b.	The <i>Land Use Bylaw</i> will establish development standards for multi-unit residential dwellings to provide alternative forms of housing to support diverse, inclusive and life-long residents.
c.	The <i>Land Use Bylaw</i> will include mini homes and modular homes in the definition of single detached dwellings.

9.2.4 Home Occupations Policy

Home occupations may continue to operate on residential properties in accordance with applicable provincial legislation, where potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “home occupations”.
b.	The <i>Land Use Bylaw</i> will establish criteria and standards for the operation of a home occupation to minimize potential conflicts with adjacent properties.

9.2.5 Secondary Suites Policy

Secondary suites will be permitted on residential properties where potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish criteria and standards for the addition of a secondary suite in a single detached dwelling or in an accessory building to a single detached dwelling.
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b.	The <i>Land Use Bylaw</i> will establish development standards for secondary suites in a manner that does not permit the secondary suite to function independent of the main dwelling.
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9.2.6 Institutional and Public Recreational Land Use Policy

New institutional and public recreational development or the redevelopment of existing facilities will be supported where potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish development standards for institutional and public recreational land uses.
b.	Council will monitor the recreational and social services offered in the Municipality and will make provisions to support new development to ensure the cultural needs of diverse and inclusive communities are being met.
c.	Council will monitor the use of existing facilities and consider the need for new facilities or the redevelopment of existing facilities as necessary.

9.2.7 Volunteerism Policy

Council will promote volunteer involvement in all aspects of recreational and social programming.

Plan Actions:

a.	Council will work with sports and recreation groups to encourage and support volunteer participation through public information programs, volunteer appreciation and recognition initiatives, and training programs.
b.	The Municipality will encourage and support volunteer organizations in their efforts to develop recreational and other programs in the Municipality.

9.2.8 Open Space and Recreation Policy

Council will co-operate with adjoining communities on a cost-sharing basis for the provision of public open space, recreational facilities and programs for municipality residents.

Plan Actions:

a.	Council will work with volunteer organizations, recreation groups and the local businesses to maintain existing open space and recreation facilities.
b.	The <i>Land Use Bylaw</i> will establish regulations for the dedication of parkland or public space or a payment in lieu of parkland for all subdivision applications and will establish criteria for the selection of the land to be dedicated.
c.	Council will develop a Recreation and Open Space Strategy to create an inventory of existing parks, playgrounds, trails, and other open spaces; to maximize the use and connectivity of these existing spaces; and will propose future corridors for active transportation to connect these spaces.

10. Environmental objectives, policies and plan actions

10.1 ENVIRONMENTAL OBJECTIVES

The Environmental Objectives of the Municipality are as follows.

- i. Protect and enhance the existing natural areas; the ecological integrity; groundwater and surface water resources; and wildlife and natural habitat within the Municipality.
- ii. Collaborate with stakeholders who share common values on the protection and enhancement of the natural environment.
- iii. Integrate watershed management principles into land use planning.
- iv. Protect the natural environment from potential environmental impacts resulting from development and implement policies to control soil erosion during construction and from farming activities.
- v. Recognize the projected impacts of climate change, including coastal erosion and coastal flooding and establishment land use and development standards for areas at risk.
- vi. Encourage preservation, restoration and expansion of forest cover.

10.2 POLICIES TO SUPPORT THE ENVIRONMENTAL OBJECTIVES

10.2.1 Environmentally Sensitive Areas Policy

Council will identify environmentally sensitive areas and implement policies and development regulations for the protection and enhancement of these areas.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish an Environmental Conservation Zone and all environmentally sensitive areas, including coastlines, watercourses and wetlands, and their adjacent lands will be designated as such.
b.	Land use and development within the Environmental Conservation Zone will be limited to activities related to environmental restoration and only those activities which do not negatively impact the environmentally sensitive area will be permitted.
c.	The <i>Land Use Bylaw</i> will require erosion and siltation control measures to be put in place during construction adjacent to the Environmental Conservation Zone to ensure the protection of environmentally sensitive areas, except where, in the opinion of Council, no impact on the environmentally sensitive area is likely to result from the proposed development.

10.2.2 Partnerships Policy

Council will work with partners, stakeholders and property owners who share common values on the protection and enhancement of the natural environment and collaborate with them on initiatives to maintain and enhance local ecological integrity.

Plan Actions:

a.	Council will work with watershed groups and other stakeholders to address both general watershed integrity and water quality of Covehead Bay, Brackley Bay and Tracadie Bay, and their tributaries.
b.	Council will work with the Province to promote initiatives to protect natural vegetation adjacent to streams, wetlands and other watercourses; to enhance ecological integrity; and to protect and restore forest cover within the Municipality.
c.	Council will work with Parks Canada to support their initiatives to maintain and enhance the natural environment.
d.	Council will promote an environment of mutual respect between the many stakeholders who share the natural resources within the Municipality.

10.2.3 Ground and Surface Water Protection Policy

Council will protect the quality and quantity of groundwater and surface water resources.

Plan Actions:

a.	Land uses which pose a serious contamination risk to groundwater, such as chemical plants or storage depots for hazardous materials, will not be permitted within the Municipality.
b.	Council will work with the Province to ensure that surface water resources are protected from degradation, and to identify and establish buffer zones to protect streams, wetlands and watercourses.
c.	Council will monitor and assess the environmental impact of development for agricultural, commercial, and industrial purposes in close proximity to the boundary of a watercourse or wetland.

10.2.4 Environmental Buffer Policy

The land area adjacent to all watercourses and wetlands, otherwise known as the Environmental Buffer, shall be maintained to protect the watercourse or wetland from adjacent development, and only those activities which do not negatively impact the watercourse or wetland will be permitted in this area.

Plan Action:

a.	The land area within the Environmental Buffer will be designated as Environmental Conservation Zone.
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b.	The <i>Land Use Bylaw</i> will establish regulations governing those activities, developments and alterations which will be permitted within the Environmental Buffer.
c.	The <i>Land Use Bylaw</i> will establish setbacks at least as stringent as those required in applicable provincial regulations.
d.	The <i>Land Use Bylaw</i> will ensure that, when subdividing adjacent to a watercourse or wetland, lots are of a sufficient size to accommodate development while maintaining required separation or setback distances from the watercourse or wetland.
e.	The <i>Land Use Bylaw</i> will require verification of an approved Watercourse, Wetland and Buffer Zone Activity Permit from the provincial government, prior to reviewing an application for development to undertake any alteration or development within the Environmental Buffer.

10.2.5 Waterfront Development Policy

Waterfront development shall meet necessary standards to mitigate risks associated with coastal erosion and coastal flooding due to storm surge and projected sea level rise due to climate change, and those standards will be updated as new data and information is made available to the Municipality.

Plan Actions:

a.	The Municipality will work in cooperation with the Province to develop best management practices to address coastal hazards and will make information on coastal risks available to the public.
b.	The <i>Land Use Bylaw</i> will require a Coastal Erosion and Flood Risk Assessment prior to the review of a development or subdivision application on a lot adjacent to or near a watercourse or wetland.
c.	The <i>Land Use Bylaw</i> will establish minimum development standards in coastal areas to mitigate risks of coastal flooding due to storm surge and projected sea level rise.
d.	The <i>Land Use Bylaw</i> will establish setbacks between new development and eroding shorelines to provide sufficient distance to ensure that the adverse effects of erosion do not endanger the development over its life.
e.	Fishing sheds, aquaculture facilities, boat launching facilities and wharves will be permitted, according to municipal, provincial, and federal regulations.
f.	The Municipality will update the Future Land Use Map and Zoning Map with any new data and information on the delineation of wetlands and watercourses, and changes to the location of the coastline, at minimum during each five-year review of the Official Plan and Land Use Bylaw.

11. Administration and implementation

11.1 ADMINISTRATION AND IMPLEMENTATION OBJECTIVES

It is Council's objective to achieve a fair and equitable implementation of the policies and plan actions included in the *Official Plan*, and to ensure that there is coordination between these policies and applicable provincial legislation.

The Administration and Implementation Objectives of the Municipality are as follows:

- i. Promote good governance and accountability, protect the public interest and respect private property owners' rights.
- ii. Comply with provincial and federal government laws and regulations.
- iii. Administer the *Official Plan* and *Land Use Bylaw* with consideration of sound planning principles.
- iv. Provide a variety of quality and cost-effective municipal services to residents.
- v. Establish responsible fiscal practices to guide decision-making with regards to municipal revenues and expenditures.
- vi. Collaborate with and support efforts by local organizations who share common goals with the Municipality.

11.2 ADMINISTRATION POLICIES

11.2.1 Good Governance Policy

Records on all municipal services will be kept, and those records will be made available to the public in a responsible and transparent manner.

Plan Actions:

a.	A property database will be created for all properties to track subdivisions, development and inspections.
b.	A file of all approved building and development permits will be established and maintained, and all information in the file not protected under section 148 of the <i>Municipal Government Act</i> and associated regulations will be open to the public.
c.	A file of all approved subdivision applications will be established and maintained, and this file will be open to the public.
d.	A report on the extent of the previous year's development and subdivision activity, as well as progress on any other relevant Plan Actions as outlined in the <i>Official Plan</i> , will be made available to the public and presented annually.

11.2.2 Conformity with Provincial / Federal Laws and Regulations

The Objectives, Policies and Plan Actions in the *Official Plan*, and the regulations in the Municipality's bylaws will be no less stringent than, and approved in accordance with, provincial legislation and federal laws and regulations.

Plan Actions:

a.	The <i>Official Plan</i> Objectives, Policies and Plan Actions will comply with provincial regulations for municipal governments and planning.
b.	The <i>Land Use Bylaw</i> will be at least as strict as the applicable minimum provincial regulations for land use, development and subdivisions.
c.	The <i>Land Use Bylaw</i> will require as part of the subdivision and development approval process, that all applications be in compliance with Provincial and/or Federal laws.

11.2.3 *Land Use Bylaw Administration Policy*

Subdivision, land use, and development-related policies will be implemented by the *Land Use Bylaw*.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will be reviewed during or following the review of the Municipality's <i>Official Plan</i> .
b.	Council will appoint a Development Officer to administer the Land Use Bylaw and the Land Use Bylaw will identify those decisions which will be delegated to the Development Officer. Decisions under the Land Use Bylaw requiring approval by Council shall first be reviewed by Planning Board for a recommendation.
c.	Development and subdivisions within the Municipality will be regulated through an application and development permit or subdivision approval process.
e.	The <i>Land Use Bylaw</i> will outline the requirements for development applications and for subdivision applications, and the process for the review of each.
f.	The <i>Land Use Bylaw</i> will outline the process by which a person may appeal a decision relating to the issuance of a development permit or other decision in the administration of the Bylaw, in accordance with the <i>Planning Act</i> .

11.2.4 *Municipal Services Policy*

Council will provide residents with access to a variety of municipal services, including fire protection, emergency measures planning and municipal planning.

Plan Action

a.	The amount of resources required to provide services will be monitored on an annual basis, and changes to services will be made when resources are available.
b.	Council will maintain and update the Emergency Measures Plan and bylaw, in accordance with the <i>Municipal Government Act</i> and the <i>Emergency Measures Act</i> , which will be implemented through community preparation and planning, exercising, identification and mitigation of short term and long-term hazards, and

	the policies and actions contained in this Official Plan, as well as the provision of quality and cost-effective police, and fire prevention and protection services.
c.	Fire protection services will be provided by the North Shore Fire Department and Council will work closely with the Fire Department to ensure an adequate level of fire protection services is provided.
d.	The level and quality of fire protection service and security relative to the type and extent of development permitted in the Municipality will be reviewed annually.
e.	Police protection will be provided by the Royal Canadian Mounted Police under the Province's contract with the federal government.
f.	Priorities with regards to police services will continue to emphasize public safety, crime prevention, education and municipality involvement.
g.	The provincial Waste Management Program will be utilized for waste collection and disposal.

11.2.5 Supporting Local Organizations Policy

Council will establish relationships for collaboration with local organizations who share common goals with the Municipality and will support their initiatives to improve the quality of life of residents and to preserve and protect the local environment.

Plan Action

a.	Council will provide opportunities for local organizations to participate in municipal public processes.
b.	Council will support sharing of information between local organizations and residents, while protecting personal information in accordance with provincial enactments.
c.	Council will provide a list of local organizations and their contact information on the Municipal website to facilitate outreach within the Municipality.

11.2.6 Budget Policy

Responsible fiscal practices will be established and will guide decision-making with regards to municipal revenues and expenditures.

Plan Action

a.	Council will consider the implications for stable and affordable property tax rates when making decisions regarding municipal services and infrastructure.
b.	Council will pursue all available options for cost-sharing to maximize financial assistance on the provision of municipal services and special initiatives.
c.	The annual budget will allocate the necessary funds to ensure proper administration of the <i>Official Plan</i> and for the review of the <i>Official Plan</i> and <i>Bylaw</i> as necessary.

d.	The Municipality's financial plan will allocate the necessary funds for staff and contract positions.
e.	Council will not budget for an operating deficit in any year.

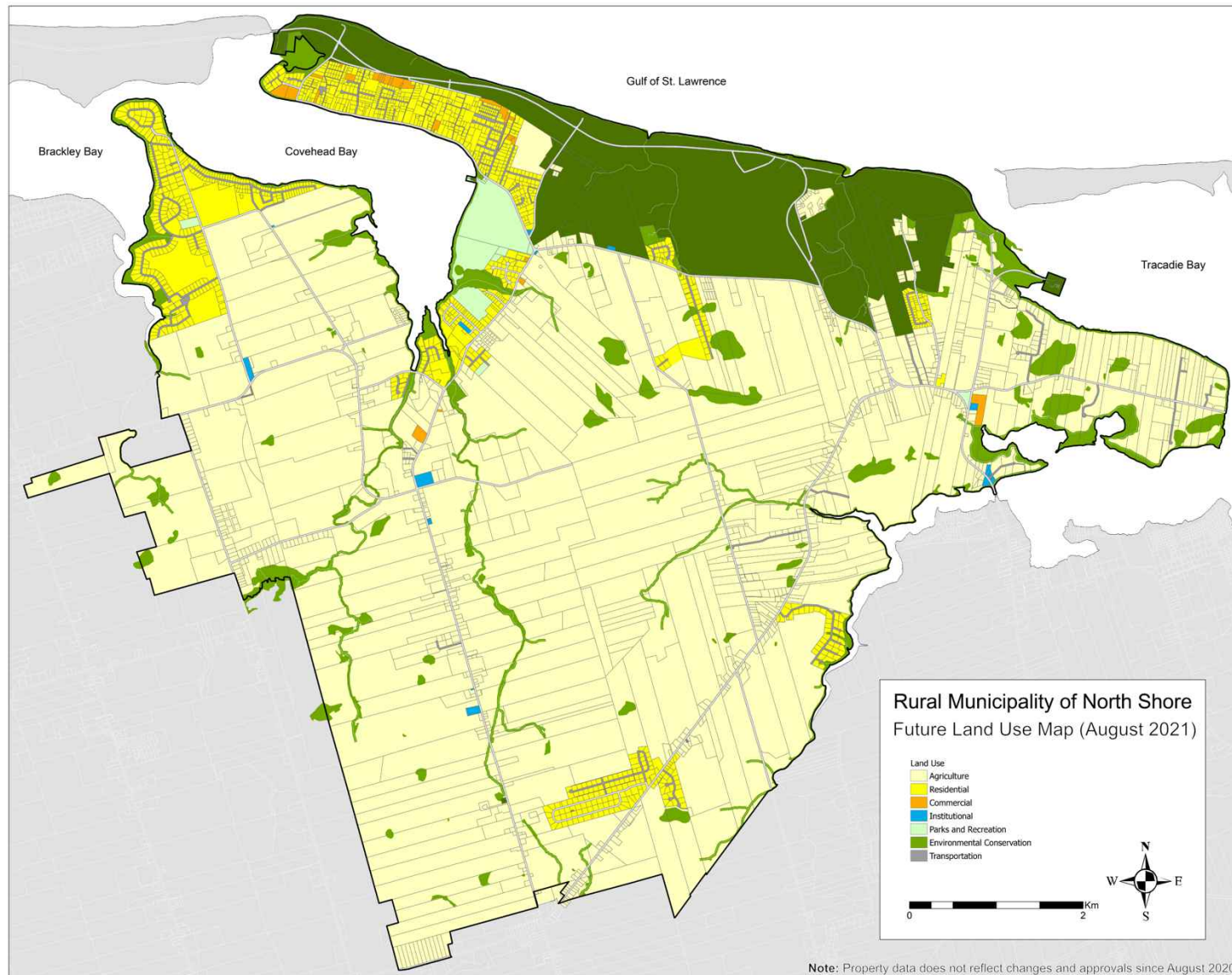
11.2.7 Capital Cost Sharing Policy

Owners of major developments will contribute to the costs of new infrastructure or infrastructure improvements required as a result of the proposed development.

Plan Actions:

a.	Developers will pay the full cost of the design and construction of new roads and/or other infrastructure related to their development.
b.	Developers will be required to contribute to the capital cost of any road or other infrastructure improvements which are required as a result of their development.
c.	Council may require, as a condition for a development permit that a developer contribute to the cost of providing any special fire services or facilities which may be necessitated by a major development.

APPENDIX A. FUTURE LAND USE MAP



Rural Municipality of North Shore Land Use Bylaw (2021)



Original date of approval by Minister	
Amendments	
Amendment Number	Effective Date

TABLE OF CONTENTS

1.	Introduction	1
1.1	TITLE.....	1
1.2	Purpose.....	1
1.3	Authority from the Province of Prince Edward Island	1
1.4	Area Defined	1
1.5	Scope	1
1.6	Authority of Development Officer	1
1.7	Interpretation	2
1.8	Permitted Uses	2
1.9	Effective Date.....	2
1.10	Repeal	2
2.	Zones and the Zoning Map	3
2.1	Zones.....	3
2.2	Zoning Map.....	3
2.3	Interpretation of Zone Boundaries	3
3.	Administration	5
3.1	Fees for applications.....	5
3.2	Applications	5
3.3	compliance with other regulations.....	6
3.4	Development Permits	6
3.5	information required for a Development Permit	7
3.6	Footing certification.....	10
3.7	Application requirements for on-site services.....	10
3.8	Variances	10
3.9	Conditional approvals and Development agreements	12
3.10	Bylaw and <i>Official Plan</i> Amendments.....	12
3.11	APPEALS	15
3.12	Violations and Penalties.....	15
4.	General Provisions for Development.....	16
4.1	Access and Lot Frontage	16

4.2	Accessory Buildings and Accessory Structures	16
4.3	Building Separation Distances	17
4.4	Building setbacks from highways and private Roads.....	17
4.5	Excavation pits	18
4.6	Exemptions: Height.....	18
4.7	Exemptions: Side Yard Setback.....	18
4.8	Home Occupation	18
4.9	Land Uses Permitted in All Zones	19
4.10	Landscape Edges and Landscaping	20
4.11	Livestock Operations	20
4.12	Multiple Land Uses on a Lot.....	21
4.13	Multiple Buildings on a Lot	21
4.14	Nonconforming Buildings	21
4.15	Nonconforming Lots	22
4.16	Nonconforming Uses	22
4.17	Parking	23
4.18	Prohibited Uses.....	23
4.19	Renewable Energy Production - Wind turbines and solar Panels.....	23
4.20	Secondary Suites and Garden Suites	24
4.21	Utility Services	25
4.22	Swimming pools.....	25
4.23	Temporary Buildings and Temporary Structures	25
4.24	Tourism Establishments and short term rentals.....	26
4.25	Wetlands and Watercourses, Development adjacent to.....	26
5.	Agricultural Zone (A)	27
5.1	General Requirements.....	27
5.2	Permitted Uses	27
5.3	Lot size and Development Standards	27
6.	Residential Zone (R)	29
6.1	General Requirements.....	29
6.2	Permitted Uses	29
6.3	Lot size and Development Standards	29
7.	Multi-Unit Residential Zone (R3)	31

7.1	General Requirements.....	31
7.2	Permitted Uses	31
7.3	Lot size and Development Standards	31
8.	Tourism Establishment Zone (TE)	32
8.1	General Requirements.....	32
8.2	Permitted Uses	32
8.3	Lot size and Development Standards	32
9.	Commercial Zone (C).....	34
9.1	General Requirements.....	34
9.2	Permitted Uses	34
9.3	Lot size and Development Standards	34
10.	Industrial Zone (I).....	35
10.1	General Requirements.....	35
10.2	Permitted Uses	35
10.3	Lot size and Development Standards	35
11.	Public Service and Institutional Zone (PSI).....	36
11.1	General Requirements.....	36
11.2	Permitted Uses	36
11.3	Lot size and Development Standards	36
12.	Parks and Recreation Zone (PR).....	37
12.1	General Requirements.....	37
12.2	Permitted Uses	37
12.3	Lot size and Development Standards	37
13.	Environmental Conservation Zone (EC)	38
13.1	General Requirements.....	38
13.2	Permitted Uses	38
13.3	Lot size and Development Standards	38
14.	Federal Jurisdiction Zone (FJ).....	39
14.1	General Requirements.....	39
15.	Right of way Zone (ROW).....	39
15.1	General Requirements.....	39
15.2	Permitted Uses	39
16.	General Provisions for Subdivisions.....	40

16.1	Subdivision Approval	40
16.2	Conveying Interest in a Lot	40
16.3	Development Permits	40
16.4	Permission to Subdivide	40
16.5	Road Standards:.....	40
16.7	Parkland Dedication.....	41
16.8	Special Requirements: Agricultural Zone:.....	42
16.9	Special Requirements: Watercourses and Wetlands.....	42
16.10	special requirements: Subdivision of Attached Dwellings	42
16.11	Preliminary Review Procedure.....	43
16.12	Subdivision Agreement.....	44
16.13	Final Approval	45
16.14	Consolidations and boundary line adjustments	45
SCHEDULE A. ZONING MAP		46
SCHEDULE B. DEFINITIONS		47
SCHEDULE C - SCHEDULE OF FEES		57
SCHEDULE D. PROVINCE-WIDE MINIMUM SUBDIVISION AND DEVELOPMENTSTANDARDS REGULATIONS, <i>PLANNING ACT</i>		58

1. INTRODUCTION

1.1 TITLE

- (1) The Bylaw shall be known and cited as the *Rural Municipality of North Shore Land Use Bylaw* (2021), or the Bylaw.

1.2 PURPOSE

- (1) The purpose of the Bylaw is to implement the policies of the *Rural Municipality of North Shore Official Plan* (2021), referred to in the Bylaw as the *Official Plan*, and to establish a fair and systematic means of development control for the Municipality.

1.3 AUTHORITY FROM THE PROVINCE OF PRINCE EDWARD ISLAND

- (1) The Bylaw is enacted pursuant to the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8, referred to here as the *Planning Act*.

1.4 AREA DEFINED

- (1) The Bylaw applies to the geographical area within which the Rural Municipality of North Shore has jurisdiction.

1.5 SCOPE

- (1) No dwelling, business, trade, or industry shall be located, nor shall any building or structure be erected, altered, used or have its use changed, nor shall any land be subdivided, consolidated or used in the Municipality, except in conformity with the Bylaw.

1.6 AUTHORITY OF DEVELOPMENT OFFICER

- (1) Council shall appoint a Development Officer(s) whose duties shall be as provided in this Bylaw.
- (2) The Development Officer shall not be a member of Council.
- (3) A Development Officer shall have the authority to administer this Bylaw. Notwithstanding the foregoing, a Development Officer shall have the authority to approve or deny severances, lot consolidations and development permits in accordance with this Bylaw in all areas except for:
 - a. Commercial developments with a building having an area greater than 600 sq. m. (6,458 sq.ft.);
 - b. Institutional developments with a building having an area greater than 600 sq. m. (6,458 sq.ft.);
 - c. Industrial developments with a building having an area greater than 600 sq. m. (6,458 sq.ft.);
 - d. Multi-unit row dwellings or multi-unit dwellings of greater than 4 units;
 - e. Subdivisions of more than four lots;
 - f. Variances of more than ten percent (10%); and

- g. Discretionary approvals as identified in this bylaw.
- (4) The Development Officer, as authorized by Council may, with prior notice in accordance with section 236 of the *Municipal Government Act*, enter a building or a premise in the performance of duties with respect to the administration and enforcement of the Bylaw.

1.7 INTERPRETATION

- (1) In the Bylaw, words used in the present tense include the future tense; words in the singular number include the plural; words in the plural include the singular; the word "used" includes "arranged, designed or intended to be used"; the word "may" is permissive and not mandatory; and the word "shall" is mandatory and not permissive.
- (2) All official measurements are in metric. Where imperial measurements are provided, they are for information purposes only.

1.8 PERMITTED USES

- (1) In the Bylaw any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- (2) Where a permitted use within any zone is defined in the Bylaw, the uses permitted in the zone include any similar uses except where a definition specifically excludes any similar use.

1.9 EFFECTIVE DATE

- (1) The Bylaw shall come into force on the date of approval by the Minister responsible for administering the *Planning Act*.

1.10 REPEAL

- (1) Any prior bylaws covering the lands or structures contained within the current boundaries of the Rural Municipality of North Shore shall be repealed as of the Effective Date per section 1.9 above.

2. ZONES AND THE ZONING MAP

2.1 ZONES

- (1) All properties within the Municipality shall be designated with a zone. Each zone may be referred to by the following symbols:

	Zone	Symbol
a.	Agricultural Zone	A
b.	Residential Zone	R
c.	Multi-Unit Residential Zone	R3
d.	Tourism Establishment Zone	TE
e.	Commercial Zone	C
f.	Industrial Zone	I
g.	Public Service and Institutional Zone	PSI
h.	Parks and Recreation Zone	PR
i.	Environmental Conservation Zone	EC
j.	Federal Jurisdiction Zone	FJ
k.	Right of Way Zone	ROW

2.2 ZONING MAP

- (1) A visual representation showing the boundaries of each zone, known herein as the Zoning Map, shall be attached hereto as Schedule A and forms part of the Bylaw.
- (2) Revisions or amendments to the Zoning Map shall be recorded by the Municipality, and the Zoning Map shall be updated accordingly.

2.3 INTERPRETATION OF ZONE BOUNDARIES

- (1) Boundaries between zones shall be determined as follows:
- Where a zone boundary is indicated as following a street or highway, the boundary shall be the centerline of such street or highway;
 - Where a zone boundary is indicated as following lot lines, the boundary shall be such lot lines;
 - Where a zone boundary is indicated as following the boundary of the Municipality, the limits of the zone shall be the Municipality's boundary; and
 - Where none of the above provisions apply, the zone boundary shall be scaled from the high-resolution version of the Zoning Map lodged with the Municipality.

- (2) Where the zone boundary delineates the Environmental Conservation Zone:
- a. The Zoning Map reflects the location of wetlands, watercourses and the environmental buffer as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*;
 - b. The Zoning Map has been drawn based on the 2010 provincial delineation of the coastline, wetland and watercourse land use boundaries;
 - c. The location of the Environmental Conservation Zone boundary may change over time as the coastline, and wetland and watercourse land use boundaries change due to natural processes, including sea level rise and coastal erosion;
 - d. In the event of an application in relation to a lot located within or within 30m (98.43 ft) of the Environmental Conservation Zone, the boundary shall be identified on a plan of survey, delineated by a professional authorized to do so by the Province, which shall be dated no more than 12 months from the date of the application.

3. ADMINISTRATION

3.1 FEES FOR APPLICATIONS

- (1) Council shall set fees for applications and related services in a Fee Schedule, which shall be attached hereto as Schedule C and forms part of the Bylaw.
- (2) The value of administration and application fees shall be set from time to time by a resolution of Council.

3.2 APPLICATIONS

- (1) The following types of applications shall be administered in accordance with the Bylaw:
 - a. Development Permit;
 - b. Variance;
 - c. Bylaw and/or *Official Plan* amendment; and
 - d. Subdivision.
- (2) An application submitted in accordance with the Bylaw shall be:
 - a. Completed on the applicable form as prescribed by Council;
 - b. Submitted to the Municipal Office with all additional information required by the Bylaw;
 - c. Signed and dated by the property owner or the property owner's authorized agent; and
 - d. Accompanied by an application fee in accordance with the Fee Schedule established by Council.
- (3) An application is considered incomplete, and a decision shall not be rendered on such an application, until such time as all required information is submitted, including the:
 - a. Application form signed and dated by the owner or owner's authorized agent;
 - b. Non-refundable administrative fee, the application fee and any other required fees;
 - c. Site plans, drawings and other representations of the proposed development, as required;
 - d. Approval(s) from other governments and/or agencies, as required; and
 - e. Additional information, as required by the Development Officer.
- (4) An incomplete application shall be considered null and void if the applicant does not submit the required information and does not make payment in full on the application within six (6) months of submitting the initial application form.
- (5) An application submitted in accordance with the Bylaw shall constitute authorization for inspection of the structure or land in question, by the Development Officer or an officer or agent of the Municipality, for the purpose of ensuring compliance with the provisions of the Bylaw.

3.3 COMPLIANCE WITH OTHER REGULATIONS

- (1) An approval of an application under the Bylaw does not exempt a person from complying with the requirements of any other bylaw of the Municipality or from obtaining any license, permission, permit, authority, or other approval required by any other bylaw of the Municipality or any statute, regulation, or other enactment of the Provincial government or the Government of Canada.
- (2) Where the provisions of the Bylaw conflict with those of another bylaw of the Municipality, or with a statute regulation, or other enactment of the Provincial government or the Government of Canada, the highest, strictest, or most stringent provision shall prevail.

3.4 DEVELOPMENT PERMITS

- (1) A person is required to obtain a development permit prior to:
 - a. changing the use of a lot, building or structure;
 - b. commencing a development;
 - c. constructing, placing, moving or demolishing a building or structure;
 - d. making structural alterations to a building;
 - e. making a connection to a central water supply or sewerage disposal system;
 - f. installing underground a septic tank, a fuel tank, a foundation wall or the like;
 - g. creating or constructing an entranceway or driveway, or laying paving material for a driveway or parking lot;
 - h. starting a home occupation;
 - i. digging an excavation pit;
 - j. placing of dump fill or other material over 10 m³(353.9 ft³); or
 - k. installing a ground-mounted solar panel(s) system.
- (2) A person is not required to obtain a development permit to:
 - a. lay paving materials for patios or sidewalks;
 - b. construct an uncovered deck that is 0.6 m (2.0 ft) or less in height (excluding handrails)
 - c. construct a fence of 1.2 m (3.9 ft) in height or less;
 - d. install a clothesline, pole, radio or television antennae;
 - e. make a garden or prepare land for a crop;
 - f. make landscaping improvements that do not alter the grade or surface water drainage across the lot;
 - g. construct or place an ornamental structure or an accessory building of less than 10 m² (107.6 ft²);
 - h. install roof-mounted solar panels on an existing structure;

- i. conduct routine maintenance on a building or structure; or
 - j. undertake interior renovations that do not result in a change to the exterior of a building, the number of dwelling units within a building, or the use of a building.
- (3) When a development does not require a development permit, the requirements of the Bylaw and any other applicable bylaws of the Municipality or any statute, regulation, or other enactment of the Provincial government or the Government of Canada, shall still apply.
- (4) A development permit issued under the Bylaw does not substitute or supersede the requirement for a building permit for the construction, demolition, occupancy or use of a building under the *Building Codes Act* and applicable regulations. Furthermore, a Building permit issued under the *Building Codes Act* and applicable regulations, does not substitute or supersede the requirement for a development permit under the Bylaw.
- (5) An application for a development permit shall be rejected if:
- a. The proposed development does not conform to the Bylaw or other bylaws of the Municipality, applicable enactments of the Provincial government or of the Government of Canada;
 - b. The method of water supply and/or waste disposal is insufficient for the proposed development and/or use;
 - c. The proposed access is not permitted by the *Roads Act*;
 - d. The proposed access requires the use of a private road or access over an adjacent property for which a legal right-of-way has not been properly granted;
 - e. The impact of the proposed development would be detrimental to the environment by reason of noise, dust, drainage, infilling or excavation which affects environmentally sensitive or residential areas;
 - f. The proposed development would be detrimental to the convenience, health or safety of the occupants or residents of the development and/or in the vicinity or the general public.
- (6) An approved development permit is valid for up to 12 months from the date of approval and if work has not commenced within that period, the development permit shall be considered null and void.
- (7) The applicant shall post the approved permit on the lot subject to the development in a manner that is visible to the public.
- (8) Council may grant an extension on an approved development permit for up to six (6) months from the date of expiry, if the applicant requests the extension prior to the date of expiry. After such time, an application for a new development permit must be submitted.
- (9) Council may revoke a development permit where information provided for the application is found to be inaccurate.

3.5 INFORMATION REQUIRED FOR A DEVELOPMENT PERMIT

- (1) A development permit application shall be accompanied by a site plan, drawn to scale, and showing the following information:

- a. The boundaries of the subject lot, including dimensions;
 - b. All existing highways, rights-of-way and/or easements on and adjacent to the lot;
 - c. The location of existing and proposed driveways, including the distance from the centre of the driveway to the nearest property boundary;
 - d. The distance from the proposed building or structure to all property boundaries;
 - e. The location and exterior dimensions of the proposed building or structure;
 - f. The location and exterior dimensions of all existing buildings or structures on the lot;
 - g. The distance from the proposed building or structure to the centre of any highway and/or private roads;
 - h. The distance from the proposed building or structure to any existing buildings or structures;
 - i. The distance from the proposed structure to the boundary of any wetland, watercourse, sand dune, or the top of the bank adjacent to a wetland or watercourse and the location of the environmental buffer zone as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*;
 - j. The distance from the proposed building or structure to any existing or proposed well and sewerage disposal system (including tank and field tile);
 - k. The distance between any existing or proposed well and sewerage disposal system;
 - l. The proposed use of the lot and any building or structure;
 - m. The location of any well, sewerage disposal system, parking spaces and driveways within 30 m (98.4 ft) on adjacent lots;
 - n. The existing land use adjacent to each lot line and the existing or proposed location, width and type of landscape edge or fence to be maintained, if a landscape edge is required by section 4.10; and
 - o. Any other information which the Development Officer considers necessary to demonstrate compliance with the requirements of the Bylaw.
- (2) All new commercial, public service and institutional, resource-based industrial, and recreation and public open space developments will attach, to the development permit application, a copy of a parking plan indicating the provision of adequate off-street parking for employees, visitors and other traffic.
- (3) The site plan shall be based on a survey plan prepared by a licensed surveyor when:
- a. The lot subject to a development does not meet the minimum lot area and/or lot frontage requirements of the Bylaw; and/or
 - b. The location of an existing building or structure on the subject property, with respect to the lot boundary or with respect to the proposed building or structure, is necessary to determine the compliance of the application.
- (4) Except for the reasons provided by subsection 3.5 (5) below, a development permit application shall be accompanied by a stormwater management plan, prepared by a licensed engineer or qualified landscape architect, drawn to scale and showing the following information:

- a. Existing and proposed grade elevations relative to the adjoining lot(s) and the public right of way;
 - b. Stormwater management design features (i.e., swale, berm etc.) and the proposed direction of flow for the surface water runoff, which shall not result in direct water runoff onto adjacent lots, including existing private roads and rights-of-way.
 - c. The finished floor or foundation elevation of existing buildings or structures on the lot and of existing buildings or structures on adjacent lots located within 15 m (49.2 ft) of the adjoining lot line; and
 - d. The proposed surface, finished floor or foundation elevation of the proposed building or structure.
- (5) A stormwater management plan is not required for the following types of developments, where the development does not involve an alteration or change to the existing grade of the land within the minimum side or rear yard setbacks of the lot:
- a. A development that conforms with a preapproved stormwater management plan as prepared for the subdivision approval of the lot;
 - b. A development of a structure with a footprint less than 65 m² (699.7 ft²) and a proposed setback of more than 15 m (49.2 ft) from any lot line or existing building or structure;
 - c. A development that will result in a total lot coverage of less than 10%;
 - d. A development of a building or structure with a footprint less than 20 m² (215.3 ft²);
 - e. A development of a building or structure that will be built on raised sono-tubes, posts or piles and will not affect the natural and existing flow for drainage;
 - f. The replacement of a building structure with one of the same size and in the same general location, provided no changes are being made to the grade of the lot under or around the building or structure.
- (6) The information submitted on the required site plan and stormwater management plan may be submitted on a single combined plan if all necessary information can be presented on a single plan and the plan has been prepared by the appropriate licensed/qualified professional(s).
- (7) For a development application on a lot adjacent to or near a watercourse or wetland, the following additional information is required:
- a. A Coastal Erosion and Flood Risk Assessment; and
 - b. Verification of an approved Watercourse, Wetland and Buffer Zone Activity Permit if the development proposed involves any alteration or development within the Environmental Buffer.
- (8) The Development Officer may require an applicant to submit additional information where the Development Officer considers the information necessary to determine if the proposed development complies with the Bylaw.
- (9) Following the approval of a development permit, should there be a change in any of the information submitted for the permit approval, the applicant shall submit the proposed changes by way of written description or revised drawings and representations for review

by the Development Officer, and the Development Officer shall determine if the proposed changes warrant a new development permit application.

- (10) The Development Officer shall post all decisions relating to applications in accordance with Section 23.1 of the *Planning Act*.

3.6 FOOTING CERTIFICATION

- (1) When the location of a proposed building or structure is 0.3 m (1 ft) or less from that of the minimum setback permitted in the zone, or when a variance has been approved for a reduced minimum setback, the development permit shall be approved in two phases.
- (2) The first phase of the development permit will allow only for site work and the construction of the building's footing.
- (3) When a phased development permit has been issued, a footing certificate or survey plan shall be submitted to confirm the location of the building's footing prior to the second phase development permit being approved and construction commencing beyond the footing stage.

3.7 APPLICATION REQUIREMENTS FOR ON-SITE SERVICES

- (1) Notwithstanding the minimum lot size standards of this Bylaw, all applications involving an on-site sewerage disposal system or on-site water supply must meet the requirements of the *Planning Act* Province-Wide Minimum Development Standards Regulations for on-site servicing based on soil category, as included in Schedule D of the Bylaw and the *Environmental Protection Act* Sewage Disposal Systems Regulations and Water Well Regulations.
- (2) Where Council has approved a variance to the minimum lot frontage, lot area and/or circle diameter requirements of the *Province-Wide Minimum Development Standards Regulations* in accordance with sections 4, 5, or 9 of those Regulations, or where the minimum lot size standards do not apply pursuant to section 8 of those Regulations, an application for a development permit shall also include the following:
 - a. An on-site sewerage disposal system proposal appropriate for the soil type, lot size and proximity to adjacent lots, designed and certified by a licensed professional engineer; and
 - b. Confirmation from a licensed well driller that the proposed well location meets all applicable requirements for separation distance from adjacent existing wells and/or sewerage disposal systems within the lot, or to wells or sewerage disposal systems on adjacent lots.
- (3) An application for a development located within the West Covehead water well restricted area shall also include a copy of the well permit as required under the *Environmental Protection Act* Water Well Regulations.

3.8 VARIANCES

- (1) When a development permit application cannot be approved because the proposed development does not meet the minimum requirements of the Bylaw, the applicant may

apply to the Development Officer for a variance to reduce the minimum setback requirement(s) for a front, rear, side and/or flankage yard; and/or to reduce the minimum regulation pertaining to lot area, lot coverage, lot frontage and/or building height.

- (2) A review of a variance application shall not commence until all required information has been submitted, including the signed variance application form; applicable fee(s); and any additional information as required to consider the requested variance.
- (3) Variance applications not exceeding 10% from the provisions of the Bylaw may be approved by the Development Officer if, in the opinion of the Development Officer, the variance is consistent with the policies and objectives of the *Official Plan*, the general intent and purpose of the Bylaw, and provided that:
 - a. The lot in question has peculiar physical conditions, including but not limited to a small lot size, irregular lot shape, or exceptional topographical conditions, which make it impractical to develop in strict compliance with Bylaw standards;
 - b. Strict application of all Bylaw standards would impose undue hardship on the applicant by excluding them from the same rights and privileges for reasonable use of their lot as enjoyed by other persons in the same zone;
 - c. The variance is of the least magnitude required to enable reasonable use of the lot; or
 - d. The proposed variance would not impact unduly on the enjoyment of adjacent properties, or on the essential character of the surrounding neighbourhood.
- (4) Notwithstanding any other provisions of this bylaw and upon receiving a recommendation from Planning Board, Council may grant a variance for a development application in excess of 10% but not exceeding 20% of the minimum setback, lot area, frontage, lot coverage, and/or building height as required in the zone.
- (5) Before Council considers a variance in excess of 10%, the Development Officer shall:
 - a. Receive from the owner sufficient funds to cover the costs associated with a mail-out and the application fee;
 - b. Provide written notice by ordinary mail or hand delivery, explaining the details of the proposed application, to all owners within 150 m (492.1 ft.) of the boundaries of the subject lot;
 - c. Ensure that the notice identifies the subject lot and describes the application and the date by which written comments must be received; and
 - d. Accept all comments submitted within fourteen (14) calendar days from the date of the notice.
- (6) The applicant or their authorized agent shall be provided an opportunity to present their proposal for a variance to the Planning Board and to answer any questions that may arise.
- (7) Planning Board shall consider applications for a variance and shall make a recommendation on the application to Council, having considered: the criteria set out in subsection (3); the input received from the public in writing or as presented during the public meeting of Planning Board; and the policies and objectives of the *Official Plan*.

- (8) A variance shall be rejected where the difficulty experienced is the result of intentional or negligent conduct of the applicant or the owner, or where the difficulty can be remedied reasonably in some other manner.
- (9) Council may approve, reject or approve with conditions a variance application, including approval of a variance which is less than requested, by way of resolution, and authorization for a variance shall be documented and recorded in writing.
- (10) If a variance is approved or approved with conditions, the variance approval shall be noted on the applicable development permit and any conditions of the approval shall also be stated on the development permit or within a development agreement.

3.9 CONDITIONAL APPROVALS AND DEVELOPMENT AGREEMENTS

- (1) A development permit application may be approved subject to conditions, and such conditions shall be directly related to the regulations in the Bylaw and shall be consistent with the policies of the *Official Plan* and/or other bylaws of the Municipality, and shall be described on the development permit.
- (2) When a development permit has been approved subject to a variance approval, the applicant may be required to enter into a development agreement with the Municipality, and the development agreement may describe additional conditions negotiated as a condition of the variance, and the development agreement shall be a contract binding on both parties.
- (3) A development permit issued subject to a development agreement shall reference the signed agreement as a condition of the permit.
- (4) A development agreement shall be registered in accordance with the *Registry Act*.
- (5) Fees associated with the preparation, registration and enforcement of the development agreement shall be paid by the owner.
- (6) Failure to comply with a development agreement shall constitute an offence.

3.10 BYLAW AND OFFICIAL PLAN AMENDMENTS

- (1) An application to change the text of the Bylaw or the Zoning Map shall be considered a Bylaw amendment.
- (2) Applications to amend the Bylaw must demonstrate that they are consistent with the policies and objectives of the *Official Plan* and the Future Land Use Map.
- (3) The *Official Plan* and/or Future Land Use Map may be amended to enable a Bylaw amendment, and such Bylaw and *Official Plan* amendments may be heard concurrently, provided that:
 - a. Applications for both amendments are posted on the same public and written notices; and
 - b. The *Official Plan* amendment precedes the Bylaw amendment.

- (4) The review of a Bylaw and/or *Official Plan* amendment application shall not commence until all required information has been submitted, including the signed application, applicable fee(s), and any additional information as requested by the Development Officer or Council to consider the proposed amendment.
- (5) A Bylaw and/or *Official Plan* amendment application shall include information as may be required for the purpose of adequately assessing the proposal, which may include but is not limited to:
 - a. A written description of the proposed amendment(s), and the applicable *Official Plan* policies and objectives that support the amendment(s), or a description of the section(s) of the *Official Plan* to be amended to enable the Bylaw amendment(s).
 - b. A general development concept plan showing details such as proposed land uses, subdivisions, building locations, means of servicing, access and parking;
 - c. A development concept plan showing details such as site development details, proposed building elevation drawings, landscape and stormwater management plan details, access and parking;
 - d. A written description of the potential development impacts on existing infrastructure and/or the environment; or
 - e. For text amendments, a written description of the implications of the proposed change and a map identifying all properties impacted by the proposed change, if applicable.
- (6) The Municipality may initiate a Bylaw and/or *Official Plan* amendment by preparing a report and all other necessary information, consistent with that of an external application.
- (7) Council and the Planning Board shall consider the following general criteria when reviewing applications for Bylaw and/or *Official Plan* amendments, as applicable:
 - a. Conformity with requirements and intent of the Bylaw;
 - b. Conformity with the policies and objectives of the *Official Plan*;
 - c. Suitability of the site for the proposed development;
 - d. Compatibility of the proposed development with surrounding land uses, including both existing and projected uses;
 - e. Adequacy of existing or proposed water, sewer, highway or private road, storm water and electrical services, and parks for accommodating the development, and any projected infrastructure requirements;
 - f. Impacts from the development on pedestrian/vehicular access and safety, and on public safety generally;
 - g. Compatibility of the development with agricultural, environmental, scenic and heritage resources;
 - h. Impact on municipal finances and budgets;
 - i. Commentary received from the public;
 - j. Other matters as specified in the Bylaw; and
 - k. Other matters as considered relevant.

- (8) Planning Board shall review a Bylaw and/or *Official Plan* amendment request and provide a recommendation to Council to: proceed to a public meeting to consider the application further; reject the application; or, to request additional information on the application.
- (9) Council shall consider Planning Board's recommendation and shall make a decision on whether the application is consistent with the *Official Plan*, and shall decide: if the application may proceed to a public meeting; to reject the application; or to request additional information on the application.
- (10) Council has the right to reject an amendment request without holding a public meeting, if such request is deemed to be inconsistent with appropriate land use planning standards or the *Official Plan*. Should Council not proceed with a public meeting, the application fee shall be returned to the applicant, not including the non-refundable administration fee.
- (11) Council may agree to proceed to a public meeting subject to conditions, modifications or additional information, and may request that the application be reviewed by Planning Board again once the changes or additional information have been submitted, and prior to proceeding to the public meeting.
- (12) If Council has agreed to consider the Bylaw and/or *Official Plan* amendment subject to conditions, modifications or additional information that may be required, no public meeting will be scheduled until such conditions have been met or the additional information has been submitted.
- (13) Prior to holding a public meeting to solicit input from the public on the proposed application:
 - a. Written notice of the application shall be delivered, by ordinary mail or hand delivery, explaining in general terms, the nature of the application, to all owners within 150 m (492.1 ft) of the boundaries of the subject lot, if applicable (map amendments);
 - b. The date, time and place of the public meeting, together with the general terms of the application shall be posted at least seven (7) clear days prior to the public meeting:
 - i) in a newspaper circulating in the area; and
 - ii) by placing a sign on the land subject to the rezoning (if applicable).
 - c. The Municipality will accept written comments on the application for fourteen (14) calendar days from either the date of the written notice or the first date of meeting advertisement, whichever is later.
- (14) A public meeting for a Bylaw and/or *Official Plan* amendment application shall be held in accordance with the requirements of the *Planning Act*, and:
 - a. Council shall preside at the meeting;
 - b. The applicant or their authorized agent shall be provided an opportunity to present the proposed amendment and shall answer any questions presented to them; and
 - c. Council shall hear the comments and opinions of any other person who wishes to be heard.
- (15) Following the public meeting, Planning Board shall consider the feedback received from the public by way of written responses and comments made at the public meeting. The applicant

may be provided another opportunity to present to Planning Board to answer any further questions that may have arisen at or following the public meeting. Planning Board shall make a recommendation to Council on the application.

- (16) Council shall consider the recommendation of Planning Board and shall determine if the proposed Bylaw and/or *Official Plan* amendment application is approved or rejected. The decision shall be made in accordance with sections 14 and 19 of the *Planning Act* and the applicant shall be notified in writing of the decision.
- (17) Bylaw and *Official Plan* amendments approved by Council also require approval by the Minister responsible for administering the *Planning Act* or any successor enactment. No development permits or subdivision applications related to the amendment(s) shall be approved by the Municipality, until the approval from the Minister has been granted for the necessary amendments.

3.11 APPEALS

- (1) Any person who is dissatisfied with a decision of the Development Officer or Council in respect of an application made pursuant to this bylaw may appeal the decisions to the Island Regulatory and Appeals Commission in accordance with section 28 of the *Planning Act*.

3.12 VIOLATIONS AND PENALTIES

- (1) A person who violates a provision of the Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the *Planning Act*.
- (2) The Municipality is entitled to enforce the Bylaw and restrain any breach of the Bylaw in accordance with the *Planning Act* and the *Municipal Government Act*.

4. GENERAL PROVISIONS FOR DEVELOPMENT

4.1 ACCESS AND LOT FRONTAGE

- (1) No development permit shall be issued unless the lot in question has lot frontage on a highway, or has legal access to a private road.
- (2) No person shall construct or use an entranceway except where that entranceway meets the minimum sight distance standards as established under the *Planning Act*, the *Roads Act*, or any successor enactment.
- (3) Where an entranceway permit is required for a new access or for the intensification of an existing access under the provincial Highway Access Regulations prescribed under the *Roads Act*, its issuance shall be a precondition of the approval of the development permit.
- (4) A Development Permit for a structure that fronts on a private road may be approved, provided that the following criteria are met:
 - a. Subject to subsection 16.5(2), the parcel was approved prior to the effective date of this bylaw;
 - b. No reasonable provision can be made to provide direct access to a highway;
 - c. There is a safe ingress and egress from the lot or private road to a highway;
 - d. The applicant can establish legal entitlement to use the private road for access to the property in question and any such legal entitlement established through an agreement with the owner of the private road shall be registered in accordance with the provisions of the *Registry Act*; and
 - e. The applicant shall be required to enter into a development agreement with the municipality, registered in accordance with the provisions of the *Registry Act* at the applicant's expense, acknowledging the following: "The private right-of-way serving PID _____ is not owned or maintained by either the Province of Prince Edward Island or the Rural Municipality of North Shore and therefore properties located on this private road are not entitled to any provincial or municipal services including grading, ditching, snowplowing, gravelling, school busing, or solid waste collection."

4.2 ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES

- (1) No accessory building or accessory structure shall be constructed prior to the time of construction of the main building to which it is accessory.
- (2) Accessory buildings and accessory structures shall not be used for human habitation except where a secondary dwelling is a permitted accessory use.
- (3) Accessory buildings and accessory structures shall have a minimum setback of 1.5 m (4.9 ft) to any lot line.
- (4) Accessory buildings and accessory structures shall have a maximum height of 7.62 m (25 ft).

- (5) Accessory buildings and accessory structures shall have a maximum combined floor area of 140 m² (1500 ft²), and the combined footprint of the main dwelling and that of the accessory buildings and structures shall not exceed the maximum lot coverage permitted in the zone.
- (6) An accessory building or accessory structure that exceeds 600 m² (6,458 ft²) in a zone permitted to have more than one main building on a lot shall be treated as a second main building on the lot and shall meet the development requirements for a main building in the zone.
- (7) A staircase, ramp, deck, balcony, or other projection from a building shall be subject to the same building setback requirements as the main building within the zone, and the structure may be permitted to project into the minimum side or rear yards by 1 m (3.3 ft) where the height of the projection is less than 0.6 m (2 ft) above grade.
- (8) A fence may be erected or placed on a lot subject to the following regulations:
 - a. The maximum height for a fence in any zone is 2.5 m (8.2 ft); and
 - b. Where a fence is to be placed on a lot line, the owner is responsible for having the property surveyed by a licensed surveyor in accordance with the *Land Surveyors Act*, to ensure the fence line does not encroach on an adjacent lot.

4.3 BUILDING SEPARATION DISTANCES

- (1) Where more than one main building is permitted on a lot, the minimum separation distance between buildings shall be 6.0m (19.7 ft) unless the subject buildings have been designed and certified by a licensed architect and/or engineer to confirm that the proposed separation distance satisfy the National Building Code requirements for the proposed building types and uses.
- (2) The minimum separation distance between a main building and an accessory building or structure, or a temporary building shall be 1.2 m (3.9 ft).

4.4 BUILDING SETBACKS FROM HIGHWAYS AND PRIVATE ROADS

- (1) Notwithstanding the minimum front yard requirements of the zone, the minimum building setback from a highway shall be:
 - a. 15 m (49.2 ft) from an arterial, collector and local highway; and
 - b. 5 m (16.4 ft) from an interior subdivision or seasonal highway.
- (2) Notwithstanding the minimum front yard requirements, the minimum building setback from a private road shall be 15 m (49.2 ft) from the centre line of the private road.
- (3) When a building is erected between two existing buildings on adjacent lots that are each located within 15 m (49.2 ft) of the proposed building, the minimum front yard setback shall be no less than that of the adjacent building which is closer to the highway.

4.5 EXCAVATION PITS

- (1) A development permit is required for the operation of an excavation pit and the permit must be renewed annually.
- (2) Excavation pits shall comply with all applicable provincial statutes, regulations and other enactments and confirmation that the proposed development complies with such enactments shall be submitted with the development permit application annually.

- (3) The following minimum separation distances shall apply to new excavation pits:

a.	Minimum setback from any lot line	8 m (26.2 ft)
b.	Minimum separation distance from a highway	60 m (197 ft)
c.	Minimum separation distance from a residential zone, excluding a property owned and occupied by the owner of the excavation pit.	300 m (984.3 ft)
d.	Minimum separation distance from an institutional, parks and recreation or environmental conservation zone.	500 m (1640.4 ft)
e.	Minimum separation distance from a watercourse or wetland	50 m (164.0 ft)

- (4) Excavation pits shall be screened from view from any adjacent highway either by a growth of trees of sufficient density or by the creation of an earthen berm.

4.6 EXEMPTIONS: HEIGHT

- (1) The maximum height requirement set out in the Bylaw shall not apply to spires, lightning rods, water tanks, monuments, elevator enclosures, silos, flag poles, lighting standards, television or radio antennae, telecommunications towers, ventilators, skylights, barns, fire towers, drive-in theatre screens, chimneys, clock towers, solar panels (when mounted on a building), power transmission towers, roof top cupola, wind power generators, or utility poles.

4.7 EXEMPTIONS: SIDE YARD SETBACK

- (1) Notwithstanding the side yard setback requirements in the Bylaw, where buildings on adjacent lots share a common wall, the applicable side yard requirement will be zero along the common lot line.

4.8 HOME OCCUPATION

- (1) Nothing in this Bylaw shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit as a personal office for residents of the dwelling unit provided the personal office is not intended to be visited by members of the public and no signage is posted. No development permit is required.
- (2) Nothing in this Bylaw shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit for the instruction of up to two students at a time provided no signage is posted. No development permit is required.

- (3) Subject to subsections (4), (5), and (6), the following commercial and institutional uses are permitted as home occupations in a single detached dwelling on a Residential Lot:
- Commercial child care facility, subject to provincial regulations;
 - Tourism establishment, subject to the tourism establishment requirements in the Bylaw;
 - Personal Services;
 - Business or professional office, providing clerical, computer and/or telephone based services;
 - Multi-level marketing retail sales;
 - Catering, for off-premise delivery only;
 - Private lessons, tutoring or training sessions;
 - Health and wellness services; or
 - Craft studio or other seasonally operated specialty shop.
- (4) Where the proposed home occupation is likely to intensify the existing on-site water and wastewater services, the Development Officer may request confirmation that the existing systems are capable of supporting the proposed use, and such confirmation shall be submitted by a licensed septic contractor who carries a minimum of two (2) million dollars in professional liability and errors and omissions insurance or, in the case of a lot that does not meet the standards of the *Planning Act* Province-Wide Minimum Development Standards Regulations, from a licensed professional engineer.
- (5) Council may approve an alternative commercial use as a home occupation by resolution after receiving a recommendation from the Planning Board, provided that the commercial use is found to be compatible with adjacent land uses, and that no permanent injury or nuisance will be caused to the existing or permitted use of the adjoining properties.
- (6) Home occupations shall comply with the follow requirements:
- The owner of the business shall live in the dwelling;
 - No more than two (2) employees may live outside the dwelling;
 - No more than twenty five percent (25%) of the total floor area of the dwelling is used for the business;
 - Parking spaces are provided on the lot for both the dwelling and the commercial use in accordance with the parking requirements for both uses;
 - No outdoor storage of materials or outdoor display of products is used in conjunction with the business;
 - The external appearance of the dwelling is not altered; and
 - The requirements of section 3.7 regarding water and sewerage disposal systems are satisfied.

4.9 LAND USES PERMITTED IN ALL ZONES

- (1) The following uses are permitted in all zones:

- a. Conservation areas and natural areas
 - b. Trails and pathways
 - c. Marine access (not including wharfs or structures)
 - d. Public and private utilities and utility-related buildings or structures
- (2) Temporary buildings or structures incidental to construction with a valid development permit, including but not limited to an accessory building, storage container, scaffolds and equipment, are permitted on a lot as long as construction is in progress, and for a maximum of thirty (30) days after the completion of the development.

4.10 LANDSCAPE EDGES AND LANDSCAPING

- (1) The provision and maintenance of a landscape edge of not less than 4.5 m (14.8 ft) in width and of a height that forms a visual barrier, or in the absence of an existing landscape edge, a fence that forms a visual barrier, shall be required between adjacent land uses on the rear and side lot lines, where a resource or non-resource commercial or industrial land use abuts any of the following:
 - a. a residential use or zone;
 - b. a tourism establishment use or zone;
 - c. a public service and institutional use or zone; or
 - d. a parks and recreation land use or zone.
- (2) The provision and maintenance of a landscape edge of not less than 4.5 m (14.8 ft) in width and of a height that forms a visual barrier, or in the absence of an existing landscape edge a fence that forms a visual barrier, shall be required between residential uses or zones and agricultural uses, where buildings and/or structures used for agricultural uses have a setback of less than 22.8 m (75 ft) from the side or rear lot lines.
- (3) The site plan for a development shall identify the land uses adjacent to each lot line and the existing or proposed location, width and type of landscape edge or fence to be maintained.

4.11 LIVESTOCK OPERATIONS

- (1) Livestock operations shall comply with all applicable provincial statutes, regulations and other enactments, and confirmation that the proposed development complies with such enactments shall be submitted with a development application.
- (2) The following separation distances shall apply to all new intensive livestock operations or extensions. The following separation distances shall also apply to a new residential development in the vicinity of an intensive livestock operation:

		Requirement
a.	Distance from any existing dwelling on an adjacent property	152.4 m (500 ft)
b.	Distance from a public road	45.72 m (150 ft)
c.	Distance from any domestic well	152.4 m (500 ft)

d.	Distance from any lot line	45.72 m (150 ft)
e.	Distance from any watercourse or wetland boundary	90.0 m (295.28 ft)

- (3) Where a new intensive livestock operation is proposed within 300 m. (984.2 ft.) of an existing residential subdivision, the Development Officer shall notify the property owners within 300 m. (984.2 ft.) of the proposed operation and invite their comments.
- (4) All intensive livestock buildings shall have a manure storage facility with a capacity for retention of manure for a period of time for which conditions do not permit spreading.
- (5) The Development Officer may consult the Department of Agriculture for manure storage capacities and design standards and shall require the livestock operator to follow these capacity and design requirements.

4.12 MULTIPLE LAND USES ON A LOT

- (1) In any zone, where the land or building is used for more than one purpose, all provisions of the Bylaw relating to each use shall be satisfied. Where there is a conflict, the stricter of the regulations shall apply. Regulations pertaining to parking requirements shall be cumulative for each use.

4.13 MULTIPLE BUILDINGS ON A LOT

- (1) No person shall erect more than one main building on a lot in the Residential Zone.
- (2) In the Agricultural Zone, no more than one single detached dwelling may be permitted on a lot and any other main buildings on the lot shall be related to the agricultural use.

4.14 NONCONFORMING BUILDINGS

- (1) A building or structure lawfully in existence on the effective date of approval of the Bylaw may continue to exist.
- (2) A building shall be deemed to exist on the effective date of approval of the Bylaw if the building was lawfully constructed or is under construction having received an approved development permit issued by the Municipality or the Provincial authority, as the case may be.
- (3) A nonconforming building that exists on or before the effective date of the Bylaw and which has less than the minimum setbacks required by the Bylaw or which exceeds the maximum height permitted by this Bylaw, may be enlarged, reconstructed, renovated or repaired provided the development does not further reduce the setbacks or increase the height that does not conform to the Bylaw and all other applicable provisions of the Bylaw are satisfied.
- (4) If a nonconforming building is destroyed by a fire or otherwise to an extent of fifty percent (50%) or more of the assessed value of the building above its foundation, it shall only be rebuilt or repaired in conformity with the provisions of the Bylaw, unless otherwise approved through a variance application.

4.15 NONCONFORMING LOTS

- (1) No person who owns a lot held in separate ownership from adjoining parcels on the effective date of the Bylaw, having less than the minimum lot frontage or lot area required by the Bylaw, shall be deprived of the ability to make reasonable use of the lot in accordance with the zone in which it is located.
- (2) Notwithstanding any other requirements of the Bylaw, a nonconforming lot held in separate ownership from adjoining parcels on the effective date of this Bylaw, may be used for any purpose permitted in the zone in which the lot is located provided that all other applicable provisions in this Bylaw are satisfied.
- (3) Any main building erected on a nonconforming lot shall have a maximum height of 8 m (26.2 ft) for structures with a flat or shed-roof design. Structures with a traditional gable style roof shall be permitted a maximum of 2-storeys and must satisfy the maximum height permitted in the zone.
- (4) A nonconforming lot which is increased in area or lot frontage or both, but remains undersized, is still considered an existing nonconforming lot.
- (5) Secondary suites shall only be permitted in a single detached dwelling on a nonconforming lot if the on-site sewerage disposal system is certified by a licensed septic contractor who carries a minimum of two (2) million dollars in professional liability and errors and omissions insurance or, in the case of a lot that does not meet the standards of the *Planning Act* Province-Wide Minimum Development Standards Regulations, from a licensed professional engineer, and is confirmed to be suitable for the soil type, lot size and proximity to adjacent lots.
- (6) Council may approve the rezoning of a nonconforming lot after receiving a recommendation from Planning Board, through the bylaw amendment application process set out in this Bylaw, provided that:
 - a. the use is found to be compatible with adjacent land uses, and that no permanent injury or nuisance will be caused to the existing or permitted use of the adjoining properties; and
 - b. the lot frontage and/or lot area requirements of the existing zone are the same as the lot frontage and/or lot area requirements of the proposed zone.

4.16 NONCONFORMING USES

- (1) The use of a lot, building or structure lawfully in existence on the effective date of approval of the Bylaw may continue to be used.
- (2) No intensification of use shall be made while a nonconforming use of land, buildings or structures is being continued.
- (3) No increase in the area occupied by the non-conforming use shall occur while a nonconforming use is being continued.

- (4) No structural alterations that would increase the exterior dimensions, except as required by statute or Bylaw, shall be made to a building or structure while a nonconforming use is being continued.
- (5) Any change of tenants or occupants of any premises or building shall not of itself be deemed to affect the use of the premises or building for the purposes of the Bylaw.
- (6) A nonconforming use of land, buildings or structures shall not be permitted if it has been discontinued for a period of twelve (12) months consecutively, and in such event, the land, building or structure shall not thereafter be used except in conformity with the Bylaw.

4.17 PARKING

- (1) Parking requirements for all new development shall be as follows:

a.	Residential uses	2 spaces/dwelling unit
b.	Tourism establishment	1 space/bedroom or guest unit, as applicable
c.	Commercial uses	1 space/ 27.9m ² (300 ft ²) of floor area
d.	Industrial uses	1 space/ 37.2m ² (400 ft ²) of floor area
e.	Public Service or Institutional uses	1 space/ 37.2m ² (400 ft ²) of floor area, or 1 space for every 5 seats

- (2) Additional on-site parking shall be required to be provided and maintained to accommodate a land use where the minimum parking requirements result in overflow parking into the public right-of-way.
- (3) Every parking space shall have minimum dimensions of 2.7 m (9 ft) by 5.5 m (18 ft) and shall have access to a clear maneuvering lane.
- (4) A maximum of 40% of the lot frontage, front yard or flankage yard on a lot may be used for the access, driveway, or parking areas on a residential or tourism establishment property.

4.18 PROHIBITED USES

- (1) Land uses that are not specified as permitted uses in the zone shall not be permitted in the zone.
- (2) No person shall use or occupy a recreational trailer or vehicle as a dwelling unit or as the main building on a lot.
- (3) Land uses which pose a serious contamination risk to groundwater, such as chemical plants or storage depots for hazardous materials, are prohibited.

4.19 RENEWABLE ENERGY PRODUCTION - WIND TURBINES AND SOLAR PANELS

- (1) An application for a wind turbine or solar panel(s) shall comply with all applicable provincial statutes, regulations and other enactments as required and confirmation that the proposed development complies with such enactments shall be submitted with the development permit application, including a permit from the minister responsible for the *Renewable Energy Act* Development Permit Regulations where appropriate.

- (2) No permit holder shall locate a wind turbine tower with a name plate capacity of 100 kilowatts or less within the distance equal to three times the total height of the wind turbine tower from any residential property, except a residential property owned and occupied by the owner of the wind turbine.
- (3) No wind turbine with a name plate capacity in excess of 100 kilowatts shall be permitted.
- (4) The installation of a solar panel(s) shall meet the standard requirements for development on a lot in that zone, including setbacks and lot coverage for a main building, when a solar array is the primary use of a lot, or for an accessory building when the solar panel(s) is accessory to the main use, as the case may be.
- (5) Solar panel(s) installation shall require a development permit unless the solar panels will be installed on the roof of an existing structure.

4.20 SECONDARY SUITES AND GARDEN SUITES

- (1) One (1) secondary suite may be constructed on a residential lot with a single detached dwelling.
- (2) A secondary suite within a single detached dwelling shall be subject to the following conditions:
 - a. The secondary suite shall be less than 80% of the gross floor area of the main dwelling, excluding the garage; and less than 80 m² (861 ft²) in floor area;
 - b. The secondary suite shall not contain more than 2 bedrooms;
 - c. At least one on-site parking space shall be provided, in addition to the parking requirements for the main dwelling;
 - d. The design of the secondary suite shall comply with any requirements of the provincial Fire Marshall's Office and applicable National Building Code standards;
 - e. The secondary suite shall share the water and sewerage disposal system of the main dwelling and the intensification of use of the systems shall comply with the requirements of section 3.7 of this Bylaw regarding water and sewerage disposal systems; and
 - f. No other secondary uses are present on the lot.
- (3) A secondary suite in an accessory building to a single detached dwelling, otherwise known as a garden suite, shall be subject to the following conditions:
 - a. The accessory building in which the secondary suite is located shall be located in the rear yard of the single detached dwelling;
 - b. The accessory building in which the secondary suite is located shall have a minimum setback of 4.6 m (15 ft) to any lot line;
 - c. The accessory building in which the secondary suite is located shall be less than 80% of the gross floor area of the main dwelling, excluding an attached garage; and less than 80 m² (861 ft²) in floor area;
 - d. The secondary suite shall not contain more than 2 bedrooms;

- e. At least one on-site parking space shall be provided, in addition to the parking requirements for the main dwelling;
 - f. The design of the secondary suite shall comply with any requirements of the provincial Fire Marshall's Office and applicable National Building Code standards;
 - g. The secondary suite shall share the water and sewerage disposal system of the main dwelling and the intensification of use of the systems shall comply with the requirements of section 3.7 of this bylaw regarding water and sewerage disposal systems; and
 - h. No other secondary uses are present on the property.
- (4) No variances shall be approved to increase the size of a secondary suite and where an application is received for a larger secondary suite, it shall be treated as an application for a second dwelling unit.

4.21 UTILITY SERVICES

- (1) Development permits may be withheld until such a time as any utility servicing requirements for a lot can be provided.
- (2) Shared or common services may be approved between adjacent lots if the proposed system complies with section 3.7 of this bylaw; all costs associated with the design and approval of a shared or common system shall be borne by the owner(s); and legal agreements are registered across all applicable properties with regards to ownership, maintenance and access.

4.22 SWIMMING POOLS

- (1) The installation of a swimming pool shall be permitted in any zone in accordance with the following provisions:
 - a. A fence or gated enclosure at least 1.8 m (5.9 ft) tall shall be constructed in such a manner as to impede unauthorized persons from entering the swimming pool area;
 - b. The use of a private water service to fill a swimming pool shall be subject to any applicable provincial regulations.
 - c. The disposal of the water from a swimming pool shall be subject to any applicable provincial regulations and shall not result in direct drainage on to an adjacent lot.

4.23 TEMPORARY BUILDINGS AND TEMPORARY STRUCTURES

- (1) Temporary structures directly pertinent to an approved construction project shall be permitted during construction, erection, placement or alteration of a building or structure, and up to a maximum of thirty (30) days after the completion of the building or structure.
- (2) The placement of a temporary structure shall not involve the alteration to the existing grade of the lot and shall not result in an alteration to the natural surface drainage pattern on the lot.

- (3) A temporary seasonal structure may be permitted for commercial use, on a property that permits such a use, and the temporary seasonal structure shall be subject to the same development standards as a permanent structure.

4.24 TOURISM ESTABLISHMENTS AND SHORT TERM RENTALS

- (1) Tourism establishments and short term rentals shall be licensed in accordance with the *Tourism Industry Act* and upon receiving approval of the license from the province:
 - a. the license number shall be included in all public and online advertisements of the tourism establishment or short term rental; and
 - b. a copy of the license shall be provided to the Municipality for inclusion in a registry of provincially-licensed tourism establishments upon receipt or renewal as required by the province.
- (2) Tourism establishments operating within the Tourism Establishment Zone or Commercial Zone shall be considered commercial tourism establishments and will be subject to the development regulations of a commercial use, unless otherwise specified.

4.25 WETLANDS AND WATERCOURSES, DEVELOPMENT ADJACENT TO

- (1) No person shall, without a license or a Buffer Zone Activity Permit issued by the Province, alter or disturb the ground or soil within the buffer zone as defined in the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations.
- (2) The minimum setback of any building or structure from a coastal area, wetland, watercourse or shoreline shall be the greater of 23 m (75.5 ft) or 60 times the historical erosion rate as determined by the provincial department responsible for such calculations.
- (3) No building or structure on a lot near a coastal area, wetland, watercourse or shoreline shall be erected or placed where the elevation of the grade of the lot is 3.0 m CGVD 2013 (3.846 chart datum) or less, to avoid potential coastal flood risk, except where the structure will be used for fishing or bait sheds, aqua-culture operations, boat launches, wharfs, or structures or buildings on a property in which a wharf is located.
- (4) Where a property is at risk of coastal flooding and the finished grade of the lot can be raised to accommodate the projected risk, the grading plan shall be designed and stamped by a qualified engineer and any alteration to the grade shall not encroach within the buffer zone, as defined in the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations.
- (5) An erosion management plan may be required to address siltation and overland erosion during construction that may impact an adjacent wetland or watercourse.
- (6) Development will be in accordance with provincial policies and regulations to address coastal flood risk, erosion, and environmentally sensitive areas.

5. AGRICULTURAL ZONE (A)

5.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Agricultural (A) Zone shall conform to the provisions of this Part.

5.2 PERMITTED USES

- (1) A building or a lot in the Agricultural Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Duplex dwelling
c.	Home occupation
d.	Accessory building
e.	Parks
f.	Active recreational uses
g.	Secondary suite
h.	Semi-detached dwelling
i.	Agricultural use including barns, stables, greenhouses and other buildings related to the agricultural or resource land use.
j.	Marine access, including wharfs, buildings and structures related to fisheries.
k.	Forestry land use
l.	Resource commercial use
m.	Resource industrial use
n.	Excavation pit

5.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

		Single detached dwelling, Duplex dwellings and the permitted accessory uses	All other uses
a.	Lot area (minimum)	0.4 ha (1 acre)	0.8 ha (2 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
e.	Side yard setback (minimum)	4.6 m (15 ft)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)

g.	Flankage yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

6. RESIDENTIAL ZONE (R)

6.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Residential (R) Zone shall conform to the provisions of this Part.

6.2 PERMITTED USES

- (1) A building or lot in the Residential Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Home occupation
c.	Secondary suite
d.	Accessory building
e.	Parks

- (2) Small scale agricultural uses, including hobby farms and greenhouses that exceed the maximum size for accessory structures, may be permitted on properties in the Residential Zone, where the Lot Area is larger than 1.01 ha (2.5 acres).

6.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	4.6 m (15 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

- (3) Where a development is to be serviced by a central water supply and central sewerage disposal system, the following reduced lot size standards may be permitted:

a.	Lot area (minimum)	0.2 ha (0.5 acres)
b.	Lot frontage (minimum)	22.9 m (75 ft)
c.	Front yard setback (minimum)	7.6 m (25 ft)
d.	Flankage yard setback (minimum)	7.6 m (25 ft)

Note: The lot coverage, side yard setback, rear yard setback, and height (maximum) regulations are not changed from those stated in Subsection 6.3(1).

- (4) Where a development is to be serviced by either a central water supply system or a central waste treatment system but not both, Council may authorize a reduced lot area and/or frontage for a subdivision consistent with subsection (3) above, where all other requirements of the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* can be satisfied.

7. MULTI-UNIT RESIDENTIAL ZONE (R3)

7.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Multi-Unit Residential (R3) Zone shall conform to the provisions of this Part.

7.2 PERMITTED USES

- (1) A building or lot in the Multi-Unit Residential Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Semi-detached dwelling
c.	Duplex dwelling
d.	Multi-unit row dwellings (maximum 8 units per building)
e.	Multi-unit dwellings (maximum 8 units per building)
f.	Group home
g.	Nursing home or community care facility
h.	Home occupation
i.	Secondary suite
j.	Accessory building
k.	Parks

7.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

		Single detached dwelling, Duplex dwellings and the permitted accessory uses	All other uses
a.	Lot area (minimum)	0.4 ha (1 acres)	0.8 ha (2 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)	10.6 m (35 ft)

- (1) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

8. TOURISM ESTABLISHMENT ZONE (TE)

8.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Tourism Establishment (TE) Zone shall conform to the provisions of this Part.

8.2 PERMITTED USES

- (1) A building or lot in the Tourism Establishment Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Semi-detached dwelling
c.	Duplex dwelling
d.	Home occupation
e.	Tourism establishment
f.	Restaurant, accessory to a tourism establishment
g.	Retail store, accessory to a tourism establishment
h.	Business or professional office, accessory to a tourism establishment
i.	Personal services, accessory to the tourism establishment
j.	Active recreational uses, accessory to the tourism establishment
k.	Secondary suite
l.	Accessory building
m.	Dwelling above a commercial use that is accessory to a tourism establishment
n.	Parks

8.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

		Single detached dwelling, Duplex dwellings and the permitted accessory uses	All other uses
a.	Lot area (minimum)	0.4 ha (1 acres)	0.8 ha (2 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

9. COMMERCIAL ZONE (C)

9.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Commercial (C) Zone shall conform to the provisions of this Part.

9.2 PERMITTED USES

- (1) A building or lot in the Commercial Zone shall be used for no other purpose than:

a.	Agricultural uses
b.	Tourism establishment
c.	Restaurant
d.	Retail store
e.	Business or professional office
f.	Personal services
g.	Resource commercial uses
h.	Automotive sales
i.	Dwelling above a commercial use
j.	Temporary or seasonal commercial uses
k.	Accessory building

- (2) Uses permitted in the PSI Zone, excluding a group home and nursing home, are also permitted in the Commercial Zone.

9.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

10. INDUSTRIAL ZONE (I)

10.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Industrial (I) Zone shall conform to the provisions of this **Part**.

10.2 PERMITTED USES

- (1) A building or lot in the Industrial Zone shall be used for no other purpose than:

a.	Restaurant
b.	Retail store
c.	Business and professional offices
e.	Emergency service facilities
f.	Resource industrial uses
g.	Manufacturing, assembly, and processing plant
h.	Research facilities
i.	Transport operations
j.	Warehouse and storage facilities
k.	Automotive sales and automotive repair services
l.	Heavy equipment repair services
m.	Excavation pit
n.	Accessory building

10.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

11. PUBLIC SERVICE AND INSTITUTIONAL ZONE (PSI)

11.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Public Service and Institutional (PSI) Zone shall conform to the provisions of this Part.

11.2 PERMITTED USES

- (1) A building or lot in the Public Service and Institutional Zone shall be used for no other purpose than:

a.	Group home
b.	Nursing home or community care facility
c.	Institutional uses
d.	Emergency service facilities
e.	Health and wellness services
f.	Commercial child care facility
g.	Active recreational uses (indoor or outdoor)
h.	Parks
i.	Active recreational uses (outdoor)
j.	Accessory building

11.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

12. PARKS AND RECREATION ZONE (PR)

12.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Parks and Recreation Zone (PR) Zone shall conform to the provisions of this Part.

12.2 PERMITTED USES

- (1) A building or lot in the Parks and Recreation Zone shall be used for no other purpose than:

a.	Parks
b.	Active recreational uses (outdoor)
c.	Accessory uses to active recreation uses including but not limited to a concession stand, food/beverage service, and supporting retail.
d.	Marine access, including wharfs 3.7m (12 ft) wide or less
e.	Accessory building

12.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) Any building or structure erected in the PR Zone shall be deemed to be an accessory building and notwithstanding any other section of the Bylaw, accessory buildings in this zone may be permitted in the front yard.

- (2) All development shall conform to the following lot size and development standards:

a.	Lot coverage (maximum)	10%
b.	Front yard setback (minimum)	7.6 m (25 ft)
c.	Height (maximum)	7.6 m (25 ft)

- (3) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

13. ENVIRONMENTAL CONSERVATION ZONE (EC)

13.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Environmental and Conservation Zone (EC) Zone shall conform to the provisions of this Part.

13.2 PERMITTED USES

- (1) A building or lot in the Environmental Conservation Zone shall be used for no other purpose than:

a.	Trails and pathways
b.	Natural area
c.	Conservation area
d.	Marine access (not including wharfs and structures)
e.	Accessory Building

13.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) Where only a portion of a property is within the EC Zone, no building or structures, or grade alterations shall be permitted on that portion of the property that falls within the EC Zone unless the structure is designed to have the least impact necessary to provide safe egress/ingress across that portion of the property, and applicable permits have been issued by the provincial government department responsible for *Environmental Protection Act*.
- (2) Where an entire property is located with the EC Zone, the only building or structure that may be erected on the property is an accessory building and the accessory building shall have no other use than to provide shelter or storage as necessary to support the maintenance of the property.
- (3) Notwithstanding any other section of the Bylaw, accessory buildings in this zone may be permitted in the front yard.
- (4) All development shall conform to the following development standards:
- | | | |
|----|------------------------------|---------------|
| a. | Lot coverage (maximum) | 10% |
| b. | Front yard setback (minimum) | 7.6 m (25 ft) |
| c. | Height (maximum) | 7.6 m (25 ft) |
- (5) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

14. FEDERAL JURISDICTION ZONE (FJ)

14.1 GENERAL REQUIREMENTS

- (1) The Federal Jurisdiction Zone shall only apply to lots owned by the Federal Government of Canada.
- (2) If a lot in the Federal Jurisdiction Zone changes ownership, the lot shall be subject to a rezoning application prior to any development permits being issued.
- (3) All development, buildings and parts thereof erected, placed or altered or any land used within the Federal Jurisdiction Zone (FJ) shall be developed and used under the authority of the Federal Government's policies and regulations.
- (4) Municipal development permits are not required in the Federal Jurisdiction Zone.

15. RIGHT OF WAY ZONE (ROW)

15.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Right of Way (ROW) Zone shall conform to the provisions of this Part.
- (2) Where only a portion of a property is within the ROW Zone, only that portion of the property is subject to the provisions of this Part.

15.2 PERMITTED USES

- (1) No building or structures shall be permitted in the ROW Zone unless the structure is necessary to provide safe egress/ingress across that portion of the property.
- (2) A building or lot in the ROW Zone shall be used for no other purpose than the following uses:

a.	Highways and private road
b.	Public or private pathway and trail
- (3) No development, including maintenance and repairs, or alteration to the grade of a property shall take place within the ROW Zone prior to the applicant providing written notice to any property owners who may be temporarily or permanently impacted by the development because they normally depend upon free and unobstructed passage over the subject property to access their own property.
- (4) Notwithstanding (3) above, the requirement to provide written notice shall not apply to the Province except where required under the *Roads Act*.

16. GENERAL PROVISIONS FOR SUBDIVISIONS

16.1 SUBDIVISION APPROVAL

- (1) No person shall subdivide one or more lots or any portion of a lot, until the conditions of the Bylaw have been complied with and the application for subdivision has received final approval.

16.2 CONVEYING INTEREST IN A LOT

- (1) No person shall sell or convey any interest in a lot in a subdivision before final approval of the subdivision in which the lot is situated has been granted.

16.3 DEVELOPMENT PERMITS

- (1) A development permit shall not be issued for a lot until all of the requirements of the subdivision approval for the lot have been fulfilled.

16.4 PERMISSION TO SUBDIVIDE

- (1) No land shall be subdivided unless the subdivision:
 - a. can be subdivided according to the provisions of the Bylaw and any applicable provincial statute, regulation or other enactment;
 - b. is suitable to the topography, physical conditions, soil characteristics, and natural and surface drainage of the land;
 - c. is designed so that all lots will have lot frontage on a highway;
 - d. has safe and convenient highway access and will provide for safe and convenient traffic flow as determined and approved by the government department responsible for the administration of the *Roads Act*;
 - e. has utilities and services available, or can be provided with utilities and services;
 - f. is designed so that lots will have suitable dimensions, shapes, orientation and accessibility;
 - g. is suitable to the use for which it is intended;
 - h. will not cause undue flooding or erosion; and
 - i. will not result in damage to the natural environment, including any wetland or watercourse.

16.5 ROAD STANDARDS:

- (1) No subdivision shall be permitted on a lot served by a private road.
- (2) Notwithstanding subsection (1) and until December 31, 2025, no more than three (3) lots may be subdivided from a lot served by an existing private road.
- (3) All new roads shall be highways.

16.6 EXEMPTION: REDUCED LOT FRONTAGE OR SIZE

- (1) If a lot is of such a configuration, or is located along a bend in a street or facing a cul-de-sac, in such a manner that it cannot reasonably be subdivided to provide the required minimum lot frontage on a highway, a reduced lot frontage may be approved provided that:
 - a. The lot frontage and entranceway has a minimum width of 7.3 m (24 ft);
 - b. The lot width at the front building line measures at least as much as the minimum lot frontage for the zone;
 - c. The lot size in all other respects meets the requirements of the Bylaw; and
 - d. No more than one lot with a reduced lot frontage shall be subdivided from an existing lot.
- (2) A subdivision of an existing nonconforming lot may be permitted if the subdivision results in an increase to the lot area or lot frontage or both, even if the Lot will remain undersized following the subdivision.

16.7 PARKLAND DEDICATION

- (1) A person seeking subdivision of a lot into five (5) or more new lots, exclusive of the parent parcel as it existed on the effective date of this bylaw, shall be required to dedicate and convey to the Municipality seven point five percent (7.5%) of the total lot area of all newly created lots for recreation and public open space purposes.
- (2) The subdivision of the five (5) lots do not need to be approved as part of one subdivision application; rather once four (4) lots have been subdivided from the parent parcel, seven point five percent (7.5%) of the area of the five (5) lots must be dedicated or conveyed to the Municipality prior to the approval of any lots in excess of the first four (4) lots, notwithstanding that the ownership of the parent parcel may have changed.
- (3) The lands dedicated and conveyed to the Municipality in accordance with subsection 16.7(1) above shall be subject to the following conditions:
 - a. The location of the land to be conveyed shall be in the discretion of and shall be subject of the approval of Council;
 - b. The land shall be free of all encumbrances.
 - c. Council may apply the dedication and conveyance of seven point five percent (7.5%) of the lot area to active transportation routes and/or trail systems within or between subdivisions, or where valued natural assets such as forest cover can be protected.
- (4) In lieu of land conveyance, where land is not deemed to be appropriate by Council, Council shall require a payment of seven point five percent (7.5%) of the assessed market value of all newly created lots. The value shall be calculated on the appraised value of the subdivided land and shall not take into account the value of structures on such lands. Council retains the right to use the services of qualified property appraiser(s) to determine the appraised value of land.
- (5) The parkland dedication may be in the form of land, cash, or a combination of land and cash of an equivalent value.

16.8 SPECIAL REQUIREMENTS: AGRICULTURAL ZONE:

- (1) Within the Agricultural (A) Zone, no person shall be permitted to subdivide from an existing lot more than four (4) lots.

16.9 SPECIAL REQUIREMENTS: WATERCOURSES AND WETLANDS

- (1) The boundary of any watercourse and/or wetland, and the adjacent environmental buffer zone, as required by the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations shall be identified on site by a qualified professional and included on the plan of subdivision.
- (2) Where a lot or a portion of a lot contains a wetland or watercourse, the boundary of which is defined by the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*, the lot(s) shall meet the minimum lot area for the zone exclusive of the area of the wetland or watercourse.
- (3) The area of a lot that is located within the Environmental Buffer as required by the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations, may be included as part of one or more lots in a subdivision of a lot adjacent to a wetland or watercourse, where the lot has sufficient area exclusive of the area within the buffer to permit the building structure with minimum setbacks, and on site services including the minimum circle diameter for the services, as required by the Bylaw.

16.10 SPECIAL REQUIREMENTS: SUBDIVISION OF ATTACHED DWELLINGS

- (1) Semi-detached dwellings may be subdivided provided that:
 - a. A subdivision of the lot of land has been approved and each lot meets the requirements of the Bylaw;
 - b. The units must be separated from the basement floor to the underside of the roof by a vertical wall built in accordance with applicable National Building Code and/or Fire Code regulations, and certified by a qualified architect and/or engineer;
 - c. A separate water and sewer service is provided for each unit;
 - d. A separate electrical service is provided for each unit;
 - e. A separate heating device is provided for each unit;
 - f. Separate parking is to be provided for each unit; and
 - g. A copy of the agreement made between the owners covering the following terms is registered at the land registry on the title of each unit:
 - i) common walls;
 - ii) maintenance;
 - iii) fire insurance;
 - iv) easements;
 - v) parking;
 - vi) snow removal; and

- vii) any other items jointly owned or used.

16.11 PRELIMINARY REVIEW PROCEDURE

- (1) Any person seeking approval of a subdivision shall first make application for preliminary approval, and shall be required to submit the following information:
 - a. A completed preliminary subdivision application form;
 - b. An orthophoto showing the location of the parcel and all adjoining properties;
 - c. A description of the use or proposed use of the land and of the surrounding properties;
 - d. A preliminary subdivision plan, drawn to scale showing:
 - i) the true shape and dimensions of the proposed lot(s);
 - ii) the location of existing buildings or structures on the lot(s) and adjacent lots;
 - iii) existing and proposed services and utilities;
 - iv) proposed widths and locations of all streets;
 - v) location of land proposed for open space and parks use;
 - vi) proposed surface water drainage patterns and designed drainage features, when applicable; and
 - vii) Any other application existing or proposed features, including buildings, watercourses, wetlands, buffer zone, wooded areas, and areas subject to current or future projected flooding and erosion.
- (2) The applicant may also be required to provide additional information required to assist in evaluating a proposed subdivision, including, but not limited to:
 - a. Results of a soil test and/or water test;
 - b. Stormwater management plan;
 - c. An assessment of potential environmental impacts, including any requirements imposed by provincial statutes, regulations, or other enactments; and/or
 - d. A written assessment by the provincial government on access, transportation or pedestrian issues related to the design; a traffic survey or a traffic study.
- (3) In formulating a decision or in developing a recommendation for Council, the Development Officer may consult with provincial government officials and/or private consultants.
- (4) In the review of the proposed water supply and sewerage disposal needs, a subdivision approval may be withheld until such time as adequate servicing has been designed for the subdivision.
- (5) A subdivision application that includes lots intended to accommodate septic sewage disposal systems shall not be granted preliminary or final approval until the lots have been categorized in accordance with the *Planning Act* Province-Wide Minimum Development Standards and the *Environmental Protection Act* Sewage Disposal Systems Regulations.
- (6) The installation of a private central sewerage disposal system may be required as a condition of a subdivision approval or may be permitted as part of a subdivision application

provided that the proposed system is designed by, and construction is supervised and certified by a licensed professional engineer.

- (7) The total number of lots approved in any one phase of a subdivision shall not exceed twenty (20).
- (8) A subdivision application which does not meet the requirements of the Bylaw shall be rejected.
- (9) Preliminary approval of a subdivision shall not be construed as final approval of such subdivision for legal conveyance or for land registration purposes, and preliminary approval shall be effective for a period of twelve (12) months, or such additional time as may be authorized by Council.
- (10) If preliminary subdivision approval has been granted, a subdivision agreement may be executed outlining the conditions to be satisfied for the subdivision to proceed to final approval.
- (11) Where a subdivision application is submitted concurrently with a rezoning application, the preliminary subdivision approval shall not be granted until the rezoning application has been processed and has received approval.

16.12 SUBDIVISION AGREEMENT

- (1) An applicant may be required to enter into a subdivision agreement as a condition of subdivision approval. The subdivision agreement may cover, but not be limited to, the following matters:
 - a. Design and construction costs of highways, sidewalks, street lighting, water services, sewerage disposal system and storm drainage;
 - b. Dedication of land for recreation and public open space purposes, or payment of a fee in lieu of land;
 - c. Building of highways to provincial standards and deeding of highways to the provincial government;
 - d. Posting of a financial guarantee;
 - e. The provision of a stormwater management plan to guard against flooding of lots within the subdivision and adjacent properties;
 - f. Phasing of the subdivision;
 - g. Preservation and enhancement of surface water drainage systems and other environmental features within or adjacent to the subdivision;
 - h. Assignment of costs associated with the drafting, signing and enforcing of the agreement; and
 - i. Any other matters that are deemed necessary to conform to the Bylaw or to ensure the health, safety and convenience of the public.
- (2) All subdivision agreements shall be registered in accordance with the provisions of the *Registry Act*.

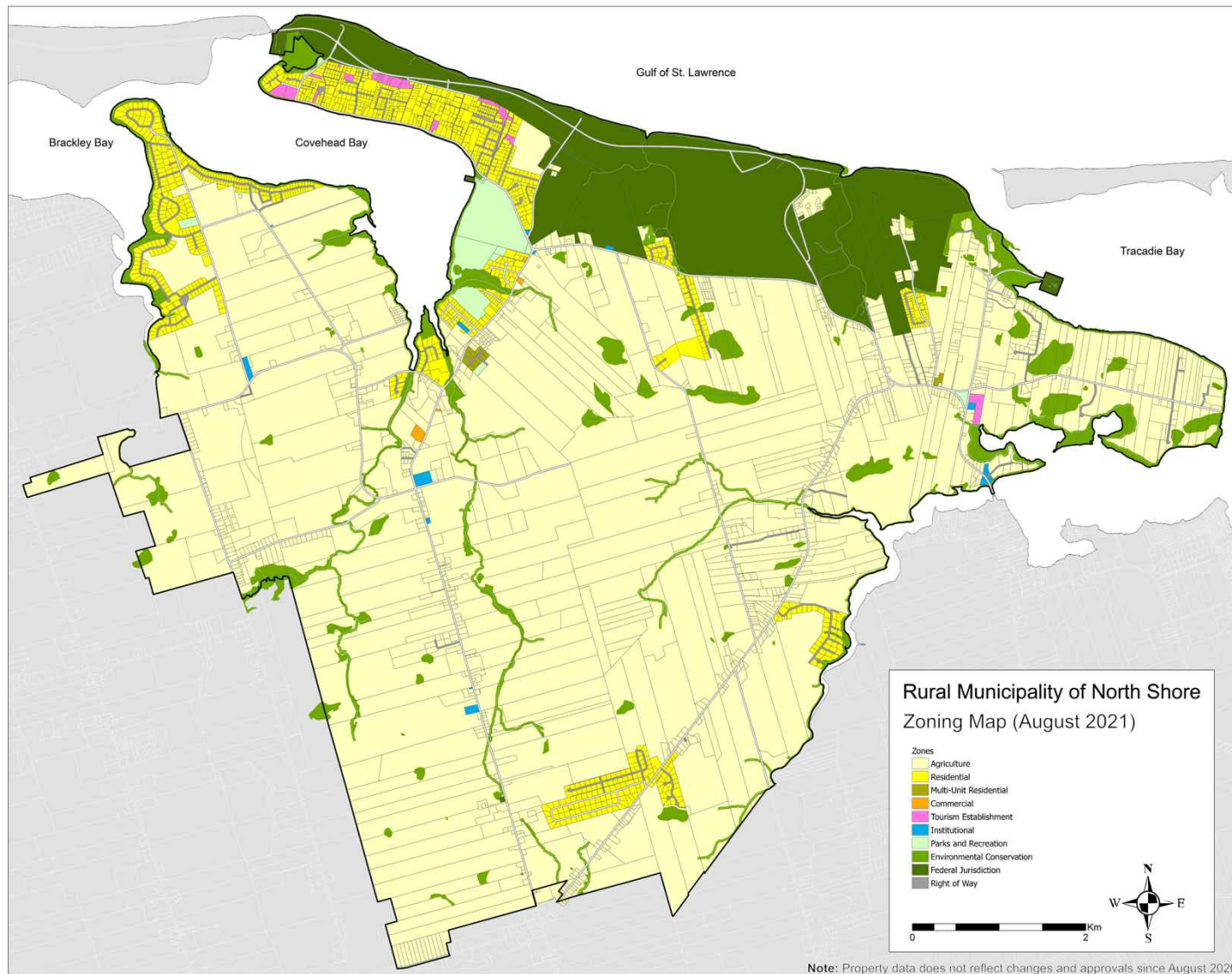
16.13 FINAL APPROVAL

- (1) Any person seeking final subdivision approval shall be required to submit to the Development Officer a completed final subdivision application form with seven (7) copies of a final survey plan showing all lots pinned and certified by a licensed surveyor.
- (2) Where a parent parcel of a subdivision exceeds 4 ha (10 acres) in lot area, Council may waive the pinned survey plan requirement for the parent parcel of the subdivision.
- (3) A storm water management plan prepared by a licensed engineer shall be submitted with an application for final approval for any subdivision of a lot into two (2) or more new lots. The storm water management plan shall include an overall surface water management strategy for the proposed subdivision, and shall include the proposed general location and top of foundation elevation for the main buildings to be erected on each lot.
- (4) Final subdivision approval shall be granted by the Development Officer or Council, as the case may be, only after the applicant has:
 - a. complied fully with all applicable requirements of this Section and the conditions of the subdivision agreement;
 - b. all transactions involving the transfer of land, money or security in conjunction with the subdivision have been concluded to the satisfaction of the Development Officer; and
 - c. the applicant has completed any necessary conditions of agreements with the provincial department responsible for transportation respecting highway construction and the highway has been accepted as public.
- (5) Final approval may be granted to part of a subdivision which is proposed to be developed in phases;
- (6) Final approval of a subdivision shall be provided in writing, and the Development Officer shall place the Municipality's seal on the seven (7) copies of the survey plan and shall return one (1) copy to the applicant;
- (7) The Development Officer shall file copies of the final survey plan with the:
 - a. Registrar of Deeds;
 - b. provincial department responsible for Transportation;
 - c. Municipality's records; and
 - d. local utilities, as required.

16.14 CONSOLIDATIONS AND BOUNDARY LINE ADJUSTMENTS

- (1) Notwithstanding the above provisions, final approval applications for lot consolidations or boundary line adjustments may be submitted without the preliminary approval stage of the application process, having regard to the provisions in the Bylaw for the approval of subdivisions, as may be applicable, and provided the application otherwise conforms to the Bylaw.

SCHEDULE A. ZONING MAP



SCHEDULE B. DEFINITIONS

For the purpose of the Bylaw:

- (1) Accessory building or accessory structure means a building or structure on the same lot of land as a main building, the use of which is clearly incidental and subordinate to that of the main approved use of the lot on which the building or structure is located.
- (2) Active recreational uses means activities such as organized sports that require specific development, facilities and equipment, and for which a site is purposefully maintained to support such an activity. Active recreational uses include but are not limited to baseball, softball, soccer, volleyball, and golf.
- (3) Agricultural use means a use of a parcel or buildings for farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, storing or treating the produce.
- (4) Alter or alteration means to make a change in the size, shape, bulk or structure, whether interior or exterior, of a building or any part thereof, but does not include repairs carried out for the purposes of maintenance or non-structural renovation or improvement.
- (5) Automotive sales means an building or lot used for the sale and/or rental of passenger vehicles, trucks, vans, motorcycles, snowmobiles, tent and holiday trailers, boats or other recreational vehicles.
- (6) Automotive repair services means an establishment where gasoline, oil, grease, anti-freeze, tires, and accessories for motor vehicles are stored and kept for sale, and where repairs of automobiles and trucks including alignment, muffler, automotive glass, transmission repair, vehicle upholstery shops, tire stores, and car washes.
- (7) Buffer zone means the land within 15 m (49.2 ft) of a watercourse boundary or a wetland boundary as defined in the Watercourse and Wetland Protection Regulations, of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9.
- (8) Building means any structure having a roof supported by columns or walls intended for the shelter, housing or enclosure of any person, animal or chattel.
- (9) *Building Codes Act* means the *Building Codes Act* R.S.P.E.I. 1988, c B-5.1 of the Province of Prince Edward Island.
- (10) Building line means any line regulating the position of a building or structure on a lot.
- (11) Building setback means the distance between the street line and the nearest main wall of a building or structure and extending the full width of the lot.
- (12) Business or professional office means a premise where services are offered for a fee but does not include premises used for the retailing, wholesaling, manufacturing or conversion of goods.
- (13) Campground means a parcel used or permitted to be used by the travelling public that provides sites for tents, trailers, or motor homes and may also be called a RV park but shall not include industrial, work or construction camps or permanent manufactured housing parks.

- (14) Change of use means the change of use of a parcel or a building from one type of permitted use to another type of permitted use or an increase in the intensification of use, including an increase in the number of dwelling units.
- (15) Child care facility means any institution, agency, or place, whether known as a day nursery, nursery school, kindergarten or play school, which receives children for temporary care apart from the parents on a daily or hourly basis, with or without stated educational purposes, as regulated in the *Child Care Facilities Act* R.S.P.E.I. 1988, Cap. C-5.
- (16) Commercial use means the use of a building or parcel for the purpose of buying and selling goods and supplying services.
- (17) Common wall means a vertical wall separating two dwelling units between the top of the footings to the underside of the roof deck, and shall be mutually common to both dwelling units.
- (18) Community Care Facility means a facility licensed pursuant to the *Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13.
- (19) Conservation means an activity in which people make efforts to protect, preserve or restore the environment and its biological diversity.
- (20) Council means the elected Council of the Rural Municipality of North Shore.
- (21) Craft studio means a space occupied by a craftsperson and used solely for the production and sale of craft items such as pottery, weaving, sewing, jewelry, painting and print making, sculpture and fine woodworking, and such other similar handcrafted items.
- (22) Deck means an open unroofed structure or platform extending from a building intended as outdoor living space.
- (23) Demolition means to demolish, remove, pull down or destroy a building or structure.
- (24) Development means site alteration, including but not limited to:
 - a. Altering the grade of the land;
 - b. removing vegetation from the land;
 - c. excavating the land;
 - d. depositing or stockpiling soil or other material on the land, and
 - e. establishing a parking lot,
 - f. Locating, placing, erecting, constructing, altering, repairing, removing, relocating, replacing, adding to or demolishing structure or buildings in, under, on or over the land;
 - g. Placing temporary or permanent mobile use or structures in, under, on or over the land; or
 - h. Changing the use or intensity of use of a lot or the use, intensity of use or size of a structure or building.
- (25) Development agreement means a binding contract between an owner and the Community to ensure a development is carried out in a particular manner.
- (26) Development Officer means an individual appointed by the Council to administer, on its behalf, the Rural Municipality of North Shore Land Use Bylaw

- (27) Development permit means the formal and written authorization for a person to carry out any development.
- (28) Dwelling or dwelling unit means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided;

Dwellings can be arranged in different building types including:

- a. Duplex means a building that is split into two dwelling units, each with an independent entrance, either directly or through a common vestibule. The dwelling units share essential services and as such cannot be subdivided.
 - b. Multi-unit dwelling means a building containing three or more dwelling units.
 - c. Multi-unit row dwelling means a building that is divided into three or more dwelling units each with a shared vertical wall separating the unit from the adjacent unit, and each of which has independent entrances
 - d. Secondary Suite means a self-contained Dwelling unit with a prescribed Floor area located in an accessory Building or in a portion of a Building of only residential occupancy that contains only one other Dwelling unit and common spaces, and where both Dwelling units constitute a single real estate entity.
 - e. Semi-detached dwelling means a building divided into two (2) separate units, with a shared vertical wall separating the units from each other, and each of which has independent entrances and independent water and sewerage disposal services.
 - f. Single detached Dwelling means a building containing one dwelling unit and, includes structures commonly referred to as mini-homes and modular homes, as well as dwellings built in place.
- (29) Edge means the boundary between different zones, or the boundary between different uses within the same zone.
- (30) Egress/ingress means the right to enter and leave a property.
- (31) Emergency service facilities means private or publicly owned and operated facilities for the provisions for emergency services including fire protection, policing and health services.
- (32) Entranceway means a driveway providing access to and from a lot to a highway.
- (33) *Environmental Protection Act* means the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9. of the province of Prince Edward Island.
- (34) Erect means to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, filling or draining.
- (35) Excavation pit means any excavation in the ground for the purpose of searching for or removing clay, gravel, sand, shale, subsoil, topsoil, rock or any other surface or subterranean deposit, but does not include an excavation made within the boundaries of a highway, or a snow-trap constructed to protect a roadway from snow accumulation;

- (36) Existing lot means a lot of land held under a separate deed, and having a provincial property identification number (PID) as of the effective date of the Bylaw, and for the purposes of subdivision an existing lot is one which has been described by deed and which has had a PID since January 25, 1989.
- (37) Farm means arable land greater than ten (10) acres in size and complementary buildings, operated as a farm enterprise by a bona fide farmer and includes land leased from the Crown and operated as part of a farm enterprise, but excludes land leased or rented from owners who are not bona fide farmers.
- (38) Fence means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.
- (39) Floor area means:
- With reference to a dwelling, the area contained within the outside walls excluding any private garage, porch, veranda, sunroom, greenhouse, unfinished attic, unfinished basement, and other rooms not habitable at all seasons of the year;
 - With reference to a non-residential building, the total usable floor area within a building.
 - With reference to an accessory building, the area contained within the outside walls.
- (40) Footprint means the outline of the total area of a lot or site that is surrounded by the exterior walls of a building or portion of a building, exclusive of courtyards.
- (41) Forestry Land Use means a commercial silviculture or the production of timber or pulp and any other uses associated with forestry including sawmills, related vehicle and equipment storage, accessory buildings and yards, as well as retail and wholesale outlets for wood and wood products.
- (42) Grade means:
- as it applies to the determination of building height*, the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground; and
 - as it applies to ground level*, the average of the mean elevations of all the natural levels or finished ground adjoining existing walls of buildings, and the degree of rise or descent of the sloping surface.
- (43) Group home means a facility licensed or funded by the Province of Prince Edward Island that provides accommodation, supervisory and/or personal care to residents with social, physical, or mental issues with at least one (1) staff person.
- (44) Health and wellness services means an establishment used by qualified medical practitioners and staff for the provision of medical, health and dental care on an outpatient basis. This term refers to such uses as medical and dental offices, physiotherapy services, chiropractic services, counseling services, and ancillary clinic counseling services.
- (45) Heavy Equipment Repair means an establishment for the repair of vehicles, construction equipment and apparatus, as well as equipment associated with any form of heavy manufacturing.

- (46) Height means the vertical distance measured from the averaged finished grade to the highest point of roof surface for a building, or the highest part of a structure.
- (47) Highway, road or street means all the area within the boundary lines of a road, street or right-of-way which is vested in the Province of Prince Edward Island and used or intended for use by the general public for the passage of vehicles and includes any bridge over which any such road, street or right-of-way passes.
- (48) Home occupation means an accessory use conducted in a portion of a dwelling, or within an accessory building, for pursuits which are compatible with a domestic household. A home occupation shall be clearly incidental and secondary to the residential use of the dwelling.
- (49) Industrial use means use of a parcel or buildings in or from which goods or materials are manufactured, processed, assembled or extracted, or premises from which wholesale trade is carried on, including warehousing.
- (50) Institutional use means the use of a parcel or buildings for non-profit or public purposes including but not limited to, hospitals, government buildings, places of worship, cemeteries, public schools, colleges, cultural centres, libraries and public recreational and park buildings.
- (51) Intensification means the development of a parcel at a higher density than previously existed and includes redevelopment or development within existing communities, infill development, or development on vacant lots or underdeveloped lots within a built-up area, conversion or the change of use of an existing structure or use, and the creation of additional dwelling units or other accommodation in dwellings.
- (52) Kennel means a building or structure where more than four (4) domestic animals excluding livestock are kept, boarded, bred and raised for profit or gain.
- (53) Landscape edge means a visual barrier formed by a row of shrubs or trees that is maintained between one lot or land use and another.
- (54) Livestock operation means the rearing of livestock or poultry which may be confined in buildings, open sheds, yards, paddocks or by field grazing, the numbers of which, type of management system, minimum separation distance, etc., as recommended by the provincial government department responsible for Agriculture "Guidelines for Manure Management and Separation Distances" shall define intensive use for the purpose of evaluating the environmental impact of such an operation on the surrounding area.
 - a. Intensive Livestock Operation means a place where livestock are found in a density greater than seven animal units per acre in confined area to which the livestock have access, with the calculation of animal units as established in the *Environmental Protection Act* Watercourse and Wetland Protection Regulations;
- (55) Lot or parcel means any division of land or property which is recognized as a separate unit of land for the purposes of this bylaw. Features of a lot include:
 - a. Lot area means the total area included within the lot lines of a parcel;
 - b. Lot coverage means the percentage of the lot that is covered by buildings, also known as the building footprint; Maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot.

- c. Lot frontage means the distance between the side lot lines where they meet the front lot line.
- d. Lot line means any boundary of a lot.
- e. Interior lot line means any lot line that is not coincident with a highway.
- f. Front lot line means the lot line abutting a highway.
- g. Rear lot line means the lot line farthest from, or opposite to the front lot line.
- h. Side lot line means a lot line other than a front or rear lot line.

Types of lots include:

- a. Corner lot means a lot situated at an intersection of and abutting on two or more streets;
 - b. Interior lot means a lot other than a corner lot.
 - c. Panhandle or flag lot means a lot that does not have the minimum lot frontage on a road required by these regulations, but has an entranceway providing access to a highway. The developable portion of the lot is behind another lot and connected by a narrow strip of land that does not meet the required lot frontage defined by the zone.
 - d. Residential lot means a lot where the primary use is residential.
- (56) Lot consolidation means the legal incorporation of two or more existing parcels to form a single, larger parcel.
- (57) Main building means that building, the nature of the use of which determines the status of the lot upon which it is authorized to be constructed or upon which it is constructed.
- (58) Maintenance means those actions undertaken to prevent the deterioration of a building or structure, but does not include any alteration, design change, and/or replacement where such replacement involves a change in design.
- (59) Manufacturing means the production, compounding, processing, crating, bottling, packing, or assembly of raw or pre-processed materials including refining, smelting, forging, stamping, blanking, punch-pressing; and excludes heavy industrial activities that may pose a serious contamination risk to groundwater, such as the manufacturing of chemical products.
- (60) Marine access means a designated location where persons and/or vehicles have clear and unobstructed access to a watercourse.
- (61) Multi-level marketing retail sales means a commercial operation that involves the sale of products and/or services through person-to-person sales through in-home visits or online, and does not include a retail store outlet location.
- (62) Municipality means the Rural Municipality of North Shore.
- (63) Nursing home means a facility licensed pursuant to the *Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13.
- (64) Open space means that portion of a lot which may be used for landscaping, recreational space or leisure activities normally carried on outdoors; but does not include space used for service drive-ways or off-street parking.

- (65) Ornamental structure means a structure of less than 20 m² (215.8 ft²), erected with no foundation or footings and no connection to utility services, and which serves no purpose other than for the aesthetic value and/or delight of its user, such as a sculpture or play structure. This definition excludes any structures used for storage.
- (66) Outdoor display means an area of land where goods are displayed and which are available for sale to the general public from a retail outlet located on the same parcel.
- (67) Outdoor storage means the storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale, by locating them outside.
- (68) Owner means a part owner, a joint owner, tenant in common or joint tenant of the whole or any part of a parcel or building and includes a trustee, and executor, and executrix, a guardian, and agent, or mortgagee in possession or other person having the care or control of any parcel or building in the event of the absence or disability of the person having the title thereof.
- (69) Park means an area consisting largely of open space, which may include active recreational uses, playground equipment and other similar uses but shall not include a mobile home park, a campground or trailer park.
- (70) Parking lot means an open area of land other than a street or access driveway, or an area within a structure used for the parking of vehicles.
- (71) Parking space means a space on a parking lot for the temporary parking or storage of a vehicle.
- (72) Personal services means a commercial operation in which personal services such as hair styling, tutoring, tailoring, shoe repairs, and small appliance repairs are performed.
- (73) *Planning Act* means the *Planning Act* R.S.P.E.I. 1988, Cap. P-8 of the Province of Prince Edward Island.
- (74) Planning Board means the Planning Board of the Municipality appointed by Council pursuant to the *Planning Act*, R.S.P.E.I. 1988, c. P-8.
- (75) Private road means a road, street or right-of-way which is not a highway.
- (76) Provincial government or Province means the Government of Prince Edward Island.
- (77) Recreational trailer or vehicle (RV) means a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes, recreation vehicles or other similar vehicles.
- (78) *Registry Act* means the *Registry Act* R.S.P.E.I. 1988, c. R-10 of the Province of Prince Edward Island.
- (79) Research Facilities means a building or place used primarily for the operation of scientific research, investigation, testing or experimentation but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

- (80) Residential use means the use of a parcel, building or structure or parts thereof as a dwelling.
- (81) Resource commercial use means the use of a parcel or building for the storage, display or sale of goods directly and primarily related to resource uses.
- (82) Resource industrial use means the use of a parcel or building for any industrial use directly associated with agriculture, fisheries or forestry industries.
- (83) Restaurant means an establishment where food is prepared and served, and may include alcoholic and non-alcoholic beverage service.
- (84) Retail Store means a building or part thereof in which foods, goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail.
- (85) *Roads Act* means the *Roads Act*, R.S.P.E.I. 1988, Cap. R-15 of the Province of Prince Edward Island.
- (86) Setback means the horizontal distance measured between the lot line and the nearest part of any building or structure, or the minimum distance required for the placement of a building or structure on the lot. For more certainty the front yard setback, rear yard setback, side yard setback or flankage yard setback, is that distance measured to the front, rear, side or flankage lot line, respectively.
- (87) Sewerage disposal system means the infrastructure that collects, conveys, treats and/or disposes of sewage, encompassing but not limited to drains, sewers, manholes, pumping stations and sewage treatment.
- (88) Short Term Rental is a dwelling unit that is rented in its entirety to a single occupant or group for a period of less than one month, and for the purposes of this bylaw shall be treated the same as a dwelling unit, unless otherwise specified.
- (89) Site plan means a plan drawn to a suitable engineering scale showing details of existing and proposed features on a lot of land which is the subject of an application for development.
- (90) Solar panel means a panel which consists of solar cells which produce electricity from solar energy. A solar array is a configuration of more than one solar panel in an installation.
- (91) Street line means the boundary of a highway or private road.
- (92) Structure means any construction fixed to, supported by or sunk in to land or water, and includes sewerage lagoons, manure pits, underground storage tanks, and fences, but excludes concrete or asphalt paving or similar surfacing, clothesline poles, flagpoles and utility poles.
- (93) Subdivide or Subdivision means a division of a parcel to create two or more new parcels; the consolidation of two or more contiguous parcels to create a new parcel; or the attachment of a part of a parcel to another parcel contiguous to that part to create a new parcel, by means of a plan of subdivision, a survey plan, an agreement, a deed or any other instrument, including a caveat that transfers or creates an estate or interest in the new parcels created by the division, or in the new parcel created by the consolidation or the attachment, as the case may be.

- (94) Surface drainage plan means a plan that complies with the surface drainage requirements set out in this bylaw and is duly sealed and signed by a qualified landscape architect or a licensed engineer.
- (95) Survey plan means an appropriately scaled drawing of survey details prepared by a licensed surveyor in accordance with the *Land Surveyors Act*, R.S.P.E.I. 1988, c. L.-3.1.
- (96) Swimming pool means any structure used for bathing or swimming purposes which is sunk into the ground, or is erected above the ground and which has a possible maximum depth of greater than 0.6m, but shall not include inflatable pools or pools erected on a seasonal basis.
- (97) Tourism Establishment shall have the same meaning as defined in the *Tourism Industry Act* as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations. This definition shall exclude a short term rental, as is otherwise defined.
- (98) *Tourism Industry Act* means the Tourism Industry Act R.S.P.E.I. 1988, Cap. T-3.3 of the province of Prince Edward Island.
- (99) Transport operations means the use of land, buildings, or structures for the purpose of storing, servicing, repairing, or loading of aircraft, trucks, transport trailers and/or buses.
- (100) Use means any purpose for which a building or other structure or parcel may be designed, arranged, intended, maintained or occupied, and includes any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel.
- (101) Utility building or structure means a building or structure which houses stationary equipment for telephone, electric power, cable, internet, water supply, storm water, or sewerage disposal services.
- (102) Variance means an authorized relaxation from the standards imposed by regulations made under this by-law within the limits specified with respect to lot size or dimensions, setbacks, area or the height or size of a structure.
- (103) Warehouse means an establishment used primarily for the storage, wholesaling, and distribution of goods and materials. This definition also includes self-storage units.
- (104) Watercourse shall have the same meaning as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*, as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.
- (105) Wetland shall have the same meaning as defined in the Watercourse and Wetland Protection Regulations prescribed under the Environmental Protection Act, as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.
- (106) Wharf means a structure built on the shore of or projecting into a watercourse so that vessels may be moored alongside to load or unload or to lie at rest.

- (107) Wind turbine means a wind energy generating system (turbine and accessory facilities) intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) and not used to produce power for resale.
- (108) Yard means an open, uncovered, unoccupied space appurtenant to a building. A yard may be further defined as a:
- a. Flankage yard means, on a corner lot, that yard extending across the full width of the lot and fronting on a roadway which is not the roadway along which the front yard extends;
 - b. Front yard means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building on the lot;
 - c. Rear yard means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on the lot; and
 - d. Side yard means a yard extending across the full width of the lot between a side lot line and the nearest main wall of the main building on the lot, exclusive of any chimney breast.
- (109) Zone means an area of land designated under these Bylaw within which specific land uses are permitted and others restricted or prohibited.

SCHEDULE C - SCHEDULE OF FEES

DEVELOPMENT PERMIT APPLICATION

Residential	- New Construction	\$0.12/sq. ft. (Min \$250 - Max \$1,000)
	- Renovations/additions	\$0.12/sq ft. (Min \$100 – Max \$1,000)
	- Multiple Units in the same Building	\$100.00 per unit (Min. \$200- Max. \$2,000)
Commercial/Industrial	- New Construction	\$0.20/sq. ft. (Min \$300 - Max \$2,000)
	- Renovations/additions	\$.20/sq ft (Min \$200 – Max \$2,000)
Agricultural/Forestry		\$0.10/sq. ft. (Min \$100 - Max \$500)
Institutional		\$0.20/sq. ft. (Min \$100 - Max \$2,000)
Wind Turbine		\$2.00/\$1,000.00 construction costs (Min \$100 - Max \$1,000)
Accessory building		\$0.12/sq. ft. (Min \$50 - Max \$1,000)
Deck, pool, fence		\$50
Change of use		\$50
Demolition		\$50
Excavation Pit		\$200
Solar array, ground-mounted		\$0.12/sq. ft. (Min \$50 - Max \$1,000)
Temporary Permits		\$50
Other		\$50

Variance, Amendment, Rezoning

Variance	- no public meeting required	\$50 + associated costs*
	- public meeting required	\$200 + associated costs*
Official Plan Amendment		\$300 + associated costs*
Bylaw Amendment/Rezoning		\$300 + associated costs*

Subdivision Application Fees

Subdivision—up to 4 lots per subdivision	\$250 (1 lot) + \$100/additional lot
Subdivision—5 or more lots per subdivision	\$600 (5 lots) + \$20/additional lot
Lot Consolidation	\$100

Agreement Fees

Development or Subdivision Agreement	\$200
Other Agreements	\$100

General Fees

Permit Extension (prior to expiration of permit)	\$25
Permit Renewal (after expiration of permit)	Full Fees after 12 months
Black and white copy of the <i>Official Plan</i> and the <i>Land Use Bylaw</i>	\$25
Full scale copies of the <i>Official Plan</i> and the <i>Land Use Bylaw</i>	\$100
Permits obtained after work has started	\$200 or double the Permit fee, whichever is greater

*Associated costs shall be actual, quantifiable costs incurred by the *Municipality* in order to process the application (e.g. hall rental, rental of public address system, and advertisement costs).

Policy for Refunds for Applications

A processing fee shall be retained for permits or approvals where staff, *Planning Board* or *Council* have carried out work on the application. The minimum processing fee of \$25 and with a maximum refund to be 25% of the fee paid where staff, *Planning Board*, or *Council* have acted on an application and the application was withdrawn, abandoned, or otherwise discontinued.

SCHEDULE D. PROVINCE-WIDE MINIMUM SUBDIVISION AND DEVELOPMENT STANDARDS REGULATIONS, *PLANNING ACT*

Notwithstanding any provisions of the Bylaw, the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act* as may be amended, apply in the Rural Municipality of North Shore. The *Province-Wide Minimum Development Standards Regulations* are included here in the appendix of the Bylaw for information and reference purposes only. Note that this Appendix is not the official version of these regulations and these regulations may be amended after the enactment of the Bylaw.



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

PLANNING ACT PROVINCE-WIDE MINIMUM DEVELOPMENT STANDARDS REGULATIONS

PLEASE NOTE

This document, prepared by the ***Legislative Counsel Office***, is an office consolidation of this regulation, current to November 19, 2011. It is intended for information and reference purposes only.

This document is ***not*** the official version of these regulations. The regulations and the amendments printed in the ***Royal Gazette*** should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the ***Table of Regulations*** on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca



**PLANNING ACT
Chapter P-8**

**PROVINCE-WIDE MINIMUM DEVELOPMENT STANDARDS
REGULATIONS**

Pursuant to clause 7(1)(c) of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, Council made the following regulations:

1. “authority having jurisdiction”, defined

- (1) In these regulations “**authority having jurisdiction**” means the Minister responsible for the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, or in the case of a municipality with an official plan and bylaws, the municipal council.

***Idem*, existing definitions**

- (2) Words and expressions defined in section 1 of the *Planning Act* Subdivision and Development Regulations have the same meaning when used in these regulations. (*EC703/95; 552/11*)

2. Application

These regulations apply to all areas of the province. (*EC703/95*)

3. Lot size

Revoked by EC41/96.

4. Residential

- (1) No approval or permit shall be granted for the subdivision of a lot for residential use unless the lot conforms with the minimum lot size standards set out in Table 1.

Location

- (2) The area encompassed by the required minimum circle diameter as set out in Table 1 and Table 2 shall be located on the lot such that it will accommodate an on-site sewage disposal system.

Reduced size

- (3) Notwithstanding the minimum lot size standards set out in Table 1 and Table 2, for infilling purposes, a lot may be reduced to a minimum of 10,000 sq. ft. / 929 sq. m. provided that

Section 5

- (a) it is serviced by an on-site water supply system and a central sewerage system; and
- (b) only one additional lot from the existing parcel is created by any proposed subdivision.

Reduced circle requirement

- (4) Notwithstanding the minimum circle diameter requirements set out in column (f) of Table 1 and column (e) of Table 2, a lot that does not meet those requirements may be subdivided from a lot or parcel that existed prior to June 12, 1993 where
 - (a) the lot is intended for either single unit residential use or non-residential use, and will be serviced by on-site water and sewerage disposal systems;
 - (b) the lot meets Category I standards in accordance with clause 5(a) and the minimum lot area requirements set out in column (e) of Table 1 and column (d) of Table 2 respectively;
 - (c) a circle with a minimum diameter of 125 ft./38.1 m. will fit within the boundaries of the lot; and
 - (d) there is no practical alternative to increasing the size of the property to permit compliance with the circle diameter requirement. (EC703/95; 41/96; 694/00; 552/11)

5. Non-residential

- (1) No approval or permit shall be issued to subdivide a lot for non-residential use unless in conformity with the minimum lot size standards set out in Table 2.

Exception

- (2) Notwithstanding subsection (1),
 - (a) where a lot is intended for any non-residential use where water and sewage services are not required for the proposed development, the Minister may approve an exemption from the requirement of subsection (1);
 - (b) where an approval or permit has been granted by an authority having jurisdiction pursuant to subsection (1), a subsequent approval or permit requiring or proposing a sewerage system shall only be granted in accordance with the standards set out in Table 2. (EC703/95; 41/96; 552/11)

6. Categories of lots

Every lot on a plan of subdivision shall be categorized in accordance with the following site suitability standards:

- (a) Category I, where
 - (i) the depth of permeable natural soil is 2 ft. (0.61 m.) or greater,
 - (ii) the depth to bedrock is 4 ft. (1.22 m.) or greater, and
 - (iii) the depth to the maximum groundwater elevation is 4 ft. (1.22 m.) or greater;
- (b) Category II, where
 - (i) the depth of permeable natural soil is greater than 1 ft. (0.3 m.), but less than 2 ft. (0.61 m.),
 - (ii) the depth to bedrock is 4 ft. (1.22 m.) or greater, and
 - (iii) the depth to the maximum groundwater elevation is 4 ft. (1.22 m.) or greater;
- (c) Category III, where
 - (i) the depth of permeable natural soil is 1 ft. (0.3 m.) or greater,

- (ii) the depth to bedrock is 2 ft. (0.61 m.) or greater, but less than 4 ft. (1.22 m.), or
 - (iii) the depth to the maximum groundwater elevation is 2 ft. (0.61 m.) or greater, but less than 4 ft. (1.22 m.);
- (d) Category IV, where
 - (i) the lot has a depth of permeable natural soil of less than 1 ft. (0.3 m.),
 - (ii) the depth to bedrock is greater than 1 ft. (0.3 m.), and
 - (iii) the depth of the maximum groundwater elevation is greater than 2 ft. (0.61 m.);
- (e) Category V, where
 - (i) the depth to bedrock is less than 1 ft. (0.3 m.), and
 - (ii) the depth to the maximum ground water elevation is greater than 2 ft. (0.61 m.). (*EC703/95; 694/00; 552/11*)

7. Upgrade

Revoked by (*EC694/00*).

8. Application

The minimum lot size standards set in Tables 1 and 2 do not apply to subdivisions approved prior to October 14, 1995. (*EC703/95; 552/11*)

9. Minor variance

- (1) The authority having jurisdiction may, for special cause, authorize such minor variance from the provisions of these regulations as, in its opinion, is desirable and not inconsistent with the general intent and purpose of these regulations.

Variance, public utility use

- (2) Notwithstanding any other provisions of these regulations, where a lot is designed for use by a public or a private utility, the authority having jurisdiction may authorize a variance from the provisions of these regulations as, in its opinion, is desirable. (*EC703/95; 552/11*)

MINIMUM HIGHWAY ACCESS

10. Minimum highway access standards

- (1) The *Roads Act* Highway Access Regulations shall constitute the Minimum Highway Access Standards.

Entrance way permit

- (2) An authority having jurisdiction shall not grant an approval or issue a permit for development unless an entrance way permit has been obtained for the applicable lot or development when so required. (*EC703/95; 2/96; 552/11*)

TABLE 1
MINIMUM LOT SIZE STANDARDS:
RESIDENTIAL LOTS

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
on-site water supply and on-site sewage disposal system	I	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 200 ft. / 61 m. 200 ft. / 61 m.
on-site water supply and on-site sewage disposal system	II	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 45,000 sq. ft. / 4,180.5 sq. m. 50,000 sq. ft. / 4,645 sq. m. 50,000 sq. ft. / 4,645 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	175 ft. / 53.3 m. 200 ft. / 61 m. 225 ft. / 68.6 m. 250 ft. / 76.2 m. 250 ft. / 76.2 m.
on-site water supply and on-site sewage disposal system	III	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	51,000 sq. ft. / 4,738 sq. m. 56,000 sq. ft. / 5,202 sq. m. 61,000 sq. ft. / 5,667 sq. m. 66,000 sq. ft. / 6,131 sq. m. 66,000 sq. ft. / 6,131 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	225 ft. / 68.6 m. 250 ft. / 76.2 m. 275 ft. / 83.8 m. 300 ft. / 91.4 m. 300 ft. / 91.4 m.
on-site water supply and on-site sewage system	IV	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	75,000 sq.ft. / 6,975 sq.m. 80,000 sq.ft. / 7,440 sq.m. 85,000 sq.ft. / 7,905 sq.m. 90,000 sq.ft. / 8,370 sq.m. 90,000 sq.ft. / 8,370 sq.m., plus 1,500 sq.ft. / 457 sq.m. for each additional unit	300 ft. / 91.4 m.
on-site water supply and on-site sewage system	V	N/A	N/A	not developable	N/A

*Planning Act Province-Wide Minimum Development Standards
Regulations*

TABLE 1

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
central water supply and on-site sewage disposal system	I	50 feet / 15.25 metres	1 2 3 4 more than 4	20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 35,000 sq. ft. / 3,251 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 175 ft. / 53.3 m.
central water supply and on-site sewage disposal system	II	50 feet / 15.25 metres	1 2 3 4 more than 4	25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 200 ft. / 61 m. 200 ft. / 61 m.
central water supply and on-site sewage disposal system	III	50 feet / 15.25 metres	1 2 3 4 more than 4	40,000 sq. ft. / 3,717 sq. m. 45,000 sq. ft. / 4,180.5 sq. m. 50,000 sq. ft. / 4,645 sq. m. 55,000 sq. ft. / 5,110 sq. m. 55,000 sq. ft. / 5,110 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	200 ft. / 61 m. 225 ft. / 68.6 m. 250 ft. / 76.2 m. 275 ft. / 83.8 m. 275 ft. / 83.8 m.
central water supply and on-site sewage disposal system	IV	50 feet / 15.25 metres	1 2 3 4 more than 4	60,000 sq. ft. / 5,580 sq. m. 65,000 sq. ft. / 6,450.5 sq. m. 70,000 sq. ft. / 6,510 sq. m. 75,000 sq. ft. / 6,975 sq. m. 75,000 sq. ft. / 6,975 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	275 ft. / 83.8 m.
central water supply and on-site sewage disposal system	V	N/A	N/A	not developable	N/A
on-site water supply and central waste treatment system	I or II	50 feet / 15.25 metres	1 2 3 4 more than 4	15,000 sq. ft. / 1,393.5 sq. m. 20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 30,000 sq. ft. / 2,787 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	100 ft. / 30.5 m. 125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 160 ft. / 48.8 m.
on-site water supply and central waste treatment system	III	50 feet / 15.25 metres	1 2 3 4 more than 4	20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 35,000 sq. ft. / 3,251.5 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 175 ft. / 53.3 m.



(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
central water supply and waste treatment systems	I, II, or III	n/a	any number	as determined by the Minister	as determined by the Minister

TABLE 2

TABLE 2
MINIMUM LOT SIZE STANDARDS:
NON-RESIDENTIAL LOTS

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

(EC542/87; 703/95; 694/00; 552/11)



TABLE 2

TABLE 2
MINIMUM LOT SIZE STANDARDS:
NON-RESIDENTIAL LOTS

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

(EC542/87; 703/95; 694/00; 552/11)





Agriculture
and Land

Agriculture
et Terres



Land Division

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

Division des terres

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

November 10, 2021

Mr. Tim Banks
c/o APM
PO Box 2859
Charlottetown, PE C1A 8C4

Dear Mr. Banks:

Re: Case # 54059C - Grand Tracadie, Property #'s 141853, 141937, 142133, 409094, 430421, 430454, 430462, 723932, 781377, 793786, 793794 & 793802

This will confirm that the Department of Agriculture and Land has granted **Final Approval** for a Resort as described in the resort application design brief titled "Blackbush at Tracadie Harbour Application for Resort Development – December 23, 2015" and the concept map "Master Plan for Blackbush at Tracadie Harbour – December 23, 2015" submitted to the Department on December 23, 2015. Final approval for the subdivision will be subject to the following conditions:

1. All subdivided lots and any development within the resort must be serviced by a central water and sewer system, designed and constructed to the satisfaction of the Department of Environment, Energy and Climate Action.
2. A common area (open space) shall be set aside for recreation or park use equal to a minimum of 10% of the total area of the lots being subdivided. This common area is for the use of all lot owners within the subdivision.
3. As per Section 52 of the *Planning Act* Subdivision and Development Regulations, all roads shall be private roads having a minimum width of 66 feet. All private roads within the resort **shall not** be maintained by a department or agency of the Government of PEI at public expense.

Section 52. (3) Responsibility for ensuring access to a lot in a resort development is a matter for determination between the owner of the road connecting the resort development to a public road, and the purchaser of a lot therein.

Section 52.(4) Notwithstanding any other provision of this section, the roads serving any portion of a resort development that is approved for year-round residential use shall be public roads, including any roads required to provide access from the subdivision to an existing public road maintained by the province on a year-round basis. (EC693/00; 352/01)

4. A walkway must be provided for access to the beach for all lot owners within the proposed subdivision.
5. Any surface water or storm water from this development must be properly addressed to ensure minimal detrimental impacts on adjacent lots, roadways and environmentally sensitive areas.
6. The *Environmental Protection Act* requires a minimum 15 meter buffer zone from the edge of any watercourse or wetlands within this proposal. There shall be no development within the 15 meter buffer, including the cutting of trees or shrubs, infilling of wetland areas or any disturbance of these sensitive areas unless the proper permits have been obtained and approved by the Department of Environment, Energy and Climate Action.
7. Development of any year-round multi-unit structures shall adhere to the following sections of the *Planning Act* Subdivision and Development Regulations:

Section 54. (1) The erection of a building for year-round residential use containing more than four dwelling units may be approved for a resort development, where the building

(a) is equipped with an automatic fire extinguishing system installed in accordance with the National Fire Protection Association Standard NFPA13;

(b) does not exceed three storeys in building height, or has a maximum height not more than fifteen metres above grade,

(c) \does not have a building height exceeding the capability of the serving fire department to gain \direct access to each storey from the exterior of the building; and

(d) is easily and readily accessible for fire-fighting vehicles and equipment on a year-round basis from a road adjoining the boundary of the building lot.

Section 54.(2) Clause (1)(b) does not apply where a building that exceeds the limits in clause (1)(b) is equipped with a standpipe system designed and installed in accordance with the National Fire Protection Association Standard NFPA14. (EC693/00; 352/01)

Note: The existing public road known as Old Fisherman's Road is to be closed and conveyed to the adjoining property owners. As an additional access to the resort/subdivision within the resort is proposed utilizing this public road, in the event that the closing and conveyance of the public road is not completed, the cul-de-sac as shown on the subdivision plan near Lot 42 must be enlarged to a minimum 66 foot radius and an additional road name will need to be approved for Parcel R-1 as shown on the final survey plan.

Should you have any questions, please contact me at 902-368-4465 or emlloyd@gov.pe.ca.

Yours truly,



Eugene Lloyd
Manager of Provincial Planning (Acting)

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.

Draft Schedule of Events and Deliverables – as of May 27, 2026

Date		Description	Requirements	Considerations
May 27 (Wed)		Meeting outcomes	€ Marie send update to Planning Board (PB) and Council on next steps and tentative schedule	Fathom needs to confirm June 3 timeline for
			€ Marie to set tentative times for meetings	
			€ Sam to begin drafting notice materials	
			€ Reserve space in newspaper for potential ad to run June 10 th and confirm need by date.	
Jun 3 (Wed)		Planner's Report and Draft OP and LUB amendments available	€ Sent Report and Draft Amendments to Planning Board and Council	
Jun 8 (Mon)		Information Session – Planning Board and Council	€ Determine time and location	- Walk through draft amendments to ensure u - Review stacking the PB and Council meetir public meeting to avoid summer holiday
			€ Send invite to PB and Council members	
			€ Send virtual invite to Fathom	
			€ Confirm Sam's availability	
Jun 9 (Tue)		Planning Board Meeting Council Meeting	€ Advertise each meeting min. 24 hours in advance	- This is the meeting for PB recommendation meeting. - This is the meeting for Council decision abo
			€ Invitations to PB and Council members (note – separate times as separate meetings)	
			€ Draft Amendments and Initiation Report available for public review at meeting	
			€ Newspaper Ads	
Jun 10 (Wed)		Notification of public meeting	€ Letters	
			€ Signs posted	
Jun 18 (Thur)		Public Meeting	€ Any required print outs (draft amendments available, map, etc).	
Jun 23 (Tue)		Public Feedback Closed	€ Final feedback report completed by Fathom	
			€ Final feedback report sent to PB and Council	
Jun 25 (Thur)		Planning Board Meeting	€ Meeting materials	Meeting where Planning Board makes its re on OP and LU Bylaw amendments
			€ Fathom available?	
			€ Confirm Sam available	
Jun 29 (Mon)		Council Meeting	€ Advertise meeting min. 24 hours in advance	- Meeting to make decision on OP amendmet - Meeting to give resolution on first reading (reading of BL [2 resolutions total])
			€ Meeting materials (draft OP amendments, draft BL amendments, resolution packages)	
			€ Fathom available?	
			€ Confirm Sam available	
Jun 30 (Tue)		Council Meeting	€ Advertise meeting min. 24 hours in advance	Meeting to give resolution on second readin second reading, and adoption of bylaw [3 re
			€ Meeting materials (draft OP amendments, draft BL amendments, resolution packages)	
			€ Fathom available?	
			€ Confirm Sam available	

Draft Schedule of Events and Deliverables – as of June 2, 2026

Date	Description	Requirements	Considerations
May 27 (Wed)	Meeting outcomes	• Marie send update to Planning Board (PB) and Council on next steps and tentative schedule (DONE) • Marie to set tentative times for meetings (DONE) • Reserve space in newspaper for potential ad to run June 10th and confirm need by date. (DONE)	• Fathom needs to confirm June 3 timeline for documents (DONE)
June 1 (week)		☐ Sam to begin drafting notice materials (underway) ☐ New calendar to Planning Board / Council ☐ Advertise June 9th Planning Board & Council meeting notice ☐ Sent Report and Draft Amendments to Planning Board and Council	
Jun 3 (Wed)	Planner's Report and Draft OP and LUB amendments available		
Jun 8 (Mon)	Information Session – Planning Board and Council (5:15 pm)	• Determine time and location (DONE) (5:15 pm AA building) ☐ Send invite to PB and Council members • Send virtual invite to Fathom (DONE) • Confirm Sam's availability (DONE)	• Walk through draft amendments to ensure understanding • Review stacking the PB and Council meeting for recommendation for public meeting to avoid summer holiday
Jun 9 (Tue)	Planning Board Meeting (6:00 pm) Council Meeting (6:30 pm)	• Advertise each meeting min. 24 hours in advance ☐ Invitations to PB and Council members (note – separate times as separate meetings) ☐ Draft Amendments and Initiation Report available for public review at meeting	• This is the meeting for PB recommendation to council about public meeting. • This is the meeting for Council decision about public meeting.
Jun 10 (Wed)	Notification of public meeting	☐ Newspaper Ads ☐ Letters ☐ Signs posted	
Jun 22 (Mon)	Public Meeting (6:00 pm)	☐ Any required print outs (draft amendments available, map, etc).	
Jun 23 (Tue)	Public Feedback Closed	☐ Final feedback report completed by Fathom ☐ Final feedback report sent to PB and Council	
Jun 25 (Thur)	Planning Board Meeting (5:00 pm)	☐ Meeting materials ☐ Fathom available? • Confirm Sam available (DONE)	• Meeting where Planning Board makes its recommendation for Council on OP and LU Bylaw amendments
Jun 29 (Mon)	Council Meeting (6:00)	☐ Advertise meeting min. 24 hours in advance ☐ Meeting materials (draft OP amendments, draft BL amendments, resolution packages) ☐ Fathom available? • Confirm Sam available (DONE)	• Meeting to make decision on OP amendments (by resolution) • Meeting to give resolution on first reading of BL and approval of 1st reading of BL [2 resolutions total]
Jun 30 (Tue)	Council Meeting (6:00)	☐ Advertise meeting min. 24 hours in advance ☐ Meeting materials (draft OP amendments, draft BL amendments, resolution packages)	• Meeting to give resolution on second reading of BL, approval of second reading, and adoption of bylaw [3 resolutions total]

Draft Schedule of Events and Deliverables – as of May 27, 2026

Date	Description	Requirements	Considerations
May 27 (Wed)	Meeting outcomes	€ Marie send update to Planning Board (PB) and Council on next steps and tentative schedule € Marie to set tentative times for meetings € Sam to begin drafting notice materials € Reserve space in newspaper for potential ad to run June 10th and confirm need by date.	• Fathom needs to confirm June 3 time
Jun 3 (Wed)	Planner's Report and Draft OP and LUB amendments available	€ Sent Report and Draft Amendments to Planning Board and Council	
Jun 8 (Mon)	Information Session – Planning Board and Council	€ Determine time and location € Send invite to PB and Council members € Send virtual invite to Fathom € Confirm Sam's availability	• Walk through draft amendments to ensure • Review stacking the PB and Council meeting public meeting to avoid summer holiday
Jun 9 (Tue)	Planning Board Meeting Council Meeting	€ Advertise each meeting min. 24 hours in advance € Invitations to PB and Council members (note – separate times as separate meetings) € Draft Amendments and Initiation Report available for public review at meeting	• This is the meeting for PB recommendation meeting. • This is the meeting for Council decision about
Jun 10 (Wed)	Notification of public meeting	€ Newspaper Ads € Letters € Signs posted	
Jun 18 (Thur)	Public Meeting	€ Any required print outs (draft amendments available, map, etc).	
Jun 23 (Tue)	Public Feedback Closed	€ Final feedback report completed by Fathom € Final feedback report sent to PB and Council	
Jun 25 (Thur)	Planning Board Meeting	€ Meeting materials € Fathom available? € Confirm Sam available	• Meeting where Planning Board makes its recommendation on OP and LU Bylaw amendments
Jun 29 (Mon)	Council Meeting	€ Advertise meeting min. 24 hours in advance € Meeting materials (draft OP amendments, draft BL amendments, resolution packages) € Fathom available? € Confirm Sam available	• Meeting to make decision on OP amendments • Meeting to give resolution on first reading of BL [2 resolutions total]
Jun 30 (Tue)	Council Meeting	€ Advertise meeting min. 24 hours in advance € Meeting materials (draft OP amendments, draft BL amendments, resolution packages) € Fathom available? € Confirm Sam available	• Meeting to give resolution on second reading of BL [3 resolutions total]

RURAL MUNICIPALITY OF NORTH SHORE — PLANNING REPORT

REPORT FOR: Rural Municipality of North Shore
DATE: June 3, 2026
PREPARED BY: Darian Shakerinia, LPP MCIP
FILE NUMBER: 7-0
SUBJECT: Official Plan & Bylaw Amendments, Resort Zone

PURPOSE

This report initiates concurrent amendments to the *Rural Municipality of North Shore Official Plan* (2021) and the *Rural Municipality of North Shore Land Use Bylaw* (2021) to introduce a Resort land use designation and a Resort (RES) Zone, and to make related amendments to both documents necessary to support resort-oriented mixed-use development within the Municipality.

The amendments also include updates to the Zoning Map and Future Land Use Map to apply the Resort (RES) and Environmental Conservation (EC) zones and future land use designations to the lands included within PIDs 141853, 141937, 142133, 421834, 430421, 534891, 696740, 723932, 730986, 781377, 793786, 793802, 863902, 900043, 1004795, 1148246, 1148253, 1179019, 1179027, and 1179035. The lands are bounded to the east by the coastal shoreline and Harbour Road, and to the west by Route 6 / Pleasant Grove Road (Route 220).

BACKGROUND

The *Official Plan* (2021) and *Land Use Bylaw* (2021) were approved by the Minister of the Province of Prince Edward Island and came into effect on April 7, 2022. Since coming into effect, both documents have been amended on ten prior occasions, primarily to rezone individual parcels from Agriculture to Residential, and in two instances to rezone parcels from Institutional to Commercial and from Parks and Recreation to Residential.

The existing *Official Plan* and *Land Use Bylaw* do not contain a Resort land use designation or a Resort zone. Prior to these amendments, resort-oriented development in the Municipality could only be considered under the Tourism Establishment Zone (TE), which does not contemplate the range of mixed uses, subdivision configurations, private road arrangements, or comprehensive planning expectations appropriate for a large-scale resort development. This gap in the planning framework necessitates the introduction of a dedicated Resort policy and zone.

Specifically, the Blackbush Resort lands have a planning history that predates the incorporation of the Rural Municipality of North Shore. Prior to the Municipality's amalgamation, which brought

together the former Rural Municipalities of North Shore, Grand Tracadie, and Pleasant Grove, the subject lands received provincial approval for a resort development. That approval established a legitimate expectation of resort-oriented mixed-use development on the site, encompassing accommodation, residential uses, and associated amenities.

However, when the newly amalgamated Municipality prepared and adopted its first Planning Documents in 2021, a Resort land use designation and Resort zone were not included in the documents. As a result, the existing planning framework does not contain the policy or regulatory tools necessary to see the completed construction of the previously approved resort concept or to guide future resort development on the subject lands in a manner consistent with good planning practice.

These amendments correct that gap. By introducing a Resort designation in the Official Plan and a Resort (RES) Zone in the Land Use Bylaw, the Municipality is giving effect to a planning direction that was established before its own incorporation, while ensuring that resort development proceeds within a clear, Council-adopted policy framework that addresses land use compatibility, servicing, environmental protection, access, and long-term maintenance.

While these amendments are initiated in the context of the Blackbush Resort lands, the Resort (RES) Zone and the accompanying Official Plan policies have been deliberately drafted as general-purpose planning instruments. The Resort Designation Policy, the Resort Redesignation and Rezoning Policy, and the Resort (RES) Zone are written to apply to any lands within the Municipality that may be suitable for resort-oriented mixed-use development in the future. Any landowner may apply to have their lands redesignated Resort and rezoned to the Resort (RES) Zone, subject to the application requirements and review criteria established in these amendments. This approach ensures that the Municipality is not creating a site-specific regulatory tool but rather building a durable and broadly applicable framework that can accommodate future resort investment across the Municipality on a consistent and transparent basis.

ASSESSMENT

Scope of Official Plan Amendments

The amendments revise selected sections of the Official Plan to introduce policy support for resort-oriented mixed-use development and to align the Official Plan with the related Land Use Bylaw amendments.

Resort-Oriented Development

The amendments add a new policy framework for Resort-designated lands. This includes a new Resort Designation Policy and a new Resort Redesignation and Rezoning Policy. These policies establish when resort-oriented mixed-use development may be supported and set out the information Council may require when considering applications to designate land as Resort or rezone land to the Resort (RES) Zone. The policies distinguish resort development from

conventional residential subdivision and require any residential component to be integrated with, and secondary to, a broader resort-oriented development.

Future Land Use Direction

The Future Land Use Map objectives are amended to recognize resort-oriented mixed-use development as an appropriate form of development in certain areas, if land use conflicts can be mitigated and servicing, access, environmental protection, and infrastructure maintenance can be demonstrated. The boundaries of the EC designation on the Blackbush properties have been updated to reflect current environmental mapping, which provides a more accurate delineation of environmentally sensitive areas than was available at the time the original documents were adopted.

Transportation and Private Roads

The transportation and road policies are amended to clarify that new private roads are generally not permitted but may be considered where expressly allowed by the Official Plan and Land Use Bylaw. The amendments add specific policy direction for private roads within lands designated Resort and zoned Resort (RES). These provisions address road design, engineering certification, legal access, ownership, maintenance, emergency access, drainage, snow clearing, civic addressing, solid waste collection, notice to purchasers, and municipal non-assumption.

Water and Wastewater Servicing

The servicing policies are revised to recognize that properties generally rely on privately owned on-site systems, while allowing for privately owned communal or central sewage disposal and water supply systems where permitted by provincial requirements.

The changes align the Official Plan with the servicing approach needed for larger or more integrated resort-oriented development, while maintaining the requirement that servicing comply with applicable provincial legislation and standards.

Housekeeping Amendments

Language around marine access has been updated to align the Official Plan with the related Land Use Bylaw amendments addressing marine access and marine access structures.

The Non-Resource Commercial and Industrial Development Policy is updated to use the current Land Use Bylaw zone names. References to "General Commercial (C)" and "Light Industrial (M1)" are replaced with "Commercial (C)" and "Industrial (I)."

Future Land Use Map

The Resort designation has been applied to the entirety of the Blackbush resort outside of the Environmental Conservation (EC) designation. The boundaries of the EC designation on the Blackbush properties have been updated to reflect new environmental mapping.

Scope of Land Use Bylaw Amendments

The amendments revise selected parts of the Land Use Bylaw to add a new Resort Zone and update related provisions so that resort-oriented development, private-road access, subdivision design, marine access, parking, servicing, and definitions are addressed consistently throughout the bylaw.

Resort Zone

The amendments add a new Resort (RES) Zone to the bylaw. This includes adding the zone to the list of zones, incorporating it into the zoning map structure, and creating a new Part 8A with permitted uses and development standards.

The new zone provides for a mix of resort, tourism, recreational, commercial, marine, community, and limited residential uses. It also establishes specific standards for lot area, frontage, setbacks, lot coverage, and building height. The amendments also include a site-specific height provision for tourism establishment development on PID 1148253.

Private Road Access and Subdivision Standards

The amendments add specific rules for development in the Resort Zone where access is provided by private road. These provisions address legal access, safe ingress and egress, registration of access rights, road ownership and maintenance, emergency access, drainage, snow clearing, civic addressing, solid waste collection, and municipal non-assumption.

Related subdivision provisions are also amended to allow private roads in the Resort Zone, subject to municipal review, engineering requirements, construction certification, and agreements or other instruments required by the Municipality.

Marine Access and Coastal Provisions

The amendments clarify the distinction between general marine access and marine access structures. They also identify where marine-related structures may be permitted and where they remain excluded.

The coastal and watercourse-related provisions are amended to recognize limited exceptions for approved fisheries, aquaculture, marine access structures, and non-habitable structures required for permitted water-dependent uses.

Housekeeping

The amendments clarify that where more than one use on a lot requires parking, the total parking requirement is calculated cumulatively. Servicing provisions are also updated to recognize shared or common water and sewer services across two or more lots.

The secondary suite provisions are revised so that they apply where single detached dwellings are permitted in the applicable zone.

Definitions

Schedule B is expanded with new or revised definitions to support the Resort Zone and related amendments. These include definitions for resort development, marina, marine access structure, commercial recreation use, event venue, craft brewery or distillery, art gallery, and related tourism establishment terminology.

Zoning Map

The Resort Zone has been applied to the entirety of the Blackbush resort outside of the Environmental Conservation (EC) zone. The boundaries of the EC zone on the Blackbush properties have been updated to reflect new environmental mapping.

PROCESS

The amendments have been prepared as concurrent amendments to the *Official Plan* and *Land Use Bylaw* pursuant to the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. The amendment process includes public notification, a public meeting, Council consideration, and submission to the Minister of the Province of Prince Edward Island for approval.

RECOMMENDATION

It is recommended that Council:

1. Receive this report as the initiation of the 11th amendment to the *Rural Municipality of North Shore Official Plan (2021)* and the *Rural Municipality of North Shore Land Use Bylaw (2021)*; and
2. Direct staff to proceed with the required public notification and public meeting process in accordance with the *Planning Act*.

Rural Municipality of North Shore Land Use Bylaw Proposed Zoning Map Amendment



APPROVED AGENDA
Regular Council – Rural Municipality of North Shore
Tuesday June 9th, 2026 @ 6:30 pm
North Shore Community Centre

1 CALL TO ORDER

2 APPROVAL OF THE AGENDA

- 2.1 Disclosure of Pecuniary (Financial) or other Conflicts of Interest

3 APPROVAL OF THE MINUTES

- 3.1 Regular Council – May 21st, 2026
3.2 Business arising from the minutes

4 REPORTS

- 4.1 CAO Report
4.2 Finance Report
4.3 Development & Planning Report

5 NEW BUSINESS

- 5.1 RFD_2026-010 – Resort zoning and bylaw.
5.2 Tim Banks Liquor license “Down by the Bridge”.

6 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

- (a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;*
- (b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;*
- (c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;*
- (c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;*
- (d) human resource matters, including labour relations or employee negotiations;*
- (e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;*
- (f) the conduct of existing or anticipated legal proceedings or the review of legal advice;*
- (g) the conduct of an investigation under, or enforcement of, an Act or bylaw;*
- (h) information which, if disclosed, could prejudice security and the maintenance of the law.*

7 NEXT MEETING June 29th at 6:30 pm, North Shore Community Centre

8 ADJOURNMENT



APPROVED MINUTES

Regular Council Meeting

June 9th, 2026 @ 6:30 pm

North Shore Community Centre

PRESENT: Chair Mayor Watts, Deputy Mayor Councillor MacKinnon, Councillor Cook, Councillor Doyle, Councillor McLaine, Councillor Paquet, Councillor Sheehan, CAO Marie McInnis

Public: 3

1 Call to Order

Chair Mayor Watts opens at 6:30pm.

2 Approval of the agenda

It was duly moved and seconded to approve the agenda with the addition of point 5.2 Tim Banks Liquor license "Down by the Bridge" and the following corrections: In the title, change Thursday to Tuesday and time from 6:00 to 6:30.

Moved by Councillor Doyle, seconded by Councillor Cook.

All in Favor (6)

MOTION CARRIED

2026-06-071

2.1 Disclosure of Pecuniary or other Conflicts of Interest

The mayor has a conflict of interest with point 5.1.

3 APPROVAL OF THE MINUTES

3.1 Regular Council – May 21st, 2026

It was duly moved and seconded to approve the minutes from the May 21st, 2026, meeting with the following corrections: At 5.1 correct the name of Marie McInnon for McInnis and at 5.2 correct the name of Councillor Sheehan for Sheehan at both motions.

Moved by Councillor Cook, seconded by Councillor Paquet

All in Favor (6)

MOTION CARRIED

2026-06-072

3.2 Business arising from the minutes

- Summer Students, we have a new student for the 12 weeks position, and at the end of June there will be two new 8 weeks students starting.
- Banking, the process of changing institution as begun, documents requested by the Credit Union have been provided and now only a matter of signing the appropriate documentation by all authorized signatories on the account.

4 REPORTS

4.1 CAO Report

- Received a call from MP Heath MacDonald's office stating we have been approved for Canada Day \$2960. It will be issued immediately.
- We are having a Flea Market on June 20 from 9am to 3 pm & 21 from 9 to noon and we have sold 20 tables.
- Chocolate Bar Bingo for Kids tentative date July 12th. The girls have advertised in various locations. This has been received very positive within the municipality.
- Bonnie MacLean weeded the large flowerbed on Bayshore Road. Thank you Bonnie for doing this for us.
- Our students will be engaging on the Veteran Recognition Heritage (looking for names of War Veterans in our communities).
- Heath MacDonald's office reached out and would like to set up a meeting with Mayor and CAO regarding : Topics could include:
 - Current federal funding applications and project status
 - Upcoming infrastructure, recreation, housing, environmental, or economic development projects
 - Potential federal funding opportunities that may align with municipal priorities
 - General discussion on community plans, challenges, and emerging needs
 - Meetings will last up to 45-60 minutes and we can meet in person or virtually.
- After School Program
 - Two ladies Divyankshi and Katie (Experienced early childhood Educators level 2 and 3) want to rent the community center for after school program 2:30 to 6:00pm. They would like to do full day programming on PDays and summer camps during summer months.
 - Great rental possibility

The Council would like to ask them to submit a proposal.

4.2 Finance Report

Second month of operation in the new year. The council has been remitted a balanced sheet and comparative statements. We are relatively even with a deficit of 2 522.21\$.

Question regarding the gas tax funds update. We are in the process of audit and are still answering questions of the auditors. When all that is done, we will be reviewing the projects and submit some scope on different projects. The council will be kept informed.

The council would like to see the total of wages; request taken and will be provided at the next council meeting.

4.3 Development & Planning Report

There has been many applications and 13 new permits that have been issued including the new Oyster Hatchery. Including the new Resort zoning.

It was duly moved and seconded to approve all reports in one motion.

***Moved by Councillor Cook, seconded by Councillor McKinnon
All in Favor (6)***

MOTION CARRIED

2026-06-073

Mayor Watts leave the Meeting at 6:50

5 NEW BUSINESS

5.1 RFD_2026-010 – Resort zoning and bylaw.

The planning committee has met and recommended to council to move forward with the Resort zoning and bylaw. Once we agree with moving forward with it we will hold a public hearing. The following resolution is read to the assembly:

BE IT RESOLVED that a public meeting be held on June 22, 2026, to receive public comments on the following amendments to the Official Plan and Land Use Bylaw, as outlined in the Planning Report prepared by Fathom Studio and described in draft Official Plan Amendment OPA-2026-05 and draft Amending Bylaw 2021-E.

It was duly moved and seconded to move forward with the public meeting on the new zoning and bylaw.

Moved by Councillor Sheehan, seconded by Councillor Paquet

All in Favor (5)

MOTION CARRIED

2026-06-074

5.2 Tim Banks Liquor license “Down by the Bridge”

It was duly moved and seconded to approve to send a letter of approval from the municipality to the liquor commission in support of the request of liquor license requested by Tim Banks in the “Down By the Bridge” as presented.

Moved by Councillor Cook, seconded by Councillor McLaine

All in Favor (5)

MOTION CARRIED

2026-06-075

6 IN CAMERA SESSION: MGA - 119. Closed meetings

No In Camera Session needed.

7 Next meetings

The next meetings will be held on June 29th and 30th at the North Shore Community Centre.

8 Adjournment of Regular Council Meeting

It was duly moved and seconded to approve to adjourn the Regular Council meeting at 6:57pm.

Moved by Councillor Cook, seconded by Councillor Peter

All in Favor (5)

MOTION CARRIED

2026-06-076

SIGNED: NAME, Chair

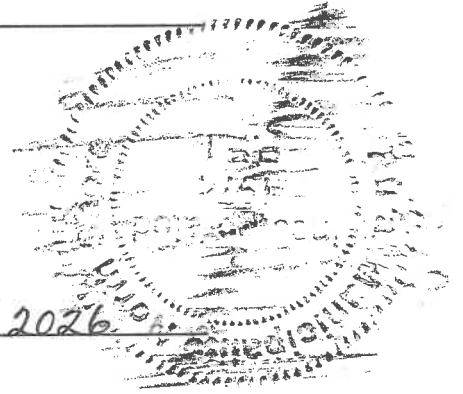
DATE:

Naive McInnis

SIGNED: NAME, CAO

June 25, 2026

DATE:



APPROVED AGENDA
Planning Board – Rural Municipality of North Shore
June 9th, 2026 @ 6:00 pm
North Shore Community Centre

1 CALL TO ORDER

2 APPROVAL OF THE AGENDA

2.1 Disclosure of Pecuniary (Financial) or other Conflicts of Interest

3 APPROVAL OF THE MINUTES

3.1 Planning Board Meeting– April 14th, 2026

3.2 Business arising from the minutes

4 Delegations, Speakers, and Public Input

None

5 NEW BUSINESS

5.1 RFD-2026-10-Report on new Resort Zoning and Bylaw

5.2 Water lines – underground sprinkler systems rules and regulations.

6 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

(a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;

(b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;

(c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;

(c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;

(d) human resource matters, including labour relations or employee negotiations;

(e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;

(f) the conduct of existing or anticipated legal proceedings or the review of legal advice;

(g) the conduct of an investigation under, or enforcement of, an Act or bylaw;

(h) information which, if disclosed, could prejudice security and the maintenance of the law.

7 NEXT MEETING DATE, TIME, North Shore Community Centre

The next meeting will be held on June 25th at 5:00 at the Community Centre.

8 ADJOURNMENT

APPROVED MINUTES

Planning Board – Rural Municipality of North Shore

June 9th, 2026 @ 6:00 pm

North Shore Community Centre

PRESENT:

Chair, Deputy Mayor MacKinnon, Ricky Clow, Councillor Sheehan, Norman Boswall, CAO Marie McInnis

Absent: Mayor Watts, Robbie Moore, Dolores Watts

Public: 5

GUESTS: Samantha Murphy, Outside Planner

1 CALL TO ORDER

Chair, Deputy Mayor Councillor MacKinnon is opening the meeting 6:00.

2 APPROVAL OF THE AGENDA

It was duly moved and seconded to approve the agenda with the addition of point 5.2 Water lines – underground sprinkler systems.

Moved by Councillor Sheehan, seconded by Ricky Clow

All in Favor (3)

MOTION CARRIED

2.1 Disclosure of Pecuniary (Financial) or other Conflicts of Interest –

NONE

3 APPROVAL OF THE MINUTES

3.1 Planning Board Public meeting April 14th, 2026

It was duly moved and seconded to approve the April 14th, 2026, minutes with a correction of votes at point 5.1 to read 2 in favour and 1 against.

Moved by Councillor Sheehan, seconded by Ricky Clow.

All in Favor (3)

MOTION CARRIED

3.2 Business arising from the minutes

None

4 Delegations, Speakers, and Public Input

None

5 NEW BUSINESS –

5.1 RFD-2026-10-Resort Zoning and Bylaw

The Rural Municipality of North Shore's official plan and land use bylaw do not currently contain a designation and zone to accommodate a use (mixed use Resort Development) that was approved prior to the transition of planning authority to the amalgamated Rural Municipality of North Shore.

The municipality has been working to establish policies and a zone to enable the continued development of that existing approved use, while also setting up rules to guide any future applications for resort development zoning.

Fathom Studios has been preparing map and text amendments to the Official Plan and Land Use Bylaw to establish those policies, rules, and standards in a manner consistent with the existing approved Resort Development to ensure that the project remains conforming and is able to proceed in a manner compatible with the plan and bylaw. As part of that work, additional text amendments were identified to ensure compatibility and clarity of interpretation.

Fathom has prepared a planning report, a draft official plan amendment, a draft amending bylaw, updated maps, and consolidated official plan and land use bylaw documents.

Every member of the committee present received a package including:

- The Planning Report
- The Official Plan Amendment OPA-2026-05 to amend the Rural Municipality of North Shore 2021 Official Plan.
- A Bylaw to amend the North Shore 2021 Land Use Bylaw #2021-E
- Planning Board Resolution

The Resolution (annexed) is read and approved.

It is duly moved and seconded to approve the Resort Zoning and Bylaw Resolution and bring it forward to the Council for decision.

Moved by Ricky Clow, seconded by Charity Sheehan.

In Favor (3)

Against (0)

MOTION CARRIED

5.2 Water lines – underground sprinkler systems.

There are concerns about residents installing underground sprinkler systems, endangering the viability of water sources.

We are asked to investigate what other municipalities rules are and if the Government of environment has any rules on that front.

6 IN CAMERA SESSION: MGA - 119. Closed meetings

None needed.

7 NEXT MEETING, North Shore Community Centre

The next meeting will be held on June 26th at 5:00pm.

8 ADJOURNMENT

Chair, Deputy Mayor Councillor MacKinnon is closing the meeting 6:13pm.

Moved by Ricky Clow, seconded by Norman Boswall

All in Favor (3)

MOTION CARRIED

SIGNED: NAME, Chair

DATE:

Marie YrGinnis

SIGNED: NAME, CAO

June 25, 2026

DATE:

Rural Municipality of North Shore

Planning Board Resolution

June 9, 2026 Meeting of Planning Board

Moved by

Ricky Clow

Seconded by

Councilor Charity Sheehan

Resolution:

Carried	X
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For	3
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Defeated	
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Against	0
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BE IT RESOLVED that Planning Board recommend to Council that a public meeting be held on June 22, 2026 to receive public comments on the following amendments to the Official Plan and Land Use Bylaw, as outlined in the Planning Report prepared by Fathom Studio and described in draft Official Plan Amendment OPA-2026-05 and draft Amending Bylaw 2021-E:

- **Official Plan Text Amendments** – to add policies establishing a new Resort designation and required information, updating the future land use map direction, permitting private roads in resort developments, updating language regarding water and wastewater servicing and housekeeping amendments updating language around marine access and marine access structures and coordinating designation and zone titles.
- **Land Use Bylaw Textual Amendments** – to create a Resort (RES) Zone for resort-oriented mixed-use developments, including tourism accommodations, limited residential uses, recreation, commercial services, marine access, and related infrastructure. The amendments would also add supporting rules for private roads in Resort zones and related subdivision requirements, and to clarify changes for marine access and coastal provisions to recognize limited exceptions for approved fisheries, aquaculture, marine access structures, and non-habitable structures required for permitted water-dependent uses.
- **Land Use Bylaw Housekeeping Amendments** – to clarify parking requirements on properties with more than one use, the application of secondary suite provisions, and new or revised definitions for resort development, marina, marine access structure, commercial recreation use, event venue, craft brewery or distillery, art gallery, and related tourism establishment terminology.
- **Map Amendments: Official Plan Future Land Use Map and Land Use Bylaw Zoning Map** – amendments to PIDs s 141853, 141937, 142133, 421834, 430421, 534891, 696740, 723932, 730986, 781377, 793786, 793802, 863902, 900043, 1004795, 1148246, 1148253, 1179019, 1179027, and 1179035 to apply the Resort designation and zoning for the Blackbush Resort while updating the Environmental Conservation designation and zoning based on more recent environmental mapping on the subject properties.



Demonstrators protest against Bill 21 outside the premier's Montreal office May 9. The protest was organized by the Canadian Muslim Forum. JOHN MAHONEY / MONTREAL GAZETTE

'Realistic' chance ruling on Bill 21 will inspire violent rhetoric, report says

CHRISTOPHER NARDI
NATIONAL POST

OTTAWA No matter what the decision is, the Supreme Court's upcoming ruling on Quebec's controversial secularism law will probably inspire violent extremist rhetoric, warns a federal intelligence assessment.

In a March intelligence brief, Canada's Integrated Threat Assessment Centre (ITAC) said it was "very unlikely" that violent extremists would target the court's four days of hearings later that month on the challenge of the law known as Bill 21.

But, ITAC noted, "it is a realistic possibility that the Court's decision — whether the law is found to be constitutional or not — will inspire violent extremist rhetoric."

Quebec's controversial secularism law Bill 21 prohibits certain Quebec public sector workers, such as judges, police officers, teachers and prison guards, from wearing religious sym-

bols at work. It also requires them to perform their duties with their faces uncovered.

Though popular in the province, the 2019 law is fiercely opposed by religious groups, civil liberties advocates and many groups representing women's or anglophones' rights.

To pass the bill seven years ago, then-Quebec Premier François Legault invoked section 33 of the Charter of Rights and Freedoms, better known as the notwithstanding clause.

The pre-emptive invocation of the clause — which allows a government to suspend the application of certain Charter rights for up to five years before needing to renew it — to block a court challenge of the law is at the heart of the case at the Supreme Court.

Over four hearing days in March, dozens of challengers and interveners opposed the law and asked the top court to rule it to be unconstitutional or impose limits on the invocation of

the notwithstanding clause.

On the other hand, seven provinces including Quebec and Ontario argued that the court had no power to limit the invocation of the clause and to do so would amount to a constitutional amendment.

The top court's decision is expected in the coming months.

In its unclassified March brief, ITAC assessed that there was a higher chance of a violent extremist attack linked to the enforcement of Bill 21 than there was against the apex court.

"State actions seen to be sacrilegious or blasphemous could be a mobilizing factor for a violent extremist with intent, or a radicalizing factor for an individual with existing grievances," reads the brief, though noting that there was no information at the time indicating such action was brewing.

ITAC is a part of the Canadian Security Intelligence Service that focuses on assessing the risks of violent ex-

CANADA

tremism in the country. It also sets Canada's national terrorism threat level, which is currently at "medium" or "realistic possibility."

In an interview, foreign interference and national security specialist Jean-Christophe Boucher said no matter the decision, he expects the outcome of the decision to be "instrumentalized" by groups on either side of the issue.

"If Bill 21 gets shut down, then you'll have probably a lot of possibly far-right, but also Quebec separatists ... amplifying issues around judicial overreach," said the political science professor at the University of Calgary.

"If Bill 21 is upheld, then of course ethnic communities will feel wronged, and that will increase ... not necessarily extremism, but at least kind of conversations around whether or not Canada is as welcoming as it used to be," he added. "And I can see how other actors could actually kind of use this as a way to recruit and radicalize."

He also said foreign actors who are trying to undermine Canada's democratic institutions like the courts or governments will also seize on the decision to sow further division.

In a statement, Supreme Court spokesperson Vanessa Racine said the court had the appropriate security measures in place during the March hearings.

She also noted that "any potential security concerns will not affect the outcome of the decision in this case."

In its assessment, ITAC said it that violent extremists in Canada are unlikely to even be able to breach the security of a secure location like the Supreme Court.

In the unlikely eventuality of an attack on the fortress-like building, "it would likely involve an inspired lone actor using basic weaponry and targeting security checkpoints or areas outside the building perimeter," reads the brief.

REFERENDUM

Poillievre vows to speak to Albertans on 'both sides'

STEPHANIS TAYLOR
NATIONAL POST

OTTAWA Opposition Conservative Leader Pierre Poillievre has vowed to listen to Albertans who want to separate from Canada, as he urged the rest of the country to do the same and cautioned against "name-calling" and "fearmongering."

Poillievre spoke from Calgary to deliver what his office billed as a speech arguing for a "stronger Alberta within a united Canada," kicking off his efforts to campaign for the province to remain in Canada ahead of an October provincial referendum, which asks whether Albertans wish to stay, or begin the process of holding a binding vote on separating.

"Just as I speak to Bloc Quebecois members of Parliament every day on Parliament Hill, I will be speaking to Albertans on both sides of this referendum to hear their thoughts and to make the respectful case for Canada," the federal Conservative leader told

the crowd Monday.

"The goal should not be to beat one another in this referendum, it should be to unite us all when it is over, to show our fellow citizens, all of them, that they belong in Canada, that they are a treasured part of our national family."

Poillievre's speech comes after Alberta Premier Danielle Smith announced last month that the set of referendums she had previously scheduled her province to hold in October on different immigration and constitutional questions would include one on independence.

That came after an Alberta court quashed efforts for a citizen-led petition that organizers of the separatist movement said had garnered upwards of 300,000 signatures from getting onto an official ballot, citing how the province failed to consult with First Nations under Section 35 of the Constitution.

Smith called the ruling "anti-democratic" and pledged to appeal, but out-

lined how she was adding a question on independence to October's referendums because of the time an appeal would take and the thousands of signatures gathered, including those tied to a pro-Canada petition.

Poillievre, who after losing his Ottawa-area seat in last year's election successfully won a byelection in the rural Alberta riding of Battle River-Crowfoot, pledged that the federal Conservatives would spend the summer campaigning for the province to stay.

With 33 out of the province's 37 MPs hailing from the Conservatives, the federal party with the deepest roots in Western Canada, some of Poillievre's MPs have begun speaking out about the importance of Alberta remaining a part of the federation.

Monday's speech was the first time the Conservative leader, who grew up in Calgary, outlined what his pitch would be on the question of keeping the country together. He delivered it by weaving in memories from his

childhood spent watching the 1988 Winter Olympics, which the province hosted, and working as a kid collecting trash off tables during the Calgary Stampede.

He argued that frustrated Albertans have "legitimate grievances" that deserve to be addressed through policy changes by Ottawa, which he said ought to be met by banding together with other oil-producing provinces like Saskatchewan and Newfoundland and Labrador, and pushing for change.

Poillievre also warned against dismissing those concerns as illegitimate.

"Those who caused the problems in Canada today will tell you to pretend those problems don't exist, and they will denounce as unpatriotic anyone who speaks honestly about them."

"Doing that in this referendum would only drive people further away. If you want frustrated Albertans to vote for Canada, the absolute worst thing we can do is dismiss their legitimate grievances and thus signal there's no hope of fixing them at all."



Public Meeting
Amendment to Official Plan and Land Use Bylaw
June 22, 2026 – 6:00 p.m.

A meeting will be held at the North Shore Community Centre, 2180 West Covehead, to receive comments from the public on the following proposed amendments to the Official Plan and Land Use Bylaw:

- Official Plan Text Amendments** – update policies establishing a new Resort designation and required information, updating the future land use map direction, permitting private roads in resort developments, updating language regarding water and wastewater parking and housekeeping amendments updating language around marine access and marine access structures and coordinating designation and zone titles.
- Land Use Bylaw Textual Amendments** – to create a Resort (R23) Zone for resort-oriented resort-use developments, including tourism accommodations, limited residential uses, recreation, commercial services, marine access, and related infrastructure. The amendments would also add supporting rules for private roads in Resort zones and related subdivision requirements, and to clarify changes for marine access and coastal provisions to recognize limited exceptions for approved fisheries, aquaculture, marine access structures, and non-habitable structures required for permitted water-dependent uses.
- Land Use Bylaw Visualizing Amendments** – to clarify parking requirements on properties with more than one use, the application of secondary suite provisions, and new or revised definitions for resort development, marina, marine access structures, commercial recreation use, event venue, craft brewery or distillery, art gallery, and related tourism establishment terminology.

Map Amendments: Official Plan Future Land Use Map and Land Use Bylaw Zoning Map – amendments to Piles 1 H4353, H4351, H4352, 423034, 423045, 423051, 423056, 423057, 423058, 423059, 423060, 423061, 423062, 423063, 423064, 423065, 423066, 423067, 423068, 423069, 423070, 423071, 423072, 423073, 423074, 423075, 423076, 423077, 423078, 423079, 423080, 423081, 423082, 423083, 423084, 423085, 423086, 423087, 423088, 423089, 423090, 423091, 423092, 423093, 423094, 423095, 423096, 423097, 423098, 423099, 423100, 423101, 423102, 423103, 423104, 423105, 423106, 423107, 423108, 423109, 423110, 423111, 423112, 423113, 423114, 423115, 423116, 423117, 423118, 423119, 423120, 423121, 423122, 423123, 423124, 423125, 423126, 423127, 423128, 423129, 423130, 423131, 423132, 423133, 423134, 423135, 423136, 423137, 423138, 423139, 423140, 423141, 423142, 423143, 423144, 423145, 423146, 423147, 423148, 423149, 423150, 423151, 423152, 423153, 423154, 423155, 423156, 423157, 423158, 423159, 423160, 423161, 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Property Legend				Lot Features
1 30 Room Hotel	3 FiN Restaurant - Casual Dining	7 Rental Unit - (Farmhouse)	11 Maintenance Shed	Sewer & Water Raised Building Pad Driveway Culvert Preliminary Design Services Gated Security
2 The Commons - Fractional Units • (4x) Single Units (3 Beds) • (2x) 8-Unit Buildings (2 Beds) • (2x) 4-Unit Buildings (2 Beds)	4 Hairy's Dairy & Admin Offices	8 Rental Unit (Seaside Cottage)	12 Well House	
5 Outside Expeditions	6 Art Studio - Coming Soon	9 Rental Unit (Cottage)	13 Blackbush Property	
		10 Private Residence	14 Future Model Home	

Development

From: WordPress <wordpress@northshorepei.ca>
Sent: June 22, 2026 2:36 PM
To: Development
Subject: [Rural Municipality of North Shore] Please moderate: "Public Meeting June 22, 2026 @6 PM"

A new comment on the post "Public Meeting June 22, 2026 @6 PM" is waiting for your approval
<https://www.northshorepei.ca/public-meeting-june-22-2026-6-pm/>

Author: Kent Larter (IP address: 142.177.237.183, chtwpe0118w-142-177-237-183.dhcp-dynamic.fibreop.pei.bellaliant.net)

Email: [REDACTED]

URL:

Comment:

We are members of the community and see good things happening from this development.

Approve it: <https://www.northshorepei.ca/wp-admin/comment.php?action=approve&c=900#wpbody-content>

Trash it: <https://www.northshorepei.ca/wp-admin/comment.php?action=trash&c=900#wpbody-content>

Spam it: <https://www.northshorepei.ca/wp-admin/comment.php?action=spam&c=900#wpbody-content>

Currently 4 comments are waiting for approval. Please visit the moderation panel:

https://www.northshorepei.ca/wp-admin/edit-comments.php?comment_status=moderated#wpbody-content

Development

From: WordPress <wordpress@northshorepei.ca>
Sent: June 22, 2026 4:05 PM
To: Development
Subject: [Rural Municipality of North Shore] Please moderate: "Public Meeting June 22, 2026 @6 PM"

A new comment on the post "Public Meeting June 22, 2026 @6 PM" is waiting for your approval
<https://www.northshorepei.ca/public-meeting-june-22-2026-6-pm/>

Author: Grand Dune Charters (IP address: 47.54.212.245, chtwpe0118w-47-54-212-245.dhcp-dynamic.fibreop.pei.bellaliant.net)
Email: granddunecharters@gmail.com
URL: <https://grand-dune-charters.square.site/>
Comment:

To Whom it may Concern,

We are a local Fishing charter business based out of Tracadie Harbour. I am writing this letter in 100% support of Black Bush beach resort, as a company that works closely with this resort we have had nothing but an incredible experience with them. The improvements that have been made to this community because of this resort have not gone unnoticed. There has never been a business around like the Blackbush beach Resort that constantly goes out of their way to help benefit others, supporting other local small businesses and employing a large amount of people from this community and island wide. We hope to continue to see Blackbush beach resort grow and succeed.

Thank you

Approve it: <https://www.northshorepei.ca/wp-admin/comment.php?action=approve&c=901#wpbody-content>
Trash it: <https://www.northshorepei.ca/wp-admin/comment.php?action=trash&c=901#wpbody-content>
Spam it: <https://www.northshorepei.ca/wp-admin/comment.php?action=spam&c=901#wpbody-content>
Currently 5 comments are waiting for approval. Please visit the moderation panel:
https://www.northshorepei.ca/wp-admin/edit-comments.php?comment_status=moderated#wpbody-content

Development

From: WordPress <wordpress@northshorepei.ca>
Sent: June 22, 2026 5:13 PM
To: Development
Subject: [Rural Municipality of North Shore] Please moderate: "Public Meeting June 22, 2026 @6 PM"

A new comment on the post "Public Meeting June 22, 2026 @6 PM" is waiting for your approval
<https://www.northshorepei.ca/public-meeting-june-22-2026-6-pm/>

Author: Norma Watts

Email:

URL:

Comment:

Blackbush Resort has been a wonderful addition to the community of Grand Tracadie. As a life long resident of the area I am proud to promote the business. Tracadie Beach was always known as the party beach but now is the home of a world class resort.

Many islanders are employed in this business. Tim Banks is a great supporter of small business.

Approve it: <https://www.northshorepei.ca/wp-admin/comment.php?action=approve&c=902#wpbody-content>

Trash it: <https://www.northshorepei.ca/wp-admin/comment.php?action=trash&c=902#wpbody-content>

Spam it: <https://www.northshorepei.ca/wp-admin/comment.php?action=spam&c=902#wpbody-content>

Currently 6 comments are waiting for approval. Please visit the moderation panel:

https://www.northshorepei.ca/wp-admin/edit-comments.php?comment_status=moderated#wpbody-content



Resort status comments

From andrea bird [REDACTED]

Date Mon 2026-06-22 8:43 PM

To Chief Administrative Officer Northshore <CAO@northshorepei.ca>; Chief Administrative Officer Northshore <CAO@northshorepei.ca>

Hello

My name is Andrea Bird and I live in Grand Tracadie, on Beach Road just beside Blackbush.

I attended the meeting tonight and I've reviewed the documents about creating a resort area. After the meeting, I spoke to the presenter and got some clarity on one of my questions.

I object that the resort municipality is getting a superior benefit to other houses in the area specifically as it relates to setbacks and building heights. I love tall houses, and I have no problem with the proposed height or set-back, however, I feel the approach should be to change the setbacks for everybody, not only for the lots in the resort area. In other words, if one developer gets to build beautiful tall houses with gorgeous views, everyone else should be able to do the same. I respectfully ask that you consider an equitable approach to residential lots and change this for all residential lots, not only those in the new resort.

Thank-you,

Andrea

Get [Outlook for iOS](#)

Resort zoning

From Fred Laflamme [REDACTED]

Date Mon 2026-06-22 10:34 PM

To Chief Administrative Officer Northshore <CAO@northshorepei.ca>

Dear Sir,

I'm writing with regard to the zoning issue and local bylaws surrounding the continued development of Blackbush Resort.

I understand that the province has already accommodated the change from conservation and agriculture to Resort zone. I am fully in support of the North Shore Community to correct its bylaws to allow Black Bush resort to continue its development in complete alignment with the province's established permits.

It's no secret that we lag behind Brudenell, Cavendish and Mill River in this regard and given the demographic makeup of the North Shore Community it's time we offer our citizenry comparable amenities. We're an aging community and the desire to have access to local resources and entertainment and hospitality grows stronger every year especially during the off season when driving to Charlottetown or North Rustico isn't always a viable option.

So please, let's not prevent a simple bylaw change (already in accordance with the province) from making all of our lives on the North Shore, more enjoyable, accessible and deservedly so, not to mention the downstream effect of increased employment opportunities for those interested in a career in the local hospitality industry!

Black Bush Resort's ongoing growth is vital to the continued viability and sustenance of this important economic contributor to PEI's GDP! Let's do the right thing and invest in what's good for PEI and more particularly good for the North Shore and amend the bylaw and issue the necessary permits as required while Black Bush is motivated to meet the competitive challenges and make the North Shore a serious contender in the hospitality sector.

Thank you for reading,

Sincerely,

Fred Laflamme
[REDACTED]

Fred and Mary Laflamme
[REDACTED]



Ninaber Construction LTD

497 Queens point rd

Grand Tracadie, PE C0A1P0

To Whom It May Concern,

I am writing to express my strong support for the proposed rezoning within the Municipality of North Shore, Prince Edward Island.

As a member of this community, I have had the privilege of witnessing the vision for North Shore come together over the past several years. The thoughtful planning and responsible development taking place in our municipality have had a clearly positive impact on both residents and the local economy.

In particular, I have seen local businesses grow and thrive, creating valuable employment opportunities for residents while contributing to a vibrant and sustainable community. What stands out most is that this growth has been achieved with respect for our unique culture, natural beauty, and green spaces—elements that are essential to the character of the North Shore.

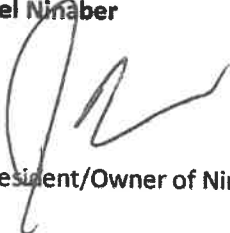
The balance between development and environmental stewardship has been commendable. The municipality has demonstrated that progress does not have to come at the expense of our landscape or way of life. Instead, it has enhanced both, benefiting residents in more ways than can easily be measured.

For these reasons, I believe the proposed rezoning aligns with the ongoing positive direction of our community. It represents a continuation of responsible growth and thoughtful planning that will help ensure a strong and sustainable future for the North Shore.

Thank you for your consideration of my support.

Sincerely,

Joel Ninaber

 June 16/26
President/Owner of Ninaber Construction LTD



Outlook

Development Tracadie

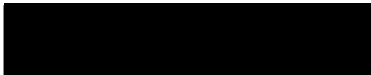
From Bernard Cheverie [REDACTED]

Date Mon 2026-06-22 2:10 PM

To Chief Administrative Officer Northshore <CAO@northshorepei.ca>

The new developments going on in the area are great and add jobs and opportunities for many people in the area.

Bernard Cheverie



"Keep your stick on the ice"



Outlook

rezoning of the Blackbush property

From jennifer.scheuneman [REDACTED]

Date Mon 2026-06-22 12:53 PM

To Chief Administrative Officer Northshore <CAO@northshorepei.ca>

Good afternoon

I am quite fortunate to be employed at Blackbush Beach Resort, and I am excited to see that there is continued future development on this property. Not only does it build a stronger sense of community in the area ,but it also brings more employment and business opportunities to the beautiful Grand Tracadie area.

Thank you for your time,

Jennifer Komorowski

Rural Municipality of North Shore - Public Meeting Notice

June 22, 2026

Subject: Amendments to Official Plan and Land Use Bylaw concerning a **new Resort Development Zone**.

Dear Landowner,

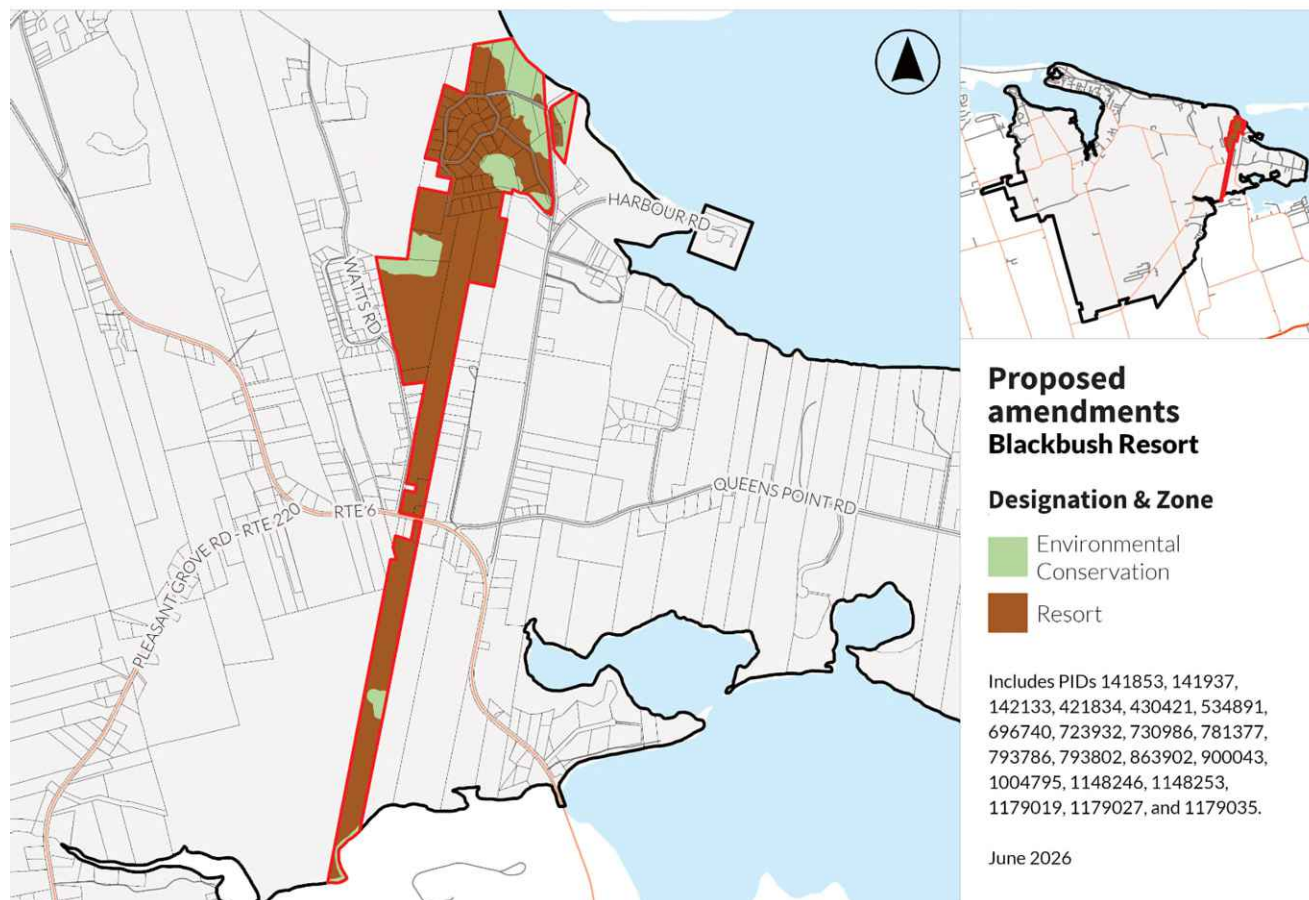
A meeting will be held at the North Shore community Centre, 2120 W. Covehead to receive comments from the public on the following proposed amendments to the Official Plan and Land Use Bylaw:

- **Official Plan Text Amendments** – updates to policies establishing a new Resort designation and required information, updating the future land use map direction, permitting private roads in resort developments, updating language regarding water and wastewater servicing and housekeeping amendments updating language around marine access and marine access structures and coordinating designation and zone titles.
- **Land Use Bylaw Textual Amendments** – to create a Resort (RES) Zone for resort-oriented mixed-use developments, including tourism accommodations, limited residential uses, recreation, commercial services, marine access, and related infrastructure. The amendments would also add supporting rules for private roads in Resort zones and related subdivision requirements, and to clarify changes for marine access and coastal provisions to recognize limited exceptions for approved fisheries, aquaculture, marine access structures, and non-habitable structures required for permitted water-dependent uses.
- **Land Use Bylaw Housekeeping Amendments** – to clarify parking requirements on properties with more than one use, the application of secondary suite provisions, and new or revised definitions for resort development, marina, marine access structure, commercial recreation use, event venue, craft brewery or distillery, art gallery, and related tourism establishment terminology.
- **Map Amendments: Official Plan Future Land Use Map and Land Use Bylaw Zoning Map** – amendments to PIDs s 141853, 141937, 142133, 421834, 430421, 534891, 696740, 723932, 730986, 781377, 793786, 793802, 863902, 900043, 1004795, 1148246, 1148253, 1179019, 1179027, and 1179035 to apply the Resort designation and zoning for the Blackbush Resort while updating the Environmental Conservation designation and zoning based on more recent environmental mapping on the subject properties, as shown in map below.

The meeting is open to the public and all interested parties are encouraged to attend. Public comments and feedback about the proposal will be accepted until June 23, 2026, at 4:00pm.

Details on the application may be viewed at the municipal office or online at <https://www.northshorepei.ca/> prior to the meeting. For more information on this proposal or to provide comments, please contact the municipal office by email to administrator@northshorepei.ca or mail/delivery to 2120 Rte. 25, West Covehead, PE C0A 1P0 or call 902-672-2600.

Rural Municipality of North Shore Official Plan Future Land Use Map and Land Use Bylaw Zoning Map



The meeting is open to the public and all interested parties are encouraged to attend. Public comments and feedback about the proposal will be accepted until June 23, 2026, at 4:00pm.

Details on the proposed amendments may be viewed at the municipal office or online at <https://www.northshorepei.ca/> prior to the meeting. For more information on this proposal or to provide comments, please contact the municipal office by email to administrator@northshorepei.ca or mail/delivery to 2120 Rte. 25, West Covehead, PE C0A 1P0 or call 902-672-2600.

Any changes to public participation prior to the meeting will be posted on our website. In the event of inclement weather cancellations will be posted on our website.

Sincerely,

Marie McInnis
Chief Administrative Officer
Rural Municipality of North Shore

UNAPPROVED MINUTES

Public Meeting – Rural Municipality of North Shore

June 22, 2026 @ 6:00 pm

North Shore Community Centre

Date: June 22nd, 2026
Location: North Shore Community Centre
Time Called to Order: 6:00p.m.
Attendance:

- **Council:** Deputy Mayor Nancy MacKinnon; Councillors Peter McLaine, Charity Sheehan, Derek Cook
- **Planning Committee:** Ricky Clow
- **Special attendees for presentation of new Zoning:** Darian Shakerinia from Fathom and Samantha Murphy from We6Planning
- **Public:** 13 community members

1. Opening Remarks

Chair Deputy Mayor Nancy MacKinnon welcomes attendees, introduces Darian Shakerinia from Fathom and Samantha Murphy from We6Planning to present the new Zoning Bylaw and new Resort Zone. When the presentation is over, the public will be able to ask questions by stepping up to the mike, identifying themselves and where they are from.

2. Presentation by Darian Shakerinia

Presentation shown on screen for assembly.

There were 12 questions asked pertaining to the new Resort Zoning or other. The answers have been summed up and considered in the following report.

OVERVIEW

Seven written submissions were received regarding the proposed amendments to the Rural Municipality of North Shore Official Plan and Land Use Bylaw. Six submissions were supportive of, or did not object to, the proposed amendments and the continued development of the Blackbush Resort lands. One submission opposed the rezoning of Blackbush for development.

GENERAL LEVEL OF SUPPORT

The written feedback was broadly supportive of the proposed amendments. Supportive comments focused on the economic, employment, tourism, community, and local amenity benefits associated with continued resort development. Several submissions characterized the amendments as a continuation of positive growth in the Grand Tracadie area.

ECONOMIC DEVELOPMENT AND EMPLOYMENT

A recurring theme was the potential for the amendments to support local economic development. Submitters identified resort development as a source of employment and business opportunities, including opportunities connected to the local hospitality sector. Some comments also noted that continued investment in the resort area could contribute to the broader economic viability of the North Shore and Prince Edward Island tourism economy.

COMMUNITY AMENITIES AND TOURISM

Several submissions supported the amendments on the basis that resort development would provide additional local amenities, services, and hospitality options. One submission noted that the North Shore has fewer resort and tourism amenities than other areas such as Brudenell, Cavendish, and Mill River, and suggested that additional resort development could improve access to local recreation, entertainment, and hospitality services, particularly outside the peak tourism season.

RESPONSIBLE GROWTH AND ENVIRONMENTAL STEWARDSHIP

One submission expressed support for the rezoning as part of a broader pattern of responsible development in the Municipality. The submission indicated that local growth has supported business activity and employment while maintaining respect for the North Shore's culture, natural beauty, and green spaces. This submission characterized the proposed rezoning as consistent with thoughtful planning and sustainable community development.

HEIGHT AND SETBACK STANDARDS

One submission raised an equity concern regarding the proposed Resort (RES) Zone development standards. The submitter did not object to the proposed increased height or reduced setback standards for the resort area, but suggested that similar flexibility should be considered for residential lots elsewhere in the Municipality. The concern was that the resort lands would receive development permissions not available to other property owners.

OPPOSITION TO REZONING

One submission stated opposition to rezoning Blackbush for development. The submission did not provide further reasons or identify specific concerns with the proposed Official Plan or Land Use Bylaw amendments.

SUMMARY

Overall, most of the public correspondence received was supportive of, or did not object to, the proposed Official Plan and Land Use Bylaw amendments. The main reasons for support included local employment, business opportunities, tourism development, expanded community amenities, and responsible growth. Two submissions identified specific considerations: one requested that similar height and setback flexibility be considered for residential properties outside the resort area, and one requested that access to an adjacent private property be maintained. One submission opposed the rezoning of Blackbush for development. Future amendments to the Official Plan and Land Use Bylaw, including through an official plan review process, could help address comments pertaining to broader municipality-wide changes that were requested in the public feedback.

3. Adjournment of public meeting at 6:45pm

RURAL MUNICIPALITY OF NORTH SHORE — PUBLIC FEEDBACK REPORT

REPORT FOR: Rural Municipality of North Shore

DATE: June 23, 2026

PREPARED BY: Darian Shakerinia, LPP MCIP

FILE NUMBER: 2026-50

SUBJECT: Public feedback regarding amendments to the Official Plan & Bylaw Amendments and the new Resort Zone

OVERVIEW

Seven written submissions were received regarding the proposed amendments to the Rural Municipality of North Shore Official Plan and Land Use Bylaw. Six submissions were supportive of, or did not object to, the proposed amendments and the continued development of the Blackbush Resort lands. One submission opposed the rezoning of Blackbush for development.

GENERAL LEVEL OF SUPPORT

The written feedback was broadly supportive of the proposed amendments. Supportive comments focused on the economic, employment, tourism, community, and local amenity benefits associated with continued resort development. Several submissions characterized the amendments as a continuation of positive growth in the Grand Tracadie area.

ECONOMIC DEVELOPMENT AND EMPLOYMENT

A recurring theme was the potential for the amendments to support local economic development. Submitters identified resort development as a source of employment and business opportunities, including opportunities connected to the local hospitality sector. Some comments also noted that continued investment in the resort area could contribute to the broader economic viability of the North Shore and Prince Edward Island tourism economy.

COMMUNITY AMENITIES AND TOURISM

Several submissions supported the amendments on the basis that resort development would provide additional local amenities, services, and hospitality options. One submission noted that the North Shore has fewer resort and tourism amenities than other areas such as Brudenell, Cavendish, and Mill River, and suggested that additional resort development could improve access to local recreation, entertainment, and hospitality services, particularly outside the peak tourism season.

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One submission expressed support for the rezoning as part of a broader pattern of responsible development in the Municipality. The submission indicated that local growth has supported business activity and employment while maintaining respect for the North Shore's culture, natural beauty, and green spaces. This submission characterized the proposed rezoning as consistent with thoughtful planning and sustainable community development.

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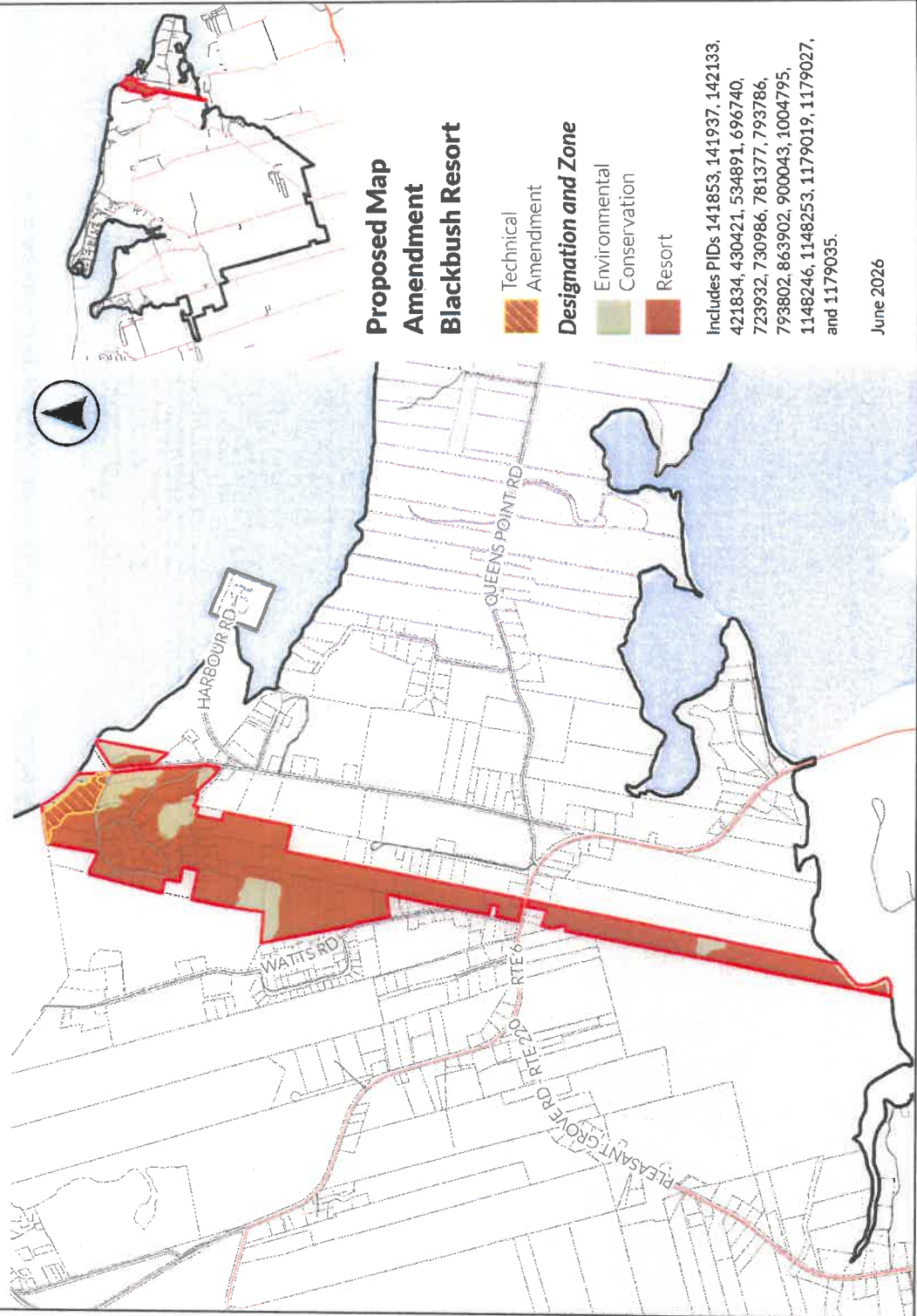
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One submission stated opposition to rezoning Blackbush for development. The submission did not provide further reasons or identify specific concerns with the proposed Official Plan or Land Use Bylaw amendments.

SUMMARY

Overall, most of the public correspondence received was supportive of, or did not object to, the proposed Official Plan and Land Use Bylaw amendments. The main reasons for support included local employment, business opportunities, tourism development, expanded community amenities, and responsible growth. Two submissions identified specific considerations: one requested that similar height and setback flexibility be considered for residential properties outside the resort area, and one requested that access to an adjacent private property be maintained. One submission opposed the rezoning of Blackbush for development. Future amendments to the Official Plan and Land Use Bylaw, including through an official plan review process, could help address comments pertaining to broader municipality-wide changes that were requested in the public feedback.

Rural Municipality of North Shore Land Use Bylaw Official Plan Future Land Use Map and Land Use Bylaw Zoning Map



Development

From: WordPress <wordpress@northshorepei.ca>
Sent: June 25, 2026 2:26 AM
To: Development
Subject: [Rural Municipality of North Shore] Please moderate: "Presentation from Public Meeting June 22, 2026 for 'Resort Zone'"

A new comment on the post "Presentation from Public Meeting June 22, 2026 for 'Resort Zone'" is waiting for your approval <https://www.northshorepei.ca/presentation-from-public-meeting-june-22-2026-for-resort-zone/>

Author: 333985 (IP address: 120.48.93.232, 120.48.93.232)

Email: cs@wbhelps.com

URL: <https://333985.com/>

Comment:

yahoo,im go

Approve it: <https://www.northshorepei.ca/wp-admin/comment.php?action=approve&c=905#wpbody-content>

Trash it: <https://www.northshorepei.ca/wp-admin/comment.php?action=trash&c=905#wpbody-content>

Spam it: <https://www.northshorepei.ca/wp-admin/comment.php?action=spam&c=905#wpbody-content>

Currently 9 comments are waiting for approval. Please visit the moderation panel:

https://www.northshorepei.ca/wp-admin/edit-comments.php?comment_status=moderated#wpbody-content

APPROVED AGENDA
Planning Board – Rural Municipality of North Shore
June 25^h, 2026 @ 5:00 pm
North Shore Community Centre

1 CALL TO ORDER

2 APPROVAL OF THE AGENDA

2.1 Disclosure of Pecuniary (Financial) or other Conflicts of Interest

3 APPROVAL OF THE MINUTES

3.1 Planning Board Meeting– June 9, 2026

3.2 Business arising from the minutes

4 Delegations, Speakers, and Public Input

None

5 NEW BUSINESS

5.1 New Zoning Public Correspondence Report

5.2 RFD-2026-10-Report on new Zoning and Bylaw

6 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

(a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;

(b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;

(c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;

(c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;

(d) human resource matters, including labour relations or employee negotiations;

(e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;

(f) the conduct of existing or anticipated legal proceedings or the review of legal advice;

(g) the conduct of an investigation under, or enforcement of, an Act or bylaw;

(h) information which, if disclosed, could prejudice security and the maintenance of the law.

7 NEXT MEETING DATE, TIME, North Shore Community Centre

The next meeting will be held on TBD at 6:30 at the Community Centre.

8 ADJOURNMENT

UNAPPROVED MINUTES
Planning Board – Rural Municipality of North Shore
June 25th, 2026 @ 5:00 pm
North Shore Community Centre

PRESENT:

Chair, Deputy Mayor MacKinnon, Ricky Clow, Councillor Sheehan, Dolores Watts by phone, CAO Marie McInnis

Absent: Mayor Watts, Norman Boswall, Robbie Moore

Public: 1

GUESTS: Samantha Murphy, Outside Planner

1 CALL TO ORDER

Chair, Deputy Mayor Councillor MacKinnon is opening the meeting 5:00.

2 APPROVAL OF THE AGENDA

It was duly moved and seconded to approve the agenda as presented.

Moved by Councillor Sheehan, seconded by Ricky Clow

All in Favor (3)

MOTION CARRIED

- 2.1 Disclosure of Pecuniary (Financial) or other Conflicts of Interest –
NONE

3 APPROVAL OF THE MINUTES

- 3.1 Planning Board Public meeting June 9th, 2026

It was duly moved and seconded to approve the June 9th, 2026, minutes as presented.

Moved by Councillor Ricky Clow, seconded by Councillor Sheehan.

All in Favor (3)

MOTION CARRIED

- 3.2 Business arising from the minutes
None

4 Delegations, Speakers, and Public Input

None

5 NEW BUSINESS –

- 5.1 RFD-2026-10-Resort Zoning and Bylaw

The Planning Committee has received the report following the public consultation meeting from June 22nd 2026 produced by Darian Shakerinia from the Fathom Studio.

Rural Municipality of North Shore
Planning Board Resolution
June 25, 2026 Meeting of Planning Board

Moved by Charity Sheehan

Seconded by Ricky Clow

Resolution:

Carried	X
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For	3
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Defeated	
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Against	0
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WHEREAS textual and map amendments to the Official Plan and Land Use Bylaw are being considered, as laid out in Official Plan Amendment OPA-2026-05 and Bylaw 2021-E, that include text and map amendments to the Official Plan and Land Use Bylaw, establish the Resort Designation and Resort Zone, apply those to the parcels identified on the map entitled Proposed Map Amendment Blackbush Resort, and address several housekeeping amendments;

AND WHEREAS Planning Board has considered the planning report dated June 3, 2026, updated to June 15, 2026, public input at the June 22, 2026 public meeting and the Public Feedback Report dated June 23, 2026, and is satisfied that the proposed amendments are consistent with the intent of the Official Plan and the *Planning Act*;

BE IT RESOLVED that Planning Board recommend to Council that the Rural Municipality of North Shore Official Plan Amendment OPA-2026-05 be approved; and

BE IT FURTHER RESOLVED that Planning Board recommend to Council that the Rural Municipality of North Shore Bylaw 2021-E, a bylaw to amend the North Shore Land Use Bylaw, be given first and second reading and be adopted.

Moved by Charity Sheehan, seconded by Ricky Clow.

In Favor (3)

Against (0)

MOTION CARRIED

**Rural Municipality of North Shore
Planning Board**

June 25, 2026 Meeting of Planning Board

Moved by Nancy McKinnon

Seconded by Dolores Watts

Resolution:

Carried	X
Defeated	

For	3
Against	0

BACKGROUND

Several policy and administrative challenges have been identified regarding the form of the Environmental Conservation zone, what has been included in the mapping, and the availability of more recent provincial mapping.

The possibility of shifting from a hard zone to an overlay zone has been discussed several times in recent months. An overlay zone would provide the same protections but would not form a hard boundary between the primary zone on a property and the wetland/watercourse and buffer. This would avoid some confusion and challenge during map amendment processes.

The Future Land Use and Zoning Maps also reflect the 2010 watercourse and wetland mapping and erroneously include other features that are not covered in the official plan policy or bylaw zone definition.

A housekeeping amendment process could:

Switch to an overlay zone approach (official plan policy amendment and map amendment, bylaw text amendment and map amendment). The mapping could also be updated to include the 2100 coastal flood plain, which would not change any development requirements or standards but would provide clarity to the public about the presence of the flood hazard.

Apply the appropriate adjacent zoning to each parcel containing the EC zone

Update mapping to reflect the most current provincial data available.

MOTION

That Planning Board recommend to Council that a housekeeping amendment process be initiated to update the Environmental Conservation mapping and policies and to move to an overlay zone approach.

Moved by Nancy McKinnon, seconded by Dolores Watts.

In Favor (4)

MOTION CARRIED

6 IN CAMERA SESSION: MGA - 119. Closed meetings

None needed.

7 NEXT MEETING, North Shore Community Centre

To be determined.

8 ADJOURNMENT

Chair, Deputy Mayor Councillor MacKinnon is closing the meeting 5:14pm.

Moved by Ricky Clow, seconded by Charity Sheehan

All in Favor (3)

MOTION CARRIED

SIGNED: NAME, Chair

DATE:

Marie McInnis

SIGNED: NAME, CAO

June 29, 2026

DATE:

Official Plan Amendment OPA-2026-05

To amend the Rural Municipality of North Shore 2021 Official Plan

Effective Date

The effective date of the Official Plan Amendment OPA-2026-05 amending the 2021 Official Plan is the date as signed below by the minister responsible for the *Planning Act*.

Authority

This Official Plan Amendment is made under the authority of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8 and the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

BE IT ENACTED by the Council of the Rural Municipality of North Shore that the 2021 Official Plan is amended as follows:

- 1 Section 3.7 of the Official Plan is amended by striking out text and adding text as shown below in bold and strikeout:

3.7 Transportation Network

The Municipality does not own or have direct responsibility for any of the public or private roads; however, through the provision of land use planning the Municipality does have an important role in transportation planning. Council currently works with the provincial department responsible for transportation and infrastructure to ensure the existing public transportation network is safe and well maintained. However, most residential subdivisions within the Municipality are currently serviced by private roads, ~~over which the Province and the Municipality have no authority~~ **that are not owned or maintained by the Province or the Municipality**. Provincial services such as snow clearing, garbage collection and school buses are not offered to properties serviced by private roads. As such, the development of new private roads is ~~no longer~~ **generally not** permitted within the Municipality, **except where expressly permitted by this Plan and the Land Use Bylaw, such as within lands designated Resort and zoned Resort (RES), where long-term ownership, maintenance, emergency access, and municipal non-assumption responsibilities are clearly established.**

- 2 Subsection 6.2, clause iii of the Official Plan is amended by striking out text and adding text as shown below in bold and strikeout:
 - iii. Support new resource-related commercial and industrial development, ~~as well as~~ **services related to the tourism sector, and resort-oriented mixed-use development** in appropriate areas, **where potential land use conflicts can be mitigated and adequate servicing, access, environmental protection, and infrastructure maintenance can be demonstrated.**
- 3 Clause 7.2.5(b) of the Official Plan is amended by striking out text and adding text as shown below in bold and strikeout:

- b. All land currently in a non-resource commercial or industrial use will be zoned as ~~General Commercial (C) or Light Industrial (M1)~~ **Commercial (C) or Industrial (I)** respectively on the Zoning Map.

- 4 Section 7.2 of the Official Plan is amended by adding a new Section 7.2.7 after Section 7.2.6 as shown below in bold:

7.2.7 Resort Designation Policy

Resort-oriented mixed-use development may be supported where it contributes to the Municipality's tourism economy, provides recreational or visitor-serving amenities, and is designed to be compatible with the Municipality's rural, coastal, agricultural, and environmental context.

The Resort designation is intended to accommodate land uses that may include tourism establishments, resort residential uses, restaurants, retail stores, health and wellness services, event venues, active and commercial recreation uses, parks, trails, marine access where appropriate, and other complementary uses that support a resort-oriented mixed-use area.

The Resort designation is not intended to enable conventional residential subdivisions or primarily residential development on private roads. Private residential uses within the Resort designation shall be integrated with and complementary to a resort-oriented mixed-use development, and shall not be the primary purpose of a Resort designation or Resort (RES) Zone amendment.

Lands shall only be designated Resort where Council is satisfied that the lands are suitable for the intended scale and form of development, and that the development can be supported without undue negative impact on neighbouring properties, agricultural lands, environmentally sensitive areas, public safety, municipal finances, or the broader rural character of the Municipality.

Plan Actions:

a.	The Land Use Bylaw will establish a Resort (RES) Zone to support resort-oriented mixed-use development within the Resort designation.
b.	The Resort (RES) Zone may permit a range of resort-oriented tourism, residential, commercial, recreational, marine access, open space, and supporting infrastructure uses.
c.	The Land Use Bylaw will establish development standards for lands in the Resort (RES) Zone, including lot size, frontage, lot coverage, setbacks, building height, parking, servicing, access, and other matters necessary to ensure compatibility with adjacent land uses.
d.	Resort development shall be subject to all applicable provincial and federal approvals, including requirements related to subdivision, roads, water supply, wastewater treatment, wetlands, watercourses, coastal areas, dunes, environmental buffers, public safety, building standards, and tourism licensing, as applicable.

- 5 Section 7.2 of the Official Plan is amended by adding a new Section 7.2.8 after Section 7.2.7 as shown below in bold:

7.2.8 Resort Redesignation and Rezoning Policy

Applications to amend the Future Land Use Map to designate lands as Resort, and to rezone lands to the Resort (RES) Zone, shall be reviewed in accordance with the policies of this Plan and the amendment review process established in the Land Use Bylaw.

When reviewing future applications to designate lands as Resort and/or rezone lands to the Resort (RES) Zone, Council may consider whether the proposed designation and rezoning are appropriate having regard to the scale, nature, location, servicing, access, environmental conditions, compatibility, and long-term management of the proposed resort-oriented mixed-use development.

Plan Actions:

a.	In reviewing an application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone, Council may consider the following, as applicable: i. a written description of the proposed resort development, including the intended tourism, residential, commercial, recreational, open space, marine access, and supporting infrastructure uses; ii. a concept plan showing the general location of proposed land uses, development areas, lots or development blocks, roads, private roads or rights-of-way, trails, parking areas, open space, environmental features, buffers, and servicing infrastructure; iii. the proposed number and general type of lots, dwelling units, accommodation units, commercial buildings, recreational facilities, and other major development components; iv. the proposed phasing of subdivision and development; v. the proposed means of water supply, wastewater treatment, stormwater management, and utility servicing; vi. the proposed road, private road, access, emergency access, parking, pedestrian circulation, and active transportation network; vii. the proposed ownership, maintenance, and management structure for private roads, private services, open space, trails, recreational amenities, and other common infrastructure; viii. whether the proposed development includes a meaningful tourism, recreation, accommodation, visitor-serving, commercial, open space, or resort amenity component sufficient to establish the development as a resort-oriented mixed-use development rather than a conventional residential subdivision; ix. identification of wetlands, watercourses, dunes, coastal areas, environmental buffers, flood-risk areas, erosion-risk areas, and any other environmentally sensitive features;
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	x. a description of measures proposed to avoid or mitigate impacts on adjacent land uses, agricultural lands, natural areas, public access, traffic safety, municipal services, and municipal finances; xi. any proposed covenants, easements, subdivision agreements, development agreements, utility agreements, or other instruments intended to implement or maintain the resort development; and xii. any additional information required by Council or the Development Officer to determine whether the proposed Resort designation and/or Resort (RES) rezoning is consistent with the objectives and policies of this Plan.
b.	Council may refuse an application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone where Council is not satisfied that the proposed development can be adequately serviced, accessed, phased, maintained, and developed in a manner that is compatible with adjacent lands, environmental constraints, municipal finances, public safety, and the policies of this Plan.
c.	Where lands are designated Resort and/or rezoned to the Resort (RES) Zone, subdivision and development shall proceed in accordance with the Land Use Bylaw and any applicable subdivision approval, development approval, subdivision agreement, development agreement, restrictive covenant, easement, servicing agreement, utility agreement, road maintenance agreement, or other implementing instrument.
d.	Council may require agreements or other instruments as a condition of redesignation, rezoning, subdivision approval, or development approval, where such agreements or instruments are authorized by law and are necessary to address matters including private infrastructure, common areas, roads, services, environmental protection measures, phasing, long-term maintenance, and municipal non-assumption.
e.	Council may refuse an application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone where Council determines that the proposed development is primarily a conventional residential subdivision, that private residential uses are not sufficiently integrated with or functionally related to a resort development, or that the proposed resort, tourism, recreation, accommodation, visitor-serving, commercial, open space, or resort amenity components are speculative, incidental, or insufficient to support the Resort designation.
f.	Where application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone on lands that are adjacent and under shared ownership with existing Resort designated property (RES) Zone Council will consider existing Resort plans and allow for amendments to plans as necessary.
g.	During the next comprehensive review of this Plan and the Land Use Bylaw, Council shall consider whether to establish a more formal planning and implementation framework for comprehensively planned resort development, which may include the use of development agreements, subdivision agreements,

- 6 Subsection 8.2.3 of the Official Plan is amended by striking out the existing policy statement and replacing it with the text shown below in bold and strikeout:

~~All new roads constructed shall meet minimum development standards as established by the Province, at the developer's expense, and shall be deeded to the Province.~~

Public roads constructed in the Municipality shall meet minimum development standards established by the Province and shall be deeded to the Province where required by legislation, regulation, or bylaw. Private roads may be considered only where expressly permitted by this Plan and the Land Use Bylaw, and where long-term ownership, maintenance, emergency access, engineering certification, and municipal non-assumption responsibilities are clearly established.

- 7 Clause 8.2.3(a) of the Official Plan is amended by striking out the existing wording and replacing it with the text shown below in bold and strikeout:

~~a. All new roads constructed shall meet minimum development standards as established by the Province, and the road will be deeded to the Province as a public right-of-way prior to the approval of any development applications for properties with access to the new road. No new private or seasonal roads will be permitted.~~

a. Except as otherwise provided in this Plan, all new roads constructed as part of a subdivision shall meet minimum development standards established by the Province and shall be deeded to the Province as a public right-of-way prior to the approval of development applications for properties with access to the new road.

- 8 Subsection 8.2.3 of the Official Plan is amended by adding new clauses after clause 8.2.3(b) as shown below in bold:

c. Private roads may be permitted within lands designated Resort and zoned Resort (RES), where the private road is part of a resort development, provides safe and convenient access to a public road, is designed by, constructed under the supervision of, and certified by a professional engineer to the satisfaction of the Municipality, and is subject to legal agreements or other instruments addressing ownership, maintenance, repair, snow clearing, drainage, emergency access, civic addressing, solid waste collection, and municipal non-assumption.

d. Where a property is served by a private road, the Municipality shall not be deemed responsible for the construction, maintenance, repair, grading, ditching, snow clearing, replacement, or upgrading of the private road unless such road has been formally accepted as a public road suitable for year-round use.

e. The Land Use Bylaw may establish standards and application requirements for private roads in the Resort (RES) Zone, including requirements for rights-of-way, road width, emergency access, legal access, engineering design, construction supervision, engineer certification, as-built drawings,

registration of agreements, notice to purchasers, and independent engineering review where required by the Municipality.

- 9 Subsection 8.2.6 of the Official Plan is amended by striking out the existing policy statement and replacing it with the text shown below in bold and strikeout:

~~Properties will operate on privately owned on-site sewage disposal systems.~~

Properties will generally operate on privately owned on-site sewage disposal systems. Privately owned communal or central sewage disposal systems may be considered where such systems are permitted by provincial legislation and are designed, approved, constructed, operated, maintained, and monitored in accordance with all applicable provincial requirements.

- 10 Subsection 8.2.7 of the Official Plan is amended by striking out the existing policy statement and replacing it with the text shown below in bold and strikeout:

~~Properties will operate on privately owned water supply systems.~~

Properties will generally operate on privately owned water supply systems. Privately owned communal or central water supply systems may be considered where such systems are permitted by provincial legislation and are designed, approved, constructed, operated, maintained, and monitored in accordance with all applicable provincial requirements.

- 11 Clause 10.2.5(e) of the Official Plan is amended by adding marine access structures as shown below in bold:

- e. Fishing sheds, aquaculture facilities, boat launching facilities and wharves, **and other Marine Access Structures** will be permitted, according to municipal, provincial, and federal regulations.

12 Appendix A: Future Land Use Map of the Official Plan is amended by replacing the Future Land Use Map with the revised Future Land Use Map shown below:

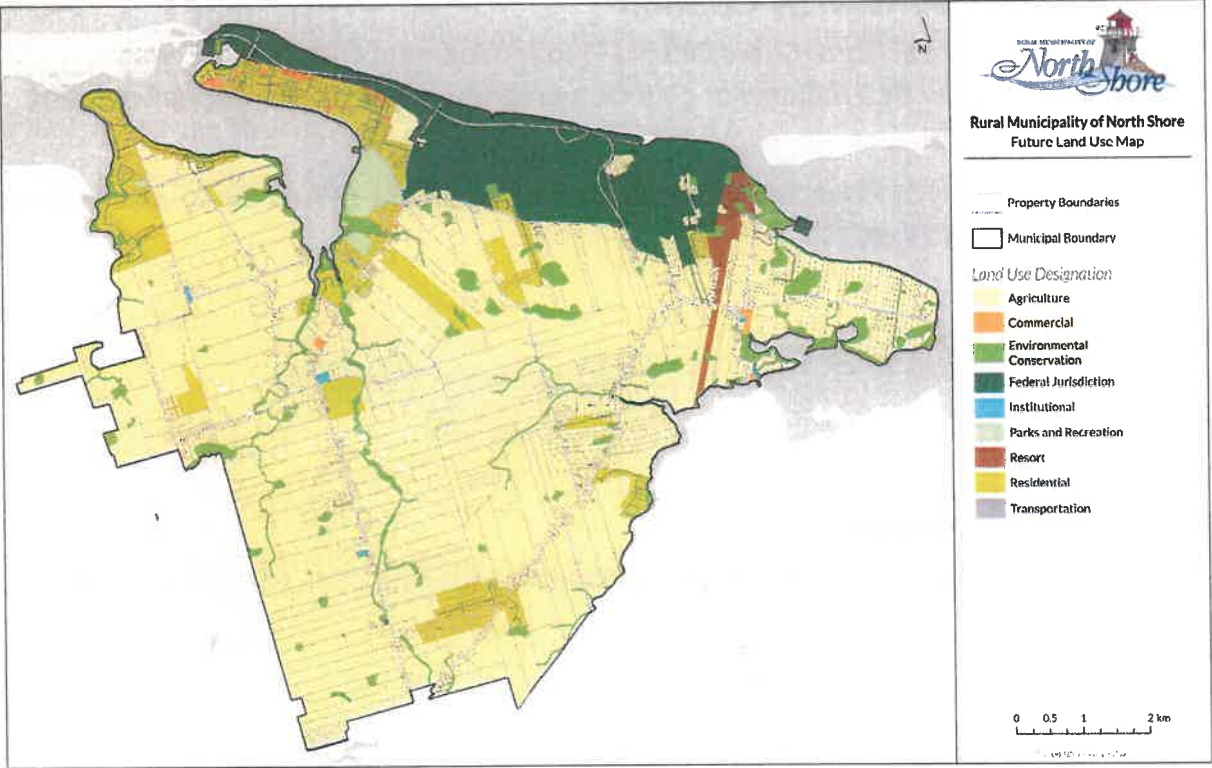


Figure 1 - Revised Future Land Use Map

Adoption and Approval by Council

The Rural Municipality of North Shore Official Plan Amendment OPA-2026-05 was approved and adopted by a majority of council members present at the Council meeting held on June 29, 2026.

The Rural Municipality of North Shore Official Plan Amendment OPA-2026-05 was declared to be passed on June 29, 2026.

Nancy MacKenzie

Mayor
(signature sealed)

Marie McGrath

Chief Administrative Officer
(signature sealed)

Ministerial Approval

The Rural Municipality of North Shore Official Plan Amendment OPA-2026-05 is hereby approved.

Hon. Darlene Compton
Minister of Land and Environment

Date

APPROVED AGENDA
Special Council Meeting – Rural Municipality of North Shore
June 29th, 2026 @ 6:00 pm
North Shore Community Centre

1 CALL TO ORDER

2 APPROVAL OF THE AGENDA

2.1 Disclosure of Pecuniary (Financial) or other Conflicts of Interest

3 APPROVAL OF THE MINUTES

3.1 Regular Council – June 9th, 2026

4 NEW BUSINESS

4.1 RFD – 2026-10 – New Resort Zoning and Bylaw – First Reading

5 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

(a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;

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(c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;

(c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;

(d) human resource matters, including labour relations or employee negotiations;

(e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;

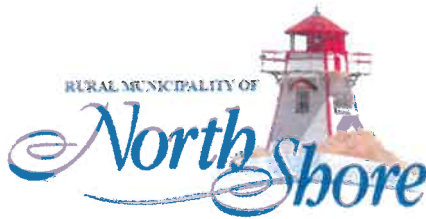
(f) the conduct of existing or anticipated legal proceedings or the review of legal advice;

(g) the conduct of an investigation under, or enforcement of, an Act or bylaw;

(h) information which, if disclosed, could prejudice security and the maintenance of the law.

6 NEXT MEETING June 30, 2026 @ 6:00 pm, North Shore Community Centre

7 ADJOURNMENT



APPROVED MINUTES

Regular Council Meeting

June 29th, 2026 @ 6:00 pm

North Shore Community Centre

PRESENT: Chair Deputy Mayor Councillor MacKinnon, Councillor Cook, Councillor Doyle (by telephone), Councillor McLaine, Councillor Paquet, Samantha Murphy, Planner, CAO Marie McInnis

ABSENT: Mayor Watts, Councillor Sheehan

Public: 1

1 Call to Order

Chair Deputy Mayor Councillor MacKinnon opens at 6:01pm.

2 Approval of the agenda

It was duly moved and seconded to approve the agenda as submitted.

Moved by Councillor Paquet, seconded by Councillor McLaine.

All in Favor (4)

MOTION CARRIED

2026-06-077

2.1 Disclosure of Pecuniary or other Conflicts of Interest

None

3 APPROVAL OF THE MINUTES

3.1 Regular Council – June 9th, 2026

It was duly moved and seconded to approve the minutes from the June 9th, 2026, meeting as presented.

Moved by Councillor Cook, seconded by Councillor Doyle

All in Favor (4)

MOTION CARRIED

2026-06-078

3.2 Business arising from the minutes

None

NEW BUSINESS

4 RFD_2026-010 – New Resort Zoning and Bylaw – First Reading

A public meeting was held on June 22nd 2026 to seek public feedback to the post map and a text amendment. A planning report and a public feedback report were prepared by Fathom Studio.

Official Plan Amendment OPA-2026-05 and amending Bylaw 2021-E, a bylaw amending the Land Use Bylaw are now ready for approval. The next step is to approve it.

First reading of the amendment of New Resort Zoning and Bylaw Official Plan Amendment OPA-2026-05 and Bylaw 2021-E.

**Council Resolution
Official Plan Amendment**

Official Plan Amendment OPA-2026-05

June 29, 2026

Moved by Councilor Paquet
Seconded by Councilor McLaine

Resolution:

Carried	☒	For	4
Defeated	☐	Against	0

WHEREAS textual and map amendments to the Official Plan and Land Use Bylaw are being considered provided for in Official Plan Amendment OPA-2026-05 and Bylaw 2021-E, a bylaw amending the Land Use Bylaw, that include text and map amendments to the Official Plan and Land Use Bylaw establishing the Resort Designation and Resort Zone, applying those to the parcels identified on the map entitled Proposed Map Amendment Blackbush Resort, and addressing several housekeeping amendments;

AND WHEREAS Council has considered the planning report dated June 3, 2026, (updated to June 15, 2026), public input at the June 22, 2026 public meeting and the June 23, 2026 Public Feedback Report and is satisfied that the proposed amendments are consistent with the intent of the Official Plan and the *Planning Act*;

AND WHEREAS Planning Board has recommended approval of OPA-2026-05;

BE IT RESOLVED that Official Plan Amendment OPA-2026-05 be approved and declared passed.

OPA-2026-05 is attached.

Council Resolution

First Reading

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 29, 2026

Moved by Councilor Cook

Seconded by Councilor McLaine

Resolution:

Carried	X	For	4
Defeated		Against	0

WHEREAS textual and map amendments to the Land Use Bylaw are being considered as laid out in Bylaw 2021-E, establishing the Resort Designation and Resort Zone, applying those to the parcels identified on the map entitled Proposed Map Amendment Blackbush Resort, and addressing several housekeeping amendments;

AND WHEREAS Council has considered the planning report dated June 3, 2026, (updated to June 15, 2026), public input at the June 22, 2026 public meeting and the June 23, 2026 Public Feedback Report and is satisfied that the proposed amendments are consistent with the intent of the Official Plan and the *Planning Act*;

AND WHEREAS Planning Board has recommended approval of Bylaw 2021-E;

AND WHEREAS Council has approved the Official Plan Amendment OPA-2026-05 providing policy support for the proposed amendments to the Land Use Bylaw;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E; A bylaw to amend the 2021 Land Use Bylaw, be hereby read a first time.

Bylaw 2021-E is attached.

Council Resolution

Approval of 1st Reading

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 29, 2026

Moved by Councilor Cook

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS the Rural Municipality of North Shore Bylaw 2021-E was declared read a first time;

BE IT RESOLVED THAT the first reading of the Rural Municipality of North Shore Bylaw 2021-E be hereby formally approved.

**Rural Municipality of North Shore
Council Resolution****Housekeeping Amendments to the EC Zone****June 29, 2026****Moved by** Councilor McLaine**Seconded by** Councilor DoyleResolution:

Carried	X	For	4
Defeated		Against	0

BACKGROUND

Several policy and administrative challenges have been identified regarding the form of the Environmental Conservation zone, what has been included in the mapping, and the availability of more recent provincial mapping.

The possibility of shifting from a hard zone to an overlay zone has been discussed several times in recent months. An overlay zone would provide the same protections but would not form a hard boundary between the primary zone on a property and the wetland/watercourse and buffer. This would avoid some confusion and challenge during map amendment processes.

The Future Land Use and Zoning Maps also reflect the 2010 watercourse and wetland mapping and erroneously include other features that are not covered in the official plan policy or bylaw zone definition.

A housekeeping amendment process could:

- Switch to an overlay zone approach (official plan policy amendment and map amendment, bylaw text amendment and map amendment). The mapping could also be updated to include the 2100 coastal flood plain, which would not change any development requirements or standards but would provide clarity to the public about the presence of the flood hazard.
- Apply the appropriate adjacent zoning to each parcel containing the EC zone.
- Update mapping to reflect the most current provincial data available.

MOTION

That a housekeeping amendment process be initiated to update the environmental Conservation mapping and policies and to move to an overlay zone approach.

**Council Resolution
Official Plan Amendment**

Official Plan Amendment OPA-2026-05

June 29, 2026

Moved by Councilor Paquet

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS textual and map amendments to the Official Plan and Land Use Bylaw are being considered provided for in Official Plan Amendment OPA-2026-05 and Bylaw 2021-E, a bylaw amending the Land Use Bylaw, that include text and map amendments to the Official Plan and Land Use Bylaw establishing the Resort Designation and Resort Zone, applying those to the parcels identified on the map entitled Proposed Map Amendment Blackbush Resort, and addressing several housekeeping amendments;

AND WHEREAS Council has considered the planning report dated June 3, 2026, (updated to June 15, 2026), public input at the June 22, 2026 public meeting and the June 23, 2026 Public Feedback Report and is satisfied that the proposed amendments are consistent with the intent of the Official Plan and the *Planning Act*;

AND WHEREAS Planning Board has recommended approval of OPA-2026-05;

BE IT RESOLVED that Official Plan Amendment OPA-2026-05 be approved and declared passed.

OPA-2026-05 is attached.

Council Resolution

First Reading

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 29, 2026

Moved by Councilor Cook

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS textual and map amendments to the Land Use Bylaw are being considered as laid out in Bylaw 2021-E, establishing the Resort Designation and Resort Zone, applying those to the parcels identified on the map entitled Proposed Map Amendment Blackbush Resort, and addressing several housekeeping amendments;

AND WHEREAS Council has considered the planning report dated June 3, 2026, (updated to June 15, 2026), public input at the June 22, 2026 public meeting and the June 23, 2026 Public Feedback Report and is satisfied that the proposed amendments are consistent with the intent of the Official Plan and the *Planning Act*;

AND WHEREAS Planning Board has recommended approval of Bylaw 2021-E;

AND WHEREAS Council has approved the Official Plan Amendment OPA-2026-05 providing policy support for the proposed amendments to the Land Use Bylaw;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E; A bylaw to amend the 2021 Land Use Bylaw, be hereby read a first time.

Bylaw 2021-E is attached.

Council Resolution

Approval of 1st Reading

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 29, 2026

Moved by Councilor Cook

Seconded by Councilor McLaine

Resolution:

Carried	X	For	4
Defeated		Against	0

WHEREAS the Rural Municipality of North Shore Bylaw 2021-E was declared read a first time;

BE IT RESOLVED THAT the first reading of the Rural Municipality of North Shore Bylaw 2021-E be hereby formally approved.

**Rural Municipality of North Shore
Council Resolution****Housekeeping Amendments to the EC Zone****June 29, 2026****Moved by** Councilor McLaine**Seconded by** Councilor DoyleResolution:

Carried	X	For	4
Defeated		Against	0

BACKGROUND

Several policy and administrative challenges have been identified regarding the form of the Environmental Conservation zone, what has been included in the mapping, and the availability of more recent provincial mapping.

The possibility of shifting from a hard zone to an overlay zone has been discussed several times in recent months. An overlay zone would provide the same protections but would not form a hard boundary between the primary zone on a property and the wetland/watercourse and buffer. This would avoid some confusion and challenge during map amendment processes.

The Future Land Use and Zoning Maps also reflect the 2010 watercourse and wetland mapping and erroneously include other features that are not covered in the official plan policy or bylaw zone definition.

A housekeeping amendment process could:

- Switch to an overlay zone approach (official plan policy amendment and map amendment, bylaw text amendment and map amendment). The mapping could also be updated to include the 2100 coastal flood plain, which would not change any development requirements or standards but would provide clarity to the public about the presence of the flood hazard.
- Apply the appropriate adjacent zoning to each parcel containing the EC zone.
- Update mapping to reflect the most current provincial data available.

MOTION

That a housekeeping amendment process be initiated to update the environmental Conservation mapping and policies and to move to an overlay zone approach.

5 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

- (a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;*
- (b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;*
- (c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;*
- (c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;*
- (d) human resource matters, including labour relations or employee negotiations;*
- (e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;*
- (f) the conduct of existing or anticipated legal proceedings or the review of legal advice;*
- (g) the conduct of an investigation under, or enforcement of, an Act or bylaw;*
- (h) information which, if disclosed, could prejudice security and the maintenance of the law.*

NONE NEEDED

6 Next meeting

The next meeting will be held on June 30th at 6:00pm at the North Shore Community Centre

7 Adjournment of Regular Council Meeting

It was duly moved and seconded to approve to adjourn the Regular Council meeting at 6:20pm.

Moved by Councillor Cook, seconded by Councillor McLaine

All in Favor (4)

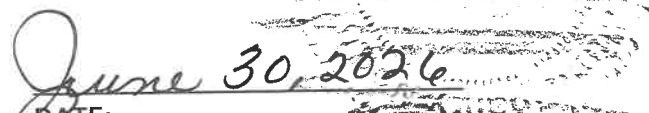
MOTION CARRIED

2026-06-083

SIGNED: NAME, Chair

DATE:


SIGNED: NAME, CAO


DATE:

RURAL MUNICIPALITY OF NORTH SHORE

A BYLAW TO AMEND THE NORTH SHORE 2021 LAND USE BYLAW

BYLAW #2021-E

Effective Date

The effective date of Bylaw #2021-E, a bylaw to amend the North Shore 2021 Land Use Bylaw, is the date as signed by the Minister of Land and Environment.

Authority

This Bylaw is made under the authority of the Planning Act R.S.P.E.I. 1988, Cap. P-8 and the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1.

BE IT ENACTED by the Council of the Rural Municipality of North Shore that the 2021 Land Use Bylaw is amended as follows:

- 1 Part 2, subsection 2.1(1) of the Bylaw is amended by adding a new Resort zone after the Tourism Establishment Zone as shown below in bold:

d.	Tourism Establishment Zone	TE
d.1	Resort	RES
e.	Commercial Zone	C

- 2 Part 2, clause 2.3(2)(a) of the Bylaw is amended by adding the text as shown below in bold:

(a) The Zoning Map reflects the **estimated** location of wetlands, watercourses and the environmental buffer as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*;

- 3 Part 2, clause 2.3(2)(c) of the Bylaw is amended by adding the text as shown below in bold:

(c) The location of the Environmental Conservation Zone boundary may change over time as the coastline, and wetland, and watercourse ~~land use~~ boundaries change due to natural processes, including ~~sea level rise and coastal erosion~~ or as **provincial approvals are given to modify any of these sensitive environmental features.**

- 4 Part 2, clause 2.3(2)(d) of the Bylaw is amended by striking out text and adding text as shown below in bold and strikeout:

(d) In the event of an application in relation to a lot located within or within 30m (98.43 ft) of the Environmental Conservation Zone, the boundary shall be identified on a plan of survey, ~~delineated by a professional authorized to do so by the Province, which shall be dated no more than 12 months from the date of the application~~ **delineated and matching the boundary as determined by the Province through publicly available mapping, or as otherwise identified by the Province.**

- 5 Part 2, subsection 2.3(2) of the Bylaw is amended by adding a new clause after clause 2.3(2)(d) as shown below in bold:

- e. For greater clarity, the Environmental Conservation Zone boundary is a dynamic boundary, the application of which is dependent on the existence of wetlands, watercourses, and their associated buffer zones, all of which are protected under the *Environmental Protection Act* and *Watercourse and Wetland Protection Regulations*. Where such a protected environmental feature or buffer is not present on a lot or portion thereof, including to the extent that a permit issued by the Minister responsible for the *Environmental Protection Act* authorizes the alteration or removal of the feature or buffer, the Environmental Conservation Zone shall not apply to that lot or portion thereof, to that extent, and the provisions of the immediately adjacent zone on the same property shall be deemed to apply.
- 6 Part 3, subsection 3.4(8) of the Bylaw is amended by replacing six (6) month maximum extension length to twelve (12) months as show below in bold:
- (8) Council may grant an extension on an approved development permit for up to ~~six (6)~~ **twelve (12)** months from the date of expiry, if the applicant requests the extension prior to the date of expiry. After such time, an application for a new development permit must be submitted.
- 7 Part 4, clause 4.1(4)(e) of the Bylaw is amended by striking out text and adding text as shown below in bold and strikeout:
- e. The applicant shall be required to enter into a development agreement with the municipality, registered in accordance with the provisions of the Registry Act at the applicant's expense, acknowledging the following: "The private right-of-way serving PID _____ is not owned or maintained by ~~either the Province of Prince Edward Island or the Rural Municipality of North Shore~~ and therefore properties located on this private road are not entitled to any provincial or municipal services including **the Rural Municipality of North Shore and therefore properties located on this private road may not be entitled to any services such as** grading, ditching, snowplowing, gravelling, school busing, or solid waste collection."
- 8 Part 4, section 4.1 of the Bylaw is amended by adding a new subsection after subsection 4.1(4) as shown below in bold:
- (5) **Notwithstanding subsection 4.1(4), a development permit may be issued for a lot in the Resort (RES) Zone that has legal access to a private road, provided that:**
- The private road has legal access to a highway;**
 - Safe ingress and egress is provided from the lot to the private road and from the private road to a highway;**
 - The applicant establishes legal entitlement to use the private road for access to the lot;**
 - Any legal entitlement established through an agreement with the owner of the private road is registered in accordance with the Registry Act; and**
 - The owner enters into any agreement required by the Municipality respecting ownership, maintenance, repair, snow clearing, drainage, emergency access,**

civic addressing, solid waste collection, and municipal non-assumption.

- 9 Part 4, subsection 4.4(2) of the Bylaw is amended by adding an exception for the Resort (RES) Zone as shown below in bold:
- (2) Notwithstanding the minimum front yard requirements, the minimum building setback from a private road shall be 15 m (49.2 ft) from the centre line of the private road, **except in the Resort (RES) Zone, where the minimum front yard requirements will apply.**
- 10 Part 4, clause 4.9(1)(c) of the Bylaw is amended by striking out the existing wording and replacing it as shown below in bold and strikeout:
- c. ~~Marine access (not including wharfs or structures)~~ **Marine access, excluding marine access structures**
- 11 Part 4, section 4.17 of the Bylaw is amended by adding a new subsection after subsection 4.17(4) as shown below in bold:
- (5) **If there is more than one use requiring parking, as listed in Subsection 4.17(1), then the amount of parking required on-site shall be the cumulative total of what is required for each use.**
- 12 Part 4, subsection 4.20(1) of the Bylaw is amended by striking out the existing wording and replacing it as shown below in bold and strikeout:
- ~~(1) One (1) secondary suite may be constructed on a residential lot with a single detached dwelling.~~
- (1) **One (1) secondary suite may be constructed on a lot containing a single detached dwelling, where a single detached dwelling is a permitted use in the applicable zone.**
- 13 Part 4, subsection 4.21(2) of the Bylaw is amended by striking out "adjacent" and replacing it with "two or more" as shown below in bold and strikeout:
- (2) Shared or common services may be approved between ~~adjacent~~ **two or more** lots if the proposed system complies with section 3.7 of this bylaw; all costs associated with the design and approval of a shared or common system shall be borne by the owner(s); and legal agreements are registered across all applicable properties with regards to ownership, maintenance and access.
- 14 Part 4, subsection 4.25(3) of the Bylaw is amended by striking out the existing subsection and replacing it with the text shown below in bold and strikeout:
- (3) ~~No building or structure on a lot near a coastal area, wetland, watercourse or shoreline shall be erected or placed where the elevation of the grade of the lot is 3.0 m CGVD 2013 (3.846 chart datum) or less, to avoid potential coastal flood risk, except where the structure will be used for fishing or bait sheds, aqua-culture operations;~~

~~boat launches, wharfs, or structures or buildings on a property in which a wharf is located:~~

- (3) **Provided that all applicable municipal, provincial, and federal approvals have been obtained, no building or structure on a lot near a coastal area, wetland, watercourse or shoreline shall be erected or placed where the elevation of the grade of the lot is 3.0 m CGVD 2013 (3.846 chart datum) or less, to avoid potential coastal flood risk, except where the structure is:**
- a. used for fisheries, bait storage, or aquaculture operations;**
 - b. a marine access structure permitted in the applicable zone; or**
 - c. a non-habitable building or structure directly necessary for a permitted water-dependent use.**

- 15 Part 5, clause 5.2(1)(j) of the Bylaw is amended by striking out the existing permitted use and replacing it as shown below in bold and strikeout:

- j. ~~Marine access, including wharfs, buildings and structures related to fisheries:~~ **Marine access and marine access structures related to fisheries, including wharfs and fisheries-related buildings and structures.**

- 16 The Bylaw is amended by adding the new Part 8A, Resort Zone (RES), after Part 8 as shown below in bold:

8A. Resort Zone (RES)

8A.1 General Requirements

- (1) The purpose of the Resort (RES) Zone is to accommodate a range of compatible resort, visitor-serving, and community-serving uses in locations designated for resort use in the Official Plan, provided that applicable servicing, access, environmental, and development standards are satisfied.**
- (2) All buildings and parts thereof erected, placed or altered or any land used in the Resort (RES) Zone shall conform to the provisions of this Part.**
- (3) Lots in the Resort (RES) Zone may have frontage on a highway or legal access to a private road where permitted by Section 4.1 and Section 16.5 of this Bylaw.**

8A.2 Permitted Uses

- (1) A building or lot in the Resort Zone shall be used for no other purpose than:**

a.	Tourism Establishment
b.	Single detached dwelling, as a part of a resort development
c.	Secondary suite, as a part of a resort development
d.	Home occupation, as a part of a resort development
e.	Accessory building
f.	Dwelling above a commercial use, as a part of a resort development
g.	Restaurant, as a part of a resort development
h.	Retail store, as a part of a resort development
i.	Health and wellness services, as a part of a resort development
j.	Event venue, as a part of a resort development
k.	Craft brewery or distillery, as a part of a resort development

l.	Active recreation uses
m.	Commercial recreation use, as a part of a resort development
n.	Parks
o.	Trails and pathways
p.	Marina, as a part of a resort development
q.	Marine access structure, as a part of a resort development
r.	Marine access
s.	Business or professional office, as a part of a resort development
t.	Personal services, as a part of a resort development
u.	Commercial childcare facility, as a part of a resort development
v.	Art gallery, as a part of a resort development
w.	Solar panel/solar array, as a part of a resort development
x.	Excavation pit, for on-site private use only.

8A.3 Lot size and Development Standards

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acre)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	6 m (19.6 ft)
e.	Side yard setback (minimum)	3 m (9.8 ft)
f.	Rear yard setback (minimum)	6 m (19.6 ft)
g.	Flankage yard setback (minimum)	6 m (19.6 ft)
h.	Height (maximum)	14.63 m (48 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).
- (3) Where a development is to be serviced by a central water supply and central sewerage disposal system, the following reduced lot size standards may be permitted:

a.	Lot area (minimum)	0.121 ha (0.30 acres)
b.	Lot frontage (minimum)	15 m (49.2 ft)
c.	Lot coverage (maximum)	45%

Note: The front yard setback, side yard setback, rear yard setback, flankage yard setback, and height (maximum) regulations are not changed from those stated in Subsection 8A.3(1).

- (4) Where a development is to be serviced by either a central water supply system or a central waste treatment system but not both, Council may authorize a reduced lot area and/or frontage for a subdivision consistent with subsection (3) above, where all other requirements of the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* can be satisfied.
- (5) Notwithstanding Clause 8A.3(1)(h), a Tourism Establishment on PID 1148253 shall not exceed a maximum height of 18 m (52.4 ft), provided it is located on a property serviced by a central water supply and central sewerage disposal

system and meets all other applicable provisions of this Bylaw.

17 Part 12, clause 12.2(1)(d) of the Bylaw is amended by adding marine access structures and revising the width wording as shown below in bold and strikeout:

- d. ~~Marine access, including wharfs 3.7 m (12 ft) wide or less~~ **and marine access structures, including wharfs not exceeding 3.7 m in width.**

18 Part 13, clause 13.2(1)(d) of the Bylaw is amended by striking out the existing wording and replacing it as shown below in bold and strikeout:

- d. ~~Marine access (not including wharfs and structures)~~ **Marine access, excluding marine access structures.**

19 Part 16, clause 16.4(1)(c) of the Bylaw is amended by adding private road access for the Resort (RES) Zone as shown below in bold:

- c. is designed so that all lots will have lot frontage on a highway, **or, in the Resort (RES) Zone, will have lot frontage on or legal access to a private road where permitted by this Bylaw;**

20 Part 16, clause 16.4(1)(d) of the Bylaw is amended by adding private road access and municipal review wording as shown below in bold:

- d. has safe and convenient highway access **or private road access, as applicable,** and will provide for safe and convenient traffic flow as determined and approved by **the Municipality and, where required,** the government department responsible for the administration of the *Roads Act*;

21 Part 16, subsection 16.5(1) of the Bylaw is amended by adding an exception clause as shown below in bold:

- (1) **Except as provided in this Section,** no subdivision shall be permitted on a lot served by a private road.

22 Part 16, subsection 16.5(3) of the Bylaw is amended by adding an exception for Resort (RES) Zone private roads as shown below in bold:

- (3) **Except where private roads are permitted in the Resort (RES) Zone,** all new roads shall be highways.

23 Part 16, section 16.5 of the Bylaw is amended by adding a new subsection after subsection 16.5(3) as shown below in bold:

- (4) **Notwithstanding Subsection 16.5(1), a subdivision in the Resort (RES) Zone may be served by one or more private roads where:**
 - a. **The private road is part of a resort development;**
 - b. **The private road has legal access to a highway;**

- c. The private road is designed by, constructed under the supervision of, and certified by a professional engineer, at the applicant's expense, to the satisfaction of the Municipality;
 - d. Safe access is provided for emergency vehicles, service vehicles, and users of the subdivision;
 - e. Legal access to the private road is granted to all lots intended to be served by the private road; and
 - f. Agreements or other instruments required by the Municipality are registered to address ownership, maintenance, repair, snow clearing, drainage, emergency access, civic addressing, solid waste collection, and municipal non-assumption.
- 24 Part 16, subclause 16.11(1)(d)(iv) of the Bylaw is amended by adding private road and legal access information as shown below in bold:
- (iv) proposed widths and locations of all streets, **private roads, rights-of-way, and legal access connections, where applicable;**
- 25 Part 16, subsection 16.11(2) of the Bylaw is amended by adding a new clause after clause 16.11(2)(d) as shown below in bold:
- e. **For a subdivision in the Resort (RES) Zone proposed to be served by a private road, information respecting the proposed private road layout, right-of-way width, legal access, connection to a highway, emergency access, civic addressing, drainage, utility corridors, and the lots to be served by the private road.**
- 26 Part 16, subsection 16.11(7) of the Bylaw is repealed as shown below in bold and strikeout:
- (7) ~~The total number of lots approved in any one phase of a subdivision shall not exceed twenty (20).~~ **Repealed**
- 27 Part 16, clause 16.12(1)(a) of the Bylaw is amended by adding reference to private roads where permitted as shown below in bold:
- a. Design and construction costs of highways, **private roads where permitted by this Bylaw**, sidewalks, street lighting, water services, sewerage disposal system and storm drainage;
- 28 Part 16, clause 16.12(1)(c) of the Bylaw is amended by adding an exception for private roads permitted in the Resort (RES) Zone as shown below in bold:
- c. Building of highways to provincial standards and deeding of highways to the provincial government, **except where private roads are permitted in the Resort (RES) Zone;**
- 29 Part 16, subsection 16.12(1) of the Bylaw is amended by adding a new clause after clause 16.12(1)(c) as shown below in bold:
- c.1 **Design by a professional engineer, construction under the supervision of a professional engineer, as-built drawings where required by the Municipality,**

ownership, maintenance, repair, grading, gravelling, ditching, drainage, snow clearing, emergency access, civic addressing, solid waste collection arrangements, and municipal non-assumption of private roads permitted in the Resort (RES) Zone;

- 30 Part 16, clause 16.13(4)(c) of the Bylaw is amended by adding alternate requirements for a subdivision served by a private road permitted in the Resort (RES) Zone as shown below in bold:
- c. the applicant has completed any necessary conditions of agreements with the provincial department responsible for transportation respecting highway construction and the highway has been accepted as public, **except where the subdivision is served by a private road permitted in the Resort (RES) Zone, in which case the applicant shall have completed any required private road construction, professional engineer certification, as-built drawings, registration, security, agreement, easement, or other condition to the satisfaction of the Municipality.**
- 31 Schedule A - Zoning Map of the Bylaw is amended by adding the Resort (RES) Zone to the Zoning Map as shown on the revised Zoning Map below:

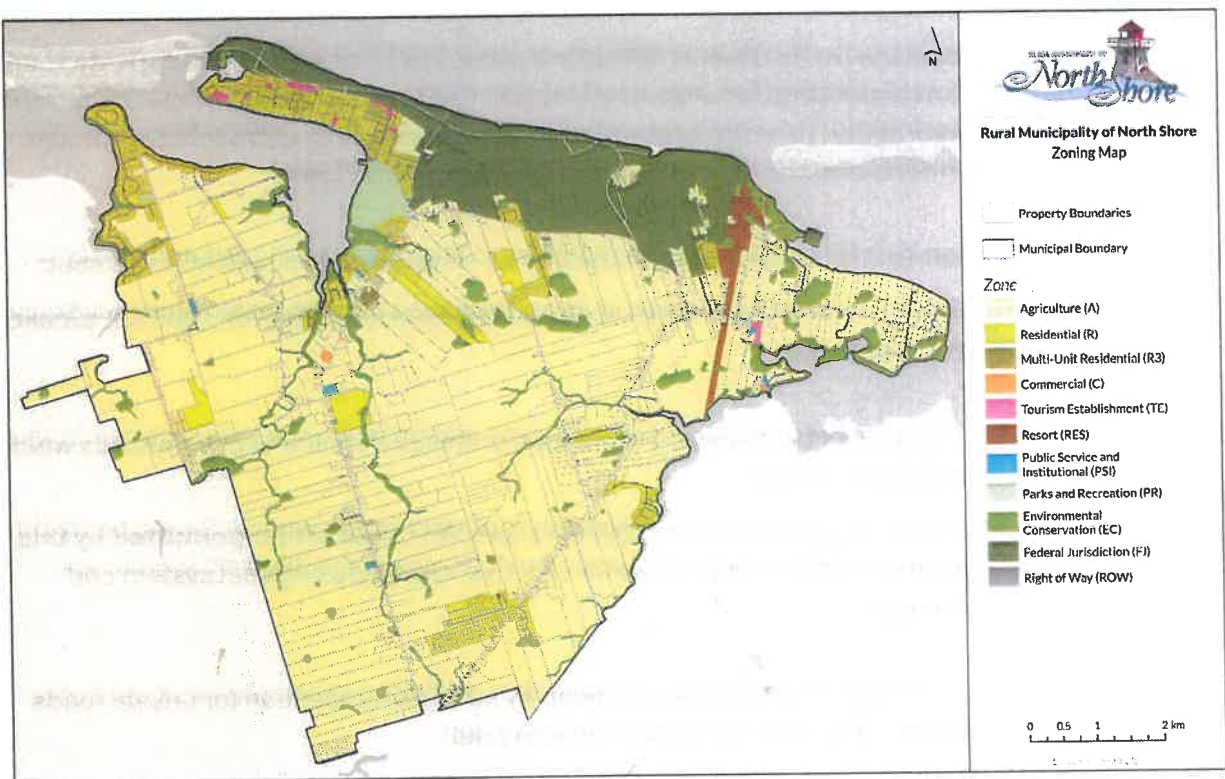


Figure 1 - Revised Zoning Map

- 32 Schedule B of the Bylaw is amended by adding a new definition after Section 4 as shown below in bold:
- (4A) **Art gallery means a building or portion of a building used for the exhibition, display, interpretation, production, or sale of works of art, craft, design, or**

cultural material, and may include accessory retail sales, workshops, events, or educational programming.

- 33** Schedule B of the Bylaw is amended by adding a new definition after Section 16 as shown below in bold:

(16A) Commercial recreation use means the use of land, buildings, or structures for recreational, leisure, fitness, adventure, cultural, or entertainment activities operated as a business, and may include indoor or outdoor recreation, guided activities, instructional programming, equipment rental, and accessory retail sales.

- 34** Schedule B of the Bylaw is amended by adding a new definition after Section 20 as shown below in bold:

(20A) Craft brewery or distillery means a small-scale facility used for the production, bottling, tasting, and sale of beer, cider, spirits, or similar beverages, and may include an accessory restaurant, retail store, tasting room, event space, or outdoor patio.

- 35** Schedule B of the Bylaw is amended by adding a new definition after Section 34 as shown below in bold:

(34A) Event venue means a building, structure, or outdoor area used for conferences, weddings, meetings, retreats, banquets, public assembly, cultural events, or similar gatherings, and may include accessory food and beverage service.

- 36** Schedule B of the Bylaw is amended by adding a new definition after Section 59 as shown below in bold:

(59A) Marina means a facility located on or adjacent to a coastal area, watercourse, or waterbody that provides docking, mooring, launching, or storage for multiple boats as a principal use, and may include accessory boat rental, marine equipment rental, parking, minor boat servicing, accessory retail, and accessory food or beverage service. A marina shall be subject to all applicable municipal, provincial, and federal approvals.

- 37** Schedule B, Section 60 of the Bylaw is amended by striking out text and adding text as shown below in bold and strikeout:

(60) Marine access means a designated location ~~where persons and/or vehicles have clear and unobstructed access to a watercourse, route, or area used to provide~~ pedestrian, vehicular, or recreational access to a coastal area, shoreline, beach, wetland, watercourse, or waterbody, but does not include a marine access structure, wharf, dock, marina, boat launch, building, or commercial marine facility unless otherwise permitted in the applicable zone.

- 38** Schedule B of the Bylaw is amended by adding a new definition after Section 60 as shown below in bold:

(60A) **Marine access structure means a structure designed to provide pedestrian, accessibility, recreational, or marine-related access to or along a shoreline, beach, coastal area, or watercourse, and may include a boardwalk, ramp, stairway, accessibility structure, viewing platform, boat launch, dock, floating dock, wharf, or similar structure, but does not include a building used for accommodation, commercial sales or service, storage, boat repair, boat storage, or a marina unless otherwise permitted in the applicable zone. A marine access structure shall be subject to all applicable municipal, provincial, and federal approvals.**

39 Schedule B, Section 75 of the Bylaw is amended by adding text to the definition of "Private road" as shown below in bold:

(75) Private road means a road, street or right-of-way which is not a highway, **and that provides vehicular access to one or more lots, but which is not owned, maintained, or assumed by the Province or the Municipality.**

40 Schedule B of the Bylaw is amended by adding four new professional definitions after Section 75 as shown below in bold:

(75A) **Professional Architect means an architect licensed to practice in the Province.**

(75B) **Professional Engineer means an engineer licensed to practice in the Province.**

(75C) **Professional Landscape Architect means a landscape architect licensed to practice in the Province.**

(75D) **Professional Land Surveyor means a land surveyor licensed to practice in the Province.**

41 Schedule B, Section 76 of the Bylaw is amended by striking out the existing definition and replacing it as shown below in bold and strikeout:

(76) ~~Provincial government or Province means the Government of Prince Edward Island.~~

(76) **Province means the Province of Prince Edward Island and Provincial government means the Government of Prince Edward Island.**

42 Schedule B of the Bylaw is amended by adding a new definition after Section 80 as shown below in bold:

(80A) **Resort development means a resort-oriented mixed-use development located on lands designated for resort use in the Official Plan and zoned Resort (RES) in this Bylaw, which is intended to function as an integrated area for tourism, recreation, accommodation, resort residential, commercial, open space, servicing, and related uses. Where a use is permitted only "as a part of a resort development," the use shall be located within, support, or be functionally related to the resort-oriented mixed-use area.**

43 Schedule B, Section 97 of the Bylaw is amended by adding examples to the definition of "Tourism Establishment" as shown below in bold:

- (97) Tourism Establishment shall have the same meaning as defined in the Tourism Industry Act as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations. **For the purposes of this Bylaw, a Tourism Establishment may include a hotel, inn, lodge, cabin, bunkie, tiny home, guest suite, fractional accommodation unit, multi-unit seasonal accommodation, or similar building, dwelling unit, or group of buildings or units used for temporary, seasonal, fractional, or visitor accommodation.** This definition shall exclude a short term rental, as is otherwise defined.

Adoption and Approval by Council

First Reading:

Bylaw #2021-E, a bylaw to amend the North Shore 2021 Land Use Bylaw, was read and approved a first time at the Council meeting held on June 29, 2026.

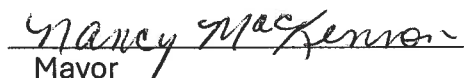
Second Reading:

Bylaw #2021-E, a bylaw to amend the North Shore 2021 Land Use Bylaw, was read and approved a second time at the Council meeting held on June 30, 2026.

Adoption and Approval by Council:

Bylaw #2021-E, a bylaw to amend the North Shore 2021 Land Use Bylaw, was adopted by a majority of council members present at the Council meeting held on June 30, 2026.

Bylaw #2021-E, a bylaw to amend the North Shore 2021 Land Use Bylaw, was declared to be passed on June 30, 2026.


Mayor
(signature sealed)


Chief Administrative Officer
(signature sealed)

Ministerial Approval

Bylaw #2021-E, a bylaw to amend the North Shore 2021 Land Use Bylaw, is hereby approved.

Hon. Darlene Compton
Minister of Land and Environment

Date



UNAPPROVED MINUTES

Regular Council Meeting

June 30th, 2026 @ 6:00 pm

North Shore Community Centre

PRESENT: Chair Deputy Mayor Councillor MacKinnon, Councillor Cook, Councillor Doyle, Councillor McLaine, Councillor Paquet by phone, Samantha Murphy, Planner, CAO Marie McInnis

ABSENT: Mayor Watts, Councillor Sheehan

Public: 1

1 Call to Order

Chair Deputy Mayor Councillor MacKinnon opens at 6:00pm.

2 Approval of the agenda

It was duly moved and seconded to approve the agenda with the addition of 4.2 Approval for funding to plan to put a roof over the ice rink of Grand Tracadie.

Moved by Councillor Cook, seconded by Councillor Doyle.

All in Favor (4)

MOTION CARRIED

2026-06-084

2.1 Disclosure of Pecuniary or other Conflicts of Interest

3 APPROVAL OF THE MINUTES

3.1 Regular Council – June 29th, 2026

It was duly moved and seconded to approve the minutes from the June 29th, 2026, as presented.

Moved by Councillor Cook, seconded by Councillor Doyle.

All in Favor (4)

MOTION CARRIED

2026-06-085

3.2 Business arising from the minutes

4 RFD_2026-010 – New Resort Zoning and Bylaw – Second Reading

Background: The municipality-initiated map and text amendments to the official plan and land use bylaw to address an existing approved resort development to enable applications for zoning amendments to permit future similar types of developments and to make a number of associated or appropriate housekeeping amendments.

A public meeting was held on June 22, 2026, to seek public feedback; and a planning report on the public feedback has been prepared by Fathom Studio.

Council has been briefed on the contents and policy purposes of the proposed amendments to the Official Plan and Land Use Bylaw and were present at the public meeting wherein of all the changes being proposed were provided.

On June 29th, 2026, the Official Plan Amendment OPA-2026-05 was approved and Bylaw 2021-E amending the Land Use Bylaw was given first reading.

The next steps is to give second reading to Bylaw 2021-E amending the Land Use Bylaw.

It was duly moved and seconded to proceed with the second reading of the Bylaw 2021-E amending the Land Use Bylaw.

Moved by Councillor McLaine, seconded by Councillor Cook.

All in Favor (4)

MOTION CARRIED

2026-06-086

DRAFT

**Council Resolution
2nd Reading of Bylaw
Bylaw 2021-E**

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Doyle

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

AND WHEREAS the Rural Municipality of North Shore Bylaw 2021-E was read and formally approved a first time at the Council meeting held on June 29, 2026;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby read a second time.

Bylaw 2021-E is attached

Council Resolution 2026-06-088

Council Resolution

Approval of 2nd reading

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Doyle

Resolution:

Carried	X
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For	4
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Defeated	
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Against	
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WHEREAS the Rural Municipality of North Shore Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was declared read a second time;

BE IT RESOLVED THAT the second reading of Rural Municipality of North Shore Bylaw 2021-E be hereby formally approved.

Council Resolution

Adoption of Bylaw

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore
2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Paquet

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

AND WHEREAS Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was duly read and approved a first time by Council at a meeting held June 29, 2026, and a second time on June 30, 2026;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby formally adopted and declared passed.

On June 29th, 2026, the Official Plan Amendment OPA-2026-05 was approved and Bylaw 2021-E amending the Land Use Bylaw was given first reading.

The next steps is to give second reading to Bylaw 2021-E amending the Land Use Bylaw.

It was duly moved and seconded to proceed with the second reading of the Bylaw 2021-E amending the Land Use Bylaw.

Moved by Councillor McLaine, seconded by Councillor Cook.

All in Favor (4)

MOTION CARRIED

2026-06-086

DRAFT

**Council Resolution
2nd Reading of Bylaw**

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Doyle

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

AND WHEREAS the Rural Municipality of North Shore Bylaw 2021-E was read and formally approved a first time at the Council meeting held on June 29, 2026;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby read a second time.

Bylaw 2021-E is attached

Council Resolution 2026-06-088

Council Resolution Approval of 2nd reading Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Doyle

Resolution:

Carried	☒	For	4
Defeated	☐	Against	☐

WHEREAS the Rural Municipality of North Shore Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was declared read a second time;

BE IT RESOLVED THAT the second reading of Rural Municipality of North Shore Bylaw 2021-E be hereby formally approved.

Council Resolution

Adoption of Bylaw

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore
2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Paquet

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

AND WHEREAS Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was duly read and approved a first time by Council at a meeting held June 29, 2026, and a second time on June 30, 2026;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby formally adopted and declared passed.

4.2 Approval for funding to plan to put a roof over the ice rink of Grand Tracadie.

After discussion, a motion to approve going forward with an application for the funding of plans to build a permanent structure over the Grand Tracadie Rink, with an estimated value of 12 000\$ and a metal roof.

Moved by Councillor Doyle, seconded by Councillor McLaine.

All in Favor (4)

MOTION CARRIED

2026-06-090

5 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

- (a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;
- (b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;
- (c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;
 - (c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;
- (d) human resource matters, including labour relations or employee negotiations;
- (e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;
- (f) the conduct of existing or anticipated legal proceedings or the review of legal advice;
- (g) the conduct of an investigation under, or enforcement of, an Act or bylaw;
- (h) information which, if disclosed, could prejudice security and the maintenance of the law.

6 Next meeting at the North Shore Community Centre

Nest meeting to be held on July 15th at 6:30.

7 Adjournment of Regular Council Meeting

It was duly moved and seconded to approve to adjourn the Regular Council meeting at 6:10pm.

Moved by Councillor Cook, seconded by Councillor Doyle

All in Favor (4)

MOTION CARRIED

2026-06-091

SIGNED: NAME, Chair

DATE:

SIGNED: NAME, CAO

DATE:



UNAPPROVED MINUTES

Regular Council Meeting

June 30th, 2026 @ 6:00 pm

North Shore Community Centre

PRESENT: Chair Deputy Mayor Councillor MacKinnon, Councillor Cook, Councillor Doyle, Councillor McLaine, Councillor Paquet by phone, Samantha Murphy, Planner, CAO Marie McInnis

ABSENT: Mayor Watts, Councillor Sheehan

Public: 1

1 Call to Order

Chair Deputy Mayor Councillor MacKinnon opens at 6:00pm.

2 Approval of the agenda

It was duly moved and seconded to approve the agenda with the addition of 4.2 Approval for funding to plan to put a roof over the ice rink of Grand Tracadie.

Moved by Councillor Cook, seconded by Councillor Doyle.

All in Favor (4)

MOTION CARRIED

2026-06-084

2.1 Disclosure of Pecuniary or other Conflicts of Interest

3 APPROVAL OF THE MINUTES

3.1 Regular Council – June 29th, 2026

It was duly moved and seconded to approve the minutes from the June 29th, 2026, as presented.

Moved by Councillor Cook, seconded by Councillor Doyle.

All in Favor (4)

MOTION CARRIED

2026-06-085

3.2 Business arising from the minutes

4 RFD_2026-010 – New Resort Zoning and Bylaw – Second Reading

Background: The municipality-initiated map and text amendments to the official plan and land use bylaw to address an existing approved resort development to enable applications for zoning amendments to permit future similar types of developments and to make a number of associated or appropriate housekeeping amendments.

A public meeting was held on June 22, 2026, to seek public feedback; and a planning report on the public feedback has been prepared by Fathom Studio.

Council has been briefed on the contents and policy purposes of the proposed amendments to the Official Plan and Land Use Bylaw and were present at the public meeting wherein of all the changes being proposed were provided.

On June 29th, 2026, the Official Plan Amendment OPA-2026-05 was approved and Bylaw 2021-E amending the Land Use Bylaw was given first reading.

The next steps is to give second reading to Bylaw 2021-E amending the Land Use Bylaw.

It was duly moved and seconded to proceed with the second reading of the Bylaw 2021-E amending the Land Use Bylaw.

Moved by Councillor McLaine, seconded by Councillor Cook.

All in Favor (4)

MOTION CARRIED

2026-06-086

DRAFT

**Council Resolution
2nd Reading of Bylaw
Bylaw 2021-E**

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Doyle

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

AND WHEREAS the Rural Municipality of North Shore Bylaw 2021-E was read and formally approved a first time at the Council meeting held on June 29, 2026;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby read a second time.

Bylaw 2021-E is attached

Council Resolution 2026-06-088

Council Resolution

Approval of 2nd reading

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Doyle

Resolution:

Carried	X
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For	4
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Defeated	
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Against	
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WHEREAS the Rural Municipality of North Shore Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was declared read a second time;

BE IT RESOLVED THAT the second reading of Rural Municipality of North Shore Bylaw 2021-E be hereby formally approved.

Council Resolution

Adoption of Bylaw

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore
2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Paquet

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

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BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby formally adopted and declared passed.

On June 29th, 2026, the Official Plan Amendment OPA-2026-05 was approved and Bylaw 2021-E amending the Land Use Bylaw was given first reading.

The next steps is to give second reading to Bylaw 2021-E amending the Land Use Bylaw.

It was duly moved and seconded to proceed with the second reading of the Bylaw 2021-E amending the Land Use Bylaw.

Moved by Councillor McLaine, seconded by Councillor Cook.

All in Favor (4)

MOTION CARRIED

2026-06-086

DRAFT

**Council Resolution
2nd Reading of Bylaw**

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Doyle

Seconded by Councilor McLaine

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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Bylaw 2021-E is attached

Council Resolution 2026-06-088

Council Resolution Approval of 2nd reading Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw

June 30, 2026

Moved by Councilor Cook

Seconded by Councilor Doyle

Resolution:

Carried	☒	For	4
Defeated	☐	Against	☐

WHEREAS the Rural Municipality of North Shore Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was declared read a second time;

BE IT RESOLVED THAT the second reading of Rural Municipality of North Shore Bylaw 2021-E be hereby formally approved.

Council Resolution

Adoption of Bylaw

Bylaw 2021-E

A bylaw to amend the Rural Municipality of North Shore
2021 Land Use Bylaw

June 30, 2026

Moved by

Councilor Cook

Seconded by

Councilor Paquet

Resolution:

Carried	X
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For	4
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Defeated	
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Against	0
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WHEREAS Council has given consideration to a number of textual and map amendments to the Land Use Bylaw;

AND WHEREAS Bylaw 2021-E, A bylaw to amend the Rural Municipality of North Shore 2021 Land Use Bylaw, was duly read and approved a first time by Council at a meeting held June 29, 2026, and a second time on June 30, 2026;

BE IT RESOLVED THAT the Rural Municipality of North Shore Bylaw 2021-E be hereby formally adopted and declared passed.

4.2 Approval for funding to plan to put a roof over the ice rink of Grand Tracadie.

After discussion, a motion to approve going forward with an application for the funding of plans to build a permanent structure over the Grand Tracadie Rink, with an estimated value of 12 000\$ and a metal roof.

Moved by Councillor Doyle, seconded by Councillor McLaine.

All in Favor (4)

MOTION CARRIED

2026-06-090

5 IN CAMERA SESSION: MGA - 119. Closed meetings

Despite subsection 118(1), a council or council committee may, by resolution, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

- (a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;*
- (b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;*
- (c) personal information about an identifiable individual, including a municipal employee or an employee of a controlled corporation;*
- (c.1) personal information that is protected under the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, if that Act applies;*
- (d) human resource matters, including labour relations or employee negotiations;*
- (e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;*
- (f) the conduct of existing or anticipated legal proceedings or the review of legal advice;*
- (g) the conduct of an investigation under, or enforcement of, an Act or bylaw;*
- (h) information which, if disclosed, could prejudice security and the maintenance of the law.*

6 Next meeting at the North Shore Community Centre

Nest meeting to be held on July 15th at 6:30.

7 Adjournment of Regular Council Meeting

It was duly moved and seconded to approve to adjourn the Regular Council meeting at 6:10pm.

Moved by Councillor Cook, seconded by Councillor Doyle

All in Favor (4)

MOTION CARRIED

2026-06-091

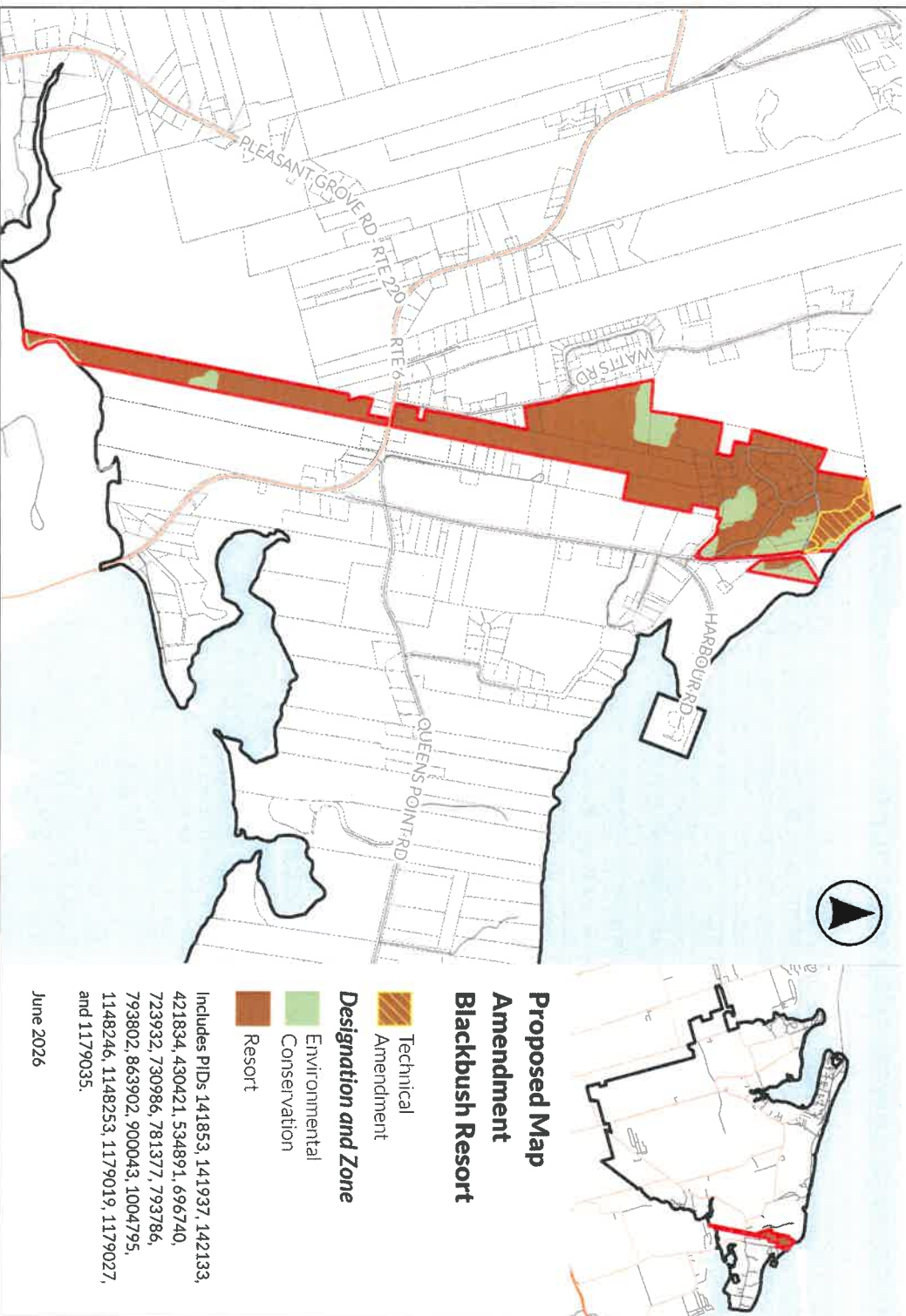
SIGNED: NAME, Chair

DATE:

SIGNED: NAME, CAO

DATE:

Rural Municipality of North Shore Land Use Bylaw Official Plan Future Land Use Map and Land Use Bylaw Zoning Map



Rural Municipality of North Shore 2021 Official Plan



Original date of approval by Minister (effective date)				April 7, 2022
	Description	OP Number	Council Adoption	Effective Date
1	Rezoning of PID 1082056 from Agriculture to Residential	OPA-01-2022	May 16, 2022	May 25, 2022
2	Rezoning of PID 796052 from Agriculture to Residential	OPA-02-2022	July 5, 2022	Nov 10, 2022
3	Rezoning of PID 464271 from Agriculture to Residential	OPA-03-2022	Nov 15, 2022	Aug 8, 2023
4	Rezoning of PID 575910 from Agriculture to Residential	OPA-04	July 3, 2024	July 30, 2024
5	Rezoning of PID 141382 from Agriculture to Residential	Provincial file # NS2025A	April 16, 2025	April 14, 2026
6	Rezoning of portion of PID 490417 from Agriculture to Residential	Provincial file # NS2025B	April 16, 2025	April 14, 2026
7	Rezoning of PID 135228 from Agriculture to Residential	OPA-2026-02	March 25, 2026	April 14, 2026
8	Rezoning of PID 1183227 from Institutional to Commercial	OPA-2026-03	March 31, 2026	April 14, 2026
9	Rezoning of PID 135061 and 135046 from Agriculture to Residential	OPA-2026-01	March 31, 2026	April 14, 2026
10	Rezoning a portion of PID 544940 from Parks and Recreation to Residential	OPA-2026-04	April 20, 2026	May 26, 2026
11	Amended: Section 3.7, Subsection 6.2.iii, Clause 7.2.5(b), Subsection 8.2.3, Clause 8.2.3(a), Subsection 8.2.6, Subsection 8.2.7, Clause 10.2.5(e) Appendix A: Future Land Use Map Added: Section 7.2.7, Section 7.2.8, Clause 8.2.3(c), Clause 8.2.3(d), Clause 8.2.3(e)	OPA-2026-05	June 29, 2026	July 16, 2026

This document is an office consolidation of this Official Plan. It is intended for information and reference purposes only. This document is not the official version. While care has been taken to ensure these versions are as accurate as possible, where accuracy is critical, please consult official sources available at the municipal office.

TABLE OF CONTENTS

1.	Introduction	1
1.1	Title and interpretation	1
1.2	Purpose	1
1.3	Planning Area	1
1.4	Legal Enablement	2
1.5	Official Plan Review and Monitoring	2
2.	Existing Conditions and Context	3
2.1	Context	3
2.2	Environment	4
2.3	Demographics	5
3.	Municipal and Community Services	7
3.1	Governance and Administration	7
3.2	Planning and Development Control	7
3.3	Institutional and Social Services	7
3.4	Recreation Services	8
3.5	Fire and Police Protection Services	8
3.6	Water and Sewer Services	8
3.7	Transportation Network	9
4.	Land Use And Development Trends	10
4.1	Land Use Distribution	10
4.2	Development Trends	11
5.	Municipal Goal	14
6.	Future Land Use Map Objectives, Policies and Plan Actions	14
6.1	The Future Land Use Map	14
6.2	Future Land Use Map Objectives	14
6.2.1	Land Use Designation and Zoning	15
7.	Economic Objectives, Policies And Plan Actions	16
7.1	Economic Objectives	16
7.2	Policies to Support the Economic Objectives	16
7.2.1	Agricultural Designation Policy	16
7.2.2	Sustainable Agriculture Policy	16
7.2.3	Intensive Livestock Operations Policy	16

7.2.4	Resource-Based Commercial and Industrial Uses Policy	17
7.2.5	Non-Resource Commercial and Industrial Development Policy	17
7.2.6	Tourism Establishment Policy	17
7.2.7	Resort Designation Policy	18
7.2.8	Resort Redesignation and Rezoning Policy.....	19
8.	Physical Objectives, Policies and Plan Actions.....	22
8.1	Physical Objectives	22
8.2	Policies To Support The Physical Objectives.....	22
8.2.1	Conflicting Land Use Policy	22
8.2.2	Minimum Lot Size Policy	22
8.2.3	Minimum Roads Standards Policy.....	23
8.2.4	Alternative Forms of Transportation Policy	24
8.2.5	Off-Street Parking Policy	24
8.2.6	Sewage Disposal Systems Policy	24
8.2.7	Water Supply Policy	25
8.2.8	Water and Wastewater Education and Monitoring Policy	25
8.2.9	Excavation Pit Policy	26
8.2.10	Renewable Energy Policy.....	26
9.	Social Objectives, Policies and Plan Actions	27
9.1	Social Objectives.....	27
9.2	Policies to Support the Social Objectives	27
9.2.1	Residential Land Use Policy.....	27
9.2.2	Residential Development Standards Policy.....	27
9.2.3	Residential Density Policy	28
9.2.4	Home Occupations Policy	28
9.2.5	Secondary Suites Policy.....	28
9.2.6	Institutional and Public Recreational Land Use Policy	29
9.2.7	Volunteerism Policy	29
9.2.8	Open Space and Recreation Policy.....	29
10.	Environmental Objectives, Policies and Plan Actions	30
10.1	Environmental Objectives	30
10.2	Policies to Support the Environmental Objectives	30
10.2.1	Environmentally Sensitive Areas Policy	30

10.2.2	Partnerships Policy	31
10.2.3	Ground and Surface Water Protection Policy.....	31
10.2.4	Environmental Buffer Policy	31
10.2.5	Waterfront Development Policy	32
11.	Administration And Implementation.....	33
11.1	Administration and Implementation Objectives	33
11.2	Administration Policies.....	33
11.2.1	Good Governance Policy.....	33
11.2.2	Conformity with Provincial / Federal Laws and Regulations	33
11.2.3	<i>Land Use Bylaw</i> Administration Policy.....	34
11.2.4	Municipal Services Policy.....	34
11.2.5	Supporting Local Organizations Policy.....	35
11.2.6	Budget Policy	35
11.2.7	Capital Cost Sharing Policy.....	36
APPENDIX A. FUTURE LAND USE MAP		37

1. INTRODUCTION

1.1 TITLE AND INTERPRETATION

This document shall be known and may be cited as the *Rural Municipality of North Shore Official Plan (2021)*, or the *Official Plan*.

Any reference in the *Official Plan* to the Municipality or Council, refers to the Rural Municipality of North Shore and the Council for the Rural Municipality of North Shore, respectively, unless otherwise specified.

1.2 PURPOSE

The *Official Plan* is a formalized statement of the Municipality's Goals, Objectives, Policies and Plan Actions approved by Council, concerning the nature, extent, and pattern of future land use and development within the Municipality until the year 2036, a time horizon that is extended out by five years with each review.

The Municipality's Goals are presented as a broad vision statement that looks to the future and provides a framework and general direction for the subsequent, more detailed statements which follow.

The Objectives address performance targets and indicate the overall policy direction of the Municipality. The *Official Plan* includes future land use, social, economic, physical, environmental, and administrative Objectives.

The Policies indicate the approach the Municipality will take in pursuing these Objectives with regards to specific topics.

Finally, Plan Actions are the concrete measures, actions and/or initiatives that will be undertaken to implement the Policies.

The *Official Plan* will assist Council in establishing priorities and in making decisions relating to: changes in land use, development standards, social programming, municipal services, environmental stewardship, and fiscal management. The *Official Plan* will also provide the policy framework for the *Rural Municipality of North Shore Land Use Bylaw (2021)*.

1.3 PLANNING AREA

The *Official Plan* applies to the geographic area contained within the legal municipal boundaries of the Rural Municipality of North Shore.

The *Official Plan* has been developed in consideration of the existing land uses, development trends, demographics, and the environment both within and beyond the municipality, as well as issues affecting the region and the province.

1.4 LEGAL ENABLEMENT

The Rural Municipality of North Shore derives its powers primarily from the Prince Edward Island *Planning Act*, R.S.P.E.I. 1988, c. P-8, and the *Municipal Government Act*, R.S.P.E.I. 1988, Cap. M-12.1.

The *Municipal Government Act* empowers the Municipality to make bylaws and/or develop programs or strategies which help, in part, to implement the *Official Plan*.

The *Planning Act* empowers Council to appoint a Planning Board, adopt an *Official Plan*, and subsequently adopt bylaws to implement the *Official Plan*. Section 12 of the *Planning Act*, states the following:

An official plan shall include

- a. a statement of economic, physical, social and environmental objectives;*
- b. a statement of policies for future land use, management and development, expressed with reference to a specified period not exceeding fifteen years;*
- c. proposals for its implementation, administration and the periodic review of the extent to which the objectives are achieved.*

1.5 OFFICIAL PLAN REVIEW AND MONITORING

The *Official Plan* is intended to be a dynamic planning tool, which will be subject to ongoing review to compare the extent to which the objectives have been achieved. Furthermore, the *Official Plan* should be monitored on an ongoing basis to ensure compatibility with changing circumstances.

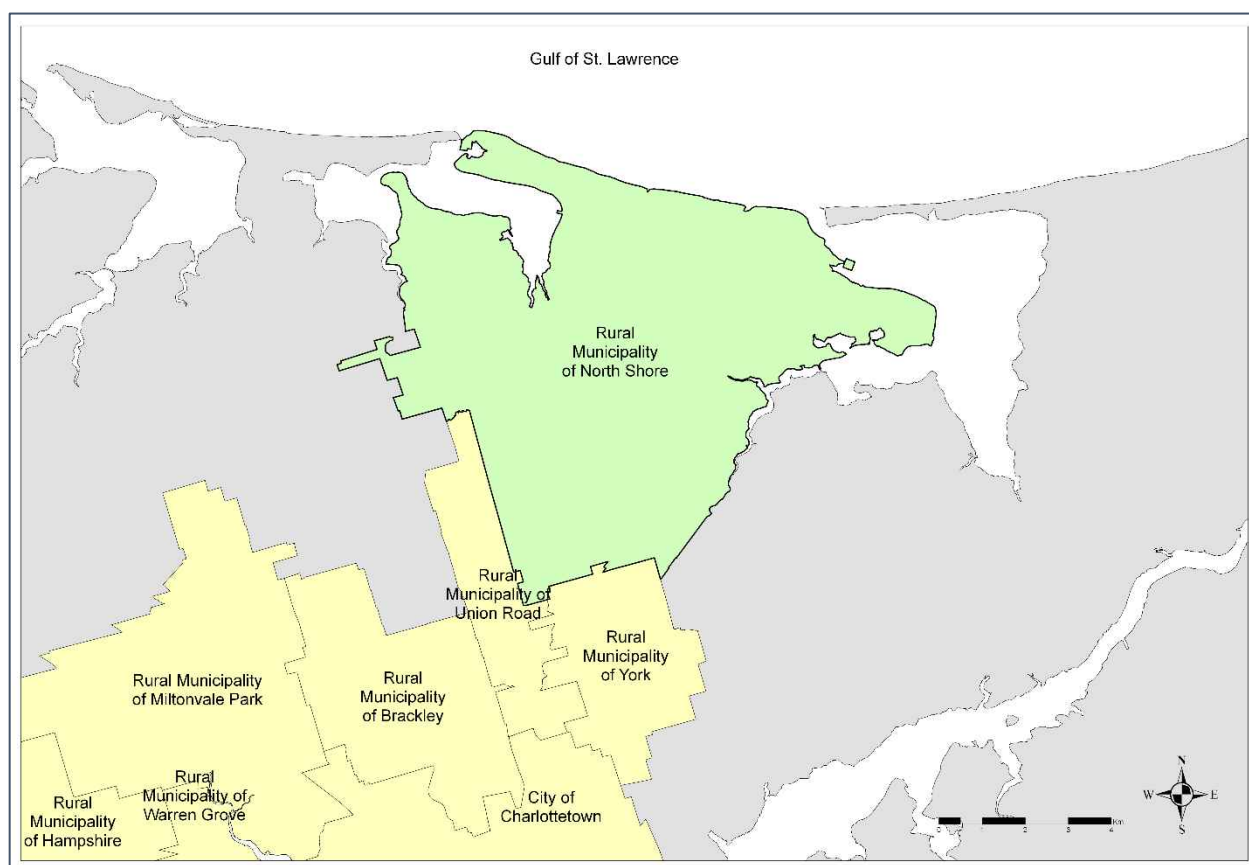
A comprehensive review of the *Plan* is required every five (5) years, with the next review scheduled for 2026.

2. EXISTING CONDITIONS AND CONTEXT

2.1 CONTEXT

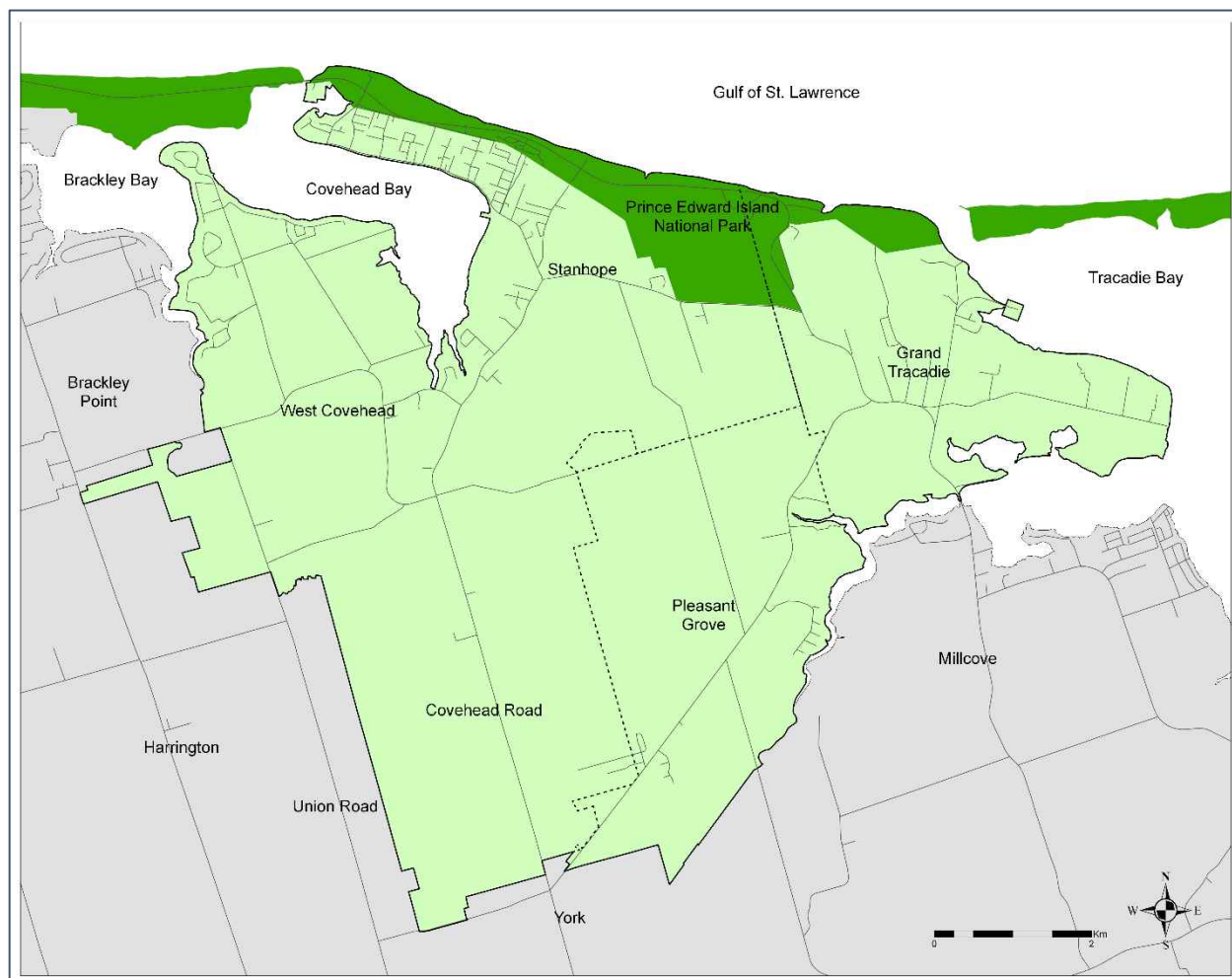
The Rural Municipality of North Shore is located in Queens County, Prince Edward Island. The Municipality is adjacent to the Rural Municipalities of York and Union Road, and is approximately 12 km north of the City of Charlottetown (See: Figure 1). The Municipality identifies with its productive land and sea resources, and has a growing, diverse population. While some neighbourhoods within the Municipality have developed primarily as a bedroom community for residents who commute to Charlottetown or other regions for work, other areas may be better characterized as retirement, recreational or seasonal communities, as they contain a mix of year-round and seasonal residents seeking close proximity to the beauty and opportunities presented by the coast on the Gulf of St. Lawrence.

Figure 1. Rural Municipality of North Shore and surrounding context.



The Municipality was incorporated on September 28, 2018, upon the approval of the amalgamation of three existing municipalities: the Rural Municipality of North Shore, the Rural Municipality of Grand Tracadie, and the Rural Municipality of Pleasant Grove. The restructured municipality now encompasses the communities of West Covehead, Covehead Road, Stanhope, Grand Tracadie and Pleasant Grove. The Municipality also includes a relatively long section of the Prince Edward Island National Park. (See Figure 2).

Figure 2 Rural Municipality of North Shore communities and adjacent waterways



2.2 ENVIRONMENT

The Municipality covers approximately 72 km² of land area. It is the seventh largest municipality in land area in PEI, and the largest in Queens County.

The Municipality has an extensive shoreline. The exposed coast, which is characterized by sand dunes and salt marshes, is entirely contained within the National Park boundary. Many private properties however benefit from waterfront access within the estuaries of Brackley, Covehead and Tracadie Bays. Additionally, the viewscape enhanced by the Bays are enjoyed by all residents and visitors and contribute to the enjoyment and quality of life for all.

There are four watersheds that fall within the boundaries of the Municipality, including the Dalvay Lake, Black River, Bells Creek and Winter River watersheds. Watershed associations active in the region include the Friends of Covehead-Brackley Bay Watershed and the Winter River-Tracadie Bay Watershed Association. Friends of Covehead-Brackley Bays has operated since 2000. A report recently published, Covehead Bay Review, identifies the range of users of the local waterways and their impacts. This report highlights the importance of a multi-user approach in current and future planning for Covehead-Brackley Bays and the need to focus on a collaborative, ecological, and shared-use approach for the sustainability of the bays. The watershed review is

an attempt to create a more socially cohesive and collaborative approach for the future sustainable planning of the resource, Covehead Bay, seen by many as a 'jewel of the community'. Recommendations in the report indicated ways in which the Municipality can contribute to sustainable watershed management through responsible land use planning, the protection of environmental buffer zones, and consideration of the risks associated with coastal flooding and erosion due to climate change.

2.3 DEMOGRAPHICS

The Municipality has a population of approximately 2,000 residents and experienced a relatively high population growth of 9.8% between 2011 and 2016.

The population density of the Municipality is approximately 29 persons/km² which is higher than the provincial average, but significantly lower than that of the cities and towns in PEI. The density is comparable to that of the adjacent municipalities, York and Union Road, at 32.9 and 20.5 persons/km² respectively; however, these neighbouring municipalities are both much smaller in land area and population. Within the Municipality, the population density is highly variable, with areas such as the Stanhope Peninsula as high as 92 persons/km².

Table 1. Comparison of 12 rural municipalities (RM), the City of Charlottetown and the PE provincial census data (2016).

Region	2016	2011	Growth	Area	Density (2016) /km ²
Prince Edward Island (Province)	142,907	140,204	1.9%	5,686	25.1
Charlottetown (City)	36,094	34,562	4.4%	44.34	814.1
Belfast (RM)	1670	1637	2.0%	229.60	7.27
Eastern Kings (RM)	709	702	1.0%	141.00	5.03
Central Prince (RM)	1112	1162	-4.3%	133.20	8.35
Lot 11 and Area (RM)	613	635	-3.5%	101.40	6.05
Malpeque Bay (RM)	1030	1029	0.1%	96.70	10.65
Central Kings (RM)	339	329	3.0%	73.70	4.60
North Shore (RM)*	2080	1901	9.4%	71.40	29.13
Kingston (RM)	1096	794	38.0%	48.00	22.83
Afton (RM)	1291	1222	5.6%	39.80	32.44
Miltonvale Park (RM)	1148	1153	-0.4%	35.45	32.38
York (RM)	408	284	43.7%	12.4	32.9
Union Road (RM)	204	235	-13.2%	9.97	20.5

* Precise population figures are not currently available for the North Shore because 2016 Census boundaries were not aligned with the new municipal boundaries. As such, demographics information has been interpolated from the data available from the census Dissemination Blocks (DBUID) in the area.

The total number of dwellings in the Municipality is approximately 1600. The average dwelling density is 15.3 dwellings/km² with 1.8 persons/dwelling. Dwelling density is also highly variable within the Municipality. In the Stanhope Peninsula, the dwelling count increases to 156 dwellings/km² while the population per dwelling drops to only 0.56 persons. The decrease in persons per dwelling count in this area is likely attributed to the high number of seasonal dwellings; seasonal residents and tourists are not included in the population count.

3. MUNICIPAL AND COMMUNITY SERVICES

3.1 GOVERNANCE AND ADMINISTRATION

The Municipality has six Councillors and a Mayor. Councillors were elected in 2018 based on a newly structured ward system to ensure equal representation from across the Municipality following amalgamation.

The committees of Council include the Finance/Infrastructure and Administration Committee; Planning Board; Recreation and Community Engagement Committee; Environmental and Community Sustainability Committee; Water and Environment Committee; and EMO – Emergency Measures Organization.

The Municipality's chief administrative officer is responsible for the day-to-day management of the municipal office. The Municipality also has a part-time recreation and events coordinator, a bylaw enforcement officer and a custodian, and has engaged a development officer. Summer students are hired to assist with seasonal events and activities when funding is available.

3.2 PLANNING AND DEVELOPMENT CONTROL

The *North Shore Official Plan* and *Bylaw* were last updated in January 2014. The Municipality provides planning and development control services for that portion of the Municipality that encompassed the original Rural Municipality of North Shore at that time. A development officer with the Municipality assists with the administration of the *Bylaw*.

Prior to amalgamation, the Rural Municipalities of Grand Tracadie and Pleasant Grove did not offer planning services and as such development control fell under provincial jurisdiction in accordance with the provincial *Subdivision and Development Regulations*. Following the current review and adoption of the present *Official Plan*, land use planning services will cover the full extent of the municipal boundary and development control responsibilities will be taken over fully by the Municipality.

3.3 INSTITUTIONAL AND SOCIAL SERVICES

The Municipality owns and operates three community centres: the North Shore Community Centre; Stanhope Place; and the Grand Tracadie School Centre. All three facilities are available to rent for private events.

The North Shore Community Centre contains the municipal offices, a board room, gym and auditorium. Most municipal committee meetings, special events, and activities are offered at this location. Council meetings alternate monthly between the Community Centre and the Grand Tracadie School Center.

The Grand Tracadie School Center is located in the former Grand Tracadie Elementary School. The School Center offers evening classes and social activities. Stanhope Place contains the main office of the Friends of Covehead-Brackley Bays watershed association and provides space for meetings of the Stanhope Historical Society, and other social events and activities.

There are four churches within the Municipality: St. James United Church (Covehead), St Eugene's Church (Covehead), St. Michael's Catholic Parish Church (Grand Tracadie) and Stanhope United Church (Stanhope).

The Municipality is served by the recently restructured Charlottetown Family of Schools and the Province provides bus services to transport children to schools within the City of Charlottetown.

3.4 RECREATION SERVICES

The Municipality owns and maintains a ball field and outdoor rink at Community Park in Grand Tracadie and a playground, ball fields, and soccer field at the North Shore Community Centre; the Municipality also maintains a second privately-owned soccer field adjacent to the Centre. There are also a few small undeveloped park areas, owned by local homeowner's associations, located within and around newer residential subdivisions.

Although the Prince Edward Island National Park is managed and maintained by Parks Canada, the Park plays an important role in the Municipality as a major recreational destination for residents and visitors. Another major recreational facility is the privately owned and operated Stanhope Golf and Country Club. Residential properties have developed within walking distance of the golf course and the clubhouse serves as a local gathering place.

The Municipality also has a popular promenade for walking, running and biking. The promenade, which was developed with federal funds and is maintained jointly by the Municipality and Province, commences at the golf course and runs parallel to Route 25, where it connects to the Gulf Shore Parkway within the National Park.

3.5 FIRE AND POLICE PROTECTION SERVICES

The Municipality falls within the North Shore Fire District and receives fire protection services from the North Shore Fire Department. The Fire Hall is located at 2030 Covehead Rd. The building was renovated in 2004 and now accommodates storage for five trucks, an underground water tank, a meeting area and an exercise room. The Fire Department has approximately 25 volunteer members.

Police protection within the Municipality is provided by the Royal Canadian Mounted Police (RCMP) through a contract between the Province and the Government of Canada.

3.6 WATER AND SEWER SERVICES

There are no municipally owned water or wastewater systems within the Municipality, and almost all properties are serviced by on-site systems. The National Park operates a central water system and two central sewerage systems, and a few residential subdivisions have privately owned systems operated by their homeowner associations.

A Long-Term Water and Wastewater Servicing Study was completed in 2009, which recommended that the Municipality consider a future well field and/or a future sewerage treatment facility for the Stanhope peninsula area where residential development is dense and properties are small and do not meet current standards for on-site servicing. In response to the recommendations of the report, the Municipality has adopted a number of educational, monitoring and regulatory actions intended to extend the life span of on-site water and wastewater systems

on the peninsula. More recently, Council has been engaged in discussions with Parks Canada with regards to a long-term plan for a sustainable water supply.

There is one water well restricted area located in West Covehead along Route 25 adjacent to Bells Creek. Water well restricted areas are identified under the *Environmental Protection Act* Water Well Regulations and where they exist, a well permit is required in addition to the general requirements for drilling wells.

3.7 TRANSPORTATION NETWORK

The Municipality does not own or have direct responsibility for any of the public or private roads; however, through the provision of land use planning the Municipality does have an important role in transportation planning. Council currently works with the provincial department responsible for transportation and infrastructure to ensure the existing public transportation network is safe and well maintained. However, most residential subdivisions within the Municipality are currently serviced by private roads **that are not owned or maintained by the Province or the Municipality**. Provincial services such as snow clearing, garbage collection and school buses are not offered to properties serviced by private roads. As such, the development of new private roads is **generally not permitted within the Municipality, except where expressly permitted by this Plan and the Land Use Bylaw, such as within lands designated Resort and zoned Resort (RES), where long-term ownership, maintenance, emergency access, and municipal non-assumption responsibilities are clearly established.**

4. LAND USE AND DEVELOPMENT TRENDS

4.1 LAND USE DISTRIBUTION

The provincial corporate land use database, which is based on a 2010 land use analysis, indicates that of the 72 km² of land area within the Municipality, a combined 75% of the land is classified as either forest cover (44.3%) or agriculture (31.3%). A relatively high percentage of land area is also classified as wetlands (7.8%), most of which is located within the National Park. Residential and/or urban land uses account for another 7.8%. The final 7.8% accounts for all other uses combined, including transportation (roadways), commercial, industrial, institutional, recreation, and unclassified land uses. (See Figure 3)

According to the provincial property tax records, there are 2050 unique properties within the Municipality. More than one-third (727) of these properties, which cover approximately 42 km² of land area (or 60% of the total land area) have not yet been assigned a civic address and as such are assumed to be undeveloped. Unfortunately, despite the large stock of existing undeveloped lots, almost half (approximately 350) of these undeveloped lots are too small to meet the current provincial minimum lot size standards for the installation of on-site water and waste-water treatment systems.

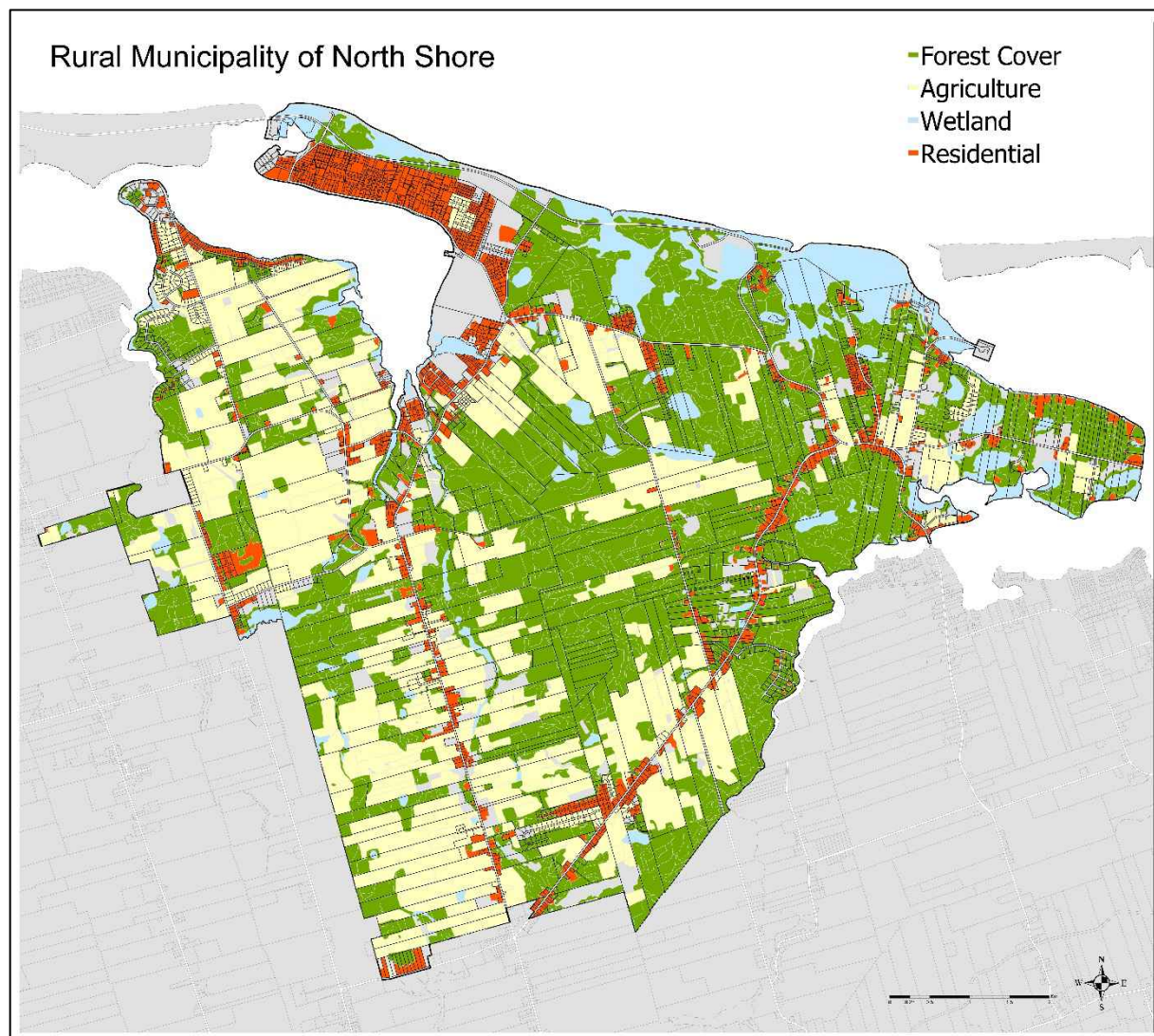
Of the 1313 properties with civic addresses (developed properties), 1166 properties (89%) have a residential tax assessment associated with them. Residential development throughout the Municipality is characterized by low-density single detached dwellings, dispersed along the primary transportation routes, where lots were subdivided off of the front of agricultural properties.

In areas closer to the coastline, residential properties were subdivided with small lots that front on private roadways. The dwellings in these areas range from small seasonal cottages or cottage rentals to large year-round single detached dwellings. As with the undeveloped lots, almost 2/3 (747) of the existing developed lots in the Municipality are smaller than the current provincial lot size standards for on-site service provisions, despite the majority of these properties currently using on-site services.

Twenty-seven (27) properties in the Municipality, accounting for 6.5 km² (or 9% of the total land area), are owned by the Government of Canada, which includes the National Park properties and two small-craft harbours in Stanhope and Grand Tracadie. Further, based on the mailing addresses of the property owners, 25% (315) of the properties are owned by Canadians who are non-PE residents, and an additional 100 properties are owned by someone from a country other than Canada.

While 213 properties in the Municipality are owned by registered businesses, there are very few commercial or industrial enterprises that are not directly related to the agriculture or fisheries sectors. Most of the other businesses are commercial tourist accommodations or other seasonal operations, including the golf course in Stanhope and the campground in Grand Tracadie.

Figure 3 Rural Municipality of North Shore Existing Land Use Map (PE Government Corporate Land Use Inventory, 2010)



4.2 DEVELOPMENT TRENDS

The development permit records for the three municipalities prior to amalgamation are available from the provincial government, as well as for Grand Tracadie and Pleasant Grove areas since amalgamation, as these areas are still under provincial planning authority.

There has been little to no commercial, industrial, institutional or agricultural development in the Municipality over the past 5 years. However, some permits (in the 'other' category) were issued for renovations or additions to existing non-residential properties.

Generally, residential development trends indicate that residential growth has been consistent over this time period, and that 2019 saw a significant surge in development, with permits issued for 31 single detached dwellings and 8 seasonal dwellings. Seasonal dwellings are distinguished from single detached dwellings in permit records when the property does not front on a public road; however, many seasonal dwellings are found to be occupied year-round. There have been no permits issued for new multi-unit dwellings during this time period.

While growth and development are good indicators of the strengths of the Municipality and the desirability of the region to residents, it is further noted that there continues to be a relatively high number of lots being subdivided for the number of dwellings being constructed. As the Municipality has a surplus of vacant approved lots, the new subdivisions indicate that development is continuing to push into the agricultural area and that the older undersized lots may not be as desirable as a newly subdivided lot that meets regulations for services.

Table 2 Development permit records and number of lots subdivided in North Shore (NS), Pleasant Grove (PG) and Grand Tracadie (GT) since 2015 (*2020 records are as of August 2020). Note records appear to be missing for NS in 2015. Other includes additions, decks and accessory buildings on existing properties

	Single Detached	Seasonal Residential	Multi-Unit Residential	Commercial/ Industrial/ Institutional/ Agriculture	Other	Subdivision (new lots)
2015						
NS		1				
PG	4	1				13
GT	4	1				17
2016						
NS	11	10		1	18	6
PG	3				2	1
GT	1	1			2	1
2017						
NS	15	13			25	1
PG	5	1			3	4
GT		1		1		41
2018						
NS	7	11			15	7
PG	7	1			3	2
GT		2			1	3
2019						
NS	21	8		1	16	7

PG	9				5	12
GT	7	1			1	11
2020*						
NS	14	6		3	22	4
PG	12				2	21
GT	7	7		1		1

5. MUNICIPAL GOAL

The residents in the Rural Municipality of North Shore have a strong attachment to traditional rural, agricultural lifestyles. The Municipality includes the communities of West Covehead, Covehead Road, Stanhope, Grand Tracadie and Pleasant Grove. While each community is unique in its history, development trends and demographics, the Municipal Goal represents the collective values of residents from across the Municipality.

The goal of the Rural Municipality of North Shore is to continue to be a rural municipality, with a core economic base in agriculture, fisheries and tourism; where residential development, and social and recreational services support diverse, inclusive and life-long communities; where ecological stewardship of the land and waterways is highly valued and the natural beauty is respected; and where innovation and resource-related economic development is supported.

6. FUTURE LAND USE MAP OBJECTIVES, POLICIES AND PLAN ACTIONS

6.1 THE FUTURE LAND USE MAP

The Future Land Use Map (Appendix A) captures the long-term vision for growth within the Municipality and will serve as a guide for the spatial arrangement of land uses within the Municipality. It is distinct from the Existing Land Use Map and the Zoning Map because it is a conceptual representation of the direction envisioned for land use patterns that will emerge in the future as land uses within the Municipality change. The Zoning Map and any decisions relating to changes in the Zoning Map must conform to the Future Land Use Map.

6.2 FUTURE LAND USE MAP OBJECTIVES

In developing the *Future Land Use Map*, Council has applied the following Objectives:

- i. Preserve the traditional rural agricultural character across the Municipality as the predominant land use.
- ii. Support organized and sustainable residential development, while protecting productive agricultural land and natural assets and minimizing further strip development.
- iii. **Support new resource-related commercial and industrial development, services related to the tourism sector, and resort-oriented mixed-use development in appropriate areas, where potential land use conflicts can be mitigated and adequate servicing, access, environmental protection, and infrastructure maintenance can be demonstrated.**
- iv. Protect environmentally sensitive areas.
- v. Identify coastal areas at risk of coastal erosion and/or flooding due to storm surge and projected sea level rise, and prevent further development within these areas.
- vi. Protect long term access to properties fronting on private roads and across public rights-of-way by identifying transportation corridors as a distinct land use.
- vii. Support all other relevant policies and principles included in this Plan.

6.2.1 Land Use Designation and Zoning

Council will designate and zone land in accordance with the goals, objectives, and policies of this Official Plan.

Plan Action

a.	All land within the Municipality will be designated with a land use zone and the zone designations will be identified on the Zoning Map.
b.	The <i>Land Use Bylaw</i> will establish permitted uses and minimum development standards for each zone.

7. ECONOMIC OBJECTIVES, POLICIES AND PLAN ACTIONS

7.1 ECONOMIC OBJECTIVES

The Economic Objectives of the Municipality are as follows:

- i. Protect the agricultural and fishing economies and minimize future subdivision of and development on productive agricultural land.
- ii. Support sustainable agricultural land use practices.
- iii. Support existing non-resource commercial and industrial land uses.
- iv. Support innovative economic development and local commercial services for residents suitable for a rural municipality.
- v. Support existing tourism establishments and new development related to the tourism sector in appropriate areas.

7.2 POLICIES TO SUPPORT THE ECONOMIC OBJECTIVES

7.2.1 Agricultural Designation Policy

Agricultural and other resource-related land uses will be protected from the intrusion of conflicting land uses; and the conversion of primary resource lands into non-resource uses will be discouraged.

Plan Actions:

a.	All land currently in agricultural and/or resource commercial or industrial use, will be zoned as Agricultural (A) on the Zoning Map.
b.	The number of lots permitted to be subdivided within the Agricultural Zone will be limited to protect productive land and minimize strip development.
c.	Forestry will be a permitted use in the Agricultural Zone.

7.2.2 Sustainable Agriculture Policy

Sustainable agricultural practices that protect and enhance the local watershed, soil, ground and surface water resources will be promoted and supported.

Plan Actions:

a.	Council will work with local property owners, farmers, neighbouring municipalities, organizations and other levels of government to promote sustainable agricultural practices.
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7.2.3 Intensive Livestock Operations Policy

Existing intensive livestock operations will be protected from encroachment of conflicting land uses.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “intensive livestock operations” in accordance with provincial legislation.
b.	A separation distance will be established between residential development and intensive livestock operations.

7.2.4 Resource-Based Commercial and Industrial Uses Policy

Resource-based commercial and industrial land uses which provide necessary support for the agricultural and fishing sectors may continue to operate.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “resource commercial use” and “resource industrial use” as land uses.
b.	Resource commercial and industrial land uses will be permitted in the Agricultural Zone subject to development regulations established to mitigate potential land use conflicts.

7.2.5 Non-Resource Commercial and Industrial Development Policy

Existing non-resource commercial and industrial operations and new innovative economic development suitable for a rural area may continue to operate.

Plan Actions:

a.	Growth of existing non-resource commercial and industrial operations will be supported, provided that potential land use conflicts can be mitigated and that the proposed development does not involve the loss of productive resource land.
b.	All land currently in a non-resource commercial or industrial use will be zoned as Commercial (C) or Industrial (I) respectively on the Zoning Map.
c.	New innovative economic development opportunities and other small-scale commercial services that provide direct services to local residents will be supported where productive agricultural land will not be impacted and potential land use conflicts can be mitigated.

7.2.6 Tourism Establishment Policy

Existing licensed tourism establishments (accommodations) may continue to operate and Council will pursue further research on the future development of tourism establishments in the municipality.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “tourism establishment” in accordance with provincial legislation.
b.	All tourism establishments must be licensed under the applicable provincial legislation.
c.	The Land Use Bylaw will establish a registry of provincially-licensed tourism establishments and will require operators to register with the municipality.
d.	Existing tourism establishments, previously zoned Resort Commercial Zone, will be zoned as Tourism Establishment (TE) on the Zoning Map.
e.	Council will undertake a study on the impacts and opportunities associated with tourism establishments in the municipality, with the intent to adopt land use and development regulations and/or a Municipal Tourism Establishments Bylaw in accordance with the results and recommendations of the study.

7.2.7 Resort Designation Policy

Resort-oriented mixed-use development may be supported where it contributes to the Municipality’s tourism economy, provides recreational or visitor-serving amenities, and is designed to be compatible with the Municipality’s rural, coastal, agricultural, and environmental context.

The Resort designation is intended to accommodate land uses that may include tourism establishments, resort residential uses, restaurants, retail stores, health and wellness services, event venues, active and commercial recreation uses, parks, trails, marine access where appropriate, and other complementary uses that support a resort-oriented mixed-use area.

The Resort designation is not intended to enable conventional residential subdivisions or primarily residential development on private roads. Private residential uses within the Resort designation shall be integrated with and complementary to a resort-oriented mixed-use development, and shall not be the primary purpose of a Resort designation or Resort (RES) Zone amendment.

Lands shall only be designated Resort where Council is satisfied that the lands are suitable for the intended scale and form of development, and that the development can be supported without undue negative impact on neighbouring properties, agricultural lands, environmentally sensitive areas, public safety, municipal finances, or the broader rural character of the Municipality.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish a Resort (RES) Zone to support resort-oriented mixed-use development within the Resort designation.
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b.	The Resort (RES) Zone may permit a range of resort-oriented tourism, residential, commercial, recreational, marine access, open space, and supporting infrastructure uses.
c.	The Land Use Bylaw will establish development standards for lands in the Resort (RES) Zone, including lot size, frontage, lot coverage, setbacks, building height, parking, servicing, access, and other matters necessary to ensure compatibility with adjacent land uses.
d.	Resort development shall be subject to all applicable provincial and federal approvals, including requirements related to subdivision, roads, water supply, wastewater treatment, wetlands, watercourses, coastal areas, dunes, environmental buffers, public safety, building standards, and tourism licensing, as applicable.

7.2.8 Resort Redesignation and Rezoning Policy

Applications to amend the Future Land Use Map to designate lands as Resort, and to rezone lands to the Resort (RES) Zone, shall be reviewed in accordance with the policies of this Plan and the amendment review process established in the Land Use Bylaw.

When reviewing future applications to designate lands as Resort and/or rezone lands to the Resort (RES) Zone, Council may consider whether the proposed designation and rezoning are appropriate having regard to the scale, nature, location, servicing, access, environmental conditions, compatibility, and long-term management of the proposed resort-oriented mixed-use development.

Plan Actions:

a.	In reviewing an application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone, Council may consider the following, as applicable: i. a written description of the proposed resort development, including the intended tourism, residential, commercial, recreational, open space, marine access, and supporting infrastructure uses; ii. a concept plan showing the general location of proposed land uses, development areas, lots or development blocks, roads, private roads or rights-of-way, trails, parking areas, open space, environmental features, buffers, and servicing infrastructure; iii. the proposed number and general type of lots, dwelling units, accommodation units, commercial buildings, recreational facilities, and other major development components; iv. the proposed phasing of subdivision and development;
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	v. the proposed means of water supply, wastewater treatment, stormwater management, and utility servicing; vi. the proposed road, private road, access, emergency access, parking, pedestrian circulation, and active transportation network; vii. the proposed ownership, maintenance, and management structure for private roads, private services, open space, trails, recreational amenities, and other common infrastructure; viii. whether the proposed development includes a meaningful tourism, recreation, accommodation, visitor-serving, commercial, open space, or resort amenity component sufficient to establish the development as a resort-oriented mixed-use development rather than a conventional residential subdivision; ix. identification of wetlands, watercourses, dunes, coastal areas, environmental buffers, flood-risk areas, erosion-risk areas, and any other environmentally sensitive features; x. a description of measures proposed to avoid or mitigate impacts on adjacent land uses, agricultural lands, natural areas, public access, traffic safety, municipal services, and municipal finances; xi. any proposed covenants, easements, subdivision agreements, development agreements, utility agreements, or other instruments intended to implement or maintain the resort development; and xii. any additional information required by Council or the Development Officer to determine whether the proposed Resort designation and/or Resort (RES) rezoning is consistent with the objectives and policies of this Plan.
b.	Council may refuse an application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone where Council is not satisfied that the proposed development can be adequately serviced, accessed, phased, maintained, and developed in a manner that is compatible with adjacent lands, environmental constraints, municipal finances, public safety, and the policies of this Plan.
c.	Where lands are designated Resort and/or rezoned to the Resort (RES) Zone, subdivision and development shall proceed in accordance with the Land Use Bylaw and any applicable subdivision approval, development approval, subdivision agreement, development agreement, restrictive covenant, easement, servicing agreement, utility agreement, road maintenance agreement, or other implementing instrument.
d.	Council may require agreements or other instruments as a condition of redesignation, rezoning, subdivision approval, or development approval, where such agreements or instruments are authorized by law and are necessary to address matters including private infrastructure, common

	areas, roads, services, environmental protection measures, phasing, long-term maintenance, and municipal non-assumption.
e.	Council may refuse an application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone where Council determines that the proposed development is primarily a conventional residential subdivision, that private residential uses are not sufficiently integrated with or functionally related to a resort development, or that the proposed resort, tourism, recreation, accommodation, visitor-serving, commercial, open space, or resort amenity components are speculative, incidental, or insufficient to support the Resort designation.
f.	Where application to designate lands as Resort and/or rezone lands to the Resort (RES) Zone on lands that are adjacent and under shared ownership with existing Resort designated property(RES) Zone Council will consider existing Resort plans and allow for amendments to plans as necessary.
g.	During the next comprehensive review of this Plan and the Land Use Bylaw, Council shall consider whether to establish a more formal planning and implementation framework for comprehensively planned resort development, which may include the use of development agreements, subdivision agreements, special zoning tools, or other mechanisms authorized by the Planning Act or other applicable legislation.

8. PHYSICAL OBJECTIVES, POLICIES AND PLAN ACTIONS

8.1 PHYSICAL OBJECTIVES

The Physical Objectives of the Municipality are as follows:

- i. Minimize land use conflicts.
- ii. Support improvements to the existing transportation system and establish development standards for new transportation infrastructure associated with subdivisions and development.
- iii. Support the long-term effectiveness of on-site water and wastewater systems which are privately owned and maintained by property owners.
- iv. Support residents' efforts to ensure a secure and safe supply of potable water.
- v. Facilitate development of pathways, parks, and additional recreation infrastructure.
- vi. Limit the development of excavation pits in areas where potential land use conflicts cannot be mitigated.
- vii. Support the development of renewable energy generation.

8.2 POLICIES TO SUPPORT THE PHYSICAL OBJECTIVES

8.2.1 Conflicting Land Use Policy

Adequate buffers and/or separation distances between conflicting land uses will be established to minimize negative effects of one land use on another.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish a range of compatible land uses that will be permitted within each zone.
b.	The <i>Land Use Bylaw</i> will establish buffer, landscape edges and/or separation distance requirements on the boundaries between different zones and/or between incompatible land uses.
c.	The <i>Land Use Bylaw</i> will establish buffer, landscape edges and/or separation distance requirements between non-resource commercial and industrial land uses, and land uses intended for public access, recreation, and open space.

8.2.2 Minimum Lot Size Policy

A minimum lot size for new development will be established based on the proposed land use and servicing capabilities of the property.

Plan Action:

a.	The <i>Land Use Bylaw</i> will establish a minimum lot size for new development based on the proposed land use and servicing capabilities of the property, and in no event shall the minimum lot size be less than as prescribed in the <i>Province-Wide Minimum Development Standards Regulations</i> of the <i>Planning Act</i> .
b.	The <i>Land Use Bylaw</i> will establish land use regulations and minimum development standards for existing undersized lots.

8.2.3 Minimum Roads Standards Policy

Public roads constructed in the Municipality shall meet minimum development standards established by the Province and shall be deeded to the Province where required by legislation, regulation, or bylaw. Private roads may be considered only where expressly permitted by this Plan and the Land Use Bylaw, and where long-term ownership, maintenance, emergency access, engineering certification, and municipal non-assumption responsibilities are clearly established.

Plan Actions:

a.	Except as otherwise provided in this Plan, all new roads constructed as part of a subdivision shall meet minimum development standards established by the Province and shall be deeded to the Province as a public right-of-way prior to the approval of development applications for properties with access to the new road.
b.	The <i>Land Use Bylaw</i> will establish a Right of Way (ROW) Zone that will apply to public or privately owned lots, on which the primary land use is access and/or a road, and no development or land uses will be permitted in the ROW Zone that could impede future access across these lots.
c.	Private roads may be permitted within lands designated Resort and zoned Resort (RES), where the private road is part of a resort development, provides safe and convenient access to a public road, is designed by, constructed under the supervision of, and certified by a professional engineer to the satisfaction of the Municipality, and is subject to legal agreements or other instruments addressing ownership, maintenance, repair, snow clearing, drainage, emergency access, civic addressing, solid waste collection, and municipal non-assumption.
d.	Where a property is served by a private road, the Municipality shall not be deemed responsible for the construction, maintenance, repair, grading, ditching, snow clearing, replacement, or upgrading of the private road unless such road has been formally accepted as a public road suitable for year-round use.
e.	The Land Use Bylaw may establish standards and application requirements for private roads in the Resort (RES) Zone, including requirements for rights-of-way, road width, emergency access, legal

	access, engineering design, construction supervision, engineer certification, as-built drawings, registration of agreements, notice to purchasers, and independent engineering review where required by the Municipality.
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8.2.4 Alternative Forms of Transportation Policy

The development and maintenance of parks and pathways will be facilitated by Council to enable safe and efficient access through the Municipality by means of alternative forms of transportation (i.e. non-motorized).

Plan Actions:

a.	Subdivisions that involve the construction of a new road will include adequate space to accommodate alternative forms of transportation.
b.	When applicable, land that is to be deeded to the Municipality will be provided in the form of a pathway or public right-of-way which connects to other existing or proposed pathways.
c.	Active transportation within the Municipality will be supported with connectivity to the National Park's existing system.
d.	The Municipality will support efforts by the Province and advocate for improving conditions for safe active transportation access on provincially owned and maintained transportation routes.

8.2.5 Off-Street Parking Policy

Sufficient off-street parking will be provided on a property to accommodate the proposed land use of a development.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish a minimum number of off-street parking spaces required for a development based on the proposed land use.
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8.2.6 Sewage Disposal Systems Policy

Properties will generally operate on privately owned on-site sewage disposal systems. Privately owned communal or central sewage disposal systems may be considered where such systems are permitted by provincial legislation and are designed, approved, constructed, operated, maintained, and monitored in accordance with all applicable provincial requirements.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will require as part of the subdivision and/or development application process that applicants meet all requirements of the <i>Environmental Protection Act</i> and the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations for any proposed on-site sewage disposal system or a
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	communal-type sewage disposal system for a multiple-lot subdivision, if applicable.
b.	The <i>Land Use Bylaw</i> will establish land use and development standards for existing or proposed developments and parcels with an on-site sewage disposal system despite not meeting the minimum lot size requirements of the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations.

8.2.7 Water Supply Policy

Properties will generally operate on privately owned water supply systems. Privately owned communal or central water supply systems may be considered where such systems are permitted by provincial legislation and are designed, approved, constructed, operated, maintained, and monitored in accordance with all applicable provincial requirements.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will require as part of the subdivision and/or development application process that applicants meet all requirements of the <i>Environmental Protection Act</i> and the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations for any proposed water supply system.
b.	The <i>Land Use Bylaw</i> will establish land use and development standards for a existing or proposed developments with an on-site water supply despite not meeting the minimum lot size requirements of the <i>Planning Act</i> Province-Wide Minimum Development Standards Regulations, including for development in areas identified as high risk for well contamination.
c.	Council will continue to explore options for a long term, sustainable water supply for at-risk areas and will be proactive in securing the necessary resources if, and when, an opportunity to secure a future water supply is presented.
d.	Council will undertake a study on the impacts on the water quality and availability under a full build-out scenario for potential development on the Stanhope Peninsula based on current land use regulations. The study will seek recommendations for further development regulations and/or the need for water utility options under this scenario, if necessary, to ensure adequate water supply for all.

8.2.8 Water and Wastewater Education and Monitoring Policy

Educational opportunities will be provided to residents on the interrelationship of private water supply systems, wastewater management systems, water quality, and the importance of regular maintenance and testing of private systems.

Plan Actions:

a.	The Municipality will make information available to residents on best management practices for on-site water and wastewater systems, sewerage system maintenance, and water quality testing.
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b.	Council will develop a Bylaw to regulate the maintenance, testing and reporting of private water and wastewater systems in accordance with the applicable provincial legislation and best practice recommendations.
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8.2.9 Excavation Pit Policy

New excavation pits will not be permitted in areas that may present land use conflicts.

Plan Actions:

a.	New excavation pits will not be permitted where productive agricultural land will be impacted or reduced by the change of use, or where potential land use conflicts cannot be mitigated.
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8.2.10 Renewable Energy Policy

The generation of renewable energy will be supported provided it does not pose a risk to the public and potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish application requirements, development standards and a process for review for wind turbines consistent with provincial legislation.
b.	The <i>Land Use Bylaw</i> will establish application requirements, development standards and a process for review for solar panels and solar fields.

9. SOCIAL OBJECTIVES, POLICIES AND PLAN ACTIONS

9.1 SOCIAL OBJECTIVES

The Social Objectives of the Municipality are as follows.

- i. Protect the traditional rural character of the Municipality by maintaining low density residential development standards.
- ii. Support a variety of residential dwelling types to meet the changing needs of a diverse population.
- iii. Establish residential development standards to promote safety, efficiency, and land use compatibility, and to protect the character of existing neighbourhoods.
- iv. Facilitate and welcome diversity and inclusion.
- v. Facilitate and promote recreational and cultural opportunities and foster social interaction and healthy lifestyles for residents in all stages in life.
- vi. Foster volunteer participation in all aspects of recreation.
- vii. Support new institutional development and redevelopment of existing facilities as needed.
- viii. Consider the nature and extent of future recreation and public open space services and facilities required, and attempt to meet those need.
- ix. Provide safe and active play spaces and trails, and maintain, improve or extend the current facilities.
- x. Facilitate opportunities for residents to have access to natural areas and the shoreline.

9.2 POLICIES TO SUPPORT THE SOCIAL OBJECTIVES

9.2.1 Residential Land Use Policy

Sufficient land will be designated for residential use to accommodate the projected housing needs of the plan period.

Plan Actions:

a.	Existing residential subdivisions will be zoned as Residential (R) on the Zoning Map.
b.	Low density residential development will be permitted in the Agricultural Zone.

9.2.2 Residential Development Standards Policy

Residential subdivision and development standards will be established to enhance the health, safety and convenience of municipal residents.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will include standards for residential development relating to density, lot size, lot coverage, setbacks, building height, servicing, parking, secondary uses, buffers and other related matters.
b.	The <i>Land Use Bylaw</i> will establish criteria for parkland, open space and marine access, where applicable, for subdivision applications.
c.	Development standards for residential development will be consistent for seasonal and year-round residences.

9.2.3 Residential Density Policy

The existing low-density character of the Municipality will be maintained, while a variety of housing options will be supported to support diverse, inclusive and life-long communities.

Plan Actions:

a.	Low density residential areas will be protected by maintaining consistent development standards between existing and new development.
b.	The <i>Land Use Bylaw</i> will establish development standards for multi-unit residential dwellings to provide alternative forms of housing to support diverse, inclusive and life-long residents.
c.	The <i>Land Use Bylaw</i> will include mini homes and modular homes in the definition of single detached dwellings.

9.2.4 Home Occupations Policy

Home occupations may continue to operate on residential properties in accordance with applicable provincial legislation, where potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will define “home occupations”.
b.	The <i>Land Use Bylaw</i> will establish criteria and standards for the operation of a home occupation to minimize potential conflicts with adjacent properties.

9.2.5 Secondary Suites Policy

Secondary suites will be permitted on residential properties where potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish criteria and standards for the addition of a secondary suite in a single detached dwelling or in an accessory building to a single detached dwelling.
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b.	The <i>Land Use Bylaw</i> will establish development standards for secondary suites in a manner that does not permit the secondary suite to function independent of the main dwelling.
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9.2.6 Institutional and Public Recreational Land Use Policy

New institutional and public recreational development or the redevelopment of existing facilities will be supported where potential land use conflicts can be mitigated.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish development standards for institutional and public recreational land uses.
b.	Council will monitor the recreational and social services offered in the Municipality and will make provisions to support new development to ensure the cultural needs of diverse and inclusive communities are being met.
c.	Council will monitor the use of existing facilities and consider the need for new facilities or the redevelopment of existing facilities as necessary.

9.2.7 Volunteerism Policy

Council will promote volunteer involvement in all aspects of recreational and social programming.

Plan Actions:

a.	Council will work with sports and recreation groups to encourage and support volunteer participation through public information programs, volunteer appreciation and recognition initiatives, and training programs.
b.	The Municipality will encourage and support volunteer organizations in their efforts to develop recreational and other programs in the Municipality.

9.2.8 Open Space and Recreation Policy

Council will co-operate with adjoining communities on a cost-sharing basis for the provision of public open space, recreational facilities and programs for municipality residents.

Plan Actions:

a.	Council will work with volunteer organizations, recreation groups and the local businesses to maintain existing open space and recreation facilities.
b.	The <i>Land Use Bylaw</i> will establish regulations for the dedication of parkland or public space or a payment in lieu of parkland for all subdivision applications and will establish criteria for the selection of the land to be dedicated.
c.	Council will develop a Recreation and Open Space Strategy to create an inventory of existing parks, playgrounds, trails, and other open spaces; to maximize the use and connectivity of these existing spaces; and will propose future corridors for active transportation to connect these spaces.

10. ENVIRONMENTAL OBJECTIVES, POLICIES AND PLAN ACTIONS

10.1 ENVIRONMENTAL OBJECTIVES

The Environmental Objectives of the Municipality are as follows.

- i. Protect and enhance the existing natural areas; the ecological integrity; groundwater and surface water resources; and wildlife and natural habitat within the Municipality.
- ii. Collaborate with stakeholders who share common values on the protection and enhancement of the natural environment.
- iii. Integrate watershed management principles into land use planning.
- iv. Protect the natural environment from potential environmental impacts resulting from development and implement policies to control soil erosion during construction and from farming activities.
- v. Recognize the projected impacts of climate change, including coastal erosion and coastal flooding and establishment land use and development standards for areas at risk.
- vi. Encourage preservation, restoration and expansion of forest cover.

10.2 POLICIES TO SUPPORT THE ENVIRONMENTAL OBJECTIVES

10.2.1 Environmentally Sensitive Areas Policy

Council will identify environmentally sensitive areas and implement policies and development regulations for the protection and enhancement of these areas.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will establish an Environmental Conservation Zone and all environmentally sensitive areas, including coastlines, watercourses and wetlands, and their adjacent lands will be designated as such.
b.	Land use and development within the Environmental Conservation Zone will be limited to activities related to environmental restoration and only those activities which do not negatively impact the environmentally sensitive area will be permitted.
c.	The <i>Land Use Bylaw</i> will require erosion and siltation control measures to be put in place during construction adjacent to the Environmental Conservation Zone to ensure the protection of environmentally sensitive areas, except where, in the opinion of Council, no impact on the environmentally sensitive area is likely to result from the proposed development.

10.2.2 Partnerships Policy

Council will work with partners, stakeholders and property owners who share common values on the protection and enhancement of the natural environment and collaborate with them on initiatives to maintain and enhance local ecological integrity.

Plan Actions:

a.	Council will work with watershed groups and other stakeholders to address both general watershed integrity and water quality of Covehead Bay, Brackley Bay and Tracadie Bay, and their tributaries.
b.	Council will work with the Province to promote initiatives to protect natural vegetation adjacent to streams, wetlands and other watercourses; to enhance ecological integrity; and to protect and restore forest cover within the Municipality.
c.	Council will work with Parks Canada to support their initiatives to maintain and enhance the natural environment.
d.	Council will promote an environment of mutual respect between the many stakeholders who share the natural resources within the Municipality.

10.2.3 Ground and Surface Water Protection Policy

Council will protect the quality and quantity of groundwater and surface water resources.

Plan Actions:

a.	Land uses which pose a serious contamination risk to groundwater, such as chemical plants or storage depots for hazardous materials, will not be permitted within the Municipality.
b.	Council will work with the Province to ensure that surface water resources are protected from degradation, and to identify and establish buffer zones to protect streams, wetlands and watercourses.
c.	Council will monitor and assess the environmental impact of development for agricultural, commercial, and industrial purposes in close proximity to the boundary of a watercourse or wetland.

10.2.4 Environmental Buffer Policy

The land area adjacent to all watercourses and wetlands, otherwise known as the Environmental Buffer, shall be maintained to protect the watercourse or wetland from adjacent development, and only those activities which do not negatively impact the watercourse or wetland will be permitted in this area.

Plan Action:

a.	The land area within the Environmental Buffer will be designated as Environmental Conservation Zone.
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b.	The <i>Land Use Bylaw</i> will establish regulations governing those activities, developments and alterations which will be permitted within the Environmental Buffer.
c.	The <i>Land Use Bylaw</i> will establish setbacks at least as stringent as those required in applicable provincial regulations.
d.	The <i>Land Use Bylaw</i> will ensure that, when subdividing adjacent to a watercourse or wetland, lots are of a sufficient size to accommodate development while maintaining required separation or setback distances from the watercourse or wetland.
e.	The <i>Land Use Bylaw</i> will require verification of an approved Watercourse, Wetland and Buffer Zone Activity Permit from the provincial government, prior to reviewing an application for development to undertake any alteration or development within the Environmental Buffer.

10.2.5 Waterfront Development Policy

Waterfront development shall meet necessary standards to mitigate risks associated with coastal erosion and coastal flooding due to storm surge and projected sea level rise due to climate change, and those standards will be updated as new data and information is made available to the Municipality.

Plan Actions:

a.	The Municipality will work in cooperation with the Province to develop best management practices to address coastal hazards and will make information on coastal risks available to the public.
b.	The <i>Land Use Bylaw</i> will require a Coastal Erosion and Flood Risk Assessment prior to the review of a development or subdivision application on a lot adjacent to or near a watercourse or wetland.
c.	The <i>Land Use Bylaw</i> will establish minimum development standards in coastal areas to mitigate risks of coastal flooding due to storm surge and projected sea level rise.
d.	The <i>Land Use Bylaw</i> will establish setbacks between new development and eroding shorelines to provide sufficient distance to ensure that the adverse effects of erosion do not endanger the development over its life.
e.	Fishing sheds, aquaculture facilities, boat launching facilities and wharves, and other Marine Access Structures will be permitted, according to municipal, provincial, and federal regulations.
f.	The Municipality will update the Future Land Use Map and Zoning Map with any new data and information on the delineation of wetlands and watercourses, and changes to the location of the coastline, at minimum during each five-year review of the Official Plan and Land Use Bylaw.

11. ADMINISTRATION AND IMPLEMENTATION

11.1 ADMINISTRATION AND IMPLEMENTATION OBJECTIVES

It is Council's objective to achieve a fair and equitable implementation of the policies and plan actions included in the *Official Plan*, and to ensure that there is coordination between these policies and applicable provincial legislation.

The Administration and Implementation Objectives of the Municipality are as follows:

- i. Promote good governance and accountability, protect the public interest and respect private property owners' rights.
- ii. Comply with provincial and federal government laws and regulations.
- iii. Administer the *Official Plan* and *Land Use Bylaw* with consideration of sound planning principles.
- iv. Provide a variety of quality and cost-effective municipal services to residents.
- v. Establish responsible fiscal practices to guide decision-making with regards to municipal revenues and expenditures.
- vi. Collaborate with and support efforts by local organizations who share common goals with the Municipality.

11.2 ADMINISTRATION POLICIES

11.2.1 Good Governance Policy

Records on all municipal services will be kept, and those records will be made available to the public in a responsible and transparent manner.

Plan Actions:

a.	A property database will be created for all properties to track subdivisions, development and inspections.
b.	A file of all approved building and development permits will be established and maintained, and all information in the file not protected under section 148 of the <i>Municipal Government Act</i> and associated regulations will be open to the public.
c.	A file of all approved subdivision applications will be established and maintained, and this file will be open to the public.
d.	A report on the extent of the previous year's development and subdivision activity, as well as progress on any other relevant Plan Actions as outlined in the <i>Official Plan</i> , will be made available to the public and presented annually.

11.2.2 Conformity with Provincial / Federal Laws and Regulations

The Objectives, Policies and Plan Actions in the *Official Plan*, and the regulations in the Municipality's bylaws will be no less stringent than, and approved in accordance with, provincial legislation and federal laws and regulations.

Plan Actions:

a.	The <i>Official Plan</i> Objectives, Policies and Plan Actions will comply with provincial regulations for municipal governments and planning.
b.	The <i>Land Use Bylaw</i> will be at least as strict as the applicable minimum provincial regulations for land use, development and subdivisions.
c.	The <i>Land Use Bylaw</i> will require as part of the subdivision and development approval process, that all applications be in compliance with Provincial and/or Federal laws.

11.2.3 *Land Use Bylaw Administration Policy*

Subdivision, land use, and development-related policies will be implemented by the *Land Use Bylaw*.

Plan Actions:

a.	The <i>Land Use Bylaw</i> will be reviewed during or following the review of the Municipality's <i>Official Plan</i> .
b.	Council will appoint a Development Officer to administer the Land Use Bylaw and the Land Use Bylaw will identify those decisions which will be delegated to the Development Officer. Decisions under the Land Use Bylaw requiring approval by Council shall first be reviewed by Planning Board for a recommendation.
c.	Development and subdivisions within the Municipality will be regulated through an application and development permit or subdivision approval process.
e.	The <i>Land Use Bylaw</i> will outline the requirements for development applications and for subdivision applications, and the process for the review of each.
f.	The <i>Land Use Bylaw</i> will outline the process by which a person may appeal a decision relating to the issuance of a development permit or other decision in the administration of the Bylaw, in accordance with the <i>Planning Act</i> .

11.2.4 *Municipal Services Policy*

Council will provide residents with access to a variety of municipal services, including fire protection, emergency measures planning and municipal planning.

Plan Action

a.	The amount of resources required to provide services will be monitored on an annual basis, and changes to services will be made when resources are available.
b.	Council will maintain and update the Emergency Measures Plan and bylaw, in accordance with the <i>Municipal Government Act</i> and the <i>Emergency Measures Act</i> , which will be implemented through community preparation and planning, exercising, identification and mitigation of short term and long-term hazards, and

	the policies and actions contained in this Official Plan, as well as the provision of quality and cost-effective police, and fire prevention and protection services.
c.	Fire protection services will be provided by the North Shore Fire Department and Council will work closely with the Fire Department to ensure an adequate level of fire protection services is provided.
d.	The level and quality of fire protection service and security relative to the type and extent of development permitted in the Municipality will be reviewed annually.
e.	Police protection will be provided by the Royal Canadian Mounted Police under the Province's contract with the federal government.
f.	Priorities with regards to police services will continue to emphasize public safety, crime prevention, education and municipality involvement.
g.	The provincial Waste Management Program will be utilized for waste collection and disposal.

11.2.5 Supporting Local Organizations Policy

Council will establish relationships for collaboration with local organizations who share common goals with the Municipality and will support their initiatives to improve the quality of life of residents and to preserve and protect the local environment.

Plan Action

a.	Council will provide opportunities for local organizations to participate in municipal public processes.
b.	Council will support sharing of information between local organizations and residents, while protecting personal information in accordance with provincial enactments.
c.	Council will provide a list of local organizations and their contact information on the Municipal website to facilitate outreach within the Municipality.

11.2.6 Budget Policy

Responsible fiscal practices will be established and will guide decision-making with regards to municipal revenues and expenditures.

Plan Action

a.	Council will consider the implications for stable and affordable property tax rates when making decisions regarding municipal services and infrastructure.
b.	Council will pursue all available options for cost-sharing to maximize financial assistance on the provision of municipal services and special initiatives.
c.	The annual budget will allocate the necessary funds to ensure proper administration of the <i>Official Plan</i> and for the review of the <i>Official Plan</i> and <i>Bylaw</i> as necessary.

d.	The Municipality's financial plan will allocate the necessary funds for staff and contract positions.
e.	Council will not budget for an operating deficit in any year.

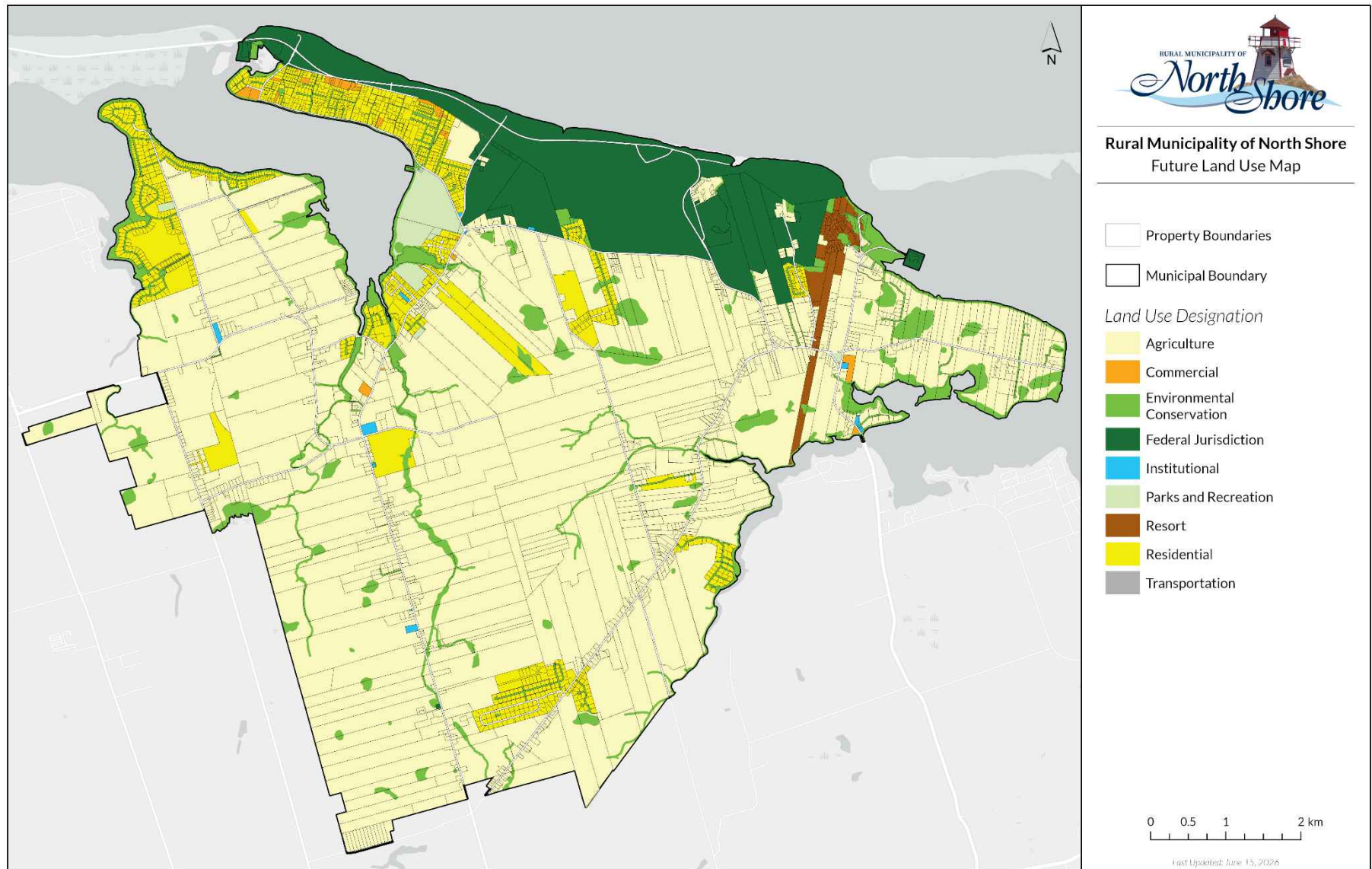
11.2.7 Capital Cost Sharing Policy

Owners of major developments will contribute to the costs of new infrastructure or infrastructure improvements required as a result of the proposed development.

Plan Actions:

a.	Developers will pay the full cost of the design and construction of new roads and/or other infrastructure related to their development.
b.	Developers will be required to contribute to the capital cost of any road or other infrastructure improvements which are required as a result of their development.
c.	Council may require, as a condition for a development permit that a developer contribute to the cost of providing any special fire services or facilities which may be necessitated by a major development.

APPENDIX A. FUTURE LAND USE MAP



Rural Municipality of North Shore Land Use Bylaw (2021)



Original date of approval by Minister (effective date)				April 7, 2022
	Description	BY Amendment Number	Council Adoption	Effective Date
1	Rezoning of PID 1082056 from Agriculture to Residential	BY-01-2022	May 20, 2022	May 25, 2022
2	Rezoning of PID 796052 from Agriculture to Residential	BY-02-2022	July 13, 2022	Nov 10, 2022
3	Rezoning of PID 464271 from Agriculture to Residential	BY-03-2022	December 14, 2022	Aug 8, 2023
4	Rezoning of PID 575910 from Agriculture to Residential	BY-04	July 10, 2024	July 30, 2024
5	Rezoning of PID 141382 from Agriculture to Residential	Provincial file # NS2025A	May 21, 2025	April 14, 2026
6	Rezoning of portion of PID 490417 from Agriculture to Residential	Provincial file # NS2025B	May 21, 2025	April 14, 2026
7	Rezoning of PID 135228 from Agriculture to Residential	2021-B	March 25, 2026	April 14, 2026
8	Rezoning of PID 1183227 from Institutional to Commercial	2021-C	March 31, 2026	April 14, 2026
9	Rezoning of PID 135061 and 135046 from Agriculture to Residential	2021-A	March 31, 2026	April 14, 2026
10	Rezoning a portion of PID 544940 from Parks and Recreation to Residential	2021-C	April 27, 2026	May 26, 2026
11	Amended: Subsection 2.1(1), Clause 2.3(2)(a), Clause 2.3(2)(c), Clause 2.3(2)(d), Subsection 3.4(8), Clause 4.1(4)(e), Subsection 4.4(2), Clause 4.9(1)(c), Subsection 4.20(1), Subsection 4.21(2), Subsection 4.25(3), Clause 5.2(1)(j), Clause 12.2(1)(d), Clause 13.2(1)(d), Clause 16.4(1)(c), Clause 16.4(1)(d), Subsection 16.5(1), Subsection 16.5(3), Subclause 16.11(1)(d)(iv), Clause 16.12(1)(a), Clause 16.12(1)(c), Clause 16.13(4)(c) Schedule A: Zoning Map Schedule B Sections 60, 75, 76, and 97	2021-E	June 30, 2026	July 16, 2026

	Added: Clause 2.3(2)(e), Subsection 4.1(5), Subsection 4.17(5), Part 8A, Subsection 16.5(4), Clause 16.11(2)(e), Clause 16.12(1)(c.1) Schedule B Sections 4A, 16A, 20A, 34A, 59A, 60A, 75A, 75B, 75C, 75D, and 80A Deleted: Subsection 16.11(7)			
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This document is an office consolidation of this Bylaw. It is intended for information and reference purposes only. This document is not the official version. While care has been taken to ensure these versions are as accurate as possible, where accuracy is critical, please consult official sources available at the municipal office.

TABLE OF CONTENTS

1.	Introduction	1
1.1	TITLE.....	1
1.2	Purpose.....	1
1.3	Authority from the Province of Prince Edward Island	1
1.4	Area Defined	1
1.5	Scope	1
1.6	Authority of Development Officer	1
1.7	Interpretation	2
1.8	Permitted Uses	2
1.9	Effective Date.....	2
1.10	Repeal	2
2.	Zones and the Zoning Map	3
2.1	Zones.....	3
2.2	Zoning Map.....	3
2.3	Interpretation of Zone Boundaries	3
3.	Administration	5
3.1	Fees for applications.....	5
3.2	Applications	5
3.3	compliance with other regulations.....	6
3.4	Development Permits	6
3.5	information required for a Development Permit	7
3.6	Footing certification.....	10
3.7	Application requirements for on-site services.....	10
3.8	Variances	10
3.9	Conditional approvals and Development agreements	12
3.10	Bylaw and <i>Official Plan</i> Amendments.....	12
3.11	APPEALS	15
3.12	Violations and Penalties.....	15
4.	General Provisions for Development.....	16
4.1	Access and Lot Frontage	16

4.2	Accessory Buildings and Accessory Structures	17
4.3	Building Separation Distances	17
4.4	Building setbacks from highways and private Roads.....	17
4.5	Excavation pits	18
4.6	Exemptions: Height.....	18
4.7	Exemptions: Side Yard Setback.....	18
4.8	Home Occupation	19
4.9	Land Uses Permitted in All Zones	20
4.10	Landscape Edges and Landscaping	20
4.11	Livestock Operations	21
4.12	Multiple Land Uses on a Lot.....	21
4.13	Multiple Buildings on a Lot	21
4.14	Nonconforming Buildings	21
4.15	Nonconforming Lots	22
4.16	Nonconforming Uses	23
4.17	Parking	23
4.18	Prohibited Uses.....	24
4.19	Renewable Energy Production - Wind turbines and solar Panels.....	24
4.20	Secondary Suites and Garden Suites	24
4.21	Utility Services	25
4.22	Swimming pools.....	25
4.23	Temporary Buildings and Temporary Structures	26
4.24	Tourism Establishments and short term rentals.....	26
4.25	Wetlands and Watercourses, Development adjacent to.....	26
5.	Agricultural Zone (A)	28
5.1	General Requirements.....	28
5.2	Permitted Uses	28
5.3	Lot size and Development Standards	28
6.	Residential Zone (R)	30
6.1	General Requirements.....	30
6.2	Permitted Uses	30
6.3	Lot size and Development Standards	30
7.	Multi-Unit Residential Zone (R3)	32

7.1	General Requirements.....	32
7.2	Permitted Uses	32
7.3	Lot size and Development Standards	32
8.	Tourism Establishment Zone (TE)	33
8.1	General Requirements.....	33
8.2	Permitted Uses	33
8.3	Lot size and Development Standards	33
8A.	Resort Zone (RES)	35
8A.1	General Requirements	35
8A.2	Permitted Uses	35
8A.3	Lot size and Development Standards	36
9.	Commercial Zone (C).....	37
9.1	General Requirements.....	37
9.2	Permitted Uses	37
9.3	Lot size and Development Standards	37
10.	Industrial Zone (I).....	38
10.1	General Requirements.....	38
10.2	Permitted Uses	38
10.3	Lot size and Development Standards	38
11.	Public Service and Institutional Zone (PSI).....	39
11.1	General Requirements.....	39
11.2	Permitted Uses	39
11.3	Lot size and Development Standards	39
12.	Parks and Recreation Zone (PR).....	40
12.1	General Requirements.....	40
12.2	Permitted Uses	40
12.3	Lot size and Development Standards	40
13.	Environmental Conservation Zone (EC)	41
13.1	General Requirements.....	41
13.2	Permitted Uses	41
13.3	Lot size and Development Standards	41
14.	Federal Jurisdiction Zone (FJ).....	42
14.1	General Requirements.....	42

15.	Right of way Zone (ROW).....	42
15.1	General Requirements.....	42
15.2	Permitted Uses	42
16.	General Provisions for Subdivisions.....	43
16.1	Subdivision Approval	43
16.2	Conveying Interest in a Lot	43
16.3	Development Permits	43
16.4	Permission to Subdivide	43
16.5	Road Standards:.....	43
16.6	Exemption: Reduced Lot Frontage or size	44
16.7	Parkland Dedication.....	44
16.8	Special Requirements: Agricultural Zone:.....	45
16.9	Special Requirements: Watercourses and Wetlands.....	45
16.10	special requirements: Subdivision of Attached Dwellings	46
16.11	Preliminary Review Procedure.....	46
16.12	Subdivision Agreement.....	48
16.13	Final Approval	48
16.14	Consolidations and boundary line adjustments	49
	SCHEDULE A. ZONING MAP	50
	SCHEDULE B. DEFINITIONS	51
	SCHEDULE C. SCHEDULE OF FEES	62
	SCHEDULE D. PROVINCE-WIDE MINIMUM SUBDIVISION AND DEVELOPMENTSTANDARDS REGULATIONS, PLANNING ACT.....	64

1. INTRODUCTION

1.1 TITLE

- (1) The Bylaw shall be known and cited as the *Rural Municipality of North Shore Land Use Bylaw* (2021), or the Bylaw.

1.2 PURPOSE

- (1) The purpose of the Bylaw is to implement the policies of the *Rural Municipality of North Shore Official Plan* (2021), referred to in the Bylaw as the *Official Plan*, and to establish a fair and systematic means of development control for the Municipality.

1.3 AUTHORITY FROM THE PROVINCE OF PRINCE EDWARD ISLAND

- (1) The Bylaw is enacted pursuant to the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8, referred to here as the *Planning Act*.

1.4 AREA DEFINED

- (1) The Bylaw applies to the geographical area within which the Rural Municipality of North Shore has jurisdiction.

1.5 SCOPE

- (1) No dwelling, business, trade, or industry shall be located, nor shall any building or structure be erected, altered, used or have its use changed, nor shall any land be subdivided, consolidated or used in the Municipality, except in conformity with the Bylaw.

1.6 AUTHORITY OF DEVELOPMENT OFFICER

- (1) Council shall appoint a Development Officer(s) whose duties shall be as provided in this Bylaw.
- (2) The Development Officer shall not be a member of Council.
- (3) A Development Officer shall have the authority to administer this Bylaw. Notwithstanding the foregoing, a Development Officer shall have the authority to approve or deny severances, lot consolidations and development permits in accordance with this Bylaw in all areas except for:
 - a. Commercial developments with a building having an area greater than 600 sq. m. (6,458 sq.ft.);
 - b. Institutional developments with a building having an area greater than 600 sq. m. (6,458 sq.ft.);
 - c. Industrial developments with a building having an area greater than 600 sq. m. (6,458 sq.ft.);
 - d. Multi-unit row dwellings or multi-unit dwellings of greater than 4 units;
 - e. Subdivisions of more than four lots;
 - f. Variances of more than ten percent (10%); and

- g. Discretionary approvals as identified in this bylaw.
- (4) The Development Officer, as authorized by Council may, with prior notice in accordance with section 236 of the *Municipal Government Act*, enter a building or a premise in the performance of duties with respect to the administration and enforcement of the Bylaw.

1.7 INTERPRETATION

- (1) In the Bylaw, words used in the present tense include the future tense; words in the singular number include the plural; words in the plural include the singular; the word "used" includes "arranged, designed or intended to be used"; the word "may" is permissive and not mandatory; and the word "shall" is mandatory and not permissive.
- (2) All official measurements are in metric. Where imperial measurements are provided, they are for information purposes only.

1.8 PERMITTED USES

- (1) In the Bylaw any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- (2) Where a permitted use within any zone is defined in the Bylaw, the uses permitted in the zone include any similar uses except where a definition specifically excludes any similar use.

1.9 EFFECTIVE DATE

- (1) The Bylaw shall come into force on the date of approval by the Minister responsible for administering the *Planning Act*.

1.10 REPEAL

- (1) Any prior bylaws covering the lands or structures contained within the current boundaries of the Rural Municipality of North Shore shall be repealed as of the Effective Date per section 1.9 above.

2. ZONES AND THE ZONING MAP

2.1 ZONES

- (1) All properties within the Municipality shall be designated with a zone. Each zone may be referred to by the following symbols:

	Zone	Symbol
a.	Agricultural Zone	A
b.	Residential Zone	R
c.	Multi-Unit Residential Zone	R3
d.	Tourism Establishment Zone	TE
d.1	Resort	RES
e.	Commercial Zone	C
f.	Industrial Zone	I
g.	Public Service and Institutional Zone	PSI
h.	Parks and Recreation Zone	PR
i.	Environmental Conservation Zone	EC
j.	Federal Jurisdiction Zone	FJ
k.	Right of Way Zone	ROW

2.2 ZONING MAP

- (1) A visual representation showing the boundaries of each zone, known herein as the Zoning Map, shall be attached hereto as Schedule A and forms part of the Bylaw.
- (2) Revisions or amendments to the Zoning Map shall be recorded by the Municipality, and the Zoning Map shall be updated accordingly.

2.3 INTERPRETATION OF ZONE BOUNDARIES

- (1) Boundaries between zones shall be determined as follows:
- Where a zone boundary is indicated as following a street or highway, the boundary shall be the centerline of such street or highway;
 - Where a zone boundary is indicated as following lot lines, the boundary shall be such lot lines;
 - Where a zone boundary is indicated as following the boundary of the Municipality, the limits of the zone shall be the Municipality's boundary; and
 - Where none of the above provisions apply, the zone boundary shall be scaled from the high-resolution version of the Zoning Map lodged with the Municipality.

- (2) Where the zone boundary delineates the Environmental Conservation Zone:
- a. The Zoning Map reflects the **estimated** location of wetlands, watercourses and the environmental buffer as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*;
 - b. The Zoning Map has been drawn based on the 2010 provincial delineation of the coastline, wetland and watercourse land use boundaries;
 - c. The location of the Environmental Conservation Zone boundary may change over time as the coastline, wetland, and watercourse boundaries change due to natural processes, **or as provincial approvals are given to modify any of these sensitive environmental features.**
 - d. In the event of an application in relation to a lot located within or within 30m (98.43 ft) of the Environmental Conservation Zone, the boundary shall be identified on a plan of survey, **delineated and matching the boundary as determined by the Province through publicly available mapping, or as otherwise identified by the Province.**
 - e. **For greater clarity, the Environmental Conservation Zone boundary is a dynamic boundary, the application of which is dependent on the existence of wetlands, watercourses, and their associated buffer zones, all of which are protected under the *Environmental Protection Act* and *Watercourse and Wetland Protection Regulations*. Where such a protected environmental feature or buffer is not present on a lot or portion thereof, including to the extent that a permit issued by the Minister responsible for the *Environmental Protection Act* authorizes the alteration or removal of the feature or buffer, the Environmental Conservation Zone shall not apply to that lot or portion thereof, to that extent, and the provisions of the immediately adjacent zone on the same property shall be deemed to apply.**

3. ADMINISTRATION

3.1 FEES FOR APPLICATIONS

- (1) Council shall set fees for applications and related services in a Fee Schedule, which shall be attached hereto as Schedule C and forms part of the Bylaw.
- (2) The value of administration and application fees shall be set from time to time by a resolution of Council.

3.2 APPLICATIONS

- (1) The following types of applications shall be administered in accordance with the Bylaw:
 - a. Development Permit;
 - b. Variance;
 - c. Bylaw and/or *Official Plan* amendment; and
 - d. Subdivision.
- (2) An application submitted in accordance with the Bylaw shall be:
 - a. Completed on the applicable form as prescribed by Council;
 - b. Submitted to the Municipal Office with all additional information required by the Bylaw;
 - c. Signed and dated by the property owner or the property owner's authorized agent; and
 - d. Accompanied by an application fee in accordance with the Fee Schedule established by Council.
- (3) An application is considered incomplete, and a decision shall not be rendered on such an application, until such time as all required information is submitted, including the:
 - a. Application form signed and dated by the owner or owner's authorized agent;
 - b. Non-refundable administrative fee, the application fee and any other required fees;
 - c. Site plans, drawings and other representations of the proposed development, as required;
 - d. Approval(s) from other governments and/or agencies, as required; and
 - e. Additional information, as required by the Development Officer.
- (4) An incomplete application shall be considered null and void if the applicant does not submit the required information and does not make payment in full on the application within six (6) months of submitting the initial application form.
- (5) An application submitted in accordance with the Bylaw shall constitute authorization for inspection of the structure or land in question, by the Development Officer or an officer or agent of the Municipality, for the purpose of ensuring compliance with the provisions of the Bylaw.

3.3 COMPLIANCE WITH OTHER REGULATIONS

- (1) An approval of an application under the Bylaw does not exempt a person from complying with the requirements of any other bylaw of the Municipality or from obtaining any license, permission, permit, authority, or other approval required by any other bylaw of the Municipality or any statute, regulation, or other enactment of the Provincial government or the Government of Canada.
- (2) Where the provisions of the Bylaw conflict with those of another bylaw of the Municipality, or with a statute regulation, or other enactment of the Provincial government or the Government of Canada, the highest, strictest, or most stringent provision shall prevail.

3.4 DEVELOPMENT PERMITS

- (1) A person is required to obtain a development permit prior to:
 - a. changing the use of a lot, building or structure;
 - b. commencing a development;
 - c. constructing, placing, moving or demolishing a building or structure;
 - d. making structural alterations to a building;
 - e. making a connection to a central water supply or sewerage disposal system;
 - f. installing underground a septic tank, a fuel tank, a foundation wall or the like;
 - g. creating or constructing an entranceway or driveway, or laying paving material for a driveway or parking lot;
 - h. starting a home occupation;
 - i. digging an excavation pit;
 - j. placing of dump fill or other material over 10 m³(353.9 ft³); or
 - k. installing a ground-mounted solar panel(s) system.
- (2) A person is not required to obtain a development permit to:
 - a. lay paving materials for patios or sidewalks;
 - b. construct an uncovered deck that is 0.6 m (2.0 ft) or less in height (excluding handrails)
 - c. construct a fence of 1.2 m (3.9 ft) in height or less;
 - d. install a clothesline, pole, radio or television antennae;
 - e. make a garden or prepare land for a crop;
 - f. make landscaping improvements that do not alter the grade or surface water drainage across the lot;
 - g. construct or place an ornamental structure or an accessory building of less than 10 m² (107.6 ft²);
 - h. install roof-mounted solar panels on an existing structure;

- i. conduct routine maintenance on a building or structure; or
 - j. undertake interior renovations that do not result in a change to the exterior of a building, the number of dwelling units within a building, or the use of a building.
- (3) When a development does not require a development permit, the requirements of the Bylaw and any other applicable bylaws of the Municipality or any statute, regulation, or other enactment of the Provincial government or the Government of Canada, shall still apply.
- (4) A development permit issued under the Bylaw does not substitute or supersede the requirement for a building permit for the construction, demolition, occupancy or use of a building under the *Building Codes Act* and applicable regulations. Furthermore, a Building permit issued under the *Building Codes Act* and applicable regulations, does not substitute or supersede the requirement for a development permit under the Bylaw.
- (5) An application for a development permit shall be rejected if:
- a. The proposed development does not conform to the Bylaw or other bylaws of the Municipality, applicable enactments of the Provincial government or of the Government of Canada;
 - b. The method of water supply and/or waste disposal is insufficient for the proposed development and/or use;
 - c. The proposed access is not permitted by the *Roads Act*;
 - d. The proposed access requires the use of a private road or access over an adjacent property for which a legal right-of-way has not been properly granted;
 - e. The impact of the proposed development would be detrimental to the environment by reason of noise, dust, drainage, infilling or excavation which affects environmentally sensitive or residential areas;
 - f. The proposed development would be detrimental to the convenience, health or safety of the occupants or residents of the development and/or in the vicinity or the general public.
- (6) An approved development permit is valid for up to 12 months from the date of approval and if work has not commenced within that period, the development permit shall be considered null and void.
- (7) The applicant shall post the approved permit on the lot subject to the development in a manner that is visible to the public.
- (8) Council may grant an extension on an approved development permit for up to **twelve (12)** months from the date of expiry, if the applicant requests the extension prior to the date of expiry. After such time, an application for a new development permit must be submitted.
- (9) Council may revoke a development permit where information provided for the application is found to be inaccurate.

3.5 INFORMATION REQUIRED FOR A DEVELOPMENT PERMIT

- (1) A development permit application shall be accompanied by a site plan, drawn to scale, and showing the following information:

- a. The boundaries of the subject lot, including dimensions;
 - b. All existing highways, rights-of-way and/or easements on and adjacent to the lot;
 - c. The location of existing and proposed driveways, including the distance from the centre of the driveway to the nearest property boundary;
 - d. The distance from the proposed building or structure to all property boundaries;
 - e. The location and exterior dimensions of the proposed building or structure;
 - f. The location and exterior dimensions of all existing buildings or structures on the lot;
 - g. The distance from the proposed building or structure to the centre of any highway and/or private roads;
 - h. The distance from the proposed building or structure to any existing buildings or structures;
 - i. The distance from the proposed structure to the boundary of any wetland, watercourse, sand dune, or the top of the bank adjacent to a wetland or watercourse and the location of the environmental buffer zone as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*;
 - j. The distance from the proposed building or structure to any existing or proposed well and sewerage disposal system (including tank and field tile);
 - k. The distance between any existing or proposed well and sewerage disposal system;
 - l. The proposed use of the lot and any building or structure;
 - m. The location of any well, sewerage disposal system, parking spaces and driveways within 30 m (98.4 ft) on adjacent lots;
 - n. The existing land use adjacent to each lot line and the existing or proposed location, width and type of landscape edge or fence to be maintained, if a landscape edge is required by section 4.10; and
 - o. Any other information which the Development Officer considers necessary to demonstrate compliance with the requirements of the Bylaw.
- (2) All new commercial, public service and institutional, resource-based industrial, and recreation and public open space developments will attach, to the development permit application, a copy of a parking plan indicating the provision of adequate off-street parking for employees, visitors and other traffic.
- (3) The site plan shall be based on a survey plan prepared by a licensed surveyor when:
 - a. The lot subject to a development does not meet the minimum lot area and/or lot frontage requirements of the Bylaw; and/or
 - b. The location of an existing building or structure on the subject property, with respect to the lot boundary or with respect to the proposed building or structure, is necessary to determine the compliance of the application.
- (4) Except for the reasons provided by subsection 3.5 (5) below, a development permit application shall be accompanied by a stormwater management plan, prepared by a licensed engineer or qualified landscape architect, drawn to scale and showing the following information:

- a. Existing and proposed grade elevations relative to the adjoining lot(s) and the public right of way;
 - b. Stormwater management design features (i.e., swale, berm etc.) and the proposed direction of flow for the surface water runoff, which shall not result in direct water runoff onto adjacent lots, including existing private roads and rights-of-way.
 - c. The finished floor or foundation elevation of existing buildings or structures on the lot and of existing buildings or structures on adjacent lots located within 15 m (49.2 ft) of the adjoining lot line; and
 - d. The proposed surface, finished floor or foundation elevation of the proposed building or structure.
- (5) A stormwater management plan is not required for the following types of developments, where the development does not involve an alteration or change to the existing grade of the land within the minimum side or rear yard setbacks of the lot:
 - a. A development that conforms with a preapproved stormwater management plan as prepared for the subdivision approval of the lot;
 - b. A development of a structure with a footprint less than 65 m² (699.7 ft²) and a proposed setback of more than 15 m (49.2 ft) from any lot line or existing building or structure;
 - c. A development that will result in a total lot coverage of less than 10%;
 - d. A development of a building or structure with a footprint less than 20 m² (215.3 ft²);
 - e. A development of a building or structure that will be built on raised sono-tubes, posts or piles and will not affect the natural and existing flow for drainage;
 - f. The replacement of a building structure with one of the same size and in the same general location, provided no changes are being made to the grade of the lot under or around the building or structure.
- (6) The information submitted on the required site plan and stormwater management plan may be submitted on a single combined plan if all necessary information can be presented on a single plan and the plan has been prepared by the appropriate licensed/qualified professional(s).
- (7) For a development application on a lot adjacent to or near a watercourse or wetland, the following additional information is required:
 - a. A Coastal Erosion and Flood Risk Assessment; and
 - b. Verification of an approved Watercourse, Wetland and Buffer Zone Activity Permit if the development proposed involves any alteration or development within the Environmental Buffer.
- (8) The Development Officer may require an applicant to submit additional information where the Development Officer considers the information necessary to determine if the proposed development complies with the Bylaw.
- (9) Following the approval of a development permit, should there be a change in any of the information submitted for the permit approval, the applicant shall submit the proposed changes by way of written description or revised drawings and representations for review

by the Development Officer, and the Development Officer shall determine if the proposed changes warrant a new development permit application.

- (10) The Development Officer shall post all decisions relating to applications in accordance with Section 23.1 of the *Planning Act*.

3.6 FOOTING CERTIFICATION

- (1) When the location of a proposed building or structure is 0.3 m (1 ft) or less from that of the minimum setback permitted in the zone, or when a variance has been approved for a reduced minimum setback, the development permit shall be approved in two phases.
- (2) The first phase of the development permit will allow only for site work and the construction of the building's footing.
- (3) When a phased development permit has been issued, a footing certificate or survey plan shall be submitted to confirm the location of the building's footing prior to the second phase development permit being approved and construction commencing beyond the footing stage.

3.7 APPLICATION REQUIREMENTS FOR ON-SITE SERVICES

- (1) Notwithstanding the minimum lot size standards of this Bylaw, all applications involving an on-site sewerage disposal system or on-site water supply must meet the requirements of the *Planning Act* Province-Wide Minimum Development Standards Regulations for on-site servicing based on soil category, as included in Schedule D of the Bylaw and the *Environmental Protection Act* Sewage Disposal Systems Regulations and Water Well Regulations.
- (2) Where Council has approved a variance to the minimum lot frontage, lot area and/or circle diameter requirements of the *Province-Wide Minimum Development Standards Regulations* in accordance with sections 4, 5, or 9 of those Regulations, or where the minimum lot size standards do not apply pursuant to section 8 of those Regulations, an application for a development permit shall also include the following:
 - a. An on-site sewerage disposal system proposal appropriate for the soil type, lot size and proximity to adjacent lots, designed and certified by a licensed professional engineer; and
 - b. Confirmation from a licensed well driller that the proposed well location meets all applicable requirements for separation distance from adjacent existing wells and/or sewerage disposal systems within the lot, or to wells or sewerage disposal systems on adjacent lots.
- (3) An application for a development located within the West Covehead water well restricted area shall also include a copy of the well permit as required under the *Environmental Protection Act* Water Well Regulations.

3.8 VARIANCES

- (1) When a development permit application cannot be approved because the proposed development does not meet the minimum requirements of the Bylaw, the applicant may

apply to the Development Officer for a variance to reduce the minimum setback requirement(s) for a front, rear, side and/or flankage yard; and/or to reduce the minimum regulation pertaining to lot area, lot coverage, lot frontage and/or building height.

- (2) A review of a variance application shall not commence until all required information has been submitted, including the signed variance application form; applicable fee(s); and any additional information as required to consider the requested variance.
- (3) Variance applications not exceeding 10% from the provisions of the Bylaw may be approved by the Development Officer if, in the opinion of the Development Officer, the variance is consistent with the policies and objectives of the *Official Plan*, the general intent and purpose of the Bylaw, and provided that:
 - a. The lot in question has peculiar physical conditions, including but not limited to a small lot size, irregular lot shape, or exceptional topographical conditions, which make it impractical to develop in strict compliance with Bylaw standards;
 - b. Strict application of all Bylaw standards would impose undue hardship on the applicant by excluding them from the same rights and privileges for reasonable use of their lot as enjoyed by other persons in the same zone;
 - c. The variance is of the least magnitude required to enable reasonable use of the lot; or
 - d. The proposed variance would not impact unduly on the enjoyment of adjacent properties, or on the essential character of the surrounding neighbourhood.
- (4) Notwithstanding any other provisions of this bylaw and upon receiving a recommendation from Planning Board, Council may grant a variance for a development application in excess of 10% but not exceeding 20% of the minimum setback, lot area, frontage, lot coverage, and/or building height as required in the zone.
- (5) Before Council considers a variance in excess of 10%, the Development Officer shall:
 - a. Receive from the owner sufficient funds to cover the costs associated with a mail-out and the application fee;
 - b. Provide written notice by ordinary mail or hand delivery, explaining the details of the proposed application, to all owners within 150 m (492.1 ft.) of the boundaries of the subject lot;
 - c. Ensure that the notice identifies the subject lot and describes the application and the date by which written comments must be received; and
 - d. Accept all comments submitted within fourteen (14) calendar days from the date of the notice.
- (6) The applicant or their authorized agent shall be provided an opportunity to present their proposal for a variance to the Planning Board and to answer any questions that may arise.
- (7) Planning Board shall consider applications for a variance and shall make a recommendation on the application to Council, having considered: the criteria set out in subsection (3); the input received from the public in writing or as presented during the public meeting of Planning Board; and the policies and objectives of the *Official Plan*.

- (8) A variance shall be rejected where the difficulty experienced is the result of intentional or negligent conduct of the applicant or the owner, or where the difficulty can be remedied reasonably in some other manner.
- (9) Council may approve, reject or approve with conditions a variance application, including approval of a variance which is less than requested, by way of resolution, and authorization for a variance shall be documented and recorded in writing.
- (10) If a variance is approved or approved with conditions, the variance approval shall be noted on the applicable development permit and any conditions of the approval shall also be stated on the development permit or within a development agreement.

3.9 CONDITIONAL APPROVALS AND DEVELOPMENT AGREEMENTS

- (1) A development permit application may be approved subject to conditions, and such conditions shall be directly related to the regulations in the Bylaw and shall be consistent with the policies of the *Official Plan* and/or other bylaws of the Municipality, and shall be described on the development permit.
- (2) When a development permit has been approved subject to a variance approval, the applicant may be required to enter into a development agreement with the Municipality, and the development agreement may describe additional conditions negotiated as a condition of the variance, and the development agreement shall be a contract binding on both parties.
- (3) A development permit issued subject to a development agreement shall reference the signed agreement as a condition of the permit.
- (4) A development agreement shall be registered in accordance with the *Registry Act*.
- (5) Fees associated with the preparation, registration and enforcement of the development agreement shall be paid by the owner.
- (6) Failure to comply with a development agreement shall constitute an offence.

3.10 BYLAW AND OFFICIAL PLAN AMENDMENTS

- (1) An application to change the text of the Bylaw or the Zoning Map shall be considered a Bylaw amendment.
- (2) Applications to amend the Bylaw must demonstrate that they are consistent with the policies and objectives of the *Official Plan* and the Future Land Use Map.
- (3) The *Official Plan* and/or Future Land Use Map may be amended to enable a Bylaw amendment, and such Bylaw and *Official Plan* amendments may be heard concurrently, provided that:
 - a. Applications for both amendments are posted on the same public and written notices; and
 - b. The *Official Plan* amendment precedes the Bylaw amendment.

- (4) The review of a Bylaw and/or *Official Plan* amendment application shall not commence until all required information has been submitted, including the signed application, applicable fee(s), and any additional information as requested by the Development Officer or Council to consider the proposed amendment.
- (5) A Bylaw and/or *Official Plan* amendment application shall include information as may be required for the purpose of adequately assessing the proposal, which may include but is not limited to:
 - a. A written description of the proposed amendment(s), and the applicable *Official Plan* policies and objectives that support the amendment(s), or a description of the section(s) of the *Official Plan* to be amended to enable the Bylaw amendment(s).
 - b. A general development concept plan showing details such as proposed land uses, subdivisions, building locations, means of servicing, access and parking;
 - c. A development concept plan showing details such as site development details, proposed building elevation drawings, landscape and stormwater management plan details, access and parking;
 - d. A written description of the potential development impacts on existing infrastructure and/or the environment; or
 - e. For text amendments, a written description of the implications of the proposed change and a map identifying all properties impacted by the proposed change, if applicable.
- (6) The Municipality may initiate a Bylaw and/or *Official Plan* amendment by preparing a report and all other necessary information, consistent with that of an external application.
- (7) Council and the Planning Board shall consider the following general criteria when reviewing applications for Bylaw and/or *Official Plan* amendments, as applicable:
 - a. Conformity with requirements and intent of the Bylaw;
 - b. Conformity with the policies and objectives of the *Official Plan*;
 - c. Suitability of the site for the proposed development;
 - d. Compatibility of the proposed development with surrounding land uses, including both existing and projected uses;
 - e. Adequacy of existing or proposed water, sewer, highway or private road, storm water and electrical services, and parks for accommodating the development, and any projected infrastructure requirements;
 - f. Impacts from the development on pedestrian/vehicular access and safety, and on public safety generally;
 - g. Compatibility of the development with agricultural, environmental, scenic and heritage resources;
 - h. Impact on municipal finances and budgets;
 - i. Commentary received from the public;
 - j. Other matters as specified in the Bylaw; and
 - k. Other matters as considered relevant.

- (8) Planning Board shall review a Bylaw and/or *Official Plan* amendment request and provide a recommendation to Council to: proceed to a public meeting to consider the application further; reject the application; or, to request additional information on the application.
- (9) Council shall consider Planning Board's recommendation and shall make a decision on whether the application is consistent with the *Official Plan*, and shall decide: if the application may proceed to a public meeting; to reject the application; or to request additional information on the application.
- (10) Council has the right to reject an amendment request without holding a public meeting, if such request is deemed to be inconsistent with appropriate land use planning standards or the *Official Plan*. Should Council not proceed with a public meeting, the application fee shall be returned to the applicant, not including the non-refundable administration fee.
- (11) Council may agree to proceed to a public meeting subject to conditions, modifications or additional information, and may request that the application be reviewed by Planning Board again once the changes or additional information have been submitted, and prior to proceeding to the public meeting.
- (12) If Council has agreed to consider the Bylaw and/or *Official Plan* amendment subject to conditions, modifications or additional information that may be required, no public meeting will be scheduled until such conditions have been met or the additional information has been submitted.
- (13) Prior to holding a public meeting to solicit input from the public on the proposed application:
 - a. Written notice of the application shall be delivered, by ordinary mail or hand delivery, explaining in general terms, the nature of the application, to all owners within 150 m (492.1 ft) of the boundaries of the subject lot, if applicable (map amendments);
 - b. The date, time and place of the public meeting, together with the general terms of the application shall be posted at least seven (7) clear days prior to the public meeting:
 - i) in a newspaper circulating in the area; and
 - ii) by placing a sign on the land subject to the rezoning (if applicable).
 - c. The Municipality will accept written comments on the application for fourteen (14) calendar days from either the date of the written notice or the first date of meeting advertisement, whichever is later.
- (14) A public meeting for a Bylaw and/or *Official Plan* amendment application shall be held in accordance with the requirements of the *Planning Act*, and:
 - a. Council shall preside at the meeting;
 - b. The applicant or their authorized agent shall be provided an opportunity to present the proposed amendment and shall answer any questions presented to them; and
 - c. Council shall hear the comments and opinions of any other person who wishes to be heard.
- (15) Following the public meeting, Planning Board shall consider the feedback received from the public by way of written responses and comments made at the public meeting. The applicant

may be provided another opportunity to present to Planning Board to answer any further questions that may have arisen at or following the public meeting. Planning Board shall make a recommendation to Council on the application.

- (16) Council shall consider the recommendation of Planning Board and shall determine if the proposed Bylaw and/or *Official Plan* amendment application is approved or rejected. The decision shall be made in accordance with sections 14 and 19 of the *Planning Act* and the applicant shall be notified in writing of the decision.
- (17) Bylaw and *Official Plan* amendments approved by Council also require approval by the Minister responsible for administering the *Planning Act* or any successor enactment. No development permits or subdivision applications related to the amendment(s) shall be approved by the Municipality, until the approval from the Minister has been granted for the necessary amendments.

3.11 APPEALS

- (1) Any person who is dissatisfied with a decision of the Development Officer or Council in respect of an application made pursuant to this bylaw may appeal the decisions to the Island Regulatory and Appeals Commission in accordance with section 28 of the *Planning Act*.

3.12 VIOLATIONS AND PENALTIES

- (1) A person who violates a provision of the Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in the *Planning Act*.
- (2) The Municipality is entitled to enforce the Bylaw and restrain any breach of the Bylaw in accordance with the *Planning Act* and the *Municipal Government Act*.

4. GENERAL PROVISIONS FOR DEVELOPMENT

4.1 ACCESS AND LOT FRONTAGE

- (1) No development permit shall be issued unless the lot in question has lot frontage on a highway, or has legal access to a private road.
- (2) No person shall construct or use an entranceway except where that entranceway meets the minimum sight distance standards as established under the *Planning Act*, the *Roads Act*, or any successor enactment.
- (3) Where an entranceway permit is required for a new access or for the intensification of an existing access under the provincial Highway Access Regulations prescribed under the *Roads Act*, its issuance shall be a precondition of the approval of the development permit.
- (4) A Development Permit for a structure that fronts on a private road may be approved, provided that the following criteria are met:
 - a. Subject to subsection 16.5(2), the parcel was approved prior to the effective date of this bylaw;
 - b. No reasonable provision can be made to provide direct access to a highway;
 - c. There is a safe ingress and egress from the lot or private road to a highway;
 - d. The applicant can establish legal entitlement to use the private road for access to the property in question and any such legal entitlement established through an agreement with the owner of the private road shall be registered in accordance with the provisions of the *Registry Act*; and
 - e. The applicant shall be required to enter into a development agreement with the municipality, registered in accordance with the provisions of the *Registry Act* at the applicant's expense, acknowledging the following: "The private right-of-way serving PID _____ is not owned or maintained by the **Rural Municipality of North Shore and therefore properties located on this private road may not be entitled to any services such as** grading, ditching, snowplowing, gravelling, school busing, or solid waste collection."
- (5) **Notwithstanding subsection 4.1(4), a development permit may be issued for a lot in the Resort (RES) Zone that has legal access to a private road, provided that:**
 - a. **The private road has legal access to a highway;**
 - b. **Safe ingress and egress is provided from the lot to the private road and from the private road to a highway;**
 - c. **The applicant establishes legal entitlement to use the private road for access to the lot;**
 - d. **Any legal entitlement established through an agreement with the owner of the private road is registered in accordance with the Registry Act; and**
 - e. **The owner enters into any agreement required by the Municipality respecting ownership, maintenance, repair, snow clearing, drainage, emergency access, civic addressing, solid waste collection, and municipal non-assumption.**

4.2 ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES

- (1) No accessory building or accessory structure shall be constructed prior to the time of construction of the main building to which it is accessory.
- (2) Accessory buildings and accessory structures shall not be used for human habitation except where a secondary dwelling is a permitted accessory use.
- (3) Accessory buildings and accessory structures shall have a minimum setback of 1.5 m (4.9 ft) to any lot line.
- (4) Accessory buildings and accessory structures shall have a maximum height of 7.62 m (25 ft).
- (5) Accessory buildings and accessory structures shall have a maximum combined floor area of 140 m² (1500 ft²), and the combined footprint of the main dwelling and that of the accessory buildings and structures shall not exceed the maximum lot coverage permitted in the zone.
- (6) An accessory building or accessory structure that exceeds 600 m² (6,458 ft²) in a zone permitted to have more than one main building on a lot shall be treated as a second main building on the lot and shall meet the development requirements for a main building in the zone.
- (7) A staircase, ramp, deck, balcony, or other projection from a building shall be subject to the same building setback requirements as the main building within the zone, and the structure may be permitted to project into the minimum side or rear yards by 1 m (3.3 ft) where the height of the projection is less than 0.6 m (2 ft) above grade.
- (8) A fence may be erected or placed on a lot subject to the following regulations:
 - a. The maximum height for a fence in any zone is 2.5 m (8.2 ft); and
 - b. Where a fence is to be placed on a lot line, the owner is responsible for having the property surveyed by a licensed surveyor in accordance with the *Land Surveyors Act*, to ensure the fence line does not encroach on an adjacent lot.

4.3 BUILDING SEPARATION DISTANCES

- (1) Where more than one main building is permitted on a lot, the minimum separation distance between buildings shall be 6.0m (19.7 ft) unless the subject buildings have been designed and certified by a licensed architect and/or engineer to confirm that the proposed separation distance satisfy the National Building Code requirements for the proposed building types and uses.
- (2) The minimum separation distance between a main building and an accessory building or structure, or a temporary building shall be 1.2 m (3.9 ft).

4.4 BUILDING SETBACKS FROM HIGHWAYS AND PRIVATE ROADS

- (1) Notwithstanding the minimum front yard requirements of the zone, the minimum building setback from a highway shall be:

- a. 15 m (49.2 ft) from an arterial, collector and local highway; and
 - b. 5 m (16.4 ft) from an interior subdivision or seasonal highway.
- (2) Notwithstanding the minimum front yard requirements, the minimum building setback from a private road shall be 15 m (49.2 ft) from the centre line of the private road, **except in the Resort (RES) zone, where the minimum front yard requirements will apply.**
 - (3) When a building is erected between two existing buildings on adjacent lots that are each located within 15 m (49.2 ft) of the proposed building, the minimum front yard setback shall be no less than that of the adjacent building which is closer to the highway.

4.5 EXCAVATION PITS

- (1) A development permit is required for the operation of an excavation pit and the permit must be renewed annually.
- (2) Excavation pits shall comply with all applicable provincial statutes, regulations and other enactments and confirmation that the proposed development complies with such enactments shall be submitted with the development permit application annually.
- (3) The following minimum separation distances shall apply to new excavation pits:

a.	Minimum setback from any lot line	8 m (26.2 ft)
b.	Minimum separation distance from a highway	60 m (197 ft)
c.	Minimum separation distance from a residential zone, excluding a property owned and occupied by the owner of the excavation pit.	300 m (984.3 ft)
d.	Minimum separation distance from an institutional, parks and recreation or environmental conservation zone.	500 m (1640.4 ft)
e.	Minimum separation distance from a watercourse or wetland	50 m (164.0 ft)
- (4) Excavation pits shall be screened from view from any adjacent highway either by a growth of trees of sufficient density or by the creation of an earthen berm.

4.6 EXEMPTIONS: HEIGHT

- (1) The maximum height requirement set out in the Bylaw shall not apply to spires, lightning rods, water tanks, monuments, elevator enclosures, silos, flag poles, lighting standards, television or radio antennae, telecommunications towers, ventilators, skylights, barns, fire towers, drive-in theatre screens, chimneys, clock towers, solar panels (when mounted on a building), power transmission towers, roof top cupola, wind power generators, or utility poles.

4.7 EXEMPTIONS: SIDE YARD SETBACK

- (1) Notwithstanding the side yard setback requirements in the Bylaw, where buildings on adjacent lots share a common wall, the applicable side yard requirement will be zero along the common lot line.

4.8 HOME OCCUPATION

- (1) Nothing in this Bylaw shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit as a personal office for residents of the dwelling unit provided the personal office is not intended to be visited by members of the public and no signage is posted. No development permit is required.
- (2) Nothing in this Bylaw shall prevent the use of a portion of any dwelling unit or building accessory to a dwelling unit for the instruction of up to two students at a time provided no signage is posted. No development permit is required.
- (3) Subject to subsections (4), (5), and (6), the following commercial and institutional uses are permitted as home occupations in a single detached dwelling on a Residential Lot:
 - a. Commercial child care facility, subject to provincial regulations;
 - b. Tourism establishment, subject to the tourism establishment requirements in the Bylaw;
 - c. Personal Services;
 - d. Business or professional office, providing clerical, computer and/or telephone based services;
 - e. Multi-level marketing retail sales;
 - f. Catering, for off-premise delivery only;
 - g. Private lessons, tutoring or training sessions;
 - h. Health and wellness services; or
 - i. Craft studio or other seasonally operated specialty shop.
- (4) Where the proposed home occupation is likely to intensify the existing on-site water and wastewater services, the Development Officer may request confirmation that the existing systems are capable of supporting the proposed use, and such confirmation shall be submitted by a licensed septic contractor who carries a minimum of two (2) million dollars in professional liability and errors and omissions insurance or, in the case of a lot that does not meet the standards of the *Planning Act* Province-Wide Minimum Development Standards Regulations, from a licensed professional engineer.
- (5) Council may approve an alternative commercial use as a home occupation by resolution after receiving a recommendation from the Planning Board, provided that the commercial use is found to be compatible with adjacent land uses, and that no permanent injury or nuisance will be caused to the existing or permitted use of the adjoining properties.
- (6) Home occupations shall comply with the follow requirements:
 - a. The owner of the business shall live in the dwelling;
 - b. No more than two (2) employees may live outside the dwelling;
 - c. No more than twenty five percent (25%) of the total floor area of the dwelling is used for the business;

- d. Parking spaces are provided on the lot for both the dwelling and the commercial use in accordance with the parking requirements for both uses;
- e. No outdoor storage of materials or outdoor display of products is used in conjunction with the business;
- f. The external appearance of the dwelling is not altered; and
- g. The requirements of section 3.7 regarding water and sewerage disposal systems are satisfied.

4.9 LAND USES PERMITTED IN ALL ZONES

- (1) The following uses are permitted in all zones:
 - a. Conservation areas and natural areas
 - b. Trails and pathways
 - c. Marine access, **excluding marine access structures**
 - d. Public and private utilities and utility-related buildings or structures
- (2) Temporary buildings or structures incidental to construction with a valid development permit, including but not limited to an accessory building, storage container, scaffolds and equipment, are permitted on a lot as long as construction is in progress, and for a maximum of thirty (30) days after the completion of the development.

4.10 LANDSCAPE EDGES AND LANDSCAPING

- (1) The provision and maintenance of a landscape edge of not less than 4.5 m (14.8 ft) in width and of a height that forms a visual barrier, or in the absence of an existing landscape edge, a fence that forms a visual barrier, shall be required between adjacent land uses on the rear and side lot lines, where a resource or non-resource commercial or industrial land use abuts any of the following:
 - a. a residential use or zone;
 - b. a tourism establishment use or zone;
 - c. a public service and institutional use or zone; or
 - d. a parks and recreation land use or zone.
- (2) The provision and maintenance of a landscape edge of not less than 4.5 m (14.8 ft) in width and of a height that forms a visual barrier, or in the absence of an existing landscape edge a fence that forms a visual barrier, shall be required between residential uses or zones and agricultural uses, where buildings and/or structures used for agricultural uses have a setback of less than 22.8 m (75 ft) from the side or rear lot lines.
- (3) The site plan for a development shall identify the land uses adjacent to each lot line and the existing or proposed location, width and type of landscape edge or fence to be maintained.

4.11 LIVESTOCK OPERATIONS

- (1) Livestock operations shall comply with all applicable provincial statutes, regulations and other enactments, and confirmation that the proposed development complies with such enactments shall be submitted with a development application.
- (2) The following separation distances shall apply to all new intensive livestock operations or extensions. The following separation distances shall also apply to a new residential development in the vicinity of an intensive livestock operation:

		Requirement
a.	Distance from any existing dwelling on an adjacent property	152.4 m (500 ft)
b.	Distance from a public road	45.72 m (150 ft)
c.	Distance from any domestic well	152.4 m (500 ft)
d.	Distance from any lot line	45.72 m (150 ft)
e.	Distance from any watercourse or wetland boundary	90.0 m (295.28 ft)

- (3) Where a new intensive livestock operation is proposed within 300 m. (984.2 ft.) of an existing residential subdivision, the Development Officer shall notify the property owners within 300 m. (984.2 ft.) of the proposed operation and invite their comments.
- (4) All intensive livestock buildings shall have a manure storage facility with a capacity for retention of manure for a period of time for which conditions do not permit spreading.
- (5) The Development Officer may consult the Department of Agriculture for manure storage capacities and design standards and shall require the livestock operator to follow these capacity and design requirements.

4.12 MULTIPLE LAND USES ON A LOT

- (1) In any zone, where the land or building is used for more than one purpose, all provisions of the Bylaw relating to each use shall be satisfied. Where there is a conflict, the stricter of the regulations shall apply. Regulations pertaining to parking requirements shall be cumulative for each use.

4.13 MULTIPLE BUILDINGS ON A LOT

- (1) No person shall erect more than one main building on a lot in the Residential Zone.
- (2) In the Agricultural Zone, no more than one single detached dwelling may be permitted on a lot and any other main buildings on the lot shall be related to the agricultural use.

4.14 NONCONFORMING BUILDINGS

- (1) A building or structure lawfully in existence on the effective date of approval of the Bylaw may continue to exist.

- (2) A building shall be deemed to exist on the effective date of approval of the Bylaw if the building was lawfully constructed or is under construction having received an approved development permit issued by the Municipality or the Provincial authority, as the case may be.
- (3) A nonconforming building that exists on or before the effective date of the Bylaw and which has less than the minimum setbacks required by the Bylaw or which exceeds the maximum height permitted by this Bylaw, may be enlarged, reconstructed, renovated or repaired provided the development does not further reduce the setbacks or increase the height that does not conform to the Bylaw and all other applicable provisions of the Bylaw are satisfied.
- (4) If a nonconforming building is destroyed by a fire or otherwise to an extent of fifty percent (50%) or more of the assessed value of the building above its foundation, it shall only be rebuilt or repaired in conformity with the provisions of the Bylaw, unless otherwise approved through a variance application.

4.15 NONCONFORMING LOTS

- (1) No person who owns a lot held in separate ownership from adjoining parcels on the effective date of the Bylaw, having less than the minimum lot frontage or lot area required by the Bylaw, shall be deprived of the ability to make reasonable use of the lot in accordance with the zone in which it is located.
- (2) Notwithstanding any other requirements of the Bylaw, a nonconforming lot held in separate ownership from adjoining parcels on the effective date of this Bylaw, may be used for any purpose permitted in the zone in which the lot is located provided that all other applicable provisions in this Bylaw are satisfied.
- (3) Any main building erected on a nonconforming lot shall have a maximum height of 8 m (26.2 ft) for structures with a flat or shed-roof design. Structures with a traditional gable style roof shall be permitted a maximum of 2-storeys and must satisfy the maximum height permitted in the zone.
- (4) A nonconforming lot which is increased in area or lot frontage or both, but remains undersized, is still considered an existing nonconforming lot.
- (5) Secondary suites shall only be permitted in a single detached dwelling on a nonconforming lot if the on-site sewerage disposal system is certified by a licensed septic contractor who carries a minimum of two (2) million dollars in professional liability and errors and omissions insurance or, in the case of a lot that does not meet the standards of the *Planning Act* Province-Wide Minimum Development Standards Regulations, from a licensed professional engineer, and is confirmed to be suitable for the soil type, lot size and proximity to adjacent lots.
- (6) Council may approve the rezoning of a nonconforming lot after receiving a recommendation from Planning Board, through the bylaw amendment application process set out in this Bylaw, provided that:
 - a. the use is found to be compatible with adjacent land uses, and that no permanent injury or nuisance will be caused to the existing or permitted use of the adjoining properties; and

- b. the lot frontage and/or lot area requirements of the existing zone are the same as the lot frontage and/or lot area requirements of the proposed zone.

4.16 NONCONFORMING USES

- (1) The use of a lot, building or structure lawfully in existence on the effective date of approval of the Bylaw may continue to be used.
- (2) No intensification of use shall be made while a nonconforming use of land, buildings or structures is being continued.
- (3) No increase in the area occupied by the non-conforming use shall occur while a nonconforming use is being continued.
- (4) No structural alterations that would increase the exterior dimensions, except as required by statute or Bylaw, shall be made to a building or structure while a nonconforming use is being continued.
- (5) Any change of tenants or occupants of any premises or building shall not of itself be deemed to affect the use of the premises or building for the purposes of the Bylaw.
- (6) A nonconforming use of land, buildings or structures shall not be permitted if it has been discontinued for a period of twelve (12) months consecutively, and in such event, the land, building or structure shall not thereafter be used except in conformity with the Bylaw.

4.17 PARKING

- (1) Parking requirements for all new development shall be as follows:

a.	Residential uses	2 spaces/dwelling unit
b.	Tourism establishment	1 space/bedroom or guest unit, as applicable
c.	Commercial uses	1 space/ 27.9m ² (300 ft ²) of floor area
d.	Industrial uses	1 space/ 37.2m ² (400 ft ²) of floor area
e.	Public Service or Institutional uses	1 space/ 37.2m ² (400 ft ²) of floor area, or 1 space for every 5 seats
- (2) Additional on-site parking shall be required to be provided and maintained to accommodate a land use where the minimum parking requirements result in overflow parking into the public right-of-way.
- (3) Every parking space shall have minimum dimensions of 2.7 m (9 ft) by 5.5 m (18 ft) and shall have access to a clear maneuvering lane.
- (4) A maximum of 40% of the lot frontage, front yard or flankage yard on a lot may be used for the access, driveway, or parking areas on a residential or tourism establishment property.
- (5) **If there is more than one use requiring parking, as listed in Subsection 4.17(1), then the amount of parking required on-site shall be the cumulative total of what is required for each use.**

4.18 PROHIBITED USES

- (1) Land uses that are not specified as permitted uses in the zone shall not be permitted in the zone.
- (2) No person shall use or occupy a recreational trailer or vehicle as a dwelling unit or as the main building on a lot.
- (3) Land uses which pose a serious contamination risk to groundwater, such as chemical plants or storage depots for hazardous materials, are prohibited.

4.19 RENEWABLE ENERGY PRODUCTION - WIND TURBINES AND SOLAR PANELS

- (1) An application for a wind turbine or solar panel(s) shall comply with all applicable provincial statutes, regulations and other enactments as required and confirmation that the proposed development complies with such enactments shall be submitted with the development permit application, including a permit from the minister responsible for the *Renewable Energy Act* Development Permit Regulations where appropriate.
- (2) No permit holder shall locate a wind turbine tower with a name plate capacity of 100 kilowatts or less within the distance equal to three times the total height of the wind turbine tower from any residential property, except a residential property owned and occupied by the owner of the wind turbine.
- (3) No wind turbine with a name plate capacity in excess of 100 kilowatts shall be permitted.
- (4) The installation of a solar panel(s) shall meet the standard requirements for development on a lot in that zone, including setbacks and lot coverage for a main building, when a solar array is the primary use of a lot, or for an accessory building when the solar panel(s) is accessory to the main use, as the case may be.
- (5) Solar panel(s) installation shall require a development permit unless the solar panels will be installed on the roof of an existing structure.

4.20 SECONDARY SUITES AND GARDEN SUITES

- (1) **One (1) secondary suite may be constructed on a lot containing a single detached dwelling, where a single detached dwelling is a permitted use in the applicable zone.**
- (2) A secondary suite within a single detached dwelling shall be subject to the following conditions:
 - a. The secondary suite shall be less than 80% of the gross floor area of the main dwelling, excluding the garage; and less than 80 m² (861 ft²) in floor area;
 - b. The secondary suite shall not contain more than 2 bedrooms;
 - c. At least one on-site parking space shall be provided, in addition to the parking requirements for the main dwelling;
 - d. The design of the secondary suite shall comply with any requirements of the provincial Fire Marshall's Office and applicable National Building Code standards;

- e. The secondary suite shall share the water and sewerage disposal system of the main dwelling and the intensification of use of the systems shall comply with the requirements of section 3.7 of this Bylaw regarding water and sewerage disposal systems; and
 - f. No other secondary uses are present on the lot.
- (3) A secondary suite in an accessory building to a single detached dwelling, otherwise known as a garden suite, shall be subject to the following conditions:
- a. The accessory building in which the secondary suite is located shall be located in the rear yard of the single detached dwelling;
 - b. The accessory building in which the secondary suite is located shall have a minimum setback of 4.6 m (15 ft) to any lot line;
 - c. The accessory building in which the secondary suite is located shall be less than 80% of the gross floor area of the main dwelling, excluding an attached garage; and less than 80 m² (861 ft²) in floor area;
 - d. The secondary suite shall not contain more than 2 bedrooms;
 - e. At least one on-site parking space shall be provided, in addition to the parking requirements for the main dwelling;
 - f. The design of the secondary suite shall comply with any requirements of the provincial Fire Marshall's Office and applicable National Building Code standards;
 - g. The secondary suite shall share the water and sewerage disposal system of the main dwelling and the intensification of use of the systems shall comply with the requirements of section 3.7 of this bylaw regarding water and sewerage disposal systems; and
 - h. No other secondary uses are present on the property.
- (4) No variances shall be approved to increase the size of a secondary suite and where an application is received for a larger secondary suite, it shall be treated as an application for a second dwelling unit.

4.21 UTILITY SERVICES

- (1) Development permits may be withheld until such a time as any utility servicing requirements for a lot can be provided.
- (2) Shared or common services may be approved between **two or more** lots if the proposed system complies with section 3.7 of this bylaw; all costs associated with the design and approval of a shared or common system shall be borne by the owner(s); and legal agreements are registered across all applicable properties with regards to ownership, maintenance and access.

4.22 SWIMMING POOLS

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

- a. A fence or gated enclosure at least 1.8 m (5.9 ft) tall shall be constructed in such a manner as to impede unauthorized persons from entering the swimming pool area;
- b. The use of a private water service to fill a swimming pool shall be subject to any applicable provincial regulations.
- c. The disposal of the water from a swimming pool shall be subject to any applicable provincial regulations and shall not result in direct drainage on to an adjacent lot.

4.23 TEMPORARY BUILDINGS AND TEMPORARY STRUCTURES

- (1) Temporary structures directly pertinent to an approved construction project shall be permitted during construction, erection, placement or alteration of a building or structure, and up to a maximum of thirty (30) days after the completion of the building or structure.
- (2) The placement of a temporary structure shall not involve the alteration to the existing grade of the lot and shall not result in an alteration to the natural surface drainage pattern on the lot.
- (3) A temporary seasonal structure may be permitted for commercial use, on a property that permits such a use, and the temporary seasonal structure shall be subject to the same development standards as a permanent structure.

4.24 TOURISM ESTABLISHMENTS AND SHORT TERM RENTALS

- (1) Tourism establishments and short term rentals shall be licensed in accordance with the *Tourism Industry Act* and upon receiving approval of the license from the province:
 - a. the license number shall be included in all public and online advertisements of the tourism establishment or short term rental; and
 - b. a copy of the license shall be provided to the Municipality for inclusion in a registry of provincially-licensed tourism establishments upon receipt or renewal as required by the province.
- (2) Tourism establishments operating within the Tourism Establishment Zone or Commercial Zone shall be considered commercial tourism establishments and will be subject to the development regulations of a commercial use, unless otherwise specified.

4.25 WETLANDS AND WATERCOURSES, DEVELOPMENT ADJACENT TO

- (1) No person shall, without a license or a Buffer Zone Activity Permit issued by the Province, alter or disturb the ground or soil within the buffer zone as defined in the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations.
- (2) The minimum setback of any building or structure from a coastal area, wetland, watercourse or shoreline shall be the greater of 23 m (75.5 ft) or 60 times the historical erosion rate as determined by the provincial department responsible for such calculations.
- (3) **Provided that all applicable municipal, provincial, and federal approvals have been obtained, no building or structure on a lot near a coastal area, wetland, watercourse or shoreline shall be erected or placed where the elevation of the grade of the lot is**

3.0 m CGVD 2013 (3.846 chart datum) or less, to avoid potential coastal flood risk, except where the structure is:

- a. used for fisheries, bait storage, or aquaculture operations;**
 - b. a marine access structure permitted in the applicable zone; or**
 - c. a non-habitable building or structure directly necessary for a permitted water-dependent use.**
- (4) Where a property is at risk of coastal flooding and the finished grade of the lot can be raised to accommodate the projected risk, the grading plan shall be designed and stamped by a qualified engineer and any alteration to the grade shall not encroach within the buffer zone, as defined in the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations.
- (5) An erosion management plan may be required to address siltation and overland erosion during construction that may impact an adjacent wetland or watercourse.
- (6) Development will be in accordance with provincial policies and regulations to address coastal flood risk, erosion, and environmentally sensitive areas.

5. AGRICULTURAL ZONE (A)

5.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Agricultural (A) Zone shall conform to the provisions of this Part.

5.2 PERMITTED USES

- (1) A building or a lot in the Agricultural Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Duplex dwelling
c.	Home occupation
d.	Accessory building
e.	Parks
f.	Active recreational uses
g.	Secondary suite
h.	Semi-detached dwelling
i.	Agricultural use including barns, stables, greenhouses and other buildings related to the agricultural or resource land use.
j.	Marine access and marine access structures related to fisheries, including wharfs and fisheries-related buildings and structures.
k.	Forestry land use
l.	Resource commercial use
m.	Resource industrial use
n.	Excavation pit

5.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

		Single detached dwelling, Duplex dwellings and the permitted accessory uses	All other uses
a.	Lot area (minimum)	0.4 ha (1 acre)	0.8 ha (2 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
e.	Side yard setback (minimum)	4.6 m (15 ft)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)

g.	Flankage yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

6. RESIDENTIAL ZONE (R)

6.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Residential (R) Zone shall conform to the provisions of this Part.

6.2 PERMITTED USES

- (1) A building or lot in the Residential Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Home occupation
c.	Secondary suite
d.	Accessory building
e.	Parks

- (2) Small scale agricultural uses, including hobby farms and greenhouses that exceed the maximum size for accessory structures, may be permitted on properties in the Residential Zone, where the Lot Area is larger than 1.01 ha (2.5 acres).

6.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	4.6 m (15 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

- (3) Where a development is to be serviced by a central water supply and central sewerage disposal system, the following reduced lot size standards may be permitted:

a.	Lot area (minimum)	0.2 ha (0.5 acres)
b.	Lot frontage (minimum)	22.9 m (75 ft)
c.	Front yard setback (minimum)	7.6 m (25 ft)
d.	Flankage yard setback (minimum)	7.6 m (25 ft)

Note: The lot coverage, side yard setback, rear yard setback, and height (maximum) regulations are not changed from those stated in Subsection 6.3(1).

- (4) Where a development is to be serviced by either a central water supply system or a central waste treatment system but not both, Council may authorize a reduced lot area and/or frontage for a subdivision consistent with subsection (3) above, where all other requirements of the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* can be satisfied.

7. MULTI-UNIT RESIDENTIAL ZONE (R3)

7.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Multi-Unit Residential (R3) Zone shall conform to the provisions of this Part.

7.2 PERMITTED USES

- (1) A building or lot in the Multi-Unit Residential Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Semi-detached dwelling
c.	Duplex dwelling
d.	Multi-unit row dwellings (maximum 8 units per building)
e.	Multi-unit dwellings (maximum 8 units per building)
f.	Group home
g.	Nursing home or community care facility
h.	Home occupation
i.	Secondary suite
j.	Accessory building
k.	Parks

7.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

		Single detached dwelling, Duplex dwellings and the permitted accessory uses	All other uses
a.	Lot area (minimum)	0.4 ha (1 acres)	0.8 ha (2 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)	10.6 m (35 ft)

- (1) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

8. TOURISM ESTABLISHMENT ZONE (TE)

8.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Tourism Establishment (TE) Zone shall conform to the provisions of this Part.

8.2 PERMITTED USES

- (1) A building or lot in the Tourism Establishment Zone shall be used for no other purpose than:

a.	Single detached dwelling
b.	Semi-detached dwelling
c.	Duplex dwelling
d.	Home occupation
e.	Tourism establishment
f.	Restaurant, accessory to a tourism establishment
g.	Retail store, accessory to a tourism establishment
h.	Business or professional office, accessory to a tourism establishment
i.	Personal services, accessory to the tourism establishment
j.	Active recreational uses, accessory to the tourism establishment
k.	Secondary suite
l.	Accessory building
m.	Dwelling above a commercial use that is accessory to a tourism establishment
n.	Parks

8.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

		Single detached dwelling, Duplex dwellings and the permitted accessory uses	All other uses
a.	Lot area (minimum)	0.4 ha (1 acres)	0.8 ha (2 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)	10.6 m (35 ft)

All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

8A. RESORT ZONE (RES)

8A.1 GENERAL REQUIREMENTS

- (1) The purpose of the Resort (RES) Zone is to accommodate a range of compatible resort, visitor-serving, and community-serving uses in locations designated for resort use in the Official Plan, provided that applicable servicing, access, environmental, and development standards are satisfied.
- (2) All buildings and parts thereof erected, placed or altered or any land used in the Resort (RES) Zone shall conform to the provisions of this Part.
- (3) Lots in the Resort (RES) Zone may have frontage on a highway or legal access to a private road where permitted by Section 4.1 and Section 16.5 of this Bylaw.

8A.2 PERMITTED USES

- (1) A building or lot in the Resort Zone shall be used for no other purpose than:

a.	Tourism Establishment
b.	Single detached dwelling, as a part of a resort development
c.	Secondary suite, as a part of a resort development
d.	Home occupation, as a part of a resort development
e.	Accessory building
f.	Dwelling above a commercial use, as a part of a resort development
g.	Restaurant, as a part of a resort development
h.	Retail store, as a part of a resort development
i.	Health and wellness services, as a part of a resort development
j.	Event venue, as a part of a resort development
k.	Craft brewery or distillery, as a part of a resort development
l.	Active recreation uses
m.	Commercial recreation use, as a part of a resort development
n.	Parks
o.	Trails and pathways
p.	Marina, as a part of a resort development
q.	Marine access structure, as a part of a resort development
r.	Marine access
s.	Business or professional office, as a part of a resort development
t.	Personal services, as a part of a resort development
u.	Commercial childcare facility, as a part of a resort development
v.	Art gallery, as a part of a resort development

w.	Solar panel/solar array, as a part of a resort development
x.	Excavation pit, for on-site private use only.

8A.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acre)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	6 m (19.6 ft)
e.	Side yard setback (minimum)	3 m (9.8 ft)
f.	Rear yard setback (minimum)	6 m (19.6 ft)
g.	Flankage yard setback (minimum)	6 m (19.6 ft)
h.	Height (maximum)	14.63 m (48 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

- (3) Where a development is to be serviced by a central water supply and central sewerage disposal system, the following reduced lot size standards may be permitted:

a.	Lot area (minimum)	0.121 ha (0.30 acres)
b.	Lot frontage (minimum)	15 m (49.2 ft)
c.	Lot coverage (maximum)	45%

Note: The front yard setback, side yard setback, rear yard setback, flankage yard setback, and height (maximum) regulations are not changed from those stated in Subsection 8A.3(1).

- (4) Where a development is to be serviced by either a central water supply system or a central waste treatment system but not both, Council may authorize a reduced lot area and/or frontage for a subdivision consistent with subsection (3) above, where all other requirements of the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* can be satisfied.
- (5) Notwithstanding Clause 8A.3(1)(h), a Tourism Establishment on PID 1148253 shall not exceed a maximum height of 18 m (52.4 ft), provided it is located on a property serviced by a central water supply and central sewerage disposal system and meets all other applicable provisions of this Bylaw.

9. COMMERCIAL ZONE (C)

9.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Commercial (C) Zone shall conform to the provisions of this Part.

9.2 PERMITTED USES

- (1) A building or lot in the Commercial Zone shall be used for no other purpose than:

a.	Agricultural uses
b.	Tourism establishment
c.	Restaurant
d.	Retail store
e.	Business or professional office
f.	Personal services
g.	Resource commercial uses
h.	Automotive sales
i.	Dwelling above a commercial use
j.	Temporary or seasonal commercial uses
k.	Accessory building

- (2) Uses permitted in the PSI Zone, excluding a group home and nursing home, are also permitted in the Commercial Zone.

9.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

10. INDUSTRIAL ZONE (I)

10.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Industrial (I) Zone shall conform to the provisions of this **Part**.

10.2 PERMITTED USES

- (1) A building or lot in the Industrial Zone shall be used for no other purpose than:

a.	Restaurant
b.	Retail store
c.	Business and professional offices
e.	Emergency service facilities
f.	Resource industrial uses
g.	Manufacturing, assembly, and processing plant
h.	Research facilities
i.	Transport operations
j.	Warehouse and storage facilities
k.	Automotive sales and automotive repair services
l.	Heavy equipment repair services
m.	Excavation pit
n.	Accessory building

10.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

11. PUBLIC SERVICE AND INSTITUTIONAL ZONE (PSI)

11.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Public Service and Institutional (PSI) Zone shall conform to the provisions of this Part.

11.2 PERMITTED USES

- (1) A building or lot in the Public Service and Institutional Zone shall be used for no other purpose than:

a.	Group home
b.	Nursing home or community care facility
c.	Institutional uses
d.	Emergency service facilities
e.	Health and wellness services
f.	Commercial child care facility
g.	Active recreational uses (indoor or outdoor)
h.	Parks
i.	Active recreational uses (outdoor)
j.	Accessory building

11.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) All development shall conform to the following lot size and development standards:

a.	Lot area (minimum)	0.4 ha (1 acres)
b.	Lot frontage (minimum)	45.7 m (150 ft)
c.	Lot coverage (maximum)	25%
d.	Front yard setback (minimum)	15.2 m (50 ft)
e.	Side yard setback (minimum)	7.6 m (25 ft)
f.	Rear yard setback (minimum)	7.6 m (25 ft)
g.	Flankage yard setback (minimum)	15.2 m (50 ft)
h.	Height (maximum)	10.6 m (35 ft)

- (2) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

12. PARKS AND RECREATION ZONE (PR)

12.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Parks and Recreation Zone (PR) Zone shall conform to the provisions of this Part.

12.2 PERMITTED USES

- (1) A building or lot in the Parks and Recreation Zone shall be used for no other purpose than:

a.	Parks
b.	Active recreational uses (outdoor)
c.	Accessory uses to active recreation uses including but not limited to a concession stand, food/beverage service, and supporting retail.
d.	Marine access and marine access structures, including wharfs not exceeding 3.7 m in width.
e.	Accessory building

12.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) Any building or structure erected in the PR Zone shall be deemed to be an accessory building and notwithstanding any other section of the Bylaw, accessory buildings in this zone may be permitted in the front yard.
- (2) All development shall conform to the following lot size and development standards:
- | | | |
|----|------------------------------|---------------|
| a. | Lot coverage (maximum) | 10% |
| b. | Front yard setback (minimum) | 7.6 m (25 ft) |
| c. | Height (maximum) | 7.6 m (25 ft) |
- (3) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

13. ENVIRONMENTAL CONSERVATION ZONE (EC)

13.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Environmental and Conservation Zone (EC) Zone shall conform to the provisions of this Part.

13.2 PERMITTED USES

- (1) A building or lot in the Environmental Conservation Zone shall be used for no other purpose than:

a.	Trails and pathways
b.	Natural area
c.	Conservation area
d.	Marine access, excluding marine access structures.
e.	Accessory Building

13.3 LOT SIZE AND DEVELOPMENT STANDARDS

- (1) Where only a portion of a property is within the EC Zone, no building or structures, or grade alterations shall be permitted on that portion of the property that falls within the EC Zone unless the structure is designed to have the least impact necessary to provide safe egress/ingress across that portion of the property, and applicable permits have been issued by the provincial government department responsible for *Environmental Protection Act*.
- (2) Where an entire property is located with the EC Zone, the only building or structure that may be erected on the property is an accessory building and the accessory building shall have no other use than to provide shelter or storage as necessary to support the maintenance of the property.
- (3) Notwithstanding any other section of the Bylaw, accessory buildings in this zone may be permitted in the front yard.
- (4) All development shall conform to the following development standards:
- | | | |
|----|------------------------------|---------------|
| a. | Lot coverage (maximum) | 10% |
| b. | Front yard setback (minimum) | 7.6 m (25 ft) |
| c. | Height (maximum) | 7.6 m (25 ft) |
- (5) All lots shall conform with the Minimum Lot Size Standards in the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act*, as may be amended (See Schedule D).

14. FEDERAL JURISDICTION ZONE (FJ)

14.1 GENERAL REQUIREMENTS

- (1) The Federal Jurisdiction Zone shall only apply to lots owned by the Federal Government of Canada.
- (2) If a lot in the Federal Jurisdiction Zone changes ownership, the lot shall be subject to a rezoning application prior to any development permits being issued.
- (3) All development, buildings and parts thereof erected, placed or altered or any land used within the Federal Jurisdiction Zone (FJ) shall be developed and used under the authority of the Federal Government's policies and regulations.
- (4) Municipal development permits are not required in the Federal Jurisdiction Zone.

15. RIGHT OF WAY ZONE (ROW)

15.1 GENERAL REQUIREMENTS

- (1) All buildings and parts thereof erected, placed or altered or any land used in the Right of Way (ROW) Zone shall conform to the provisions of this Part.
- (2) Where only a portion of a property is within the ROW Zone, only that portion of the property is subject to the provisions of this Part.

15.2 PERMITTED USES

- (1) No building or structures shall be permitted in the ROW Zone unless the structure is necessary to provide safe egress/ingress across that portion of the property.
- (2) A building or lot in the ROW Zone shall be used for no other purpose than the following uses:

a.	Highways and private road
b.	Public or private pathway and trail
- (3) No development, including maintenance and repairs, or alteration to the grade of a property shall take place within the ROW Zone prior to the applicant providing written notice to any property owners who may be temporarily or permanently impacted by the development because they normally depend upon free and unobstructed passage over the subject property to access their own property.
- (4) Notwithstanding (3) above, the requirement to provide written notice shall not apply to the Province except where required under the *Roads Act*.

16. GENERAL PROVISIONS FOR SUBDIVISIONS

16.1 SUBDIVISION APPROVAL

- (1) No person shall subdivide one or more lots or any portion of a lot, until the conditions of the Bylaw have been complied with and the application for subdivision has received final approval.

16.2 CONVEYING INTEREST IN A LOT

- (1) No person shall sell or convey any interest in a lot in a subdivision before final approval of the subdivision in which the lot is situated has been granted.

16.3 DEVELOPMENT PERMITS

- (1) A development permit shall not be issued for a lot until all of the requirements of the subdivision approval for the lot have been fulfilled.

16.4 PERMISSION TO SUBDIVIDE

- (1) No land shall be subdivided unless the subdivision:
 - a. can be subdivided according to the provisions of the Bylaw and any applicable provincial statute, regulation or other enactment;
 - b. is suitable to the topography, physical conditions, soil characteristics, and natural and surface drainage of the land;
 - c. is designed so that all lots will have lot frontage on a highway, **or, in the Resort (RES) Zone, will have lot frontage on or legal access to a private road where permitted by this Bylaw;**
 - d. has safe and convenient highway access **or private road access, as applicable,** and will provide for safe and convenient traffic flow as determined and approved by **the Municipality and, where required,** the government department responsible for the administration of the *Roads Act*;
 - e. has utilities and services available, or can be provided with utilities and services;
 - f. is designed so that lots will have suitable dimensions, shapes, orientation and accessibility;
 - g. is suitable to the use for which it is intended;
 - h. will not cause undue flooding or erosion; and
 - i. will not result in damage to the natural environment, including any wetland or watercourse.

16.5 ROAD STANDARDS:

- (1) **Except as provided in this Section,** no subdivision shall be permitted on a lot served by a private road.

- (2) Notwithstanding subsection (1) and until December 31, 2025, no more than three (3) lots may be subdivided from a lot served by an existing private road.
- (3) **Except where private roads are permitted in the Resort (RES) Zone**, all new roads shall be highways.
- (4) **Notwithstanding Subsection 16.5(1), a subdivision in the Resort (RES) Zone may be served by one or more private roads where:**
 - a. **The private road is part of a resort development;**
 - b. **The private road has legal access to a highway;**
 - c. **The private road is designed by, constructed under the supervision of, and certified by a professional engineer, at the applicant's expense, to the satisfaction of the Municipality;**
 - d. **Safe access is provided for emergency vehicles, service vehicles, and users of the subdivision;**
 - e. **Legal access to the private road is granted to all lots intended to be served by the private road; and**
 - f. **Agreements or other instruments required by the Municipality are registered to address ownership, maintenance, repair, snow clearing, drainage, emergency access, civic addressing, solid waste collection, and municipal non-assumption.**

16.6 EXEMPTION: REDUCED LOT FRONTAGE OR SIZE

- (1) If a lot is of such a configuration, or is located along a bend in a street or facing a cul-de-sac, in such a manner that it cannot reasonably be subdivided to provide the required minimum lot frontage on a highway, a reduced lot frontage may be approved provided that:
 - a. The lot frontage and entranceway has a minimum width of 7.3 m (24 ft);
 - b. The lot width at the front building line measures at least as much as the minimum lot frontage for the zone;
 - c. The lot size in all other respects meets the requirements of the Bylaw; and
 - d. No more than one lot with a reduced lot frontage shall be subdivided from an existing lot.
- (2) A subdivision of an existing nonconforming lot may be permitted if the subdivision results in an increase to the lot area or lot frontage or both, even if the Lot will remain undersized following the subdivision.

16.7 PARKLAND DEDICATION

- (1) A person seeking subdivision of a lot into five (5) or more new lots, exclusive of the parent parcel as it existed on the effective date of this bylaw, shall be required to dedicate and convey to the Municipality seven point five percent (7.5%) of the total lot area of all newly created lots for recreation and public open space purposes.

- (2) The subdivision of the five (5) lots do not need to be approved as part of one subdivision application; rather once four (4) lots have been subdivided from the parent parcel, seven point five percent (7.5%) of the area of the five (5) lots must be dedicated or conveyed to the Municipality prior to the approval of any lots in excess of the first four (4) lots, notwithstanding that the ownership of the parent parcel may have changed.
- (3) The lands dedicated and conveyed to the Municipality in accordance with subsection 16.7(1) above shall be subject to the following conditions:
 - a. The location of the land to be conveyed shall be in the discretion of and shall be subject of the approval of Council;
 - b. The land shall be free of all encumbrances.
 - c. Council may apply the dedication and conveyance of seven point five percent (7.5%) of the lot area to active transportation routes and/or trail systems within or between subdivisions, or where valued natural assets such as forest cover can be protected.
- (4) In lieu of land conveyance, where land is not deemed to be appropriate by Council, Council shall require a payment of seven point five percent (7.5%) of the assessed market value of all newly created lots. The value shall be calculated on the appraised value of the subdivided land and shall not take into account the value of structures on such lands. Council retains the right to use the services of qualified property appraiser(s) to determine the appraised value of land.
- (5) The parkland dedication may be in the form of land, cash, or a combination of land and cash of an equivalent value.

16.8 SPECIAL REQUIREMENTS: AGRICULTURAL ZONE:

- (1) Within the Agricultural (A) Zone, no person shall be permitted to subdivide from an existing lot more than four (4) lots.

16.9 SPECIAL REQUIREMENTS: WATERCOURSES AND WETLANDS

- (1) The boundary of any watercourse and/or wetland, and the adjacent environmental buffer zone, as required by the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations shall be identified on site by a qualified professional and included on the plan of subdivision.
- (2) Where a lot or a portion of a lot contains a wetland or watercourse, the boundary of which is defined by the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*, the lot(s) shall meet the minimum lot area for the zone exclusive of the area of the wetland or watercourse.
- (3) The area of a lot that is located within the Environmental Buffer as required by the *Environmental Protection Act*, Watercourse and Wetland Protection Regulations, may be included as part of one or more lots in a subdivision of a lot adjacent to a wetland or watercourse, where the lot has sufficient area exclusive of the area within the buffer to permit the building structure with minimum setbacks, and on site services including the minimum circle diameter for the services, as required by the Bylaw.

16.10 SPECIAL REQUIREMENTS: SUBDIVISION OF ATTACHED DWELLINGS

- (1) Semi-detached dwellings may be subdivided provided that:
- a. A subdivision of the lot of land has been approved and each lot meets the requirements of the Bylaw;
 - b. The units must be separated from the basement floor to the underside of the roof by a vertical wall built in accordance with applicable National Building Code and/or Fire Code regulations, and certified by a qualified architect and/or engineer;
 - c. A separate water and sewer service is provided for each unit;
 - d. A separate electrical service is provided for each unit;
 - e. A separate heating device is provided for each unit;
 - f. Separate parking is to be provided for each unit; and
 - g. A copy of the agreement made between the owners covering the following terms is registered at the land registry on the title of each unit:
 - i) common walls;
 - ii) maintenance;
 - iii) fire insurance;
 - iv) easements;
 - v) parking;
 - vi) snow removal; and
 - vii) any other items jointly owned or used.

16.11 PRELIMINARY REVIEW PROCEDURE

- (1) Any person seeking approval of a subdivision shall first make application for preliminary approval, and shall be required to submit the following information:
- a. A completed preliminary subdivision application form;
 - b. An orthophoto showing the location of the parcel and all adjoining properties;
 - c. A description of the use or proposed use of the land and of the surrounding properties;
 - d. A preliminary subdivision plan, drawn to scale showing:
 - i) the true shape and dimensions of the proposed lot(s);
 - ii) the location of existing buildings or structures on the lot(s) and adjacent lots;
 - iii) existing and proposed services and utilities;
 - iv) proposed widths and locations of all streets, **private roads, rights-of-way, and legal access connections, where applicable**;
 - v) location of land proposed for open space and parks use;
 - vi) proposed surface water drainage patterns and designed drainage features, when applicable; and

- vii) Any other application existing or proposed features, including buildings, watercourses, wetlands, buffer zone, wooded areas, and areas subject to current or future projected flooding and erosion.
- (2) The applicant may also be required to provide additional information required to assist in evaluating a proposed subdivision, including, but not limited to:
 - a. Results of a soil test and/or water test;
 - b. Stormwater management plan;
 - c. An assessment of potential environmental impacts, including any requirements imposed by provincial statutes, regulations, or other enactments; and/or
 - d. A written assessment by the provincial government on access, transportation or pedestrian issues related to the design; a traffic survey or a traffic study.
 - e. **For a subdivision in the Resort (RES) Zone proposed to be served by a private road, information respecting the proposed private road layout, right-of-way width, legal access, connection to a highway, emergency access, civic addressing, drainage, utility corridors, and the lots to be served by the private road.**
- (3) In formulating a decision or in developing a recommendation for Council, the Development Officer may consult with provincial government officials and/or private consultants.
- (4) In the review of the proposed water supply and sewerage disposal needs, a subdivision approval may be withheld until such time as adequate servicing has been designed for the subdivision.
- (5) A subdivision application that includes lots intended to accommodate septic sewage disposal systems shall not be granted preliminary or final approval until the lots have been categorized in accordance with the *Planning Act* Province-Wide Minimum Development Standards and the *Environmental Protection Act* Sewage Disposal Systems Regulations.
- (6) The installation of a private central sewerage disposal system may be required as a condition of a subdivision approval or may be permitted as part of a subdivision application provided that the proposed system is designed by, and construction is supervised and certified by a licensed professional engineer.
- (7) **Repealed**
- (8) A subdivision application which does not meet the requirements of the Bylaw shall be rejected.
- (9) Preliminary approval of a subdivision shall not be construed as final approval of such subdivision for legal conveyance or for land registration purposes, and preliminary approval shall be effective for a period of twelve (12) months, or such additional time as may be authorized by Council.
- (10) If preliminary subdivision approval has been granted, a subdivision agreement may be executed outlining the conditions to be satisfied for the subdivision to proceed to final approval.

- (11) Where a subdivision application is submitted concurrently with a rezoning application, the preliminary subdivision approval shall not be granted until the rezoning application has been processed and has received approval.

16.12 SUBDIVISION AGREEMENT

- (1) An applicant may be required to enter into a subdivision agreement as a condition of subdivision approval. The subdivision agreement may cover, but not be limited to, the following matters:
- a. Design and construction costs of highways, **private roads where permitted by this Bylaw**, sidewalks, street lighting, water services, sewerage disposal system and storm drainage;
 - b. Dedication of land for recreation and public open space purposes, or payment of a fee in lieu of land;
 - c. Building of highways to provincial standards and deeding of highways to the provincial government, **except where private roads are permitted in the Resort (RES) Zone;**
 - c.1 **Design by a professional engineer, construction under the supervision of a professional engineer, as-built drawings where required by the Municipality, ownership, maintenance, repair, grading, gravelling, ditching, drainage, snow clearing, emergency access, civic addressing, solid waste collection arrangements, and municipal non-assumption of private roads permitted in the Resort (RES) Zone;**
 - d. Posting of a financial guarantee;
 - e. The provision of a stormwater management plan to guard against flooding of lots within the subdivision and adjacent properties;
 - f. Phasing of the subdivision;
 - g. Preservation and enhancement of surface water drainage systems and other environmental features within or adjacent to the subdivision;
 - h. Assignment of costs associated with the drafting, signing and enforcing of the agreement; and
 - i. Any other matters that are deemed necessary to conform to the Bylaw or to ensure the health, safety and convenience of the public.
- (2) All subdivision agreements shall be registered in accordance with the provisions of the *Registry Act*.

16.13 FINAL APPROVAL

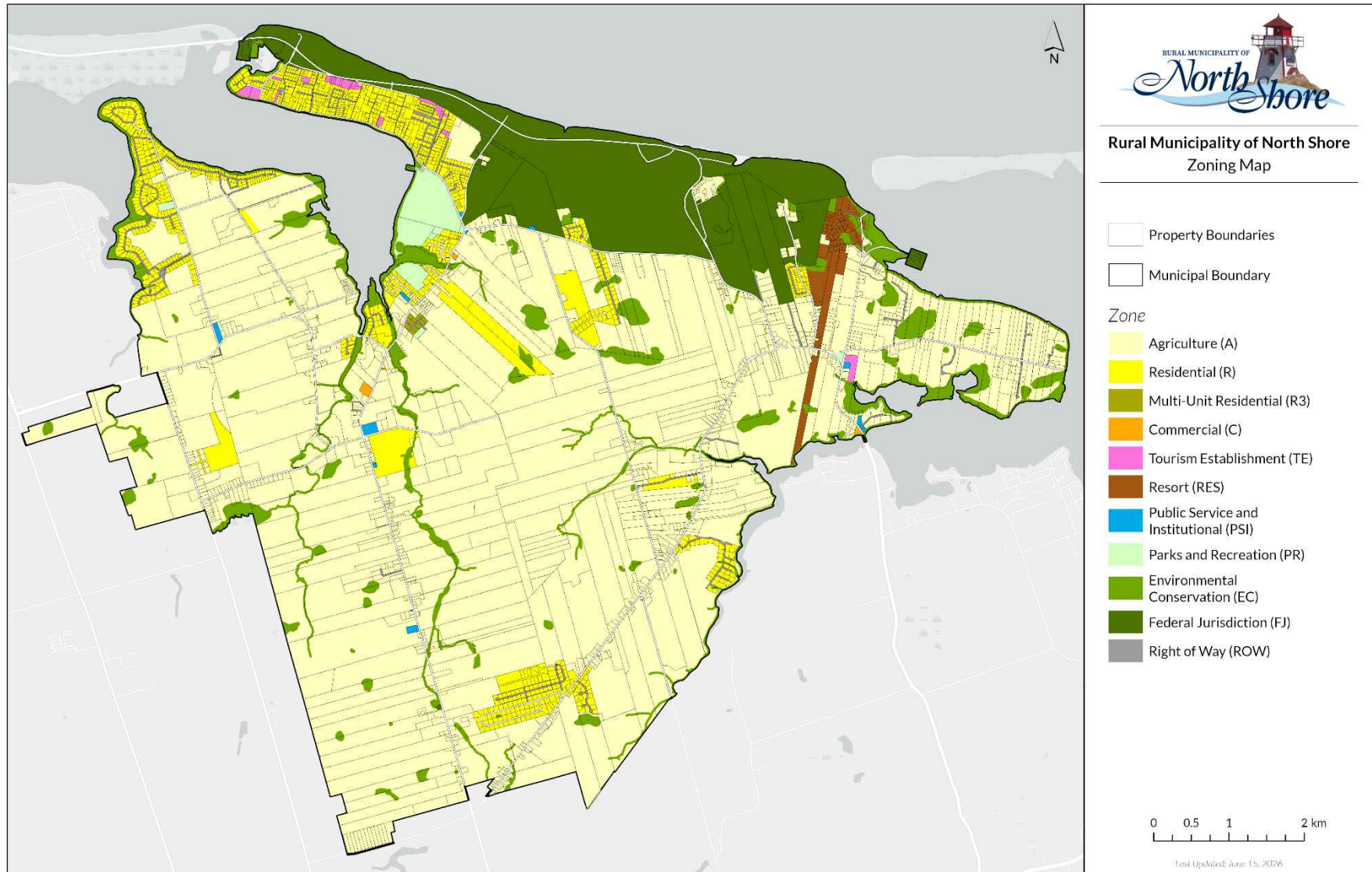
- (1) Any person seeking final subdivision approval shall be required to submit to the Development Officer a completed final subdivision application form with seven (7) copies of a final survey plan showing all lots pinned and certified by a licensed surveyor.
- (2) Where a parent parcel of a subdivision exceeds 4 ha (10 acres) in lot area, Council may waive the pinned survey plan requirement for the parent parcel of the subdivision.

- (3) A storm water management plan prepared by a licensed engineer shall be submitted with an application for final approval for any subdivision of a lot into two (2) or more new lots. The storm water management plan shall include an overall surface water management strategy for the proposed subdivision, and shall include the proposed general location and top of foundation elevation for the main buildings to be erected on each lot.
- (4) Final subdivision approval shall be granted by the Development Officer or Council, as the case may be, only after the applicant has:
 - a. complied fully with all applicable requirements of this Section and the conditions of the subdivision agreement;
 - b. all transactions involving the transfer of land, money or security in conjunction with the subdivision have been concluded to the satisfaction of the Development Officer; and
 - c. the applicant has completed any necessary conditions of agreements with the provincial department responsible for transportation respecting highway construction and the highway has been accepted as public, **except where the subdivision is served by a private road permitted in the Resort (RES) Zone, in which case the applicant shall have completed any required private road construction, professional engineer certification, as-built drawings, registration, security, agreement, easement, or other condition to the satisfaction of the Municipality.**
- (5) Final approval may be granted to part of a subdivision which is proposed to be developed in phases;
- (6) Final approval of a subdivision shall be provided in writing, and the Development Officer shall place the Municipality's seal on the seven (7) copies of the survey plan and shall return one (1) copy to the applicant;
- (7) The Development Officer shall file copies of the final survey plan with the:
 - a. Registrar of Deeds;
 - b. provincial department responsible for Transportation;
 - c. Municipality's records; and
 - d. local utilities, as required.

16.14 CONSOLIDATIONS AND BOUNDARY LINE ADJUSTMENTS

- (1) Notwithstanding the above provisions, final approval applications for lot consolidations or boundary line adjustments may be submitted without the preliminary approval stage of the application process, having regard to the provisions in the Bylaw for the approval of subdivisions, as may be applicable, and provided the application otherwise conforms to the Bylaw.

SCHEDULE A. ZONING MAP



SCHEDULE B. DEFINITIONS

For the purpose of the Bylaw:

- (1) Accessory building or accessory structure means a building or structure on the same lot of land as a main building, the use of which is clearly incidental and subordinate to that of the main approved use of the lot on which the building or structure is located.
- (2) Active recreational uses means activities such as organized sports that require specific development, facilities and equipment, and for which a site is purposefully maintained to support such an activity. Active recreational uses include but are not limited to baseball, softball, soccer, volleyball, and golf.
- (3) Agricultural use means a use of a parcel or buildings for farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, storing or treating the produce.
- (4) Alter or alteration means to make a change in the size, shape, bulk or structure, whether interior or exterior, of a building or any part thereof, but does not include repairs carried out for the purposes of maintenance or non-structural renovation or improvement.
- (4A) Art gallery means a building or portion of a building used for the exhibition, display, interpretation, production, or sale of works of art, craft, design, or cultural material, and may include accessory retail sales, workshops, events, or educational programming.**
- (5) Automotive sales means an building or lot used for the sale and/or rental of passenger vehicles, trucks, vans, motorcycles, snowmobiles, tent and holiday trailers, boats or other recreational vehicles.
- (6) Automotive repair services means an establishment where gasoline, oil, grease, anti-freeze, tires, and accessories for motor vehicles are stored and kept for sale, and where repairs of automobiles and trucks including alignment, muffler, automotive glass, transmission repair, vehicle upholstery shops, tire stores, and car washes.
- (7) Buffer zone means the land within 15 m (49.2 ft) of a watercourse boundary or a wetland boundary as defined in the Watercourse and Wetland Protection Regulations, of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9.
- (8) Building means any structure having a roof supported by columns or walls intended for the shelter, housing or enclosure of any person, animal or chattel.
- (9) *Building Codes Act* means the *Building Codes Act* R.S.P.E.I. 1988, c B-5.1 of the Province of Prince Edward Island.
- (10) Building line means any line regulating the position of a building or structure on a lot.
- (11) Building setback means the distance between the street line and the nearest main wall of a building or structure and extending the full width of the lot.
- (12) Business or professional office means a premise where services are offered for a fee but does not include premises used for the retailing, wholesaling, manufacturing or conversion of goods.

- (13) Campground means a parcel used or permitted to be used by the travelling public that provides sites for tents, trailers, or motor homes and may also be called a RV park but shall not include industrial, work or construction camps or permanent manufactured housing parks.
- (14) Change of use means the change of use of a parcel or a building from one type of permitted use to another type of permitted use or an increase in the intensification of use, including an increase in the number of dwelling units.
- (15) Child care facility means any institution, agency, or place, whether known as a day nursery, nursery school, kindergarten or play school, which receives children for temporary care apart from the parents on a daily or hourly basis, with or without stated educational purposes, as regulated in the *Child Care Facilities Act* R.S.P.E.I. 1988, Cap. C-5.
- (16) Commercial use means the use of a building or parcel for the purpose of buying and selling goods and supplying services.
- (16A) Commercial recreation use means the use of land, buildings, or structures for recreational, leisure, fitness, adventure, cultural, or entertainment activities operated as a business, and may include indoor or outdoor recreation, guided activities, instructional programming, equipment rental, and accessory retail sales.**
- (17) Common wall means a vertical wall separating two dwelling units between the top of the footings to the underside of the roof deck, and shall be mutually common to both dwelling units.
- (18) Community Care Facility means a facility licensed pursuant to the *Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13.
- (19) Conservation means an activity in which people make efforts to protect, preserve or restore the environment and its biological diversity.
- (20) Council means the elected Council of the Rural Municipality of North Shore.
- (20A) Craft brewery or distillery means a small-scale facility used for the production, bottling, tasting, and sale of beer, cider, spirits, or similar beverages, and may include an accessory restaurant, retail store, tasting room, event space, or outdoor patio.**
- (21) Craft studio means a space occupied by a craftsperson and used solely for the production and sale of craft items such as pottery, weaving, sewing, jewelry, painting and print making, sculpture and fine woodworking, and such other similar handcrafted items.
- (22) Deck means an open unroofed structure or platform extending from a building intended as outdoor living space.
- (23) Demolition means to demolish, remove, pull down or destroy a building or structure.
- (24) Development means site alteration, including but not limited to:
 - a. Altering the grade of the land;
 - b. removing vegetation from the land;
 - c. excavating the land;
 - d. depositing or stockpiling soil or other material on the land, and
 - e. establishing a parking lot,

- f. Locating, placing, erecting, constructing, altering, repairing, removing, relocating, replacing, adding to or demolishing structure or buildings in, under, on or over the land;
 - g. Placing temporary or permanent mobile use or structures in, under, on or over the land; or
 - h. Changing the use or intensity of use of a lot or the use, intensity of use or size of a structure or building.
- (25) Development agreement means a binding contract between an owner and the Community to ensure a development is carried out in a particular manner.
- (26) Development Officer means an individual appointed by the Council to administer, on its behalf, the Rural Municipality of North Shore Land Use Bylaw
- (27) Development permit means the formal and written authorization for a person to carry out any development.
- (28) Dwelling or dwelling unit means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided;

Dwellings can be arranged in different building types including:

- a. Duplex means a building that is split into two dwelling units, each with an independent entrance, either directly or through a common vestibule. The dwelling units share essential services and as such cannot be subdivided.
 - b. Multi-unit dwelling means a building containing three or more dwelling units.
 - c. Multi-unit row dwelling means a building that is divided into three or more dwelling units each with a shared vertical wall separating the unit from the adjacent unit, and each of which has independent entrances
 - d. Secondary Suite means a self-contained Dwelling unit with a prescribed Floor area located in an accessory Building or in a portion of a Building of only residential occupancy that contains only one other Dwelling unit and common spaces, and where both Dwelling units constitute a single real estate entity.
 - e. Semi-detached dwelling means a building divided into two (2) separate units, with a shared vertical wall separating the units from each other, and each of which has independent entrances and independent water and sewerage disposal services.
 - f. Single detached Dwelling means a building containing one dwelling unit and, includes structures commonly referred to as mini-homes and modular homes, as well as dwellings built in place.
- (29) Edge means the boundary between different zones, or the boundary between different uses within the same zone.
- (30) Egress/ingress means the right to enter and leave a property.
- (31) Emergency service facilities means private or publicly owned and operated facilities for the provisions for emergency services including fire protection, policing and health services.
- (32) Entranceway means a driveway providing access to and from a lot to a highway.

- (33) *Environmental Protection Act* means the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9. of the province of Prince Edward Island.
- (34) Erect means to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, filling or draining.
- (34A) **Event venue means a building, structure, or outdoor area used for conferences, weddings, meetings, retreats, banquets, public assembly, cultural events, or similar gatherings, and may include accessory food and beverage service.**
- (35) Excavation pit means any excavation in the ground for the purpose of searching for or removing clay, gravel, sand, shale, subsoil, topsoil, rock or any other surface or subterranean deposit, but does not include an excavation made within the boundaries of a highway, or a snow-trap constructed to protect a roadway from snow accumulation;
- (36) Existing lot means a lot of land held under a separate deed, and having a provincial property identification number (PID) as of the effective date of the Bylaw, and for the purposes of subdivision an existing lot is one which has been described by deed and which has had a PID since January 25, 1989.
- (37) Farm means arable land greater than ten (10) acres in size and complementary buildings, operated as a farm enterprise by a bona fide farmer and includes land leased from the Crown and operated as part of a farm enterprise, but excludes land leased or rented from owners who are not bona fide farmers.
- (38) Fence means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.
- (39) Floor area means:
- With reference to a dwelling, the area contained within the outside walls excluding any private garage, porch, veranda, sunroom, greenhouse, unfinished attic, unfinished basement, and other rooms not habitable at all seasons of the year;
 - With reference to a non-residential building, the total usable floor area within a building.
 - With reference to an accessory building, the area contained within the outside walls.
- (40) Footprint means the outline of the total area of a lot or site that is surrounded by the exterior walls of a building or portion of a building, exclusive of courtyards.
- (41) Forestry Land Use means a commercial silviculture or the production of timber or pulp and any other uses associated with forestry including sawmills, related vehicle and equipment storage, accessory buildings and yards, as well as retail and wholesale outlets for wood and wood products.
- (42) Grade means:
- as it applies to the determination of building height*, the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized

depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground; and

- b. *as it applies to ground level*, the average of the mean elevations of all the natural levels or finished ground adjoining existing walls of buildings, and the degree of rise or descent of the sloping surface.

- (43) Group home means a facility licensed or funded by the Province of Prince Edward Island that provides accommodation, supervisory and/or personal care to residents with social, physical, or mental issues with at least one (1) staff person.
- (44) Health and wellness services means an establishment used by qualified medical practitioners and staff for the provision of medical, health and dental care on an outpatient basis. This term refers to such uses as medical and dental offices, physiotherapy services, chiropractic services, counseling services, and ancillary clinic counseling services.
- (45) Heavy Equipment Repair means an establishment for the repair of vehicles, construction equipment and apparatus, as well as equipment associated with any form of heavy manufacturing.
- (46) Height means the vertical distance measured from the averaged finished grade to the highest point of roof surface for a building, or the highest part of a structure.
- (47) Highway, road or street means all the area within the boundary lines of a road, street or right-of-way which is vested in the Province of Prince Edward Island and used or intended for use by the general public for the passage of vehicles and includes any bridge over which any such road, street or right-of-way passes.
- (48) Home occupation means an accessory use conducted in a portion of a dwelling, or within an accessory building, for pursuits which are compatible with a domestic household. A home occupation shall be clearly incidental and secondary to the residential use of the dwelling.
- (49) Industrial use means use of a parcel or buildings in or from which goods or materials are manufactured, processed, assembled or extracted, or premises from which wholesale trade is carried on, including warehousing.
- (50) Institutional use means the use of a parcel or buildings for non-profit or public purposes including but not limited to, hospitals, government buildings, places of worship, cemeteries, public schools, colleges, cultural centres, libraries and public recreational and park buildings.
- (51) Intensification means the development of a parcel at a higher density than previously existed and includes redevelopment or development within existing communities, infill development, or development on vacant lots or underdeveloped lots within a built-up area, conversion or the change of use of an existing structure or use, and the creation of additional dwelling units or other accommodation in dwellings.
- (52) Kennel means a building or structure where more than four (4) domestic animals excluding livestock are kept, boarded, bred and raised for profit or gain.
- (53) Landscape edge means a visual barrier formed by a row of shrubs or trees that is maintained between one lot or land use and another.

- (54) Livestock operation means the rearing of livestock or poultry which may be confined in buildings, open sheds, yards, paddocks or by field grazing, the numbers of which, type of management system, minimum separation distance, etc., as recommended by the provincial government department responsible for Agriculture "Guidelines for Manure Management and Separation Distances" shall define intensive use for the purpose of evaluating the environmental impact of such an operation on the surrounding area.
- a. Intensive Livestock Operation means a place where livestock are found in a density greater than seven animal units per acre in confined area to which the livestock have access, with the calculation of animal units as established in the *Environmental Protection Act* Watercourse and Wetland Protection Regulations;
- (55) Lot or parcel means any division of land or property which is recognized as a separate unit of land for the purposes of this bylaw. Features of a lot include:
- a. Lot area means the total area included within the lot lines of a parcel;
- b. Lot coverage means the percentage of the lot that is covered by buildings, also known as the building footprint; Maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot.
- c. Lot frontage means the distance between the side lot lines where they meet the front lot line.
- d. Lot line means any boundary of a lot.
- e. Interior lot line means any lot line that is not coincident with a highway.
- f. Front lot line means the lot line abutting a highway.
- g. Rear lot line means the lot line farthest from, or opposite to the front lot line.
- h. Side lot line means a lot line other than a front or rear lot line.
- Types of lots include:
- a. Corner lot means a lot situated at an intersection of and abutting on two or more streets;
- b. Interior lot means a lot other than a corner lot.
- c. Panhandle or flag lot means a lot that does not have the minimum lot frontage on a road required by these regulations, but has an entranceway providing access to a highway. The developable portion of the lot is behind another lot and connected by a narrow strip of land that does not meet the required lot frontage defined by the zone.
- d. Residential lot means a lot where the primary use is residential.
- (56) Lot consolidation means the legal incorporation of two or more existing parcels to form a single, larger parcel.
- (57) Main building means that building, the nature of the use of which determines the status of the lot upon which it is authorized to be constructed or upon which it is constructed.
- (58) Maintenance means those actions undertaken to prevent the deterioration of a building or structure, but does not include any alteration, design change, and/or replacement where such replacement involves a change in design.
- (59) Manufacturing means the production, compounding, processing, crating, bottling, packing, or assembly of raw or pre-processed materials including refining, smelting, forging,

stamping, blanking, punch-pressing; and excludes heavy industrial activities that may pose a serious contamination risk to groundwater, such as the manufacturing of chemical products.

- (59A) Marina means a facility located on or adjacent to a coastal area, watercourse, or waterbody that provides docking, mooring, launching, or storage for multiple boats as a principal use, and may include accessory boat rental, marine equipment rental, parking, minor boat servicing, accessory retail, and accessory food or beverage service. A marina shall be subject to all applicable municipal, provincial, and federal approvals.**
- (60) Marine access means a designated location, route, or area used to provide pedestrian, vehicular, or recreational access to a coastal area, shoreline, beach, wetland, watercourse, or waterbody, but does not include a marine access structure, wharf, dock, marina, boat launch, building, or commercial marine facility unless otherwise permitted in the applicable zone.
- (60A) Marine access structure means a structure designed to provide pedestrian, accessibility, recreational, or marine-related access to or along a shoreline, beach, coastal area, or watercourse, and may include a boardwalk, ramp, stairway, accessibility structure, viewing platform, boat launch, dock, floating dock, wharf, or similar structure, but does not include a building used for accommodation, commercial sales or service, storage, boat repair, boat storage, or a marina unless otherwise permitted in the applicable zone. A marine access structure shall be subject to all applicable municipal, provincial, and federal approvals.**
- (61) Multi-level marketing retail sales means a commercial operation that involves the sale of products and/or services through person-to-person sales through in-home visits or online, and does not include a retail store outlet location.
- (62) Municipality means the Rural Municipality of North Shore.
- (63) Nursing home means a facility licensed pursuant to the *Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13.
- (64) Open space means that portion of a lot which may be used for landscaping, recreational space or leisure activities normally carried on outdoors; but does not include space used for service drive-ways or off-street parking.
- (65) Ornamental structure means a structure of less than 20 m² (215.8 ft²), erected with no foundation or footings and no connection to utility services, and which serves no purpose other than for the aesthetic value and/or delight of its user, such as a sculpture or play structure. This definition excludes any structures used for storage.
- (66) Outdoor display means an area of land where goods are displayed and which are available for sale to the general public from a retail outlet located on the same parcel.
- (67) Outdoor storage means the storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale, by locating them outside.
- (68) Owner means a part owner, a joint owner, tenant in common or joint tenant of the whole or any part of a parcel or building and includes a trustee, and executor, and executrix, a

guardian, and agent, or mortgagee in possession or other person having the care or control of any parcel or building in the event of the absence or disability of the person having the title thereof.

- (69) Park means an area consisting largely of open space, which may include active recreational uses, playground equipment and other similar uses but shall not include a mobile home park, a campground or trailer park.
- (70) Parking lot means an open area of land other than a street or access driveway, or an area within a structure used for the parking of vehicles.
- (71) Parking space means a space on a parking lot for the temporary parking or storage of a vehicle.
- (72) Personal services means a commercial operation in which personal services such as hair styling, tutoring, tailoring, shoe repairs, and small appliance repairs are performed.
- (73) *Planning Act* means the *Planning Act* R.S.P.E.I. 1988, Cap. P-8 of the Province of Prince Edward Island.
- (74) Planning Board means the Planning Board of the Municipality appointed by Council pursuant to the *Planning Act*, R.S.P.E.I. 1988, c. P-8.
- (75) Private road means a road, street or right-of-way which is not a highway, **and that provides vehicular access to one or more lots, but which is not owned, maintained, or assumed by the Province or the Municipality.**
- (75A) **Professional Architect means an architect licensed to practice in the Province.**
- (75B) **Professional Engineer means an engineer licensed to practice in the Province.**
- (75C) **Professional Landscape Architect means a landscape architect licensed to practice in the Province.**
- (75D) **Professional Land Surveyor means a land surveyor licensed to practice in the Province.**
- (76) **Province means the Province of Prince Edward Island and Provincial government means the Government of Prince Edward Island.**
- (77) Recreational trailer or vehicle (RV) means a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes, recreation vehicles or other similar vehicles.
- (78) *Registry Act* means the *Registry Act* R.S.P.E.I. 1988, c. R-10 of the Province of Prince Edward Island.
- (79) Research Facilities means a building or place used primarily for the operation of scientific research, investigation, testing or experimentation but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

- (80) Residential use means the use of a parcel, building or structure or parts thereof as a dwelling.
- (80A) Resort development means a resort-oriented mixed-use development located on lands designated for resort use in the Official Plan and zoned Resort (RES) in this Bylaw, which is intended to function as an integrated area for tourism, recreation, accommodation, resort residential, commercial, open space, servicing, and related uses. Where a use is permitted only “as a part of a resort development,” the use shall be located within, support, or be functionally related to the resort-oriented mixed-use area.**
- (81) Resource commercial use means the use of a parcel or building for the storage, display or sale of goods directly and primarily related to resource uses.
- (82) Resource industrial use means the use of a parcel or building for any industrial use directly associated with agriculture, fisheries or forestry industries.
- (83) Restaurant means an establishment where food is prepared and served, and may include alcoholic and non-alcoholic beverage service.
- (84) Retail Store means a building or part thereof in which foods, goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail.
- (85) *Roads Act* means the *Roads Act*, R.S.P.E.I. 1988, Cap. R-15 of the Province of Prince Edward Island.
- (86) Setback means the horizontal distance measured between the lot line and the nearest part of any building or structure, or the minimum distance required for the placement of a building or structure on the lot. For more certainty the front yard setback, rear yard setback, side yard setback or flankage yard setback, is that distance measured to the front, rear, side or flankage lot line, respectively.
- (87) Sewerage disposal system means the infrastructure that collects, conveys, treats and/or disposes of sewage, encompassing but not limited to drains, sewers, manholes, pumping stations and sewage treatment.
- (88) Short Term Rental is a dwelling unit that is rented in its entirety to a single occupant or group for a period of less than one month, and for the purposes of this bylaw shall be treated the same as a dwelling unit, unless otherwise specified.
- (89) Site plan means a plan drawn to a suitable engineering scale showing details of existing and proposed features on a lot of land which is the subject of an application for development.
- (90) Solar panel means a panel which consists of solar cells which produce electricity from solar energy. A solar array is a configuration of more than one solar panel in an installation.
- (91) Street line means the boundary of a highway or private road.
- (92) Structure means any construction fixed to, supported by or sunk in to land or water, and includes sewerage lagoons, manure pits, underground storage tanks, and fences, but excludes concrete or asphalt paving or similar surfacing, clothesline poles, flagpoles and utility poles.

- (93) Subdivide or Subdivision means a division of a parcel to create two or more new parcels; the consolidation of two or more contiguous parcels to create a new parcel; or the attachment of a part of a parcel to another parcel contiguous to that part to create a new parcel, by means of a plan of subdivision, a survey plan, an agreement, a deed or any other instrument, including a caveat that transfers or creates an estate or interest in the new parcels created by the division, or in the new parcel created by the consolidation or the attachment, as the case may be.
- (94) Surface drainage plan means a plan that complies with the surface drainage requirements set out in this bylaw and is duly sealed and signed by a qualified landscape architect or a licensed engineer.
- (95) Survey plan means an appropriately scaled drawing of survey details prepared by a licensed surveyor in accordance with the *Land Surveyors Act*, R.S.P.E.I. 1988, c. L.-3.1.
- (96) Swimming pool means any structure used for bathing or swimming purposes which is sunk into the ground, or is erected above the ground and which has a possible maximum depth of greater than 0.6m, but shall not include inflatable pools or pools erected on a seasonal basis.
- (97) Tourism Establishment shall have the same meaning as defined in the *Tourism Industry Act* as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations. **For the purposes of this Bylaw, a Tourism Establishment may include a hotel, inn, lodge, cabin, bunkie, tiny home, guest suite, fractional accommodation unit, multi-unit seasonal accommodation, or similar building, dwelling unit, or group of buildings or units used for temporary, seasonal, fractional, or visitor accommodation.** This definition shall exclude a short term rental, as is otherwise defined.
- (98) *Tourism Industry Act* means the Tourism Industry Act R.S.P.E.I. 1988, Cap. T-3.3 of the province of Prince Edward Island.
- (99) Transport operations means the use of land, buildings, or structures for the purpose of storing, servicing, repairing, or loading of aircraft, trucks, transport trailers and/or buses.
- (100) Use means any purpose for which a building or other structure or parcel may be designed, arranged, intended, maintained or occupied, and includes any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel.
- (101) Utility building or structure means a building or structure which houses stationary equipment for telephone, electric power, cable, internet, water supply, storm water, or sewerage disposal services.
- (102) Variance means an authorized relaxation from the standards imposed by regulations made under this by-law within the limits specified with respect to lot size or dimensions, setbacks, area or the height or size of a structure.
- (103) Warehouse means an establishment used primarily for the storage, wholesaling, and distribution of goods and materials. This definition also includes self-storage units.
- (104) Watercourse shall have the same meaning as defined in the Watercourse and Wetland Protection Regulations prescribed under the *Environmental Protection Act*, as may be

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

- (105) Wetland shall have the same meaning as defined in the Watercourse and Wetland Protection Regulations prescribed under the Environmental Protection Act, as may be amended, and, in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.
- (106) Wharf means a structure built on the shore of or projecting into a watercourse so that vessels may be moored alongside to load or unload or to lie at rest.
- (107) Wind turbine means a wind energy generating system (turbine and accessory facilities) intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) and not used to produce power for resale.
- (108) Yard means an open, uncovered, unoccupied space appurtenant to a building. A yard may be further defined as a:
- a. Flankage yard means, on a corner lot, that yard extending across the full width of the lot and fronting on a roadway which is not the roadway along which the front yard extends;
 - b. Front yard means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building on the lot;
 - c. Rear yard means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on the lot; and
 - d. Side yard means a yard extending across the full width of the lot between a side lot line and the nearest main wall of the main building on the lot, exclusive of any chimney breast.
- (109) Zone means an area of land designated under these Bylaw within which specific land uses are permitted and others restricted or prohibited.

SCHEDULE C. SCHEDULE OF FEES

Updated as of May 2024

Development Permit Fees	FEE per square foot	Minimum	Maximum
Residential - New Construction	\$0.20	\$350	\$1,500
Residential - Renovations/additions	\$0.25	\$200	\$1,500
Commercial/Industrial- New Construction	\$0.40	\$500	\$3,000
Commercial/Industrial - Renovations/additions	\$0.40	\$400	\$2,000
Agricultural/Forestry	\$0.15	\$200	\$1,500
Institutional	\$0.40	\$500	\$3,000
Accessory building	\$0.20	\$75	\$1,500
Any Other Structure or addition	\$0.15		

Development Permit Fees (continued)	Flat fee
Residential - Multiple Units in the same Building	\$1,000
Deck, pool, fence	\$60
Change of use	\$50
Demolition	\$75
Temporary Permits	\$75
Other - Special Permit Use	\$75
Excavation Pit - New	\$1,400
Excavation Pit - Renewal	\$500

Development Permit Fees (continued)	Fee	Plus Costs*
Wind Turbine	\$200	Yes
Solar array, ground-mounted	\$100	yes

Subdivision Application Fees	Initial Fee	Each additional lot
Subdivision – up to 4 lots per subdivision	\$300	\$150
Subdivision – 5 or more lots per subdivision	\$900	\$125
Lot consolidation	\$300	\$50

Variance, Amendment, Rezoning	Fee	Plus Costs*	Deposit
Variance - no public meeting required	\$200	yes	n/a
Variance - public meeting required	\$300	yes	n/a
Official Plan Amendment	\$400	yes	\$4,000
Bylaw Amendment/Rezoning	\$400	yes	\$4,000
Concurrent Official Plan and Bylaw Amendment (including concurrent amendments to Future Land Use Map and Zoning Map)	\$500	Yes	\$4,000

Agreement Fees	Fee	Plus Costs*
Development Agreement	\$200	yes
Subdivision Agreement	\$400	yes
Other Agreements	\$100	yes

General Fees	
Permit Extension (prior to expiration of permit)	\$100
Permit Renewal (after expiration of permit)	Full Fees after 12 months
Permits obtained after work has started	\$500 or double the Permit fee, whichever is greater
Black and white copy of Official Plan and Land Use Bylaw	\$25

* Associated costs shall be actual, quantifiable costs incurred by the Municipality in order to process the application or amendment, including professional and legal fees, notification fees for newspaper ads, hall rental, rental of public address system, and advertisement costs, postage, signage and any other the cost associated with the public meeting. A \$4,000.00 deposit must be paid by the applicant prior to the holding of any public meetings required under the Bylaw or by Council. Any monies paid in excess of the applicable fees and associated costs shall be refunded to the applicant.

Policy for Refunds for Applications

All fees are non-refundable.

SCHEDULE D. PROVINCE-WIDE MINIMUM SUBDIVISION AND DEVELOPMENT STANDARDS REGULATIONS, *PLANNING ACT*

Notwithstanding any provisions of the Bylaw, the *Province-Wide Minimum Development Standards Regulations* prescribed under the *Planning Act* as may be amended, apply in the Rural Municipality of North Shore. The *Province-Wide Minimum Development Standards Regulations* are included here in the appendix of the Bylaw for information and reference purposes only. Note that this Appendix is not the official version of these regulations and these regulations may be amended after the enactment of the Bylaw.



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

PLANNING ACT PROVINCE-WIDE MINIMUM DEVELOPMENT STANDARDS REGULATIONS

PLEASE NOTE

This document, prepared by the ***Legislative Counsel Office***, is an office consolidation of this regulation, current to November 19, 2011. It is intended for information and reference purposes only.

This document is ***not*** the official version of these regulations. The regulations and the amendments printed in the ***Royal Gazette*** should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the ***Table of Regulations*** on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca



**PLANNING ACT
Chapter P-8**

**PROVINCE-WIDE MINIMUM DEVELOPMENT STANDARDS
REGULATIONS**

Pursuant to clause 7(1)(c) of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, Council made the following regulations:

1. “authority having jurisdiction”, defined

- (1) In these regulations “**authority having jurisdiction**” means the Minister responsible for the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, or in the case of a municipality with an official plan and bylaws, the municipal council.

***Idem*, existing definitions**

- (2) Words and expressions defined in section 1 of the *Planning Act* Subdivision and Development Regulations have the same meaning when used in these regulations. (*EC703/95; 552/11*)

2. Application

These regulations apply to all areas of the province. (*EC703/95*)

3. Lot size

Revoked by EC41/96.

4. Residential

- (1) No approval or permit shall be granted for the subdivision of a lot for residential use unless the lot conforms with the minimum lot size standards set out in Table 1.

Location

- (2) The area encompassed by the required minimum circle diameter as set out in Table 1 and Table 2 shall be located on the lot such that it will accommodate an on-site sewage disposal system.

Reduced size

- (3) Notwithstanding the minimum lot size standards set out in Table 1 and Table 2, for infilling purposes, a lot may be reduced to a minimum of 10,000 sq. ft. / 929 sq. m. provided that



Section 5

- (a) it is serviced by an on-site water supply system and a central sewerage system; and
- (b) only one additional lot from the existing parcel is created by any proposed subdivision.

Reduced circle requirement

- (4) Notwithstanding the minimum circle diameter requirements set out in column (f) of Table 1 and column (e) of Table 2, a lot that does not meet those requirements may be subdivided from a lot or parcel that existed prior to June 12, 1993 where
 - (a) the lot is intended for either single unit residential use or non-residential use, and will be serviced by on-site water and sewerage disposal systems;
 - (b) the lot meets Category I standards in accordance with clause 5(a) and the minimum lot area requirements set out in column (e) of Table 1 and column (d) of Table 2 respectively;
 - (c) a circle with a minimum diameter of 125 ft./38.1 m. will fit within the boundaries of the lot; and
 - (d) there is no practical alternative to increasing the size of the property to permit compliance with the circle diameter requirement. (EC703/95; 41/96; 694/00; 552/11)

5. Non-residential

- (1) No approval or permit shall be issued to subdivide a lot for non-residential use unless in conformity with the minimum lot size standards set out in Table 2.

Exception

- (2) Notwithstanding subsection (1),
 - (a) where a lot is intended for any non-residential use where water and sewage services are not required for the proposed development, the Minister may approve an exemption from the requirement of subsection (1);
 - (b) where an approval or permit has been granted by an authority having jurisdiction pursuant to subsection (1), a subsequent approval or permit requiring or proposing a sewerage system shall only be granted in accordance with the standards set out in Table 2. (EC703/95; 41/96; 552/11)

6. Categories of lots

Every lot on a plan of subdivision shall be categorized in accordance with the following site suitability standards:

- (a) Category I, where
 - (i) the depth of permeable natural soil is 2 ft. (0.61 m.) or greater,
 - (ii) the depth to bedrock is 4 ft. (1.22 m.) or greater, and
 - (iii) the depth to the maximum groundwater elevation is 4 ft. (1.22 m.) or greater;
- (b) Category II, where
 - (i) the depth of permeable natural soil is greater than 1 ft. (0.3 m.), but less than 2 ft. (0.61 m.),
 - (ii) the depth to bedrock is 4 ft. (1.22 m.) or greater, and
 - (iii) the depth to the maximum groundwater elevation is 4 ft. (1.22 m.) or greater;
- (c) Category III, where
 - (i) the depth of permeable natural soil is 1 ft. (0.3 m.) or greater,

- (ii) the depth to bedrock is 2 ft. (0.61 m.) or greater, but less than 4 ft. (1.22 m.), or
 - (iii) the depth to the maximum groundwater elevation is 2 ft. (0.61 m.) or greater, but less than 4 ft. (1.22 m.);
- (d) Category IV, where
 - (i) the lot has a depth of permeable natural soil of less than 1 ft. (0.3 m.),
 - (ii) the depth to bedrock is greater than 1 ft. (0.3 m.), and
 - (iii) the depth of the maximum groundwater elevation is greater than 2 ft. (0.61 m.);
- (e) Category V, where
 - (i) the depth to bedrock is less than 1 ft. (0.3 m.), and
 - (ii) the depth to the maximum ground water elevation is greater than 2 ft. (0.61 m.). (*EC703/95; 694/00; 552/11*)

7. Upgrade

Revoked by (*EC694/00*).

8. Application

The minimum lot size standards set in Tables 1 and 2 do not apply to subdivisions approved prior to October 14, 1995. (*EC703/95; 552/11*)

9. Minor variance

- (1) The authority having jurisdiction may, for special cause, authorize such minor variance from the provisions of these regulations as, in its opinion, is desirable and not inconsistent with the general intent and purpose of these regulations.

Variance, public utility use

- (2) Notwithstanding any other provisions of these regulations, where a lot is designed for use by a public or a private utility, the authority having jurisdiction may authorize a variance from the provisions of these regulations as, in its opinion, is desirable. (*EC703/95; 552/11*)

MINIMUM HIGHWAY ACCESS

10. Minimum highway access standards

- (1) The *Roads Act* Highway Access Regulations shall constitute the Minimum Highway Access Standards.

Entrance way permit

- (2) An authority having jurisdiction shall not grant an approval or issue a permit for development unless an entrance way permit has been obtained for the applicable lot or development when so required. (*EC703/95; 2/96; 552/11*)

TABLE 1
MINIMUM LOT SIZE STANDARDS:
RESIDENTIAL LOTS

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
on-site water supply and on-site sewage disposal system	I	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 200 ft. / 61 m. 200 ft. / 61 m.
on-site water supply and on-site sewage disposal system	II	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 45,000 sq. ft. / 4,180.5 sq. m. 50,000 sq. ft. / 4,645 sq. m. 50,000 sq. ft. / 4,645 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	175 ft. / 53.3 m. 200 ft. / 61 m. 225 ft. / 68.6 m. 250 ft. / 76.2 m. 250 ft. / 76.2 m.
on-site water supply and on-site sewage disposal system	III	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	51,000 sq. ft. / 4,738 sq. m. 56,000 sq. ft. / 5,202 sq. m. 61,000 sq. ft. / 5,667 sq. m. 66,000 sq. ft. / 6,131 sq. m. 66,000 sq. ft. / 6,131 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	225 ft. / 68.6 m. 250 ft. / 76.2 m. 275 ft. / 83.8 m. 300 ft. / 91.4 m. 300 ft. / 91.4 m.
on-site water supply and on-site sewage system	IV	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	75,000 sq.ft. / 6,975 sq.m. 80,000 sq.ft. / 7,440 sq.m. 85,000 sq.ft. / 7,905 sq.m. 90,000 sq.ft. / 8,370 sq.m. 90,000 sq.ft. / 8,370 sq.m., plus 1,500 sq.ft. / 457 sq.m. for each additional unit	300 ft. / 91.4 m.
on-site water supply and on-site sewage system	V	N/A	N/A	not developable	N/A

*Planning Act Province-Wide Minimum Development Standards
Regulations*

TABLE 1

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
central water supply and on-site sewage disposal system	I	50 feet / 15.25 metres	1 2 3 4 more than 4	20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 35,000 sq. ft. / 3,251 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 175 ft. / 53.3 m.
central water supply and on-site sewage disposal system	II	50 feet / 15.25 metres	1 2 3 4 more than 4	25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 200 ft. / 61 m. 200 ft. / 61 m.
central water supply and on-site sewage disposal system	III	50 feet / 15.25 metres	1 2 3 4 more than 4	40,000 sq. ft. / 3,717 sq. m. 45,000 sq. ft. / 4,180.5 sq. m. 50,000 sq. ft. / 4,645 sq. m. 55,000 sq. ft. / 5,110 sq. m. 55,000 sq. ft. / 5,110 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	200 ft. / 61 m. 225 ft. / 68.6 m. 250 ft. / 76.2 m. 275 ft. / 83.8 m. 275 ft. / 83.8 m.
central water supply and on-site sewage disposal system	IV	50 feet / 15.25 metres	1 2 3 4 more than 4	60,000 sq. ft. / 5,580 sq. m. 65,000 sq. ft. / 6,450.5 sq. m. 70,000 sq. ft. / 6,510 sq. m. 75,000 sq. ft. / 6,975 sq. m. 75,000 sq. ft. / 6,975 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	275 ft. / 83.8 m.
central water supply and on-site sewage disposal system	V	N/A	N/A	not developable	N/A
on-site water supply and central waste treatment system	I or II	50 feet / 15.25 metres	1 2 3 4 more than 4	15,000 sq. ft. / 1,393.5 sq. m. 20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 30,000 sq. ft. / 2,787 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	100 ft. / 30.5 m. 125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 160 ft. / 48.8 m.
on-site water supply and central waste treatment system	III	50 feet / 15.25 metres	1 2 3 4 more than 4	20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 35,000 sq. ft. / 3,251.5 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 175 ft. / 53.3 m.

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
central water supply and waste treatment systems	I, II, or III	n/a	any number	as determined by the Minister	as determined by the Minister

TABLE 2

TABLE 2
MINIMUM LOT SIZE STANDARDS:
NON-RESIDENTIAL LOTS

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

(EC542/87; 703/95; 694/00; 552/11)



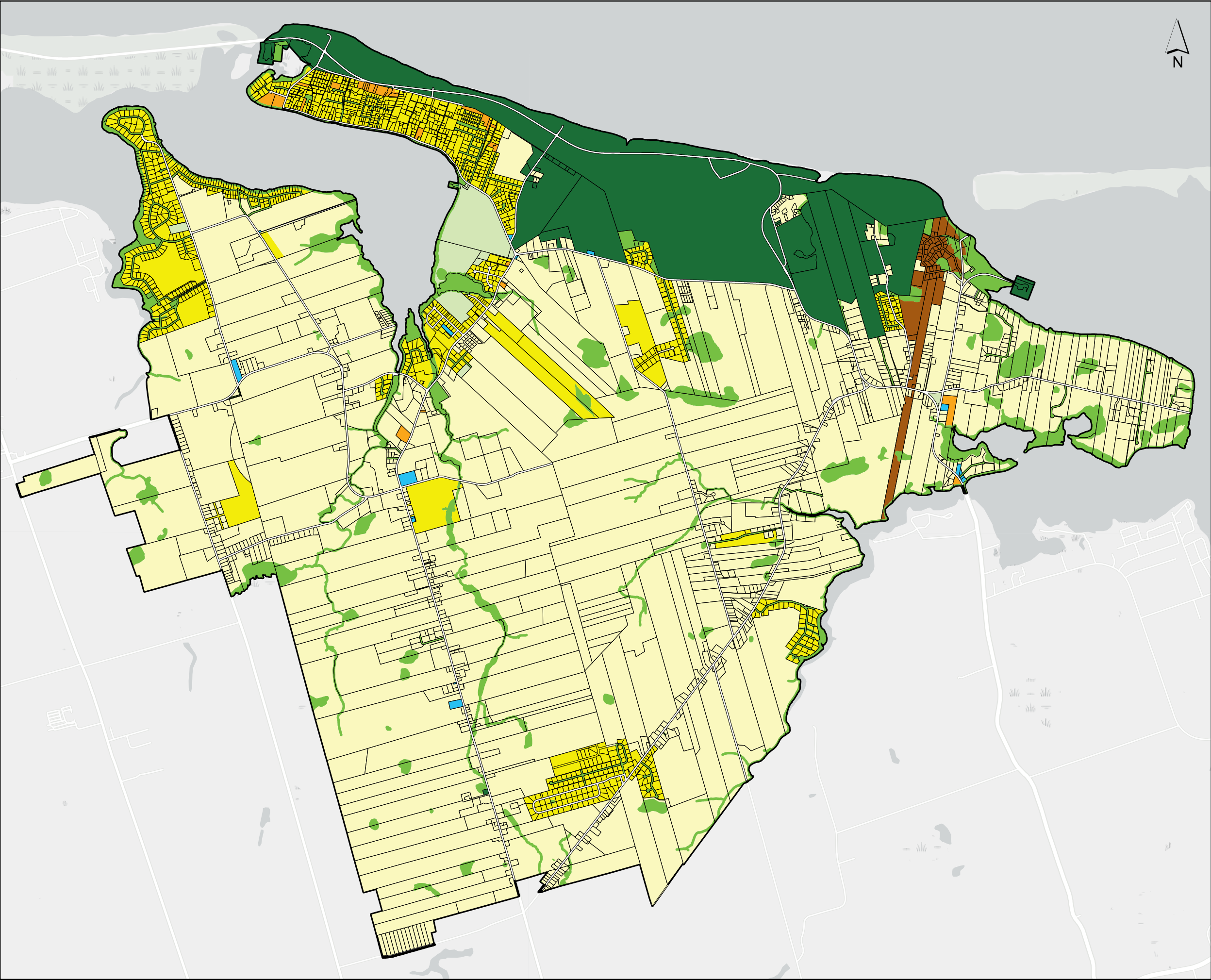
TABLE 2

TABLE 2
MINIMUM LOT SIZE STANDARDS:
NON-RESIDENTIAL LOTS

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

(EC542/87; 703/95; 694/00; 552/11)





Rural Municipality of North Shore
Future Land Use Map

 Property Boundaries

 Municipal Boundary

Land Use Designation

 Agriculture

 Commercial

 Environmental
Conservation

 Federal Jurisdiction

 Institutional

 Parks and Recreation

 Resort

 Residential

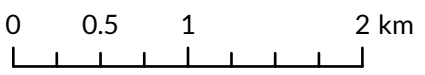
 Transportation

0 0.5 1 2 km



Rural Municipality of North Shore
Zoning Map

-  Property Boundaries
-  Municipal Boundary
- Zone**
 -  Agriculture (A)
 -  Residential (R)
 -  Multi-Unit Residential (R3)
 -  Commercial (C)
 -  Tourism Establishment (TE)
 -  Resort (RES)
 -  Public Service and Institutional (PSI)
 -  Parks and Recreation (PR)
 -  Environmental Conservation (EC)
 -  Federal Jurisdiction (FJ)
 -  Right of Way (ROW)



RM of North Shore Amendments Tracking

Original date of approval of Official Plan by Minister (effective date)					April 7, 2022		
Original date of approval of Bylaw by Minister (effective date)					April 7, 2022		
Amendments							
	Description	OP number	Approved by Council	Approved by Minister (effective date)	BY amendment number	Approved by Council	Approved by Minister (effective date)
1	Rezoning of PID 1082056 from Agriculture to Residential	OPA-01-2022	May 16 2022	May 25, 2022	BY-01-2022	May 20, 2022	May 25, 2022
2	Rezoning of PID 796052 from Agriculture to Residential	OPA-02-2022	July 5, 2022	November 10, 2022	BY-02-2022	July 13, 2022	November 10, 2022
3	Rezoning of PID 464271 from Agriculture to Residential	OPA-03-2022	November 15, 2022	August 8, 2023	BY-03-2022	December 14, 2022	August 8, 2023
4	Rezoning of PID 575910 from Agriculture to Residential	OPA-04	July 3, 2024	July 30, 2024	BY-04	July 10, 2024	July 30, 2024
5	Rezoning of PID 141382 from Agriculture to Residential	Provincial file # NS2025A	April 16, 2025	April 14, 2026	Provincial file # NS2025A	May 21, 2025	April 14, 2026
6	Rezoning of portion of PID 490417 from Agriculture to Residential	Provincial file # NS2025B	April 16, 2025	April 14, 2026	Provincial file # NS2025B	May 21, 2025	April 14, 2026
7	Rezoning of PID 135228 from Agriculture to Residential	OPA-2026-02	March 25, 2026	April 14, 2026	2021-B	March 25, 2026	April 14, 2026
8	Rezoning of PID 1183227 from Institutional to Commercial	OPA-2026-03	March 31, 2026	April 14, 2026	2021-C	March 31, 2026	April 14, 2026
9	Rezoning of PID 135061 and 135046 from Agriculture to Residential	OPA-2026-01	March 31, 2026	April 14, 2026	2021-A	March 31, 2026	April 14, 2026

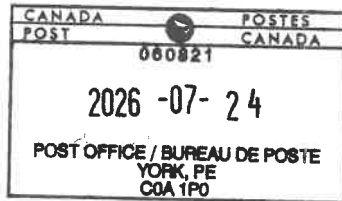
	Rezoning a portion of PID 544940 from Parks and Recreation to Residential	OPA-2026-04	April 20, 2026	May 26, 2026	2021-C	April 27, 2026	May 26, 2026
10	OP Amendments: Amended: Section 3.7, Subsection 6.2.iii, Clause 7.2.5(b), Subsection 8.2.3, Clause 8.2.3(a), Subsection 8.2.6, Subsection 8.2.7, Clause 10.2.5(e) Appendix A: Future Land Use Map Added: Section 7.2.7, Section 7.2.8, Clause 8.2.3(c), Clause 8.2.3(d), Clause 8.2.3(e) Bylaw Amendments: Amended: Subsection 2.1(1), Clause 2.3(2)(a), Clause 2.3(2)(c), Clause 2.3(2)(d), Subsection 3.4(8), Clause 4.1(4)(e), Subsection 4.4(2), Clause 4.9(1)(c), Subsection 4.20(1), Subsection 4.21(2), Subsection 4.25(3), Clause 5.2(1)(j), Clause 12.2(1)(d), Clause 13.2(1)(d), Clause 16.4(1)(c), Clause 16.4(1)(d), Subsection 16.5(1), Subsection 16.5(3), Subclause 16.11(1)(d)(iv), Clause 16.12(1)(a), Clause 16.12(1)(c), Clause 16.13(4)(c) Schedule A: Zoning Map Schedule B Sections 60, 75, 76, and 97 Added: Clause 2.3(2)(e), Subsection 4.1(5), Subsection 4.17(5), Part 8A, Subsection 16.5(4), Clause 16.11(2)(e), Clause 16.12(1)(c.1) Schedule B Sections 4A, 16A, 20A, 34A, 59A, 60A, 75A, 75B, 75C, 75D, and 80A Deleted: Subsection 16.11(7)	OPA-2026-05	June 29, 2026	July 16, 2026	2021-E	June 30, 2026	July 16, 2026

July 24, 2026

To whom it may concern:

This letter is to verify that Marie McInnis – CAO dropped off letters to be mailed out to residents of the Rural Municipality of North Shore on June 10th that were already prepared with postage.

Regards



Erica Boyan - York Postmaster.

Rural Municipality of North Shore- Public Meeting

Amendment to Official Plan and Land Use Bylaw

June 22, 2026 – 6:00 p.m.

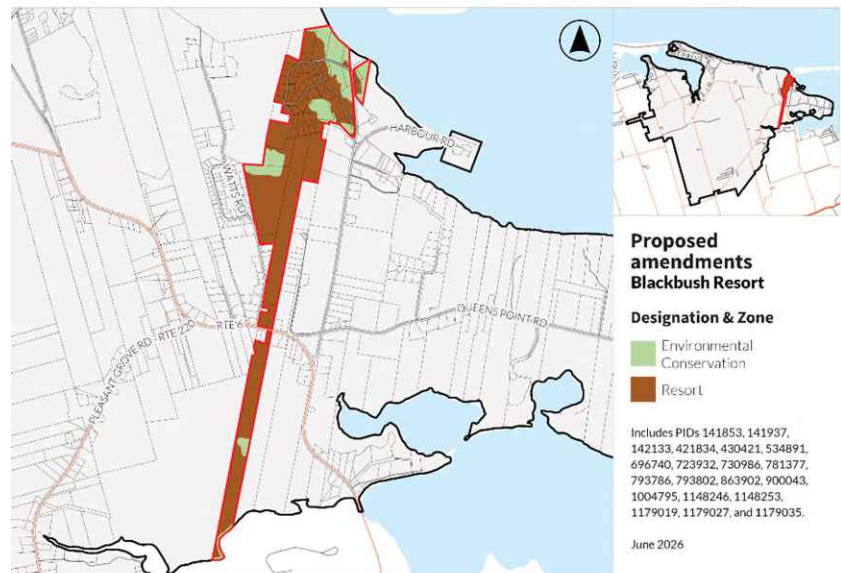
A meeting will be held at the North Shore Community Centre, 2120 W. Covehead to receive comments from the public on the following proposed amendments to the Official Plan and Land Use Bylaw:

- **Official Plan Text Amendments** – updates to policies establishing a new Resort designation and required information, updating the future land use map direction, permitting private roads in resort developments, updating language regarding water and wastewater servicing and housekeeping amendments updating language around marine access and marine access structures and coordinating designation and zone titles.
- **Land Use Bylaw Textual Amendments** – to create a Resort (RES) Zone for resort-oriented mixed-use developments, including tourism accommodations, limited residential uses, recreation, commercial services, marine access, and related infrastructure. The amendments would also add supporting rules for private roads in Resort zones and related subdivision requirements, and to clarify changes for marine access and coastal provisions to recognize limited exceptions for approved fisheries, aquaculture, marine access structures, and non-habitable structures required for permitted water-dependent uses.
- **Land Use Bylaw Housekeeping Amendments** – to clarify parking requirements on properties with more than one use, the application of secondary suite provisions, and new or revised definitions for resort development, marina, marine access structure, commercial recreation use, event venue, craft brewery or distillery, art gallery, and related tourism establishment terminology.
- **Map Amendments: Official Plan Future Land Use Map and Land Use Bylaw Zoning Map** – amendments to PIDs s 141853, 141937, 142133, 421834, 430421, 534891, 696740, 723932, 730986, 781377, 793786, 793802, 863902, 900043, 1004795, 1148246, 1148253, 1179019, 1179027, and 1179035 to apply the Resort designation and zoning for the Blackbush Resort while updating the Environmental Conservation designation and zoning based on more recent environmental mapping on the subject properties, as shown in map below.

The meeting is open to the public and all interested parties are encouraged to attend. Public comments and feedback about the proposal will be accepted until June 23, 2026, at 4:00pm.

Details on the application may be viewed at the municipal office or online at <https://www.northshorepei.ca/> prior to the meeting. For more information on this proposal or to provide comments, please contact the municipal office by email to administrator@northshorepei.ca or mail/delivery to 2120 Rte. 25, West Covehead, PE C0A 1P0 or call 902-672-2600.

**Rural Municipality of North Shore
Official Plan Future Land Use Map and Land Use Bylaw Zoning Map**



MARIE – are you able to add a summary document to the website on short notice?



Rural Municipality of North Shore

West Covehead, Covehead Stanhope
Pleasant Grove, Grand Tracadie

2120 RTE 25, West Covehead PE C0A 1P0
(902) 672-2600

seniorassistant@northshorepei.ca
www.northshorepei.ca

Public Meeting

Amendment to Official Plan and Land Use Bylaw

June 22, 2026 – 6:00 p.m.

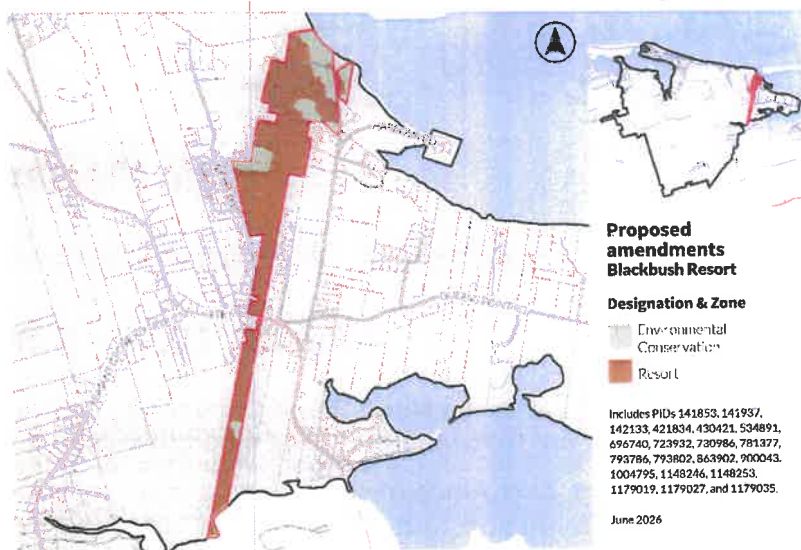
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**Rural Municipality of North Shore
Official Plan Future Land Use Map and Land Use Bylaw Zoning Map**





Public Meeting Amendment to Official Plan and Land Use Bylaw June 22, 2026 – 6:00 p.m.

Rural Municipality of North Shore
West Covehead, Covehead Stanhope
Pleasant Grove, Grand Tracadie
2120 RTE 25, West Covehead PE COA #P0
(902) 672-2600
seniorassistant@northshorepei.ca
www.northshorepei.ca

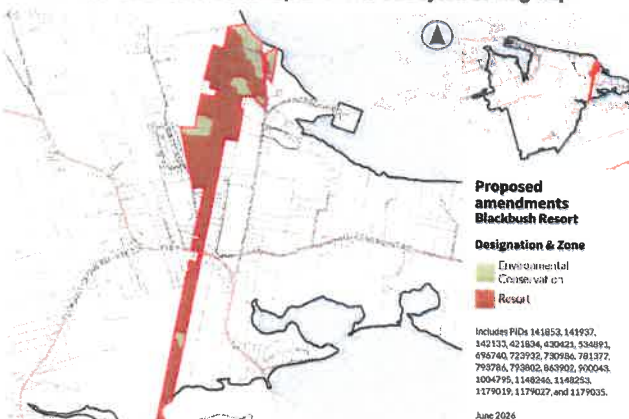
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Rural Municipality of North Shore Official Plan Future Land Use Map and Land Use Bylaw Zoning Map



Search Property Information

Disclaimer - Please note that the maps for large properties or those that have many neighboring properties may take longer to load.

How do you want to search?

Parcel Number ▾

Parcel Number

Search

Parcel	141853-000
Owner	APM LANDMARK INC
Owner's Address	PO BOX 2859 CHARLOTTETOWN, PE C1A 8C4
Property Location	GRAND TRACADIE
Assessed Acreage	10.0
Township	35
Map Sheet Number	11L068D4
Original Parcel Number	N/A

[Assessment](#)

[Registry](#)

[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
141937	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
142075	A	WILLIAM A & FRANCES E WHITE	
430439	A	MAURICE MACDONALD	

Parcel Number

Stat

Owner Name

Mailing Address

517672

A

GARY JOHN CLOW

715268

A

MARY ROSE MACDONALD & OTHERS

784074

A

M & S FARMS INC

793786

A

PAN AMERICAN PROPERTIES INC

CHARLOTTETOWN, PE
C1A 8C4

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Search Property Information

Disclaimer - Please note that the maps for large properties or those that have many neighboring properties may take longer to load.

How do you want to search?

Parcel Number ▾

Parcel Number 141937

Search

Parcel 141937-000

Owner PAN AMERICAN PROPERTIES INC

Owner's Address PO BOX 2859
CHARLOTTETOWN, PE
C1A 8C4

Property Location 12 WATTS RD
GRAND TRACADIE

Assessed Acreage 27.74

Township 35

Map Sheet Number 11L068D3

Original Parcel Number N/A

[Assessment](#)

[Registry](#)

[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1005446	A	DANA JEAN (MACDONALD) WARD	
1111194	A	JIMMY EDWARD & MELINDA WATTS	

Parcel Number	Stat	Owner Name	Mailing Address
---------------	------	------------	-----------------

141853	A	APM LANDMARK INC	
--------	---	------------------	--

141861	A	NANCY L GIRVAN & LONNIE MACDONALD	
--------	---	-----------------------------------	--

141911	A	IVAN B & JIMMY E & LINUS H & KEITH J & PARNELL J WATTS	
--------	---	--	--

141978	A	L&W ENTERPRISES INC	
--------	---	---------------------	--

430439	A	MAURICE MACDONALD	
--------	---	-------------------	--

534891	A	CAROLINE MACNABB	
--------	---	------------------	--

555870	A	LAWRENCE (LONNIE) MACDONALD & NANCY LEE GIRVAN	
--------	---	--	--

560177	A	JENNIFER O'HARA & KYLE SCUTT	
--------	---	------------------------------	--

635581	A	LONNIE MACDONALD & NANCY L GIRVAN	
--------	---	-----------------------------------	--

679159	A	LINDA A HAZELWOOD	
--------	---	-------------------	--

730986	A	PAN AMERICAN PROPERTIES INC	
--------	---	-----------------------------	--

733089	A	MADELYN MACAUSLAND	
--------	---	--------------------	--

752840	A	JOHN RICHARD & LORI MCGEE	
--------	---	---------------------------	--

793786	A	PAN AMERICAN PROPERTIES INC	
--------	---	-----------------------------	--

793802	A	PAN AMERICAN PROPERTIES INC	
--------	---	-----------------------------	--

827923	A	COREY FORD & KRISTEN DOOLEY	
--------	---	-----------------------------	--

863902	A	DEBBI O'BRIEN	
--------	---	---------------	--

Search Property Information

Disclaimer - Please note that the maps for large properties or those that have many neighboring properties may take longer to load.

How do you want to search?

Parcel Number

Parcel Number 142132

Search

Parcel	142133-000
Owner	CAROLINE MACNABB
Owner's Address	
Property Location	
Assessed Acreage	6.15
Township	35
Map Sheet Number	11L068D4
Original Parcel Number	N/A

- Assessment
- Registry
- Property Charges
- Neighbouring Properties
- Map

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1004803	A	GOVERNMENT OF PRINCE EDWARD ISLAND	CHARLOTTETOWN, PE C1A 7N8
1148253	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
214569	A	GOVERNMENT OF CANADA	CHARLOTTETOWN, PE C1A 7M8

Parcel Number	Stat	Owner Name	Mailing Address
430421	A	TIM BANKS	CHARLOTTETOWN, PE C1A 8C4
723932	A	GREENWICH INVESTMENTS LTD	CHARLOTTETOWN, PE C1A 8C4
781377	A	APM LANDMARK INC	CHARLOTTETOWN, PE C1A 8C4
793786	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4

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How do you want to search?

Parcel Number ▾

Parcel Number 421834

Search

Parcel 421834-000

Owner FRANCES S GALLANT

Owner's Address

Property Location

Assessed Acreage 0.7

Township 35

Map Sheet Number 11L068D3

Original Parcel Number N/A

[Assessment](#)

[Registry](#)

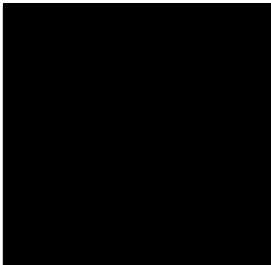
[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1066166	A	DAVID GAUDET	
1067735	A	GERARD WATTS	

Parcel Number	Stat	Owner Name	Mailing Address
430074	A	JEFFREY WILLIAM EAGER & SETSUKO NAGAI	
696740	A	CAROLINE MACNABB	

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Search Property Information

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How do you want to search?

Parcel Number

Parcel Number 430421

Search

Parcel	430421-000
Owner	TIM BANKS
Owner's Address	PO BOX 2859 CHARLOTTETOWN, PE C1A 8C4
Property Location	GRAND TRACADIE
Assessed Acreage	4.29
Township	35
Map Sheet Number	11L068D4
Original Parcel Number	N/A

- Assessment
- Registry
- Property Charges
- Neighbouring Properties
- Map

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
142133	A	CAROLINE MACNABB	CHARLOTTETOWN, PE C1A 8C4
723932	A	GREENWICH INVESTMENTS LTD	CHARLOTTETOWN, PE C1A 8C4

Search Property Information

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How do you want to search?

Parcel Number ▾

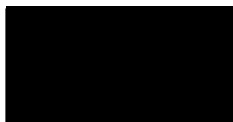
Parcel Number 696740

Search

Parcel 696740-000

Owner CAROLINE MACNABB

Owner's Address



Property Location GRAND TRACADIE

Assessed Acreage 34.0

Township 35

Map Sheet Number 11L068D3

Original Parcel Number N/A

[Assessment](#)

[Registry](#)

[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1066166	A	DAVID GAUDET	
1067735	A	GERARD WATTS	

Parcel Number	Stat	Owner Name	Mailing Address
141580	A	RAYMOND C WATTS	
141598	A	LOIS MARILYN (DREW) MARTIN	
141945	A	SHELDON & SONIA MACDONALD & SARA MACDONALD	
141960	A	KAREN COFFIN	
142372	A	GRAND TRACADIE COMMONS	
421834	A	FRANCES S GALLANT	
430074	A	JEFFREY WILLIAM EAGER & SETSUKO NAGAI	
			Disclaimer Terms and Conditions

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How do you want to search?

Parcel Number ▾

Parcel Number 723932

Search

Parcel	723932-000
Owner	GREENWICH INVESTMENTS LTD
Owner's Address	PO BOX 2859 CHARLOTTETOWN, PE C1A 8C4
Property Location	115 BEACH RD GRAND TRACADIE
Assessed Acreage	1.51
Township	35
Map Sheet Number	11L068D4
Original Parcel Number	N/A

[Assessment](#) [Registry](#) [Property Charges](#) [Neighbouring Properties](#) [Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1004803	A	GOVERNMENT OF PRINCE EDWARD ISLAND	CHARLOTTETOWN, PE C1A 7N8
1148253	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
1179035	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4

Parcel Number	Stat	Owner Name	Mailing Address
142083	A	GOVERNMENT OF PRINCE EDWARD ISLAND	CHARLOTTETOWN, PE C1A 7N8
142133	A	CAROLINE MACNABB	CHARLOTTETOWN, PE C1A 8C4
430421	A	TIM BANKS	CHARLOTTETOWN, PE C1A 8C4
701896	A	ROBERT GILMOUR & ANDREA BIRD	
819037	A	GOVERNMENT OF PEI	CHARLOTTETOWN, PE C1A 7N8

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Search Property Information

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How do you want to search?

Parcel Number ▾

Parcel Number

Parcel	730986-000
Owner	PAN AMERICAN PROPERTIES INC
Owner's Address	PO BOX 2859 CHARLOTTETOWN, PE C1A 8C4
Property Location	134 WATTS RD GRAND TRACADIE
Assessed Acreage	22.0
Township	35
Map Sheet Number	11L068D4
Original Parcel Number	N/A

[Assessment](#)

[Registry](#)

[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1053966	A	JOHN LAUCLAN (LAUCHIE) MACDOUGALL & JILL ANN MACISAAC	

Parcel Number	Stat	Owner Name	Mailing Address
1053974	A	JOHN LAUCLAN (LAUCHIE) MACDOUGALL & JILL ANN MACISAAC	
1065218	A	GOVERNMENT OF CANADA	
1069996	A	COREY & VERONICA CHRISTIAN	
141887	A	GOVERNMENT OF CANADA	
141937	A	PAN AMERICAN PROPERTIES INC	
573923	A	MICHAEL DOOLEY	
793802	A	PAN AMERICAN PROPERTIES INC	
802041	A	STEPHANIE DELANEY	
856773	A	KAREN MARIE WATTS	
856781	A	KAREN MARIE WATTS	
863902	A	DEBBI O'BRIEN	

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Search Property Information

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How do you want to search?

Parcel Number ▾

Parcel Number 781377

Search

Parcel	781377-000
Owner	APM LANDMARK INC
Owner's Address	PO BOX 2859 CHARLOTTETOWN, PE C1A 8C4
Property Location	7 GRAND DUNE DR GRAND TRACADIE
Assessed Acreage	3.24
Township	35
Map Sheet Number	11L068D4
Original Parcel Number	N/A

[Assessment](#)

[Registry](#)

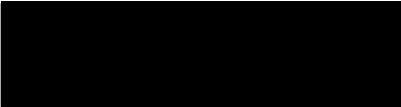
[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
142133	A	CAROLINE MACNABB	CHARLOTTETOWN, PE C1A 8C4
214569	A	GOVERNMENT OF CANADA	CHARLOTTETOWN, PE C1A 7M8
793786	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4

Parcel Number	Stat	Owner Name	Mailing Address
795542	A	GERARD WATTS	

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How do you want to search?

Parcel Number ▼

Parcel Number

[Search](#)

Parcel	793786-000
Owner	PAN AMERICAN PROPERTIES INC
Owner's Address	PO BOX 2859 CHARLOTTETOWN, PE C1A 8C4
Property Location	3 GRAND DUNE DR GRAND TRACADIE
Assessed Acreage	47.21
Township	35
Map Sheet Number	11L68D4
Original Parcel Number	N/A

[Assessment](#)

[Registry](#)

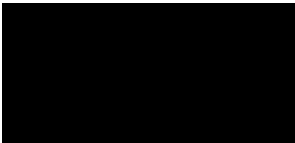
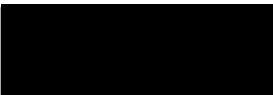
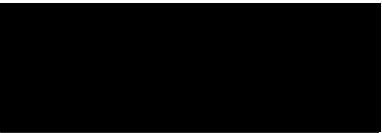
[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
1148246	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
1148253	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
1179019	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4

Parcel Number	Stat	Owner Name	Mailing Address
1179027	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
1179035	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
141846	A	GOVERNMENT OF CANADA	CHARLOTTETOWN, PE C1A 7M8
141853	A	APM LANDMARK INC	CHARLOTTETOWN, PE C1A 8C4
141887	A	GOVERNMENT OF CANADA	CHARLOTTETOWN, PE C1A 7M8
141937	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
142075	A	WILLIAM A & FRANCES E WHITE	
142133	A	CAROLINE MACNABB	CHARLOTTETOWN, PE C1A 8C4
517672	A	GARY JOHN CLOW	
781377	A	APM LANDMARK INC	CHARLOTTETOWN, PE C1A 8C4
793802	A	PAN AMERICAN PROPERTIES INC	CHARLOTTETOWN, PE C1A 8C4
795542	A	GERARD WATTS	

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Search Property Information

Disclaimer - Please note that the maps for large properties or those that have many neighboring properties may take longer to load.

How do you want to search?

Parcel Number ▾

Parcel Number

1004792

Search

Parcel 1004795-000

Owner GOVERNMENT OF PRINCE EDWARD ISLAND

Owner's Address PO BOX 2000
CHARLOTTETOWN, PE
C1A 7N8

Property Location GRAND TRACADIE

Assessed Acreage 5.04

Township 35

Map Sheet Number 11L068D4

Original Parcel Number N/A

[Assessment](#)

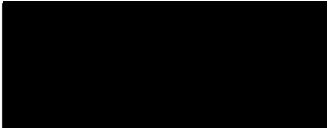
[Registry](#)

[Property Charges](#)

[Neighbouring Properties](#)

[Map](#)

Neighbouring Properties:

Parcel Number	Stat	Owner Name	Mailing Address
142083	A	GOVERNMENT OF PRINCE EDWARD ISLAND	CHARLOTTETOWN, PE C1A 7N8
701896	A	ROBERT GILMOUR & ANDREA BIRD	
900043	A	GREENWICH INVESTMENTS LTD	CHARLOTTETOWN, PE C1A 8C4

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