

**3rd Supplemental Record filed by
The Town of Three Rivers
In the matter of Anchored Construction Group Inc. and Allan Fraser v. Town of Three Rivers
(Appeal #LA26006)**

Submitted by Ewan W. Clark
on behalf of the Town of Three Rivers

September 3, 2026

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TAB	DATE	DESCRIPTION OF RECORD
20	March 2023	Town of Three Rivers – Official Plan
21	March 2023	Town of Three Rivers Bylaw #2023-02



Three Rivers

OFFICIAL
PLAN



Official Plan
March 2023



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Appendix 1: Terms of Reference for Required Plans and Studies

The Town of Three Rivers acknowledges that Prince Edward Island (Epekwitk) is unceded Mi'kmaq territory.

“The Three Rivers – Montague, Brudenell, and Cardigan – wind through towns, villages, and communities in Kings County, draining into Cardigan Bay, known to the Mi’Kmaq people as Samkook (sandy shore)...

The waters of the Three Rivers still flow, as they have for centuries, past farms, fisheries and shipyards, linking all those who live along their banks to each other, to the past and to the future.”

- Adapted from a description recognizing The Canadian Heritage Rivers System



How to Use This Plan

This Official Plan for the Town of Three Rivers provides guidance for members of the public, Town Staff, the Planning Board, and Town Council on land use planning matters.

The steps below are provided to assist the reader when development on a property is proposed.

1	Find the property on the Schedules. Schedules are found at the end of the document. Be sure to check each Schedule, as each one illustrates different policies.
2	Find the policies that relate to the applicable land use designations in Section 5 (Designations and Land Use Policies).
3	Review Section 4 (General Policies) to determine if the Plan offers specific guidance for the proposed use or application.
4	The property to be developed may contain natural or heritage resources that are not shown on the Schedules. Review Section 6 (Protection of Natural and Built Heritage Resources) section to determine if these policies apply.
5	The property to be developed may contain or generate hazards or compatibility concerns. Review Section 7 (Development Hazards and Land Use Compatibility) section to determine if these policies apply.
6	Contact the Town of Three Rivers for questions or additional information.



1. Introduction

1.1. Purpose

The purpose of the Official Plan is to provide direction for the physical growth of the Town of Three Rivers. The Plan will be used by Town Council, the Planning Board, and Town Staff to guide the review of development applications on private land, as well as decisions for public infrastructure investment.

As the first Official Plan for the Town of Three Rivers, this Plan is intended to implement a cohesive vision for land use in the municipality. The Plan is crafted to reflect the diversity of contexts, features, and character areas in the Town, and to consider these defining elements when planning for future development of the community.

1.2. Legislative Authority

The authority of the Town of Three Rivers to adopt this Official Plan is derived from the provisions of the Planning Act R.S.P.E.I. 1988, P-8. The Act permits municipalities to adopt an Official Plan, which is to be approved by Council, on a recommendation from a Planning Board, where constituted.

Additionally, Executive Order-in-Council EC2018-586, which created the Town of Three Rivers, requires the Town to satisfy requirements for municipal planning services by September 28, 2023. The Official Plan is a key component of the core land use planning services provided by municipalities.

This Plan [has been approved] by the Minister of Agriculture and Land, as prescribed by the Planning Act R.S.P.E.I. 1988, P-8.

1.3. Structure of the Official Plan

The Official Plan is comprised of multiple sections, each of which is inter-related:

- 1) The **Basis of the Plan**, which outlines the foundational principles and approaches used in the creation of the Official Plan;
- 2) A description of the **Community Structure and Growth Strategy**, which describes the intended form of the community and establishes a high-level approach to managing development;
- 3) **General Policies**, which includes direction for various land use activities across the Town;
- 4) **Designations and Land Use Policies**, which contain specific directions for specific policy areas and classifications;
- 5) Policies for **Protection of Natural and Built Heritage Resources**, which are intended to ensure that natural resources and features are protected and managed responsibly;

- 6) Policies for **Development Hazards and Land Use Compatibility**, which ensure that existing and proposed development is protected from the impacts of surrounding features and land uses;
- 7) Policies for **Infrastructure and Public Facilities**, which ensure that adequate, safe and appropriate services and facilities are provided to residents;
- 8) Policies for **Implementation**, which specify actions and tools to be employed by the Town to ensure that the directions of the Official Plan are realized;
- 9) **Land Use Schedules**, which include maps of the Town that illustrate land use designations and other information; and
- 10) **Appendices**, which contain additional reference materials.

1.4. Interpretation

1.4.1. Components of the Official Plan

- 1) The Official Plan should be read as a whole, reflecting its role as a comprehensive policy document for decision-making regarding land use activities.
- 2) All text and Schedules constitute the Official Plan. Appendices are provided for reference only and do not form part of the Plan.
- 3) Illustrations, sidebars and photos are included for the purpose of illustration only and are not part of the Plan.
- 4) Where the Plan refers to other legislation, policy document, studies or guidelines, such documents are not part of the Plan unless the Plan has been specifically amended to include the document in whole or in part.
- 5) Where reference is made in the Official Plan to documents that reside outside of the Plan, such as provincial or federal Acts or other legislation, or to other documents that are not part of the Plan, the latest approved version of the document is implied.

1.4.2. Interpretation of Schedules

- 1) Boundaries of land use designations in this Official Plan are identified on the Schedules to this Plan. The boundaries of these policy areas are approximate and, unless otherwise noted, will be considered as general, except where they coincide with major roads, former rail corridors, hydro transmission lines, rivers and other clearly recognizable physical features.
- 2) Unless otherwise stated in the policies, when the general intent of the Plan is maintained, minor adjustment to boundaries will not require amendment to this Plan.

1.4.3. Terminology

- 1) In this Official Plan, use of the word “shall” indicates a compulsory requirement under the policy.
- 2) In this Official Plan, use of the words “may,” “should,” “can” or similar indicates an optional action on the part of the Town or development applicant, as the case may be, in general terms. However, in certain cases these actions may nonetheless be deemed by the Town to be a compulsory requirement, where warranted, in accordance with policy direction and good planning practice.
- 3) Policies referencing “Council” may also include involvement and decision-making by the Three Rivers Planning Board, in cases where such powers have been delegated by Council or prescribed in the Planning Act R.S.P.E.I. 1988, P-8.

1.5. The Town of Three Rivers

1.5.1. Setting

The Town of Three Rivers is located in the southeast region of Prince Edward Island. Recently amalgamated in 2018, the Town includes the former municipalities of Brudenell, Cardigan,

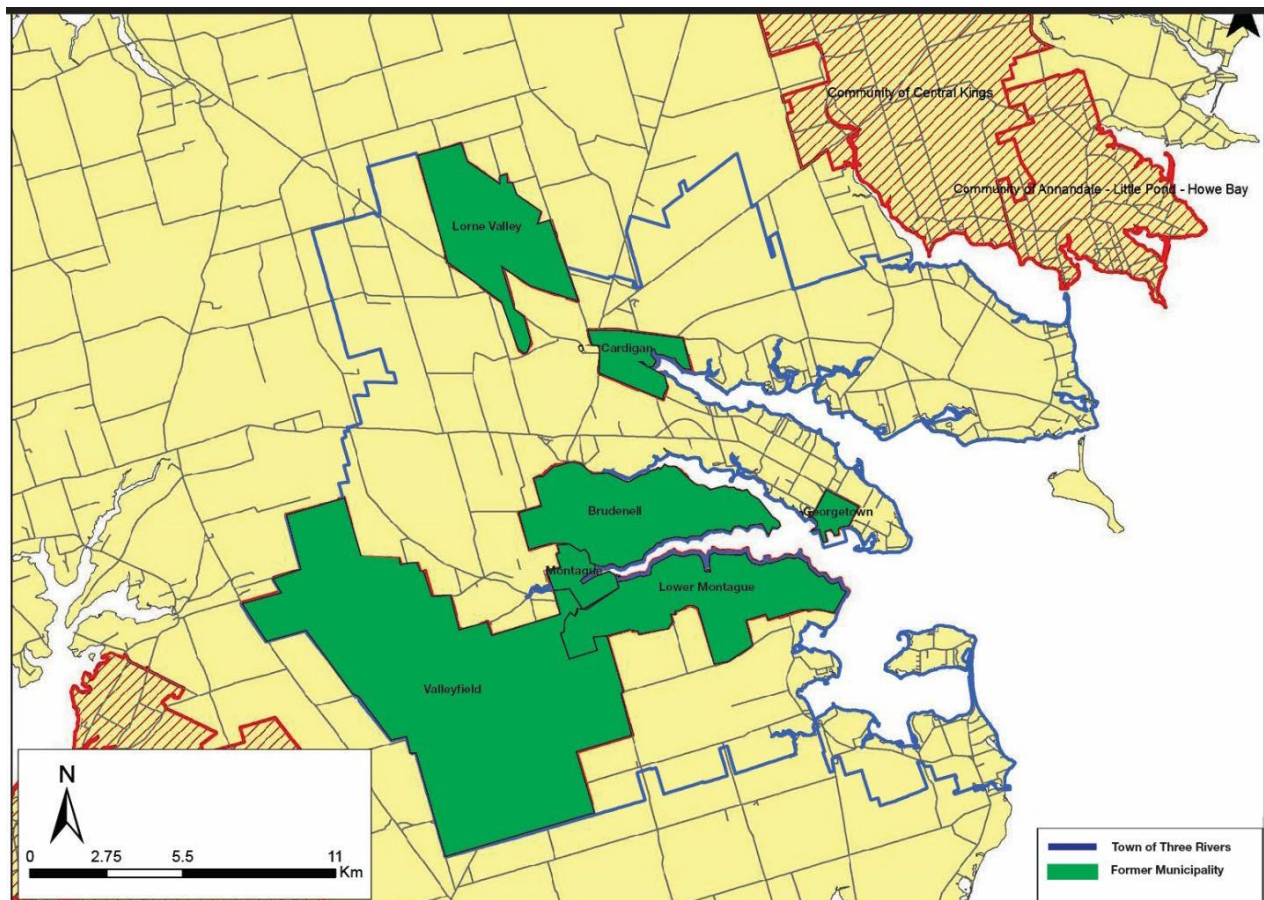


Figure 1: The Town of Three Rivers in regional context

Georgetown, Lorne Valley, Lower Montague, Montague, Valleyfield, as well as surrounding unincorporated areas. As a result of the amalgamation, the Town features the largest land area of any municipality on Prince Edward Island and contains the fourth-largest population in the province, after Charlottetown, Summerside, and Stratford. Figure 1 illustrates the Town of Three Rivers in its regional context, with the seven amalgamated municipalities delineated.

Three Rivers derives its name in part from its setting along the eastern coast of Prince Edward Island at the mouths of the Brudenell, Cardigan, and Montague Rivers. Beyond the symbolism in the Town's name, these three waterbodies also function as major features in the community's landscape, scenery, character, economy, and recreation activities.

The Town is generally bordered by unincorporated rural areas to the south, west, and north, with shoreline along its eastern boundaries. The Rural Municipality of Belfast is located southwest of the Town, with the Rural Municipalities of Central Kings and Annandale-Little Pond-Howe Bay located northeast of the Town along the Boughton River.

The Town is approximately 30 kilometres southeast of Charlottetown, the province's capital and largest city. Driving time between the municipalities is approximately 40 minutes.

1.5.2. History

Prince Edward Island has been inhabited for more than 12,000 years, beginning with the Mi'kmaq Peoples. The traditional Mi'kmaq name for the Island is "Epekwitk," meaning "something lying on the water."

European exploration and settlement of Prince Edward Island began in the sixteenth century, principally by the French, who called the Island "Ile St. Jean." In 1731, King Louis XV of France granted approximately 35,000 acres to the Compagnie d'Est de l'Ile Saint Jean in the southeast part of the Island. The following year, the manager of the company, Jean-Pierre Roma, established a settlement and trading post at Brudenell Point at the nexus of the Montague and Brudenell Rivers. Acadian settlement on the Island began in the mid-eighteenth century, and control of the Island oscillated between the French and British until permanent British control was established through the Treaty of Paris in 1763.

In 1764, Captain Samuel Holland (1728-1801) was granted responsibility for surveying a large portion of British North America. Surveys of the former Ile St. Jean, known as St. John's Island in English, was among the first performed in British North America. Through his survey, Holland divided the land on the Island into 67 lots of approximately 20,000 acres each. Along with Prince and Queens Counties to the west, Kings County in the eastern part of the Island was created as an administrative area, with the new George Town (present-day Georgetown) designated as the County seat.

Once surveyed, the 67 lots were disbursed by the Board of Trade and Plantations in a land lottery in 1767. The land holdings were generally granted to well-connected British politicians, military officers, and commercial merchants who had performed services during the war with France.

By the mid-1770s, many formerly French place names had been re-named in English, including the Brudenell, Cardigan and Montague Rivers replacing the French "Trois-Rivieres" (Three Rivers). Both the Brudenell and Cardigan Rivers were named for James Brudenell, the 5th Earl

of Cardigan, whose brother George Montagu [sic], the 4th Earl of Cardigan is the namesake for the Montague River.

By the late nineteenth century, the traditional agricultural and fishing industries were supplemented with shipbuilding and trading, as well as various commercial and professional services. Manufacturing was also present in the area, particularly in the urban centres. In 1872, train service was established to provide an efficient link across the Island for goods and passengers.

In 1875, the Province of Prince Edward Island passed the Land Purchase Act, which compelled absentee landowners to sell their lands to the provincial government for the purposes of offering purchase of the parcels to local citizens. The Act, aided by financing by the new Government of Canada based on terms for the Province's joining Confederation, enabled land ownership by local residents over the following decade.

As urbanization increased in the nineteenth and early twentieth centuries, settlements on Prince Edward Island began to incorporate as municipalities, reflecting a broader trend across Canada of establishing formal governance structures. Along with other municipalities in Kings County such as Souris (1910), Georgetown and Montague incorporated in 1912 and 1917, respectively. Cardigan was incorporated as a municipality in 1954, with the balance of the former municipalities in Three Rivers incorporated in the 1970s, including Brudenell (1973), Lower Montague (1974), Valleyfield (1974), and Lorne Valley (1978).

The Town of Three Rivers was created in 2018 through an amalgamation of the seven municipalities, along with surrounding rural areas.



1.5.3. Population and Housing Profile

As the Town of Three Rivers was created in 2018, between Census periods, accurate population counts will not be available until the results of the 2021 Census are released.

Through an analysis premised on 2016 Census data, the population of the municipality was calculated at 6,936 people. The highest concentration of this population is generally within settlement areas, with Georgetown, Montague and Lower Montague containing a combined total of 3,702 residents and representing just over 53 percent of the total population of Three Rivers. Population trends for each community through three Census periods are summarized in Table 1 below.

Table 1: Current Population Estimate (Based on 2016 Census Data)

Population Data for the Town of Three Rivers			
Area	2006	2011	2016
Montague	1,802	1,895	1,961
Georgetown	634	675	555
Cardigan	374	332	269
Lot 50	43	43	47
Lot 51	744	723	744
Lot 52 (Lorne Valley)	667	646	599
Lot 53	255	267	284
Lot 54	204	195	150
Lot 55	147	140	147
Lot 57 (Valleyfield)	170	168	166
Lot 59 (Lower Montague)	1,285	1,203	1,186
Lot 61	474	453	425
Lot 66	89	99	107
Lot 63	18	18	16
Kings Royalty	292	291	280
TOTALS	7,198	7,149	6,936

At the time of amalgamation in 2018, the Province provided the Town with a population figure of 7,181 within the municipal boundaries, representing a difference of 245 people from the estimate above.

Table 1 below summarizes the number of private occupied dwellings in Three Rivers, according to 2016 Census data. As shown in the Table, the Town contains approximately 2,936 private dwellings, with over 50 percent of those dwellings located in the former municipalities of Montague, Georgetown and Lower Montague.

Table 2: Private Occupied Dwellings in the Town of Three Rivers

Private Occupied Dwellings in the Town of Three Rivers	
Area	Approximate Number of Private Occupied Dwellings in Boundary Area
Montague	878
Georgetown	236
Cardigan	116
Lot 50	16
Lot 51	299
Lot 52 (Lorne Valley)	255
Lot 53	117
Lot 54	58
Lot 55	61
Lot 57 (Valleyfield)	61
Lot 59 (Lower Montague)	489
Lot 61	185
Lot 66	38
Lot 63	7
Kings Royalty	119
TOTALS	2,936



2. Basis of the Plan

2.1. Community and Stakeholder Engagement

As a collaborative process, the preparation of the Official Plan involves the input of many community members in a variety of roles. In addition to input from the Planning Board and Town of Three Rivers Staff, the following groups were engaged throughout the process, including:

- 1) Town of Three Rivers Council;
- 2) Town of Three Rivers Planning Board;
- 3) Indigenous organizations;
- 4) Local stakeholders; and
- 5) Members of the public.

2.2. Vision

The Town of Three Rivers will encourage sustainable growth of a diversity of residential, commercial, and industrial development that preserves the unique and special features of our communities.

2.3. Guiding Principles

This Official Plan is premised on the following Guiding Principles, derived from consultation with Town Council and the broader community. The Principles envision for Three Rivers:

- 1) Promote sustainable growth that preserves the unique and special features of our communities.
- 2) Create a destination for investment, balancing environmental protection with new development opportunities.
- 3) Prioritize development of a variety of housing types and designs to increase affordable choices for residents.
- 4) Place a special emphasis on agriculture and fisheries.
- 5) Ensure a balanced transportation system that allows residents to choose an appropriate mode for each trip.

2.4. Objectives of the Official Plan

- 1) To maintain the character of the existing communities within the Town of Three Rivers;
- 2) To ensure the orderly, functional, and efficient disposition of land use across Three Rivers;
- 3) To manage growth in a sustainable manner by directing development to areas with existing public services and facilities;
- 4) To enhance the physical, social and economic well-being of residents;
- 5) To protect natural heritage features and cultural heritage resources for their economic use and / or environmental benefit, and for the benefit and enjoyment of present and future residents;
- 6) To respond and adapt to the effects of a changing climate;
- 7) To provide appropriate and effective infrastructure and public service facilities in the Town;
- 8) To permit and enable an adequate supply and diversity of housing for all residents;
- 9) To permit and enable commercial and community services to supply products and services to residents of Three Rivers and the regional market area;
- 10) To provide opportunities for the development of industrial uses in appropriate locations and to foster employment and economic development;
- 11) To maintain and protect public health and safety;
- 12) To establish mechanisms for implementation, including the review of development applications; and
- 13) To ensure that members of the public have opportunities to be engaged and involved in planning decisions.

2.5. Planning Horizon

This Official Plan is prepared on the basis of a 15-year planning horizon to 2036. The goals, objectives, and policies contained within this Plan are intended to respond to the opportunities and challenges for land use planning in Three Rivers during this timeframe, including anticipated population trends.

2.6. Population and Housing Projections

The Official Plan is premised on a population projection prepared for the 15-year planning horizon, from 2021 to 2036. The population projections were developed using a trend analysis, which provides a general estimate of how populations may change based on previous data at 5-year intervals. To reflect current trends, the projections were developed using data from the 2006, 2011 and 2016 Census periods. Census data from 2021 was not available at the time of preparing this Plan.

Based on previous Census periods, the population of Three Rivers has generally declined over time. Extrapolating these previous trends, the population of the Town is projected to decline to approximately 6,437 by 2036, down an estimated 499 people from 2016. Some areas within the Town, including Montague, Lot 53 and Lot 66 are increasing in population, while others remain generally stable or are experiencing varied rates of decline. Table 3 below summarizes the population projections of each individual Census subdivision area within the municipal boundary.

Table 3: Population Projections for the Town of Three Rivers

Population Projections for the Town of Three Rivers							
Area	2006	2011	2016	2021	2026	2031	2036
Montague	1,802	1,895	1,961	2,045	2,125	2,204	2,284
Georgetown	634	675	555	542	503	463	424
Cardigan	374	332	269	220	168	115	63
Lot 50	43	43	47	49	51	53	55
Lot 51	744	723	744	736	736	735	735
Lot 52 (Lorne Valley)	667	646	599	570	537	503	469
Lot 53	255	267	284	298	312	327	341
Lot 54	204	195	150	129	101	74	47
Lot 55	147	140	147	145	145	145	146
Lot 57 (Valleyfield)	170	168	166	163	161	159	157
Lot 59 (Lower Montague)	1285	1203	1186	1126	1076	1027	977
Lot 61	474	453	425	401	376	352	327
Lot 66	89	99	107	116	125	134	143
Lot 63	18	18	16	16	15	14	13
Kings Royalty	292	291	280	276	270	264	258
Total Projected Population	7,198	7,149	6,936	6,831	6,700	6,569	6,437

The Prince Edward Island Bureau of Statistics generally projects an increase in the provincial population, particularly within urban centres. This increase indicates a shift in population towards towns and urban areas where municipal services and amenities are located.

As with many communities of comparable size in Canada, the Town of Three Rivers contains a significant population of those ages 50 and over. Within the municipal boundary, the ages 50 to 65 demographic has remained generally stable, while the population for ages 65 and over has

increased. Combined, people aged 50 and over represent approximately 47 percent of the population. The Official Plan accounts for a general aging of the population and the unique needs of the seniors demographic.

Despite the trendline towards negative population growth in recent years, the Town of Three Rivers may yet experience a population increase during the 15-year planning horizon for the new Official Plan. There are several sources of population growth that may occur naturally, and may be accelerated if encouraged by the Town:

1) General In-Migration and Immigration

As in the majority of Canadian communities, population growth in Three Rivers will largely depend on in-migration and immigration, rather than the natural birth rate. The Official Plan reflects the need for a range of housing types, infrastructure and services to ensure the varied needs of new residents can be met.

Additionally, Three Rivers may benefit from remote workers able to relocate from larger centres, provided the appropriate technological infrastructure is in place. Inspired by the pivot to remote work during the COVID-19 pandemic, workers who are able to continue working from any location may choose to settle in Three Rivers, increasing the working-age population.

2) Growth Among Buddhist Groups

The GEBIS and GWBI campuses both have ambitious plans to accommodate increasing membership during the lifetime of the Official Plan and beyond. Increases among these two organizations will result in an increase to the population within the physical boundaries of the Town. The Official Plan accounts for growth in these two facilities, as outlined in their respective Master Plans.

3) Retirees

With Prince Edward Island becoming an increasingly attractive location for retirees, the expansive and bucolic rural character of Three Rivers may benefit from growth in this population segment. By definition, this group is of advanced age and will generally not participate in the work force, having implications for the economy, demands on local services, and infrastructure requirements. The Official Plan recognizes the potential for new retirement-aged residents, particularly in settlement areas.

4) Growth from Economic Activity

Three Rivers may experience growth from traditional economic drivers, such as a new or existing employer expanding into a new site in Three Rivers. In this scenario, the amount of concurrent population growth will generally depend on the scale of the employment required.

While the full extent of growth from economic activity will be re-evaluated throughout the life of this Official Plan, the policy direction accounts for the potential for modest growth in both scenarios.

2.6.1. Vacant Land Analysis

Table 4 below summarizes the findings of a vacant land analysis. The Table shows that the areas of Three Rivers that have historically experienced the highest degree of urban development continue to accommodate a surplus of vacant lots.

Table 4: Vacant Land Analysis

	Total Area (m ²)	Total Lots	Vacant Residential Lot Area (m ²)	Vacant Residential Lots	Vacant Non- residential Lot Area (m ²)	Vacant Non- residential Lot	Total Lots	Total Vacant Lots
Georgetown	1,689,985	571	456,513	121	218,984	50	571	171
Montague	2,910,601	1,040	466,901	102	323,600	40	1,040	142
Lower Montague	21,324,620	851	576,961	183	56,440	17	851	200
Brudenell	19,695,865	768	544,720	147	415,232	98	768	245
All other areas	376,122,511	5,830	N/A	N/A	N/A	N/A	5,830	411

The findings of the vacant land analysis are tempered by the variety of land conditions, including lots inappropriate for development for reasons of contamination, topography, hazards, threats to natural or built heritage resources, and other factors. Where development is proposed on these vacant lots, the conditions of the lot will be reviewed on a case-by-case basis in accordance with the policies of the Official Plan.



3. Community Structure and Growth Strategy

3.1. Character Areas

The Town of Three Rivers is comprised of several communities, including former municipalities and unincorporated areas. A central objective of this Official Plan is to maintain the character of these communities, while allowing for compatible development in appropriate locations.

To achieve this objective, the Town of Three Rivers shall consider the existing and historic character of its communities in undertaking land use planning activities. The intention of this policy is not to prevent, discourage, or hinder development, but rather to emphasize the importance of compatibility with existing character and ensure that future development remains context-appropriate.

In undertaking land use planning activities, including reviewing development applications, the Town of Three Rivers will ensure compatibility with the character of its former municipalities, as detailed in the descriptions in this section.

3.1.1. Brudenell

Situated between the Montague River to the south and the Brudenell River to the north, the former Rural Municipality of Brudenell features approximately 5,000 acres of rolling farmland and forest. Some expansion of commercial and residential development has occurred along the border with the former Town of Montague, particularly along Route 4 (A.A. MacDonald Highway). Existing highway commercial land uses along Route 4 from Montague to MacDonald Road. Should central water and sanitary services be extended northwards from Robertson Road, it can be expected that this linear corridor will evolve over time to include higher-density commercial and residential development.

The south side of Robertson Road and along the south shore of Brudenell on the Montague River is comprised primarily of residential uses, as well as small-scale hotel (B&B) and commercial uses. Land uses on the north side of Robertson Road and extending north of Brudenell Point Road (Hwy 319) are generally characterized by agricultural farmland and forest. Except for the Great Wisdom Buddhist Institute (GWBI) on the north and south sides of Brudenell Point Road, this Plan anticipates preserving the existing character of these farmlands and forested areas, particularly within the interior of Brudenell. Beyond the existing residential uses and vacant residential lots along the Brudenell River, there are limited opportunities for additional residential subdivisions.

Brudenell Point, located at the confluence of the two rivers, is the site of the Jean Pierre Roma Acadian settlement, the 18th century site of the first French settlement on Prince Edward Island. Roma at Three Rivers is a National Historic Site and a significant tourist attraction. Any new development in proximity to the Historic Site must be evaluated for its impacts on this important community feature.

3.1.2. Cardigan

The community of Cardigan is located on both the north and south banks of the Cardigan River. As a Rural Settlement Area, Cardigan features a compact form of rural development on private

water and sanitary services. While there are limited opportunities for residential and commercial intensification on private services, Cardigan shall continue to offer and permit a range of land uses, including residential and commercial.

As an important community hub within the wider area, Cardigan boasts several businesses, personal services and amenities, including hotels/B&Bs, museums, restaurants, a post office, community centre, recreational uses and parks. Cardigan is also home to Canada's smallest library, a unique attraction for residents and visitors. Together, these uses contribute to making Cardigan a dynamic and charming place for residents and tourists alike.

The Cardigan Wharf originated as an important launching point for the fishing industry, primarily the harvesting of clams and mussels. Today, the Marina remains a major hub in the community, supporting the fishing industry and opportunities for recreational boating. Consequently, the Marina and adjacent lands are a central feature of Cardigan and should be maintained and enhanced where possible.

Cardigan is an important focal point and unique Rural Settlement Area within the Town of Three Rivers. New development should be compatible with the existing character and function of the community.

3.1.3. Georgetown

Historic Georgetown, founded in 1732, is the seat of King's County and one of the first settlements on Prince Edward Island. The initial town site was planned on a street grid system, with many historic and heritage buildings still in existence. Within the expansive street grid system, Georgetown features several vacant or underutilized properties serviced by existing water and sanitary services. As a result, Georgetown has tremendous opportunity for growth, whether by infilling or site redevelopment.

Both Kent and Water Streets include a variety of building typologies and a mix of uses that service residents and visitors. The King's Playhouse has contributed to a thriving arts community and attracts people to Georgetown. Likewise, the A.A. MacDonald Gardens offers a place for people to visit, socialize and learn about Georgetown's history. Appropriately, these streets shall continue to be the focal points for a mix of uses.

Georgetown also offers a beautiful waterfront that offers opportunities for enhancement, where possible. The West Street Park and Beach are unique features within Georgetown, providing the public with unrestricted access to open spaces and the waterfront. Properties along the south side of Water Street should also be encouraged to provide for a mix of uses in appropriate locations along the waterfront.

Georgetown has historically featured extensive industrial uses, with several important employment and industrial uses located along the waterfront. Recognized as one of the deepest harbours in North America, Georgetown once accommodated a major shipyard. The former shipyard should be reserved for potential future industrial use.

Georgetown includes many heritage buildings that are emblematic of the Town's prominent past. These important and historic buildings should be preserved, enhanced and celebrated, where possible, to further establish Georgetown as an exceptional community on Prince Edward Island.

3.1.4. Lorne Valley

The former Rural Municipality of Lorne Valley is located to the north-west of Cardigan in the Town of Three Rivers. Similar to other former rural municipalities and some unincorporated areas, Lorne Valley is a picturesque community comprised of agricultural fields and forest lands. In addition, the former municipality includes a few small locally-oriented commercial and retail uses, as well as community gathering places.

This Plan continues to support the established agricultural land uses as well as the rivers, streams, and wetlands that play an important ecological function within the wider planning area. Generally, new non-agricultural related land uses are discouraged, including new residential subdivisions. While the policies of this Plan are supportive of limited land severances, preservation of the traditional uses of land is prioritized in Lorne Valley, while mitigating impacts caused by conflicting land uses.

Residential uses within Lorne Valley are often clustered together along Route 365 or other local roads. The creation of new residential lots shall generally be within these existing residential areas to preserve and maintain the character of the community.

3.1.5. Lower Montague

Lower Montague is a scenic, rural community located east of Montague, spanning the Valleyfield Dam to the west, St. Andrew's Point to the east and south to Albion. The former municipality continues to hold its strong agricultural and fishing roots, while also offering recreational and seasonal tourist uses.

The south side of Route 17, which offers picturesque views of rolling hills and rich farmland, should generally be retained for agricultural uses. North of Route 17 and along the Montague River and Lower Montague Road, properties are characterized by rural residential and seasonal cottages. The divide between agricultural and residential uses along this road should be generally maintained to preserve the uniqueness of the area. With this direction, Lower Montague can continue to offer opportunities for new residential and rural uses in appropriate locations, while coexisting with agricultural land uses.

3.1.6. Montague

The former Town of Montague functions as a regional hub for Three Rivers and Eastern PEI. Montague offers a range of businesses, services and amenities to service the day-to-day needs of the community.

As one of the main attractions, the Montague Waterfront Marina includes former CN Railway lands and now feature boating berths, public washrooms, a visitors information centre, a playground, an outdoor stage and many shops and restaurants. The waterfront area plays an important role in the history of Montague, with its wooden boardwalk, historical buildings, and scenic views. Montague has a rich history and culture that can be experienced through the renowned Centennial Art Trail and Garden of the Gulf Museum. For many residents and visitors to the area, Montague is also a launching point for the Confederation Trail, linking many communities across PEI.

In general, tourist infrastructure offered in the waterfront area should be maintained and enhanced as important community assets. Where possible, the Town of Three Rivers shall encourage consolidation of lands in this area to expand the function of the marina, while offering residents and visitors places to gather.

Additionally, the Main Street streetscape should be enhanced by promoting a mix of uses, retaining heritage buildings, encouraging excellence in architectural design and by supporting the pedestrian network. Where possible, the Town of Three Rivers shall seek opportunities to prioritize and facilitate active modes of transportation, particularly in areas of high foot traffic.

Automobile-oriented uses shall generally be located north of the Montague core along the A.A. MacDonald Highway. This linear corridor is expected to change over time, providing a mix of land uses, as the Montague continues to grow.

At present, Montague has many vacant or underutilized lots that could offer opportunities for infill and intensification. The Town of Three Rivers shall promote development on these sites to ensure efficient land use patterns and sustain the financial health of the Town.

3.1.7. Valleyfield

The former Rural Municipality of Valleyfield is the largest of the former municipalities in the Town of Three Rivers. As a rural community, Valleyfield features beautiful pastoral views of rolling hills and rich farmland. Traditionally, agriculture has been the primary driver of the local economy in Valleyfield and, on a broader scale, will continue to be a major industry within the Town of Three Rivers.

This Plan continues to support established farming activities as well as the rivers, streams and wetlands that play an important ecological function in maintaining this industry. Generally, new non-agricultural uses are discouraged, including new residential subdivisions. While the policies of this Plan is supportive of limited land severances, the intent is to preserve the traditional use of this land, while also protecting impacts and risks resulting from conflicting land uses.

The Great Enlightenment Buddhist Institute Society (GEBIS) has located a major institutional campus within the Heatherdale community. The GEBIS campus is positioned to accommodate learning retreats and meditation workshops for Buddhist practitioners and is permitted to continue its operation as per the approved Master Plan.

A long segment of Wood Island Road (Route 315) is located in Valleyfield, providing a connection from the Wood Island Ferry with Montague and other parts of Three Rivers. This is an important roadway that will continue to service inter-provincial travel. Any new development along this road should complement the function of this route.

Some existing residential developments are clustered along public roads in Valleyfield. The creation of new residential lots shall generally be located within these clustered areas to preserve the integrity of this scenic community.

3.2. Growth Strategy

Growth in Three Rivers will be planned in a coordinated manner based on sound planning principles and with regard for fiscal responsibility, maintenance of community character, protection of natural features and resources, and to foster an economically strong and socially

vibrant community. The growth strategy of this Official Plan is premised on the following principles:

- 1) Settlement Areas shall be classified as target designations for growth and development.
- 2) Provision of central water and sanitary services shall be limited to Urban Settlement Areas. Higher-density development may only be accommodated in the Urban Settlement Areas.
- 3) Limited lot creation may be permitted on lands under the Agricultural designation.
- 4) Development shall be directed away from natural heritage features.
- 5) Development shall be directed away from hazards and incompatible uses.
- 6) Development shall ensure protection of valuable cultural heritage resources, including historical and archaeological sites and buildings.

3.3. Settlement Areas

3.3.1. Types of Settlement Areas

Among a diversity of community types in Three Rivers, the Official Plan recognizes two types of Settlement Areas, as designated on Schedule A.

- 1) **Urban Settlement Areas** are densified areas with a mix of residential, commercial, industrial, institutional, recreation, and open space uses that are intended to be serviced with central water and sanitary services. While agriculture and other rural uses may exist in the Urban Settlement Area in the short-term, the long-term intention is to replace such low-density and land-intensive uses with urban uses. The provision of central services allows for smaller properties and higher densities of development, enabling land uses to be located in close proximity to each other to encourage clustered developments. Infrastructure to allow and encourage active modes of transportation, such as walking and cycling, are feasible in the Urban Settlement Area, along with public roads that are generally paved and maintained year-round.
- 2) **Rural Settlement Areas** are areas with a mix of residential, commercial, industrial, institutional, recreation, and open space uses that are serviced on private well and septic services. Agricultural uses are possible in the Rural Settlement Areas and may continue over the long-term. Rural Settlement Areas are focal points for rural communities, typically centred around a prominent intersection or historic settlement. The need for private services results in larger lots, lower overall densities, and development at greater distances apart than Urban Settlement Areas. In contrast to the broader rural area, however, Rural Settlement Areas feature a wider range of land uses and community services in relatively close proximity. While walking and cycling are

possible in these areas, private vehicles are the predominant mode of transportation.

3.3.2. General Policies for Settlement Areas

- 1) Urban Settlement Areas and Rural Settlement Areas are shown on Schedule A. Land use policies for each land use designation are included in Section 5 of this Plan.
- 2) Settlement Areas may be expanded through an Official Plan Amendment, subject to the following conditions:
 - a) There are insufficient opportunities to accommodate projected development inside the existing Settlement Area boundary;
 - b) The proposed expansion lands are reasonably contiguous with the existing Settlement Area, to create a continuous designation with no unnecessary gaps or breaks in the boundary line;
 - c) The proposed expansion lands are deemed to be the preferred location for expansion following an evaluation of other candidate lands, with consideration for the conditions in this policy;
 - d) The proposed expansion lands comprise a land area appropriate to accommodate projected growth, and do not represent an unnecessarily large or extensive expansion;
 - e) The proposed expansion lands can be efficiently and functionally added to the Settlement Area, with consideration for the road network and central water and sanitary services, where applicable;
 - f) In Urban Settlement Areas, central water and sanitary services shall be extended to service all properties within the expansion lands;
 - g) The proposed expansion lands are appropriate to accommodate the range of uses envisioned for Settlement Areas; and
 - h) The proposed expansion lands shall avoid sensitive natural environmental features or high-quality agricultural areas.
- 3) New Settlement Areas may be established through a full review of this Plan. A new Settlement Area shall be established only when the following criteria are satisfied:
 - a) Existing Settlement Areas are unable to accommodate projected growth, including through a possible expansion of these areas;
 - b) The area to be designated features an existing concentration of a mix of land uses, or sufficient demand exists to generate an appropriate concentration of land uses during the planning horizon of this Official Plan;
 - c) The area to be designated aligns with the amount of projected growth and does not unnecessarily extend further than warranted;
 - d) The lands to be designated create a continuous designation with no unnecessary gaps or breaks in the boundary line;

- e) Where a new Urban Settlement Area is proposed, central water and sanitary services shall be provided to all properties within the new designation;
 - f) The road network in and around the new Settlement Area is sufficient to accommodate the planned growth;
 - g) The characteristics of the lands are appropriate to accommodate the new designation, including topography, soil quality, drainage, contamination, current land use(s), and consideration of surrounding land use designations; and
 - h) The designated lands avoid sensitive natural environmental features or high-quality agricultural areas.
- 4) When proposed through a full review of this Official Plan, the criteria noted in Policy 3 shall apply to conversions of Rural Settlement Areas to Urban Settlement Areas.

3.4. Intensification Within Settlement Areas

Intensification, also known as “densification,” refers to the development of a property or area at a higher density than currently exists. Intensification can generally occur through redevelopment of a property, the development of a vacant site, infill development, or the expansion or conversion of an existing building.

Prioritizing intensification in a community growth strategy represents a sound planning approach, as it encourages growth in areas with existing infrastructure and community facilities, rather than building new facilities as a result of physical expansion. By capitalizing on these existing public investments, intensified development contributes to sound fiscal management, while creating compact communities where residents can conveniently meet their daily needs. Directing growth to existing Settlement Areas also protects agricultural and natural resource lands, which are spared from development as a result of growth.

- 1) The Town of Three Rivers encourages intensification of lands within Settlement Areas, where development can be reasonably accommodated.
- 2) Intensification may take the form of new development, redevelopment, infill, expansions or conversions.
- 3) Development proposals in Settlement Areas shall be located on sites appropriate to the proposed use and design, and shall conform with the applicable policies of this Plan.
- 4) Where development is proposed on lands within an Urban Settlement Area, approval will only be granted where sufficient capacity is available in the central water and sanitary service systems.
- 5) Council may establish specific density targets for each Settlement Area, which will reflect area-specific servicing constraints, historic development patterns, and Town-wide development goals.



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4. General Policies

4.1. Generally Permitted Uses

4.1.1. Public Uses

As the three levels of government provide vital services for residents of Three Rivers, the Official Plan recognizes the necessity of these works and the legal authority to provide them.

- 1) Public uses owned by the Town of Three Rivers, the Province of Prince Edward Island, the Government of Canada, or any board or agency thereof, are permitted in all land use designations. Such public uses may include, but are not limited to:
 - a) Buildings to fulfill government functions;
 - b) Public infrastructure, including:
 - / Linear utilities;
 - / Electricity generation, transmission, and distribution;
 - / Land, sea, or air-based transportation infrastructure; and
 - / Communications infrastructure.
 - c) Parks, landscaped areas, recreation facilities, and conservation areas.

4.1.2. Accessory Uses

References to land uses in this Plan imply primary land uses or buildings. However, other uses, buildings or structures that may be incidental to the normal use may be permitted, where appropriate.

- 1) Accessory uses, buildings, and structures shall be permitted in all land use designations, subject to the provisions of the Development Bylaw.
- 2) The Development Bylaw shall establish provisions for accessory uses, including definitions, setbacks and size limitations.
- 3) In recognition of the importance of the industry to Three Rivers, the storage of equipment and vessels shall be permitted, subject to the provisions of the Development Bylaw.
- 4) Where accessory to a residential use, boathouses and docks shall be permitted on waterfront properties, subject to the provisions of the Development Bylaw.

4.1.3. Home-Based Business as an Ancillary Use

Some community members may choose to undertake economic activities in their place of residence. Home-based businesses are generally service-based operations, such as day care operations, offices, barber shops or hair salons, beauty parlours, low-impact artisan workshops,

and at-home IT services. Home-based business can also involve activities such as small-scale manufacturing, mechanical, or repair operations that generally hold the potential for greater impacts on neighbouring properties.

- 1) Where a dwelling is permitted by the Development Bylaw, a home-based business may also be permitted, subject to the policies of this Plan.
- 2) The Development Bylaw will contain appropriate regulations to ensure functional and visual compatibility with surrounding residential areas. The provisions will address elements such as size, number of employees, parking, signage, physical changes to the dwelling, limitations on mechanical equipment, outdoor storage, and other factors related to safety, convenience or enjoyment of neighbouring residents.

4.1.4. Day Care Facilities

Day care facilities are centres that provide daily temporary care of children, seniors and / or the disabled. These facilities provide vital services to community members and are generally of greatest benefit when located in central, accessible, and convenient locations.

- 1) These facilities may be located outside of a residential dwelling, or may exceed the standards established for home-based businesses.
- 2) Day care facilities are permitted in the Urban Settlement Area, Rural Settlement Area, Rural Area, and Agricultural Area designations.
- 3) Day care facilities applications shall be evaluated based on anticipated impacts related to:
 - a) Parking supply;
 - b) Traffic generation;
 - c) Noise;
 - d) Water and sanitary servicing requirements; and
 - e) Site suitability.
- 4) The Development Bylaw will contain provisions specifying appropriate locations for day care facilities.

4.1.5. Agricultural Uses

Agriculture is a foundational industry in Three Rivers and will continue to be a prominent land use in the future. Agricultural uses are generally found in rural areas.

- 1) Existing agricultural uses are permitted to continue in all land use designations.
- 2) Proposals to establish new agricultural infrastructure may be subject to the policies of this Plan.
- 3) Harvesting of trees is permitted in all land use designations.
- 4) Community gardens will be regulated by the Development Bylaw and are not classified as an agricultural use.

4.1.6. Cemeteries

Historic and modern cemeteries are located throughout the Town of Three Rivers in both rural and urban contexts. The policies of this section recognize the diversity of locations, while restricting the location of new cemeteries.

- 1) The Town of Three Rivers recognizes existing cemeteries in a range of contexts throughout the municipality. Existing cemeteries shall be permitted in all land use designations.
- 2) New cemeteries shall be permitted subject to Council and Provincial approval.

4.2. Economic Development

A central purpose of the Official Plan is to describe and facilitate objectives and strategies for economic development through land use planning. With a diversity of business and resource sectors united in a single municipality, the Town of Three Rivers is positioned to be one of the primary economic centres of eastern Prince Edward Island. Council will build on these strengths and advance creative initiatives to enhance economic opportunities.

4.2.1. Regional Economic Development

The economy of Three Rivers will continue to be integrated with regional economic activities, including in the eastern Island and across the province. Economic development in the Town can be achieved through coordinated efforts with other groups and governments, as well as consideration of regional economic trends.

- 1) The Town of Three Rivers will work with neighbouring municipalities and the Province of Prince Edward Island to advance regional economic development through land use planning.
- 2) The Town of Three Rivers offers numerous attractions, accommodations, and service facilities that comprise the Three Rivers Discovery Drive within the Points East Coastal Drive tourist network. In making land use decisions, Council will recognize the importance of these sites to local tourism and seek to advance opportunities to enhance these destinations.
- 3) Council will explore opportunities to create and enhance transportation and economic connections with communities elsewhere on Prince Edward Island, including Charlottetown.
- 4) The Town of Three Rivers will work with the Province of Prince Edward Island, telecommunications service providers and neighbouring municipalities to advance installation and expansion of the 5G fibre-optic network.

4.2.2. Local Economic Development

With a diverse and vibrant economic base, Three Rivers can build on its position and further enhance its economy across multiple sectors.

- 1) With input and guidance from the Economic Development Committee, Council will consider the preparation of an Economic Development Plan to encourage investment in the Town and enhance overall economic opportunities.
- 2) Council will encourage the establishment of Business Improvement Areas (BIA) in the Town, where requested by a majority of local business owners in a defined area.
- 3) The Town will work with Innovation PEI and the Community Business Development Corporation (CBDC) on land use planning-related matters to facilitate the establishment and growth of new businesses in Three Rivers.

- 4) The Town will encourage local opportunities for tourism and recreation, including boating, parks and pathways, beaches, sports tourism, and cultural features and programming. Council will consider the economic and social value of these facilities in making decisions on land use planning matters.
- 5) The Town of Three Rivers recognizes the important role that agriculture plays in the community, including crop harvesting, livestock, forestry, aquaculture, agri-tourism, and supporting retail and industrial operations. In accordance with the policies of this Official Plan, Council will have regard for the economic value of the agricultural industry to the community in its land use planning decision-making.
- 6) The Town of Three Rivers recognizes the important role that the fishing industry plays in the community, including harbour facilities, seafood processing, and supporting retail and industrial operations. In accordance with the policies of this Official Plan, Council will have regard for the economic value of the fishing industry to the community in its land use planning decision-making.
- 7) The Town will promote the Poole's Corner Business Park as a convenient and effective location to accommodate new businesses and industries.
- 8) Council recognizes and supports existing and future retail and industrial operations throughout the municipality, many of which serve markets within and beyond the Town of Three Rivers.
- 9) The Town of Three Rivers will encourage innovative solutions to enhance soil quality, including natural local product development.
- 10) Recognizing the unique economic contributions of the Mi'Kmaq people throughout the history of Three Rivers, Council will encourage economic initiatives that benefit Indigenous peoples as a pathway to advance local and national goals of Reconciliation.

4.3. Housing

4.3.1. Unit Mix

Providing a range of housing types is a key ingredient in healthy, sustainable communities. While not all housing types are appropriate everywhere, the policies in this section are intended to ensure that housing choices are available to residents within the municipality.

- 1) The Town encourages the development of a variety of dwelling types to accommodate the needs of all households.
- 2) The Town encourages a range of housing tenures, including ownership, rental, condominium, cooperatives, seasonal dwellings, group homes, and public housing. The tenure of housing shall not influence land use planning decisions, unless explicitly referenced in this Plan.

- 3) Council will encourage the development of housing for seniors within Settlement Areas, to ensure adequate accommodations for older residents. Permissions for these housing developments will be established in the Development By-law.

4.3.2. Housing Typologies

This Official Plan recognizes the following densities and their corresponding housing typologies:

- 1) “Low-density” housing refers to single-detached dwellings.
- 2) “Medium-density” housing refers to semi-detached dwellings, duplex dwellings, row dwellings, and triplex dwellings.
- 3) “High-density” housing refers to multi-unit dwellings with four units or more.

4.3.3. Affordable Housing

The affordability of housing options is essential to ensure that residents can secure appropriate housing that meets their needs, while offering choice in both the rental and market housing sectors. New affordable housing development should provide for a mix of dwelling size, type and tenure that meet the housing needs of the area. To help residents meet these challenges the Town will continue to support a range of housing options and delivery incentives. The policy aims of part 4.3.3.1 will be complimentary to the development of a detailed Affordable Housing Policy document that will look to secure the delivery from development through continued engagement with the private and non-profit sectors.

- 1) Council will encourage development a range of affordable housing directed toward the delivery of:
 - a) Housing units specifically priced for ownership below the market average for the area;
 - b) housing units allocated for rental below the average market rent of comparable units.
 - c) Utilizing municipally owned land for affordable housing, or where appropriate requiring affordable housing as a condition of land disposal.
 - d) The promotion of municipal led incentives to bring new housing development across Three Rivers.
 - e) To continue to work with the Prince Edward Island Housing Corporation to provide new affordable housing projects in Three Rivers to meet the housing needs of residents.
- 2) The Town will consider the following measures to encourage the development of housing projects that meet the definitions of affordability in Policy 1:
 - a) Where appropriate, the Town may enter into a Development Agreement with the applicant of a development that includes affordable housing units, which will establish terms and conditions to ensure that the units remain affordable for a defined period of time or in perpetuity.
 - b) Updating policies and Tariff of Fees bylaws to waive fees and charges for projects that feature affordable housing;

- c) Considering the provision of affordable housing when evaluating development applications that propose to increase permitted density; and
 - d) Direct provision of municipally-owned land for the purpose of providing affordable housing, or requiring affordable housing as a condition of land disposal.
- 3) Council will work with the Prince Edward Island Housing Corporation to provide new affordable housing projects in Three Rivers to meet the housing needs of residents.

4.3.4. Accessory Dwelling Units

Accessory dwelling units are dwelling units that are supplementary to a primary dwelling unit on a lot. The provision of accessory dwelling units can achieve multiple planning goals, including increasing housing stock, expanding affordable housing options, and providing low-impact forms of intensification. The policies of this section are intended to permit accessory dwelling units to encourage the achievement of these planning goals.

- 1) The Development Bylaw shall permit accessory dwelling units to be developed on properties with a primary single-detached, semi-detached, or townhouse dwelling. The Development Bylaw will also contain additional provisions to regulate the location and scale of accessory dwelling units.
- 2) Accessory dwelling units may be located attached to a dwelling or in a detached building. Where an accessory dwelling is detached from the primary dwelling, the accommodating building or structure must be located in a side or rear yard.
- 3) Development of an accessory dwelling unit shall be subject to:
 - a) A maximum of one accessory dwelling unit is permitted per lot;
 - b) The property complies with the lot area requirements in the Development Bylaw;
 - c) Adequate parking facilities are provided;
 - d) The exterior access door to the accessory dwelling unit is not located on the front façade of the primary dwelling;
 - e) The accessory dwelling unit is of a modest size, and does not exceed the floor area of the primary dwelling; and
 - f) The accessory dwelling unit shall not be severed from the primary dwelling.
- 4) For the purpose of this Plan, accessory dwelling units shall be defined as dwellings in permanent buildings. Trailers and other moveable recreational vehicles shall not be classified as accessory dwelling units and shall be subject to separate provisions in the Development Bylaw.

4.3.5. Group Homes

- 1) Group homes shall be permitted in all designations that permit residential uses.
- 2) Group homes shall only be permitted in single-detached, semi-detached, or row dwellings.
- 3) The Development Bylaw shall establish group homes as a permitted use in all zones, subject to the policies of this Plan.

4.3.6. Bed and Breakfast Operations

Bed and breakfast operations, also known as “tourist homes” or “guest homes,” are common on Prince Edward Island and make a valuable contribution to the local tourism industry. Bed and breakfast operations are generally compatible in a range of contexts.

- 1) Bed and Breakfast operations shall be permitted wherever single-detached, semi-detached, or row dwelling units are permitted.
- 2) The Development Bylaw shall contain specific provisions for Bed and Breakfast operations. The provisions shall regulate such elements as:
 - a) Dwelling types in which bed and breakfast operations are permitted;
 - b) The maximum number of rooms available for guests;
 - c) Regulations for signage;
 - d) Parking requirements; and
 - e) Other compatibility considerations, as required.
- 3) An expansion to the number of rooms available for guests in a Bed and Breakfast operation may be permitted through a Zoning Amendment, provided that the proposal is compatible with existing and planned uses on neighbouring properties, and that all other criteria for bed and breakfast operations are met.

4.3.7. Short-Term Rentals

The Town of Three Rivers recognizes the valuable role that short-term rentals play in the community. The ability for local residents to lease dwelling space to tourists and business travellers on a short-term basis expands accommodation options for visitors in the community, generating economic benefits for those offering the service, as well as other businesses in Three Rivers. However, experiences across Prince Edward Island have shown that offering entire dwellings exclusively to short-term rental tenants restricts housing options for existing and future residents, resulting in increased housing costs. The policies in this section are intended to address these concerns.

- 1) Residents offering short-term rental accommodations shall follow all regulations and procedures established by the Province of Prince Edward Island, including the requirement to obtain a Tourism Establishment License from Tourism PEI.
- 2) The Town of Three Rivers will monitor trends in the short-term rental and housing market and may amend the Development Bylaw to introduce regulations, including but not limited to:
 - a) Restricting short-term rental offerings to primary residences as classified for tax purposes;
 - b) Regulations to permit short-term rentals within Accessory Dwelling Units;
 - c) Permitting short-term rentals within a portion of a dwelling;
 - d) Defining the length of stay that constitutes a short-term rental; and
 - e) Requirements for public notification for short-term rentals.

4.4. Subdivisions and Condominiums

The subdivision process includes lot creation or lot consolidation and may involve any number of land parcels. The purpose of the policies below is to establish policies for subdivisions in Three Rivers.

4.4.1. Establishing New Subdivisions

- 1) The design of new subdivisions shall be based on sound planning, engineering and environmental principles. The Town of Three Rivers will evaluate subdivisions against factors including:
 - a) Compatibility with surrounding uses, including agricultural uses;
 - b) The topography of the site;
 - c) Surface drainage on the site and its impact on adjacent parcels of land;
 - d) Access to adjacent public roads and the capacity of those roads to absorb traffic generated from the proposed subdivision;
 - e) Availability, adequacy and the economical provision of utilities and services;
 - f) The ability to further subdivide the land or adjoining land;
 - g) The provision of lots suitable for the intended uses;
 - h) Wastewater management;
 - i) Water supply; and
 - j) Natural features.
- 2) Where a proposed subdivision includes six or more lots, one lot shall be dedicated for landscaped open space for the use and enjoyment of residents in the subdivision. The size of the open space lot shall be up to 10 percent of the overall land to be subdivided. In larger subdivisions, the open space allocation may be divided between multiple lots.

- 3) The Town shall review the transportation network in proposed subdivisions with consideration of the following:
 - a) Where there is an opportunity to create a connection with the road network of an existing subdivision on adjacent land, the Town shall ensure that new connections are established, where feasible.
 - b) Where a future subdivision is possible on adjacent land, subdivision applications shall include road allowances to create road connections;
 - c) The Town shall prioritize full-movement road connections, but may also consider walkways or other infrastructure to enhance pedestrian connections.
 - d) Where subdivisions are proposed adjacent to an existing recreational pathway, including the Confederation Trail, the Town may require applicants of subdivisions to include new pathway connections in the subdivision design to enhance the broader pathway network. Pathways shall connect to a point of public access, which may include a public right-of-way.
 - e) Applications for subdivisions shall conform with the policies of this Plan, including the policies for roads in the Infrastructure and Public Facilities Section of this Plan.
- 4) Where a subdivision is proposed along a shoreline, the subdivision may include a right-of-way easement to be dedicated to the Town of Three Rivers that enables public pedestrian access to the waterfront, subject to the following conditions:
 - a) The easement shall lead directly to the water, or to an area of public ownership with connection to the water;
 - b) The easement is of a sufficient width to enable reasonable access, as regulated by the Development Bylaw;
 - c) The easement leads to an area of land that is generally flat, unencumbered and suitable for the purpose of passage; and
 - d) Any vegetation or rock features in the easement that would hinder pedestrian access can be removed without causing significant environmental damage or generating undue potential for erosion.

4.4.2. Legacy Lots

Legacy lots are vacant lots that were legally established under a previous planning regime, either municipal or provincial, but do not meet current standards for servicing by private well and septic systems. The following policies establish conditions under which such lots may be developed.

- 1) Properties that were legally established but do not meet the lot area requirements of the Development Bylaw shall be recognized as existing lots of record;
- 2) Legally established legacy lots may be developed conditional upon satisfying the following criteria:

- a) The provision of safe access and egress;
 - b) A demonstrated ability to provide for water and sanitary services, either by means of central or private services;
 - c) Development of the lot will not generate undue impacts on natural heritage features, in accordance with the policies of this Plan;
 - d) The lot is not affected by any natural hazards, in accordance with the policies of this Plan; and
- 3) The Development Bylaw shall contain additional regulations for legacy lots, including special setbacks and maximum lot coverage requirements.

4.4.3. Condominiums

- 1) The Town of Three Rivers recognizes condominium ownership arrangements established under the Prince Edward Island Condominium Act R.S.P.E.I. 1988, C-16. Any policy in this Plan referring to subdivisions shall also apply to condominiums, with the necessary modifications, as applicable.
- 2) As stipulated in the Condominium Act R.S.P.E.I. 1988, C-16, developments proposing a condominium ownership structure are not exempt from policies and regulations established under the Official Plan and implementing bylaws.
- 3) For further clarity, the Town of Three Rivers shall review development applications that propose a condominium ownership structure against the criteria for subdivision review established in Policy 1 of Section 4.4.1.
- 4) As an ownership structure, condominiums do not constitute a distinct land use. All development applications will be evaluated on the merits of the proposed land use, without regard for the condominium ownership tenure. Neither the Development Bylaw nor any other implementing bylaw will construe condominiums as a distinct land use.

4.5. Community Design

Community design refers to the process of ensuring that development is attractive, compatible and functional. The guidelines in this section are intended to guide the form of development, such as the placement of buildings on a lot, built form, landscape patterns, and the location of elements associated with development.

This section presents design guidelines for different contexts in Three Rivers. The guidelines are not intended to be mandatory requirements, but best practices for design that the Town can use to evaluate development proposals.

4.5.1. Design Guidelines for Rural Areas

- 1) Ensure development respects the natural topography of land and avoid alteration of the terrain.

- 2) Maintain naturalized and vegetated areas as much as possible.
- 3) Plant additional trees and other landscaping elements to complement existing and proposed development.
- 4) Conservation and adaptive re-use of existing buildings is encouraged.
- 5) Where fencing is provided, limit heights and choose compatible and safe construction materials. Hedges may also be used as fencing.
- 6) Limit the extent of driveway materials to maintain natural drainage patterns.

4.5.2. Design Guidelines for Settlement Areas

- 1) Ensure development respects the natural topography of land.
- 2) Avoid looping or circuitous roadway patterns in favour of integrating with the existing road network and creating opportunities for additional road connections.
- 3) Consider designing for active modes of transportation, such as walking and cycling, by including sidewalks, walkways and bicycle parking. Direct and accessible connections between buildings are particularly encouraged.
- 4) Consider opportunities to expand housing options, including the provision of a range of lot sizes, dwelling types, and dwelling sizes.
- 5) Where a proposed building features larger massing than existing adjacent development, incorporate a transition in the massing down to the existing condition through setbacks and lower building elements.
- 6) Design buildings to be consistent with architectural styles in the area, including building forms, materials and colours.
- 7) Avoid blank walls and encourage generous window coverage, where possible.
- 8) Orient buildings to frame the public street to enhance sociability and community safety.
- 9) In designing buildings, prioritize doors and windows by avoiding garages that project ahead of main entrances or front building façades.
- 10) When siting buildings, consider views and vistas from public spaces to important buildings, landscapes, and community landmarks.
- 11) Locate parking behind or beside buildings, with landscaping and pedestrian facilities in the front.

- 12) To encourage a community feel and reduce travel distances, contribute to a healthy mix of uses within Settlement Areas, subject to Official Plan policies.
- 13) Where possible, preserve and re-use older buildings to conserve existing cultural assets.
- 14) Preserve opportunities for public art, where feasible.
- 15) Seek opportunities to reduce the carbon footprint of development, including through solar orientation, building materials, and high albedo (highly-reflective) colours.
- 16) Keep utilities and storage areas behind or interior to buildings, or screened by landscaping, fencing, or similar features.
- 17) Include lighting on buildings and in parking areas that enhances visibility and safety without impacting adjacent properties.

4.5.3. Design Guidelines for Mainstreets

- 1) To create a lively streetscape, a mix of uses is encouraged, either in separate buildings or together in single buildings.
- 2) Reduce building setbacks from the street to create better interaction with the public realm.
- 3) Limit building heights along street frontages to match the prevailing character of the street. Where additional height is proposed, set back the taller elements away from the street.
- 4) Provide ample pedestrian facilities, including widened sidewalks, to create connections to and between buildings.
- 5) Design commercial signage to be of a modest size, with high-quality materials and limited lighting impacts on neighbouring properties.
- 6) Drive-through facilities are encouraged to be located away from the street, with adequate queuing spaces to prevent spillover.
- 7) Encourage the use of weather-protected architectural elements such as awnings or colonnades.
- 8) Provide landscaping elements suitable to the scale of the site, which may include planter boxes, shrubs, or trees.



BRUDENELL SCHOOL

5.Designations and Land Use Policies

All lands in Three Rivers are subject to land use designations, as illustrated on Schedule A. In this section, policies are established for each land use designation, describing the vision for land use, growth, servicing, compatibility, and other considerations. Development must conform to the policies of each designation.

5.1. Agricultural

Agricultural uses, including crops, livestock, and forestry operations, is an important part of the economy of Three Rivers. Agriculture covers approximately 33 percent of the planning area and represents an important resource within the Town of Three Rivers. The majority of agricultural lands are classified as Class 2 on the 7-Class Canada Land Inventory scale, requiring moderate conservation practices as the soils are deep and hold moisture well, and under good management, are generally high in productivity for a wide range of crops.

The Town's agri-economy is a valuable industry which plays an important role for local employment as well as ensuring food security in the region. The Town will support diversification of farming operations to increase local supply of goods and services within the regional economy, while also protecting farmland from uses that would impede productive farming operations. Accordingly, the policies of this Plan seek to preserve and maintain a suitable supply of agriculturally designated lands throughout the Town of Three Rivers.

5.1.1. Protection of Agricultural lands

1. The Town of Three Rivers shall consider the removal of Agricultural land to allow for the expansion of a Settlement Area only through a full review of the Plan.

5.1.2. Permitted Uses

1. Council shall establish an Agricultural Zone in the Development Bylaw to permit agriculture and agriculture-related uses, as well as residential uses.
2. Agri-tourism and on-farm supportive uses such as breweries, wineries, places of assembly, bed and breakfast operations, home-based businesses, home-

based industries, and agriculture-related educational facilities. Such uses shall be limited in scale and be secondary to a primary agricultural operation.

3. In addition to general permissions established in Section 4.1, the storage of fishing vessels and equipment is permitted in the Agricultural designation.
4. The processing of agricultural products shall be permitted in the Agricultural designation.
5. Larger-scale processing of agricultural, forestry and aquacultural products shall be permitted in the Agricultural designation, subject to a Zoning Amendment.
6. Limited unserviced residential uses are permitted in the Agricultural designation, subject to the policies of this Plan.

5.1.3. Compatibility with Sensitive Land Uses

1. Development in the Agricultural designation shall ensure adequate separation between livestock and sensitive uses, including residential uses, day care services, retirement residences, educational facilities, parks and other uses in which outdoor amenities and recreation spaces are provided.
2. The Town of Three Rivers will evaluate the compatibility of agricultural uses that include livestock operations against the policies in the Development Hazards and Land Use Compatibility section of this Plan.

5.1.4. Land Division in the Agricultural Designation

A principal objective of this Official Plan is to preserve the character and viability of agricultural areas in the Town of Three Rivers. However, lot creation in agricultural areas can allow for a healthy range of agriculture-supportive and compatible land uses, support farmers, and create housing opportunities for residents.

5.1.5. Aquaculture

Agricultural activities in Three Rivers are deemed to include aquaculture, typically for mussels, oysters and trout. As municipal land use plans do not regulate uses in water bodies, the policies of this section reference provincial zoning systems and associated land-based activities.

1. Aquaculture activities shall be subject to the PEI Aquaculture Zoning.
2. Any land-based activities related to aquaculture, such as storage or staging of equipment, are permitted in the Agricultural designation.

5.1.6. Forestry

Agricultural activities in Three Rivers are deemed to include forestry operations.

1. Forestry uses are permitted in the Agricultural designation, subject to all

policies of this Official Plan.

5.1.7. Resource Excavation Pits

1. Council shall establish a Resource Excavation Zone in the Development By-law. Resource excavation pits are permitted in the Agricultural designation, subject to a Zoning Amendment. Applications to establish a new excavation pit shall comply with the provisions and regulations of the Environmental Protection Act R.S.P.E.I. 1988, E-9. Zoning Amendment applications shall consider:
 - a) Surrounding land uses and the proximity of the excavation pit to those uses;
 - b) The extent and duration of the proposed operation;
 - c) Vehicle circulation patterns and haul routes;
 - d) Requirements for water use;
 - e) Proposed rehabilitation measures; and
 - f) Mitigation measures to address potential impacts.

5.2. Rural

The Rural land use designation is intended to accommodate a variety of land uses that are appropriate for a rural location while ensuring that the character of the rural area is preserved and enhanced. As an important component of the local economy, the policies of this Plan aim to strengthen and support the local rural economy by permitting a diversity of uses. A large portion of the Rural land use designation will continue to be farmed for agricultural- related purposes, yet there are existing residential developments located within coastal areas and found in smaller pockets throughout the Town of Three Rivers. The policies of the Rural designation are meant to recognize this existing situation while also offering opportunities for seasonal and full-time dwellings.

5.2.1. Permitted Uses

- 1) The Rural designation is intended to apply to lands that may feature agricultural uses, but may be developed with other appropriate uses.
- 2) Council shall establish a Rural Zone to permit land uses appropriate to a rural setting.
- 3) Council shall establish a Rural Residential Zone to permit low-density residential and supporting uses appropriate for a rural setting.
- 4) Medium-density residential dwellings may be permitted provided that:
 - a) Adequate water and sanitary servicing can be provided; and
 - b) Parking facilities are made available for each unit.
- 5) High-density residential developments may be permitted in the Rural designation.
- 6) Council shall establish Community, Light Industrial and Highway Commercial Zones within the Rural designation. Subject to a special use permit application, the following uses may be permitted:
 - a) Outdoor recreational and tourism uses;
 - b) Small-scale Community, Light Industrial and Highway Commercial uses where the following criteria are met:
 - / The uses are necessary to serve the local rural community and the travelling public (i.e. general store, restaurant);
 - / The use being proposed can be supported by water and septic services according to the applicable provincial regulations;
 - / The scale of the development is appropriate for a rural context;
 - / Access and egress to the development can be safely provided; and
 - / The proposed development is compatible with surrounding land uses or impacts can be reasonably mitigated.
 - c) Animal and veterinarian services, including boarding, breeding and training.
- 7) In addition to general permissions for accessory uses established in Section 4.1, the storage of fishing vessels and equipment is permitted in the Rural designation.

- 8) Subdivisions are permitted in the Rural designation, subject to the policies of this Plan. The Development Bylaw shall establish minimum lot sizes and minimum lot frontage for both the Rural and Rural Residential Zones.

5.3. Settlement Areas

A Settlement Area is defined as a built-up geographic area with a concentration and mix of land uses. This Plan identifies two types of Settlement Areas: Urban Settlement Areas and Rural Settlement Areas. While both Settlement Areas are a focus of growth and development, they differ in intensity, primarily due to different forms of water and sanitary services. The presence of central water and sanitary services in Urban Settlement Areas, including Georgetown and Montague, offers greater opportunities for the development of a mix of uses within a compact form. By contrast, Rural Settlement Areas, including Cardigan and Poole's Corner, will feature less intensive development forms due to private water and sanitary services, while providing a range of land uses.

5.3.1. Policies for Residential Uses in Settlement Areas

- 1) Council shall establish the following zones to support residential development in Settlement Areas:
 - a) An R1 zone to permit low-density residential and supporting uses;
 - b) An R2 zone to permit medium-density residential and supporting uses;
 - c) An R3 zone to permit high-density residential uses;
 - d) A Residential Mobile Home Park zone to permit mobile homes and associated land uses.
- 2) Low-density housing forms shall be generally permitted in appropriate locations within both the Rural and Urban Settlement Area, provided they meet the following criteria:
 - a) The property can adequately provide for private or central water and sanitary services;
 - b) The property has frontage on a road; and
 - c) The proposed development is designed to meet the applicable setbacks of the corresponding zone provisions.
- 3) Medium-density housing forms shall be generally permitted in appropriate locations within Settlement Areas, provided they meet the following criteria:
 - a) The property has frontage on a public road; and
 - b) The proposed development is designed to meet the applicable setbacks of the corresponding zone provisions.
- 4) High-density housing forms shall generally be permitted in appropriate locations within the Urban Settlement Area, provided they meet the following criteria:

- a) The property is serviced with central water and sanitary services;
 - b) The property is located on or near a road with capacity to safely absorb the anticipated increase in traffic;
 - c) The proposed development will not result in undue shadowing impacts on adjacent land uses; and
 - d) The proposed development is designed to feature appropriate setbacks and architectural features that reduce impacts on adjacent properties.
- 5) New mobile home parks may be established only through a Zoning Amendment process. All new mobile home parks must be serviced with central water and sanitary services, provided that sufficient capacity to support the proposed development is available.

5.3.2. Policies for Community Uses in Settlement Areas

Community uses are community-serving retail, commercial and small-scale institutional uses. These uses are commonly found in community hubs and on prominent streets, but may also be appropriate in other contexts.

- 1) Council shall establish the following zones in Settlement Areas:
 - a) A Mixed-Use Zone to permit a range of retail, commercial and tourism-oriented uses;
 - b) A Highway Commercial Zone to permit automobile-oriented commercial uses on major roadways; and
 - c) A Community Zone to permit community-serving institutional uses such as municipal offices, post offices, fire halls, schools, places of worship, cultural facilities and similar uses.
- 2) Applications for a Zoning Amendment to change the zoning on a property, establish a use not permitted by the applicable zone, or exceed building envelope limitations shall be evaluated against the following criteria:
 - a) The potential for the use to generate undue traffic impacts;
 - b) Whether water and sanitary servicing requirements can be met;
 - c) Whether adequate setbacks are incorporated into the development design; and
 - d) Whether adequate measures are proposed to mitigate noise, lighting or other impacts on adjacent properties.

5.3.3. Policies for Industrial Uses in Settlement Areas

- 1) New heavy industrial uses are prohibited within Settlement Areas, except where permitted through a Zoning Amendment application. Council shall evaluate applications for Zoning Amendments against the following criteria:
 - a) The property may be adequately serviced with water and sanitary services;

- b) The property has access to public roads that can accommodate vehicular traffic, including delivery trucks;
 - c) The property is located outside of any Wellfield Protection Areas;
 - d) The property is located an adequate distance from residential and other sensitive land uses, or any potential impacts may be mitigated, subject to the policies of this Plan; and
 - e) The development of the property with industrial uses will not impact sensitive environmental features.
- 2) Existing heavy industrial uses shall be permitted as legal non-conforming uses. Expansions to these uses shall be permitted, subject to the Development Hazards and Land Use Compatibility section of this Plan.
 - 3) New industrial uses within Settlement Areas shall be limited to light industrial uses where Council is satisfied that there are no adverse impacts on adjacent uses. New light industrial uses shall conform with the Development Hazards and Land Use Compatibility policies of this Plan.
 - 4) Within the Georgetown Urban Settlement Area, the former location of oil storage tanks near the corner of Glenelg and Fitzroy Streets is identified for high density residential uses, which are deemed compatible with abutting residential areas.
 - 5) Within the Georgetown Urban Settlement Area, existing heavy industrial uses are located along the waterfront. Notwithstanding the policies of this section, the former East Isle Shipyard shall be reserved for future heavy industrial uses provided it can be adequately serviced and potential impacts can be mitigated.

5.3.4. Policies for Waterfronts in Settlement Areas

- 1) The Town encourages a range and mix of uses along the waterfront to serve residents and visitors. Harbours and marinas shall be permitted in Settlement Areas.
- 2) The Town of Three Rivers will encourage the consolidation of waterfront lands, where feasible, to facilitate comprehensive, coordinated development of community and tourist facilities.
- 3) Development along waterfronts in Settlement Areas shall recognize and respect the jurisdiction of the Government of Canada, where applicable.
- 4) The Town shall maintain and enhance the system of sidewalks, trails, boardwalks, parks, open spaces, where applicable. Accessible pedestrian connectivity and facilities shall be prioritized in these waterfront areas, including pedestrian routes to access these areas from other destinations.

5.3.5. Policies for Mainstreets in Settlement Areas

Mainstreets make an important contribution to the vibrancy and success of Settlement Areas. The Mainstreets referenced in this section include: Water Street and Kent Street in the Georgetown Settlement Area; Main Street in the Montague Settlement Area; and Wharf Road and Water Street in the Cardigan Settlement Area.

- 1) Over time, Mainstreets shall develop in a compact built form offering a mix of uses, including commercial and retail uses at grade and residential uses above.
- 2) New developments and buildings shall be designed to address the public street in the following ways:
 - a) Orient the primary façade of the building towards the Mainstreet;
 - b) Achieve shallow setbacks from the Mainstreet;
 - c) Designing buildings to include a large amount of window glazing; and
 - d) Locate vehicular parking away from view of the Mainstreet.
- 3) Preserve existing, older buildings and integrate them into new developments, where feasible.
- 4) Provide for a continuous sidewalk along the Mainstreet, with direct, accessible entrances to ground-level uses.
- 5) Preserve existing trees and integrate them into new developments, where feasible. New trees should be considered along Mainstreets, where conditions allow. New trees should be native species with shallow root systems to protect underground infrastructure.
- 6) When evaluating new development proposals, Council shall take into consideration the Community Design Guidelines in Section 4 of this Plan.
- 7) Council may consider adopting a specific set of design guidelines for development along Mainstreets across Three Rivers.

5.4. Industrial

The Industrial land use designation is characterized by traditional industrial activities and uses, including, but not limited to: manufacturing, processing, distribution, warehousing, construction and related trades, outdoor storage, light and heavy industrial uses and other uses requiring a range of parcels sizes. Due to the nature of these uses, there may be adverse impacts on adjacent sensitive land uses due to its day-to-day operations (i.e. odours and emissions, effluent, smoke, dust, traffic, light and noise). As a result, industrial land uses should be separated from sensitive land uses, and where possible clustered together to minimize their overall impacts.

- 1) Council shall create the following zones to accommodate Industrial land uses:

- a) A Light Industrial Zone to permit a wide range of low-impact light industrial uses and office-type uses, including showrooms and display areas; and
 - b) A Heavy Industrial Zone to permit a wide range of industrial uses including uses which, among others, generate noise, fumes, or odours that can be considered hazardous or obnoxious.
- 2) Council may apply the Industrial designation to new areas subject to the following considerations:
 - c) The property may be adequately serviced with water and sanitary services;
 - d) The property has access to public roads that can accommodate vehicular traffic, including delivery trucks;
 - e) The property is located outside of any Wellfield Protection Areas;
 - f) The property is located an adequate distance from residential and other sensitive land uses, or any potential impacts may be mitigated, subject to the policies of this Plan; and
 - g) The development of the property with industrial uses will not impact sensitive environmental features.
- 3) Heavy industrial uses that may result in noise, odour, dust, fungi, smoke, emissions, effluent, or other impacts may be established through a Zoning Amendment, subject to consideration of the following:
 - a) Where the lands are not designated Industrial on Schedule A, the lands shall be redesignated to the Industrial designation through an Official Plan Amendment;
 - b) Whether adequate measures are proposed to mitigate anticipated impacts on neighbouring land uses and properties, including lighting, noise, and other impacts or nuisances related to the industrial operation;
 - c) The impact of the proposed use on traffic volumes on the surrounding local road network, as well as traffic circulation, sightlines, and vehicular access points;
 - d) Whether the design enables adequate on-site traffic circulation of vehicles;
 - e) Whether water and sanitary services can be adequately and safely provided;
 - f) Whether adequate setbacks are incorporated into the development design;
 - g) The property is located outside of the Wellfield Protection Area;
 - h) Whether adequate space is allocated for loading and deliveries; and
 - i) Whether adequate screening is provided for outdoor storage, loading areas, and other unsightly features of the development.
- 4) Developments containing industrial uses shall include landscaping abutting streets or property lines to provide visual screening and amenity for the public realm and surrounding development. The Development Bylaw shall include landscaping requirements for industrial development.

- 5) Council shall explore a potential future industrial park at the Wood Islands Road and Commercial Road intersection. If determined to be appropriate for industrial uses, the affected lands will be redesignated to the Industrial land use designation through an Official Plan Amendment.

5.5. Institutional

The Institutional land use designation is intended to accommodate certain special land uses at a regional scale, including, but not limited to hospitals, colleges and major sports, recreational and cultural facilities. Typically these large sites and land use is distinguished by a number of unique characteristics such as a special demand on the transportation network as well as water and wastewater infrastructure. To varying degrees, these uses can also impact adjacent land uses and therefore need to be developed in a built form that is compatible within its existing environment.

5.5.1. General Policies

- 1) The Town of Three Rivers shall consider requests for new institutional land uses on an individual or case-by-case basis through an implementing Official Plan Amendment and Zoning Amendment;
- 2) Proposed institutional land uses will be evaluated on the basis of the following criteria:
 - a) Evidence that the property is suitable for the proposed use;
 - b) It is supported by a transportation study;
 - c) Water and sanitary services can be adequately provided; and
 - d) An assessment of all potential impacts of the proposed land use upon adjacent land uses and mitigation measures are considered acceptable.

5.6. Parks and Open Space

The Parks and Open Space land use designation identifies large parks and open space corridors in public or private ownership. The Parks and Open Space land use designation also includes historic sites (e.g. Roma at Three Rivers), Federally- or Provincially-recognized parks (e.g. Panmure Island Provincial Park), recognized woodlots, wildlife sanctuaries (e.g. Harvey Moore Wildlife Sanctuary) as well as development along the waterfront, including harbours and marinas. Parks and opens spaces contribute significantly to the quality of life within the Town of Three Rivers, as well as the integrity of the natural environment.

5.6.1. General Policies

- 1) The Parks and Open Space land use designation is identified on Schedule A to identify and protect large open spaces and recreational areas, generally to be available for public benefit and enjoyment.
- 2) The Parks and Open Space land use designation is intended to recognize existing and future greenspaces in the Town, including parkland, open spaces, waterfronts, beaches, cemeteries and environmental areas. Lands under this designation serve multiple purposes, including recreation, stormwater retention, pathway connectivity, and protection of natural features.
- 3) Council shall establish an Open Space Zone to reserve land for public parks, green spaces, trails and environmental areas.
- 4) Through its land use planning activities, Council shall encourage the creation of new trail development and connections between parks and open spaces to establish a linked greenspace network in the Town of Three Rivers.
- 5) The Town of Three Rivers shall encourage public access to all waterfronts, and shall promote the development of recreational trails for public use along these waterfronts.
- 6) The following land uses and activities are permitted on lands designated Parks and Open Space where they do not adversely impact the natural environment, cultural heritage or general characteristics of the area:
 - a) Recreation, sport, leisure and cultural facilities;
 - b) Activities that involve scientific or educational study, conservation, interpretation or restoration of natural or cultural heritage resources or archaeological resources within the area or within adjacent waterways;
 - c) Small-scale commercial activities and community uses which are ancillary to the uses identified in a) and b) above.
- 7) Privately-owned lands designated Parks and Open Space can only be used and accessed by the public with the consent of the property owner(s).

5.6.2. Special Policy Areas

- 1) This Plan recognizes the importance of Native Council of PEI Cultural Park on Panmure Island Road (Route 347) as the site of the Abegweit Pow Wow, an annual two-day cultural celebration. Land uses adjacent to the Cultural Park shall be compatible with the Park's role and operations.



6. Protection of Natural and Built Heritage Resources

A central principle of this Official Plan is the protection of natural and built heritage resources. The policies of this section are intended to ensure that development does not adversely impact these unique features.

6.1. Natural Heritage

Natural heritage features include forests, wetlands, waterbodies, and wildlife habitat. These features provide the basis of healthy ecosystems, as well as benefits to humans, such as maintaining clean air and groundwater. The policies of this section are intended to protect these features.

- 1) All development shall comply with the provisions of the Environmental Protection Act R.S.P.E.I. 1988, E-9 and the Wildlife Conservation Act 1998 c.107 R.S.P.E.I. 1988, W-4.1 of Prince Edward Island.
- 2) Natural heritage features shall be conserved as much as possible to maintain ecological integrity and public amenity for future generations, subject to the policies of this Plan.

6.1.1. Development Adjacent to Shorelines, Waterbodies and Wetlands

- 1) The Town of Three Rivers recognizes the importance of protecting surface water resources, including streams, springs, creeks, brooks, rivers, lakes, ponds, bays, estuaries, coastal bodies and wetlands. Development shall be prohibited within 15 metres of a waterbody or wetland, unless permission is granted by the Province under the Environmental Protection Act.

6.1.2. Trees and Forests

- 1) Where development is proposed in the Settlement Area, the Town may require submission of a Landscape Plan to ensure that development has an

appropriate amount of natural vegetation, including conservation of existing landscape features.

6.1.3. Wildlife Habitat

- 1) The Town of Three Rivers recognizes the need to protect Species At Risk on Prince Edward Island. Council shall not make any land use planning decisions that would result in a clear threat to Species At Risk, unless permits are issued under the Federal Species At Risk Act or the Provincial Wildlife Conservation Act.
- 2) In making land use planning decisions, Council shall be mindful of potential wildlife habitat, including forests, wetlands, sand dunes, beaches, and shorelines.

6.2. Built Heritage and Archaeology

6.2.1. Designated Buildings

The Town of Three Rivers honours and respects its heritage, including special buildings and places that bestow meaning and define the community. In accordance with the Heritage Places Protection Act, this Official Plan recognizes the importance of designated buildings in Three Rivers. The policies of this section are intended to ensure appropriate development in relation to designated heritage buildings.

- 1) Development in and around designated heritage resources shall comply with all applicable federal and provincial legislation and guidelines, as applicable. Council recognizes that Development Permits on sites with heritage designations must be authorized by the Minister of Economic Growth, Tourism and Culture before taking effect.
- 2) The Town of Three Rivers recognizes the federally- and provincially-designated heritage sites within the municipal boundaries:
 - a) Jean-Pierre Roma / Roma Settlement (National Historic Site of Canada)
 - b) Garden of the Gulf Museum (Designated Historic Place)
 - c) Government of Canada Building, Montague (Designated Historic Place)
 - d) Kings County Courthouse (Designated Historic Place)
 - e) Panmure Lighthouse (Designated Historic Place)
 - f) The Goff House (Designated Historic Place)
- 3) Development applications within 50 metres of a property containing a designated heritage site, the development shall be reviewed for compatibility with the heritage resource. The Town may require submission of a Heritage Impact Study to assist in the evaluation, which shall contain an assessment of the impact of the development on heritage value and any mitigation measures needed to ensure compatibility.

- 4) The Town of Three Rivers recognizes the value to the community of Registered Historic Places. While registered sites do not enjoy the equivalent levels of protection as Designated sites, development in proximity to Registered sites shall be reviewed for compatibility, where feasible.
- 5) Where a Heritage Impact Statement is prepared for a designated heritage resource under the Heritage Places Protection Act as part of a development application, the report shall be forwarded to the Town of Three Rivers as part of a complete application.

6.2.2. Heritage Rivers

- 1) Council recognizes the Canadian Heritage River designation applied collectively to the Brudenell, Cardigan, and Montague Rivers.
- 2) While recognizing that various forms of development have always existed along these special waterbodies, Council shall ensure that development does not adversely affect the heritage value of these rivers.

6.2.3. Archaeology

- 1) All development shall proceed in accordance with the provisions of the Archaeology Act 2006 c.2 R.S.P.E.I. 1988, A-17.1.
- 2) Where an Archaeological Impact Statement is prepared under the Archaeology Act 2006 c.2 R.S.P.E.I. 1988, A-17.1 for an archaeological site as part of a development application, the report shall be forwarded to the Town of Three Rivers as part of a complete application.



7. Development Hazards and Land Use Compatibility

The purpose of this section is to establish policies to ensure that development is compatible with adjacent land uses and protects the health and safety of residents and visitors. The policies seek to avoid or mitigate the inherent conflicts or challenges presented by certain land uses, natural features, or site conditions. In this section, “compatibility” concerns the impacts on other properties generated from the normal practices associated with a land use. “Sensitive land uses” refers to land uses in which people will be particularly impacted by hazardous development, such as residential dwellings, retirement residences, day cares, educational facilities, and parks.

7.1. Climate Change Impacts

- 1) The Town of Three Rivers will consider the anticipated impacts of climate change in its land use planning decisions, including municipal projects and review development applications. In addition to other policies of this Plan, considerations may include:
 - a) Reducing greenhouse gas emissions;
 - b) Actions to reduce impacts of extreme heat, including increased tree planting and the creation of shaded areas in publicly-accessible spaces;
 - c) Rising sea levels in coastal areas;
 - d) Increased potential for flooding and extreme precipitation events;
 - e) Increased potential for erosion as a result of stronger, more frequent winds; and
 - f) Intrusion of saltwater into aquifers supplying drinking water, as a result of rising sea levels.

7.2. Land Use Compatibility

7.2.1. Agriculture / Livestock

- 1) Development of, or in proximity to, livestock operations shall be designed with consideration of the Prince Edward Island Guidelines for Manure Management, as amended.
- 2) The Town of Three Rivers shall require a development applicant to submit a Minimum Separation Distance (MSD) and Sketch Sheet as part of a complete development application, where:
 - a) A new livestock operation is proposed in proximity to other land uses; or
 - b) New land uses are proposed in proximity to a livestock operation; and
 - c) Where the land use in proximity to the livestock operation is not an agricultural or industrial use.

- 3) Policies (1) and (2) shall not apply to expansions of existing livestock operations.

7.2.2. Industrial Uses

- 1) Heavy industrial uses that will generate noise, dust, odours, pollution or other impacts shall not be permitted within 100 metres of a sensitive land use including residential uses, day care services, retirement residences, educational facilities, parks and other uses in which outdoor amenities and recreation spaces are provided.
- 2) Where development of new sensitive land uses is proposed within 100 metres of a heavy industrial use generating noise, dust, odours, pollution, or other impacts:
 - a) The Town shall require submission of a Land Use Compatibility Study prepared by a qualified professional that demonstrates that the proposed sensitive use will not experience undue negative impacts from the industrial use.
 - b) Where a Land Use Compatibility Study recommends mitigation measures, the Town may require applicants of development to enter into a Development Agreement to ensure that mitigation measures are applied.

7.3. Coastal Shoreline Development

7.3.1. Coastal Shoreline Erosion

The purpose of this section is to establish policies to protect people and property from shoreline erosion, while protecting the natural integrity of the coastal shoreline against disturbances from development. The coastline of Prince Edward Island is currently eroding at an average rate of 30 centimetres per year, although losses of more than 8 metres have been recorded as a result of a single storm event. Where applicable, the policies of this section apply to both primary and accessory structures.

- 1) The Development Bylaw will include regulations to mitigate shoreline erosion.
- 2) The Town of Three Rivers may permit new coastal stabilization armouring infrastructure and encourage where appropriate, natural forms of erosion control and protection of property, including:
 - a) Adequate setbacks;
 - b) Protection of trees and their critical root systems; and
 - c) Preservation of existing rock formations.
- 3) Where shoreline stabilization armouring exists, the Town encourages the restoration of the land to a naturalized condition over time, including through development activities.
- 4) Where coastal armouring infrastructure already exists, the Town shall

consider reduced building setbacks from shorelines, provided that:

- a) The development applicant obtains all necessary provincial permits under the Environmental Protection Act;
- b) There is a demonstrated need or benefit from the reduced setback;
- c) The reduced setback will not result in impacts on adjacent land uses or natural features;
- d) The development can be adequately serviced with central or private water and sanitary services; and
- e) Drainage can be managed appropriately.

7.3.2. Dunes and Beaches

- 1) Development proposed on, or in proximity to, sand dunes and beaches shall comply with the Prince Edward Island Environmental Protection Act R.S.P.E.I. 1988, E-9, as amended.
- 2) Where a new lot is proposed adjacent to a sand dune, the lot shall be set back a minimum of 60 metres (196.6 ft.) from the sand dune, measured from the inland boundary of the dune. Exceptions may be granted where a study prepared by a qualified expert demonstrates that the setback to the dune may be reduced without negative impacts.
- 3) Where a new building is proposed adjacent to a sand dune, the building shall be set back a minimum of 30.5 metres (100.1 ft.) to the sand dune, measured from the inland boundary of the dune. Exceptions may be granted where a study prepared by a qualified expert demonstrates that the setback to the dune may be reduced without negative impacts.
- 4) Where a new building is proposed adjacent to a beach, the building shall be set back a minimum of 22.9 metres (75.1 ft.), or 60 times the rate of erosion, whichever

is greater, measured from the top of bank. Exceptions may be granted where a study prepared by a qualified expert demonstrates that the setback to the beach may be reduced without negative impacts.

- 5) Notwithstanding the policies of this section, in no case shall a road be constructed on a sand dune.
- 6) The Development Bylaw may contain additional regulations for development adjacent to sand dunes and beaches.

7.3.3. Climate Change Adaptation

The Town of Three Rivers recognizes the threat of rising sea levels as a result of a changing climate. Sea levels are generally expected to rise approximately 15 centimetres (.49 ft.) from their current elevations over 20 years, and 80 centimetres (2.6 ft.) by 2100. The rising sea levels presents a threat to public safety and property through flooding damage, erosion impacts, loss of protective vegetation, and saltwater intrusion into groundwater.

- 1) To adapt to changing conditions and ensure public health and safety, development shall take into account the Rising Sea Level Impact Overlay, as shown on Schedule B.
- 2) The Town of Three Rivers will consider increased potential for erosion as a result of climate change and rising sea levels when evaluating applications for development adjacent to coastal shorelines.
- 3) To maintain public safety, applications for new and to expand existing development within the Rising Sea Level Impact Overlay shall be required to demonstrate that:
 - a) The new or expanded building is designed to not reduce the setback of the building to the shoreline;
 - b) The expansion does not exceed 50 percent of the floor area of the existing building;
 - c) The expansion does not add any dwelling units or bedrooms to the building; and
 - d) The new or expanded building will not result in any drainage or erosion impacts that may further exacerbate the hazard.

7.4. Wellfield Protection Area

This Plan establishes Wellfield Protection Areas on Schedule B. Within these areas are time-dependent capture zones, including 250 days (Area A), 25 years (Area B) and 50 years (Area C). The degrees of protection cascade from Area A (most protected) to Area C (lesser degree of protection).

- 1) The Town of Three Rivers will protect high capacity wells and well fields used for the central water supply by Georgetown Water Utility and the Montague Water and Sewer Corporation, as shown on Schedule B.

- 2) Applicants of commercial, industrial or other development within the Wellfield Protection Area that has the potential to adversely affect groundwater may be required to submit a Wellfield Impact Study. Development shall not proceed unless the Town of Three Rivers is satisfied that the proposed development will not generate adverse impacts to groundwater.
- 3) All unused wells shall be appropriately capped to reduce risks to groundwater.
- 4) Council shall prioritize connecting all existing development within the 250-day wellfield capture zone (WPA zone) to the wastewater collection system, where such services are available.
- 5) Council shall not expand the wastewater collection system in the Georgetown Urban Settlement Area until all existing residents within the WPA are provided service, or until a plan to achieve this goal has been approved by Council.
- 6) Where feasible, the Town of Three Rivers will seek to acquire vacant commercial and agricultural properties within the Wellfield Protection Area overlays shown on Schedule B to ensure protection of groundwater resources.
- 7) Existing industrial uses are located on lands north of the Georgetown Urban Settlement Area. As these lands are identified within the Wellfield Protection Area, the Town of Three Rivers shall work with the Georgetown Water Utility Corporation to ensure activities do not negatively impact the Wellfield Protection Area.

7.5. Contaminated Sites

Some properties in Three Rivers may have been contaminated through previous land uses, such as industrial uses. While administration and control of contaminated sites is generally governed by the Province under the Environmental Protection Act, this section is intended to supplement those regulations.

- 1) Development on properties with contamination from landfills, metals, petroleum, or other chemicals shall comply with regulations established in the Environmental Protection Act.
- 2) Where a property listed on the provincial Contaminated Sites Registry is proposed to be developed with sensitive uses such as residential, retirement residences, recreation, day care, education facilities or parkland, the Town may require applicants of development to enter into a Development Agreement to ensure that contamination is remediated. In these cases, a Development Agreement may contemplate phasing of a portion of the development prior to remediation, where appropriate.

7.6. Resource Excavation Pits

- 1) Development of sensitive land uses shall not be permitted within 300 metres of a resource excavation pit operation, unless approved through a permit under the Environmental Protection Act..

7.7. Landfills

- 1) New landfills may be permitted in the Town of Three Rivers where approved by the Province of Prince Edward Island.



8. Infrastructure and Public Facilities

Infrastructure and public facilities provides important and valued services to community members. These services support economic and social activities, protect public safety, and improve quality of life. This section establishes planning policies for infrastructure and public facilities.

8.1. Transportation and Mobility

Successful communities rely on strong transportation networks. As with most communities on Prince Edward Island, Three Rivers features a network of provincially-owned and -operated roads that connect residents to destinations throughout the municipality. With consideration for provincial ownership of the road network, this section establishes policies for transportation and mobility within municipal jurisdiction.

8.1.1. Public Roads

The road network in Three Rivers is planned to be transferred to Provincial jurisdiction, similar to most communities on the Island. Under the proposed ownership structure, the Province will be responsible for approval and maintenance of all roads.

- 1) The Town of Three Rivers shall categorize all streets, roads and highways in the Town in alignment with designations under the Roads Act R.S.P.E.I. 1988, R-15.
- 2) New roads shall be designed to Provincial standards in accordance with the Roads Act R.S.P.E.I. 1988, R-15.
- 3) Where a new subdivision is proposed on a parcel of land that abuts and requires access to an arterial, collector, local or seasonal highway, all roads or entranceways must meet the minimum sight distance standards established in the Roads Act Highway Access Regulations.
- 4) The Town of Three Rivers will work with the Province of Prince Edward Island to identify, protect, and secure dedication of lands to achieve right-of-way width requirements, as classified in the Roads Act R.S.P.E.I. 1988, R-15.
- 5) The Town will work with the Province to make safety improvements and upgrades to problematic intersections that present hazards to motorists and pedestrians, such as Victoria Cross.
- 6) The Town will work with the Province on issues of traffic management, including the identification of designated Truck Routes in appropriate locations.

8.1.2. Private Roads

- 1) Where permitted, all private roads serving 6-20 residential lots must be designed to meet Provincial standards for local highways. Roads shall be

designed and constructed under the supervision of a professional engineer. Road designs for private roads shall be required as part of a complete application for subdivision.

- 2) Where permitted, all private roads serving 1-5 residential lots must be designed to meet Provincial width standards for local highways.
- 3) Private roads shall be governed by a Homeowners Association or Condominium Corporation, delivered through a development agreement.
- 4) Subdivisions containing 21 or more lots established after March 21, 2009 shall be serviced by public roads regardless of land use.
- 5) Notwithstanding the policies of this section, existing private roads shall be permitted to continue under current design and ownership arrangements, subject to the following:
 - a) A maximum of five new lots shall be permitted to be created on existing private roads. Where more than two new lots are proposed to be accessed by the private road, the Town shall require that the road be improved to Provincial standards for local highways.
 - b) New development on existing lots of record accessed by a private road is permitted without a requirement for improvements to the private road.
 - c) In all cases, existing private roads will be encouraged to be improved to Provincial standards for local highways over time.

8.1.3. Active Transportation Infrastructure

Active modes of transportation include walking and cycling. A healthy, active community depends on sufficient infrastructure to support these modes, which also reduces dependence on private vehicles. While active transportation infrastructure is often found in urban areas, opportunities to enhance facilities in rural areas are also encouraged.

- 1) Using the Confederation Trail as a base for a network, Council will explore opportunities to enhance connections within and between communities in Three Rivers by means of active modes of transportation.
- 2) The Town of Three Rivers will undertake streetscape beautification projects in strategic locations, subject to availability of funding. Improvements may include landscaping, street furniture, wayfinding signage, banners, and similar features.

8.1.4. Waterways / Ferry Service

With their historical orientation towards waterbodies, many communities in Three Rivers have always been connected by water-based modes of transportation. Given the close proximity of

some communities, creating water-based connections may yield efficiencies over vehicle travel, particularly during the tourism season.

- 1) Council shall explore opportunities to establish a ferry or water taxi service between important destinations. Examples of destinations may include Georgetown, the Roma Historic Site, Panmure Island, and other waterfront locations.

8.1.5. Public Transit

The Town of Three Rivers currently does not operate a public transit network, but recognizes the value of alternative transportation options for residents and visitors. On a broader scale, the Province of Prince Edward Island operates an affordable bus transit route linking Three Rivers with Charlottetown and other destinations on the Island.

- 1) Council will explore options for a public transit service to provide residents, workers, and visitors with efficient, affordable, and accessible transportation options. Public transit services may include a combination of land-based and water-based transportation options. Any future public transit system should offer connections between the multiple communities within Three Rivers.
- 2) Council will continue to work with the Province of Prince Edward Island and providers to ensure safe, frequent, and affordable transit service to destinations beyond Three Rivers.
- 3) In considering public works and private development applications, the Town of Three Rivers will ensure that adequate infrastructure is available to support any local or Island-wide transit services, including:
 - a) Flat, clean and accessible surfaces at transit stops;
 - b) Opportunities for weather-protected shelter for riders;
 - c) Sufficient lighting at transit stops;
 - d) Adequate lane, aisle, or driveway widths for bus circulation;
 - e) Adequate setbacks to buildings, where applicable.

8.2. Alternative Energy Infrastructure

As awareness of the impacts of fossil fuels increases and the capital costs of manufacturing and installing alternative energy infrastructure decreases, facilities generating energy from renewable sources such as wind, solar, and biomass are becoming more common. The intent of these policies is to apply development controls to these facilities.

- 1) All proposals for renewable energy systems shall comply with the provisions of the Renewable Energy Act 2004 c.16 R.S.P.E.I. 1988, R-12.1. Wind energy projects with generation capacity of greater than 100 kilowatts are not permitted in Three Rivers, except with permission from the Minister of Transportation, Infrastructure, and Energy.
- 2) The Development Bylaw shall contain provisions for renewable energy facilities. Renewable energy facilities shall generally be permitted in Industrial,

Institutional, Rural, and Agricultural designations, subject to regulations controlling the number, size, and location of the infrastructure.

- 3) One windmill may be considered in a residential subdivision as a sustainability initiative, subject to approval of a Zoning Amendment. Where proposed, the applicant shall be required to enter into a Development Agreement with the Town.

8.3. Servicing Policies

8.3.1. Central Water and Sanitary Services

- 1) In Urban Settlement Areas, central water and sanitary services are the preferred form of servicing.
- 2) Development that features intensive water and/or sanitary demands may be subject to additional servicing requirements, where assessed and deemed necessary.

8.3.2. Communal Services

- 1) Where central water and sanitary services are not available, communal services are encouraged for development featuring clusters of buildings under single ownership.
- 2) Communal services systems shall be adequate to service the proposed development and will be reviewed to ensure they do not impact the private servicing potential of surrounding properties.

8.3.3. Private Services

- 1) Where public services are available to service a new development, but connection to public services are not proposed, the applicant shall provide the Town with a rationale for why connection to public services is not feasible. Development proposals without reasonable grounds for use of private services will be refused. A preference to not pay utility fees will not be considered to be valid grounds for use of private services.
- 2) Partial services, defined as servicing a lot with a combination of public and private services, shall generally not be permitted. Exceptions may be granted by Council on a case-by-case basis, such as to rectify failing services that present an immediate threat to health and safety.

- 3) Development proposals featuring private well servicing shall be designed to locate the well in accordance with provincial standards, and shall consider:
 - a) A location inland as far as possible;
 - b) At a high elevation, where applicable;
 - c) At a higher elevation than nearby septic systems; and
 - d) At an appropriate distance from other site features, such as driveways or trees.
- 4) Development proposals featuring private septic servicing shall be designed to locate the septic system in accordance with provincial standards, and shall consider locating the system:
 - a) At a sufficient distance from property lines, shorelines, buildings, and other features; and
 - b) At a lower elevation than nearby well systems.

8.3.4. Grading and Drainage

- 1) The Town of Three Rivers may require a Grading and Drainage Plan for all new development in Urban Settlement Areas to ensure that surface water is directed to an appropriate outlet.

8.4. Parks and Community Facilities

- 1) The Town of Three Rivers shall provide parks, playgrounds, and recreational facilities for residents.
- 2) In programming existing and future parks, the Town shall consider the needs of a wide range of demographics, and will contemplate the inclusion of elements including, but not limited to:
 - a) Playgrounds;
 - b) Sports fields;
 - c) Community gardens;
 - d) Outdoor fitness equipment;
 - e) Benches and seating areas;
 - f) Landscaping features; and
 - g) Splash pads.
- 3) Council shall seek opportunities to expand the recreational trail network, with priority placed on establishing new connections to the Confederation Trail.

- 4) The Town of Three Rivers shall keep parks and community facilities to a reasonable standard of maintenance to ensure continued enjoyment by residents.
- 5) In cases where existing community facilities are vacant or underutilized, Council shall seek alternative uses for these facilities. Council shall prioritize other public or community-based uses for these facilities, but may also consider renting of these facilities for private uses.
- 6) In planning for public works, Council shall consider the creation of new recreation facilities, including a dog park, outdoor performance venues, and strengthening of waterfront facilities. Council may consider the purchase of existing private buildings for these purposes, where feasible. Consideration should also be given to winter activities, including outdoor rinks and ski trails.
- 7) Council shall develop and ensure the continued maintenance of safe playground areas adjacent to existing and future residential neighbourhoods.
- 8) The lands immediately north and west of the Montague Regional High School shall be reserved for recreational uses and designated Parks and Open Space.



9. Implementation

9.1. Administration

- 1) In accordance with the Planning Act R.S.P.E.I. 1988, P-8, the Three Rivers Planning Board shall be responsible for administration of the Official Plan, including:
 - a) Prepare and recommend to Council proposed alterations and additions to the Official Plan;
 - b) To recommend to Council implementing bylaws in respect of the Official Plan;
 - c) To hold public meetings;
 - d) When requested by Council, to prepare estimates of the cost of any public work, improvement, or other project; and
 - e) To perform such other duties of a planning nature as may be requested by Council.
- 2) Council shall appoint a Development Officer to administer this Plan and review development applications. The role of the Development Officer shall be detailed in a Development Bylaw described in Section 9.3 below.
- 3) The Town shall ensure that technical expertise is available to assist with the implementation of necessary elements of this Plan, including the review of development applications, the undertaking of public works, enforcement activities, and related matters. The necessary expertise may be secured through direct employment with the Town, or through a contract with a qualified consultant.
- 4) The Town of Three Rivers recognizes the importance to landowners of timely implementation of the principles, objectives, and policies of this Plan. Council, the Planning Board, and Staff commit to:
 - a) The timely and efficient processing of applications for development;
 - b) Providing courteous and professional assistance to development applicants and residents;
 - c) Transparency in decision-making, as guided by the provisions of the Planning Act R.S.P.E.I. 1988, P-8; and
 - d) Promotion of opportunities for public input in planning activities.
- 5) In preparing annual budgets for the Town of Three Rivers, Council shall ensure that adequate funding is made available for the proper administration of the Official Plan, as described in the policies above.

9.2. Amendments and Review

9.2.1. Plan Review

As required by the Planning Act R.S.P.E.I. 1988, P-8, Council will review this Plan at intervals no shorter than five years to evaluate the extent to which the goals and objectives are achieved. Following the review, Council will by resolution confirm or amend the Plan.

9.2.2. Trigger for Review

Where Council is considering a major expansion to sewer or water servicing beyond the boundaries contemplated in this Plan, Council shall initiate a review of the Official Plan. With consideration for the expanded infrastructure, the Plan review shall consider:

- a) Amending land use designations in the vicinity of the proposed infrastructure;
- b) Whether amendments are required to servicing policies;
- c) Whether adjustments to settlement areas are required, as applicable;
- d) Necessary adjustments to implementing bylaws, including the Development Bylaw, for the properties eligible to connect to the expanded servicing infrastructure.

9.2.3. Criteria for Amendments

Policies in this section are intended to provide guidance to Council and the Planning Board for evaluating Official Plan Amendment applications.

- 1) Amendments to this Official Plan shall be evaluated against the following criteria:
 - a) Conformity with the provisions of the Planning Act R.S.P.E.I. 1988, P-8 and associated Regulations;
 - b) Conformity with the Guiding Principles and Objectives of this Official Plan;
 - c) That the proposed development will not create undue negative impacts on adjacent properties; and
 - d) That the proposed development will not generate unreasonable or undesirable financial burdens on the Town of Three Rivers.

9.3. Development Bylaw

Council shall enact a Development Bylaw as an implementation mechanism for the goals, objectives, and policies of this Official Plan. In accordance with the Planning Act R.S.P.E.I. 1988, P-8, the Development Bylaw may address elements including:

- 1) Regulate development to advance the general welfare, health, safety and convenience of persons in the municipality;
- 2) Define the areas to be regulated;
- 3) Establish land use zones, including permitted uses of land and structures;

- 4) Subdivision of land;
- 5) Development and services;
- 6) Development charges;
- 7) Building standards, addressing fire suppression and architectural controls;
- 8) Development permits;
- 9) Environmental protection, including that issuance of a permit is conditional upon compliance with the Environmental Protection Act;
- 10) Access to highways;
- 11) Mobile homes;
- 12) Parking areas;
- 13) Summer cottages;
- 14) Fees; and
- 15) Enforcement.

9.3.1. Rezoning Applications

Every landowner has the opportunity to apply to the Town of Three Rivers for a change in zoning on a property, or to change provisions within the applicable zone.

- 1) Applications for rezoning will be evaluated against the following criteria:
 - a) Conformity with the provisions of the Planning Act R.S.P.E.I. 1988, P-8 and associated regulations;
 - b) Conformity with the policies of this Official Plan, including the applicable policy designation;
 - c) That the proposed development will not create undue negative impacts on adjacent properties; and
 - d) That the proposed development will not generate unreasonable or undesirable financial burdens on the Town of Three Rivers.

9.3.2. Variances

- 1) The Town of Three Rivers may consider variances to zoning provisions in the Development Bylaw where strict compliance would represent an inappropriate burden to the landowner. The Town may authorize such variance from the provision of the zoning regulations as, in its opinion, is desirable and consistent with the general intent and purpose of the Official Plan and the regulations to which the variance applies.

9.4. Application Procedures

- 1) The Development Bylaw shall establish standards for application procedures, including required processes for applicants, timelines, and other requirements related to the receiving and processing of applications.
- 2) Development applicants may be required to submit supporting materials to comprise a complete application. A list of materials that may be requested is included in this Plan as Appendix 1.

9.5. Other Plans and Bylaws

9.5.1. Servicing Master Plan

The Servicing Master Plan prepared for the Town of Three Rivers summarizes existing central water and sanitary infrastructure in the municipality, as well as the functional and financial requirements for expansion. The Servicing Master Plan is intended to be coordinated with this Official Plan and is anticipated to be completed in 2022.

- 1) The Town of Three Rivers will ensure that the Servicing Master Plan is kept current as improvements are made in the future.
- 2) On the occasion of a full review of this Official Plan, the Town will also review the Servicing Master Plan to ensure consistency between the two documents.

9.5.2. Heritage Plan

- 1) Council will consider establishing a Heritage Plan for the Town of Three Rivers to request delegated powers from the Minister of Economic Growth, Tourism and Culture for planning controls for heritage sites.
- 2) Where a Heritage Plan is prepared, Council will ensure compliance with the Heritage Places Protection Act 1992 c.31 R.S.P.E.I. 1988, H-3.1, including outlining objectives, policies, and programs for conservation of heritage resources.
- 3) Where a Heritage Plan is approved by the Minister of Economic Growth, Tourism and Culture, Council shall explore opportunities for designation of additional heritage resources, including buildings, landscapes, districts, trails or corridors.

9.5.3. Asset Management Policy

Asset Management Policies are guiding statements adopted by Council that provide a consistent framework for decision-making regarding municipal assets. Such policies can clarify the roles and responsibilities of the Town for municipal infrastructure and other assets.

- 1) The Town of Three Rivers shall maintain an Asset Management Policy to provide a consistent framework for decision-making regarding municipal assets.

- 2) The Town shall consider the policies of this Official Plan when preparing or updating its Asset Management Policy.

9.5.4. Development Charge Bylaw

- 1) Council may enact a Development Charge Bylaw in accordance with the provisions of the Planning Act R.S.P.E.I. 1988, P-8 to recover eligible costs for specified facilities and services. Before enacting a Development Charge bylaw, Council will order or commission a background study to determine the need for a cost recovery program and to which facilities and services it would apply. Where a bylaw is enacted, the bylaw will address:
 - a) Eligible on-site and off-site costs, or portions of them, that a development charge may be levied to fund;
 - b) Rules to calculate a development charge for an eligible cost;
 - c) Prescribing development charges;
 - d) Means of payment of development charges;
 - e) The amount and type of security a developer may be required to provide to ensure the payment of development charges;
 - f) Authorizing the Town to negotiate and enter into development charge agreements with developers and other parties;
 - g) Registration of development charge agreements;
 - h) Any other matters necessary or desirable to effect a development charge agreement.

9.5.5. Tree Bylaw

Trees are critical to healthy ecosystems, including in urban areas. Regulations to ensure preservation of trees can help to maintain the many associated environmental benefits.

- 1) Council will consider enacting a bylaw to regulate removal of trees across Three Rivers. At Council's discretion, such a bylaw may contain different regulations for urban areas and rural areas.
- 2) Any Tree Bylaw shall balance the need to preserve existing trees with the requirements of the forestry industry.
- 3) As part of a Tree Bylaw, Council may consider requirements to replace removed trees with new plantings.
- 4) As part of a Tree Bylaw, Council may consider a credit system in which new tree plantings may be considered as offsets to felled trees, while remaining mindful of the value of older trees to ecosystems.

9.5.6. Nuisance and Noise Control Bylaw

- 1) The Town of Three Rivers may enact a Noise Bylaw under the Municipal Government Act 2016 c.44 R.S.P.E.I. 1988, M-12.1

- 2) Where a Noise Bylaw is enacted, the bylaw shall address the noise impacts of stationary noise sources described under the Development Hazards and Land Use Compatibility section of this Plan.

9.5.7. Dangerous, Hazardous and Unsightly Premises Bylaw

The Municipal Government Act 2016 c.44 R.S.P.E.I. 1988, M-12.1 permits municipalities to pass bylaws to control dangerous, hazardous and unsightly elements on private lands. The Town of Three Rivers recognizes the value of this tool in ensuring community safety and beautification.

- 1) Council shall enact a Dangerous, Hazardous and Unsightly Premises Bylaw for the entire Town of Three Rivers.

9.6. Development Agreements

- 1) The Town of Three Rivers may, at its discretion, enter into Development Agreements with landowners in accordance with the provisions of the Planning Act R.S.P.E.I. 1988, P-8 and the policies of this Plan. Development Agreements will contain all conditions applied to the Development Permit or Subdivision Approval, as applicable. The terms of Development Agreements shall be binding on both parties.
- 2) Development Agreements may be used for subdivisions, large developments, and developments that feature unique conditions that require additional scrutiny by the Town following approval of a Development Permit. Such Agreements can address items including, but not limited to, the following:
 - a) Phasing of development;
 - b) Provision of infrastructure;
 - c) Protection of natural features;
 - d) Functional considerations, including access, vehicle circulation, snow storage, landscaping, fencing, and related matters; and
 - e) Protection of Town assets and other infrastructure.
- 3) Where Development Agreements were entered into by former municipalities within the Town of Three Rivers, or by the Province of Prince Edward Island in formerly unincorporated areas, the Town of Three Rivers shall assume party status in the Agreements in lieu of the former municipality or Province of Prince Edward Island.

9.7. Local Improvements

As a municipality with responsibilities for certain local infrastructure assets, the Town of Three Rivers has the ability to undertake improvements, as required.

- 1) Where deemed appropriate by Council to fulfill the land use planning goals of this Plan, the Town of Three Rivers may undertake local improvements, subject to the provisions of the Planning Act R.S.P.E.I. 1988, P-8 and Municipal Government Act 2016 c.44 R.S.P.E.I. 1988, M-12.1.

9.8. Acquisition and Expropriation of Land

Where deemed necessary by Council to fulfill the goals of this Plan, the Town of Three Rivers may acquire or expropriate land, subject to the provisions of the Municipal Government Act 2016 c.44 R.S.P.E.I. 1988, M-12.1 and any other applicable legislation.

9.9. Funding and Resource Supports

Opportunities for funding and other resource supports are available to support certain undertakings envisioned by this Official Plan. This section enables the Town to seek and utilize these resources.

- 1) Council will seek funding and resource support from other levels of government and organizations to fulfill the land use planning goals of this Plan. The Town will consider seeking supplementary resources from the following:
 - a) The Government of Canada, including through the Atlantic Growth Strategy;
 - b) The Atlantic Canada Opportunities Agency (ACOA);
 - c) The Province of Prince Edward Island; and
 - d) Private sector and non-profit sources.
- 2) Where Council identifies an area or ecosystem as warranting additional protection from development and other damaging activities, Council will work with the Province of Prince Edward Island to designate the identified area or ecosystem as a Natural Area in accordance with the Natural Areas Protection Act R.S.P.E.I. 1988, N-2. Where a Natural Area is designated, this Plan shall be amended to recognize the designation.
- 3) The Town of Three Rivers will encourage landowners with forest assets to participate in the Provincial Forest Enhancement Program for landowners to secure funding for the creation of a Sustainable Forest Management Plan.

9.10. Indigenous Engagement

The Town of Three Rivers is committed to engaging with Indigenous peoples and organizations on land use planning matters of mutual interest. Specifically, the Town recognizes L'nuey, the consultation unit of Mi'Kmaq governance on Prince Edward Island, as the first point of contact for such engagement activities. The following policies shall apply:

- 1) The Town of Three Rivers shall circulate L'nuey on all development applications or projects that receive funding from Provincial and / or Federal governments.
- 2) The Town of Three Rivers shall engage with L'nuey or any other Indigenous organization on land use planning matters of mutual interest, including development on or in proximity to the PowWow site at the causeway to Panmure Island in Gaspereaux.

9.11. Public Engagement

Public engagement is an important part of the planning process. Residents of Three Rivers know their community best and can share valuable insights on planning matters and development applications. This section is intended to encourage opportunities for public engagement in the planning process.

- 1) The Town of Three Rivers shall follow the public engagement requirements of the Planning Act R.S.P.E.I. 1988, P-8 for development applications and other planning matters.
- 2) Council shall work with the Planning Board to encourage public forums and “town hall”-style meetings to provide opportunities for the public to provide feedback on planning matters.
- 3) Council shall utilize other forms of public engagement, where appropriate, including:
 - a) Use of online videoconferencing for non-Statutory public meetings, where deemed appropriate;
 - b) Postings on the Town’s website;
 - c) Postings to social media channels; and
 - d) Posting notifications in key destinations across the Town.

9.12. Southeast Environmental Association

The Southeast Environmental Association (SEA) is community-based, charitable organization intended to protect, maintain and enhance the ecology of Prince Edward Island. The SEA manages the largest watershed region on the Island, among a network of similar groups across the province. The SEA is uniquely positioned to play a role in land use planning and environmental protection in Three Rivers and can provide valuable insight into certain planning matters. This section recognizes that unique role in the application circulation process.

- 1) Council will work with the SEA to protect, enhance and map the trail network in the Town of Three Rivers.



10. Land Use Schedules

Schedule A - Land Use and Road Network

Schedule B – Environmental Features & Hazards



TTTER
TURE

MONTAGUE

LORNE
VALLEY



GAS

Beautiful

THREE

VIBRANT

Rural

PEREAUX



PEI

Appendix 1: Required Plans and Studies

The following materials may be requested as part of a complete application for Development Permit:

Plans

- 1) Survey Plan
- 2) Site Plan
- 3) Subdivision Plan
- 4) Site Servicing Plan
- 5) Grading and Drainage Plan
- 6) Erosion Control Plan
- 7) Landscape Plan
- 8) Architectural Drawings
- 9) Parking Lot or Parking Garage Plan

Studies

- 1) Site Suitability Assessment
- 2) Site Servicing Study
- 3) Wellfield Impact Study
- 4) Coastal Hazard Assessment / Flood Risk Assessment / Geotechnical Study
- 5) Transportation Study
- 6) Noise Study
- 7) Land Use Compatibility Study
- 8) Planning Justification Report
- 9) Heritage Impact Study
- 10) Archaeological Assessment
- 11) Environmental Impact Study



Three Rivers
· WHERE HISTORY IS MADE ·



Development Bylaw #2023-02

March 2023



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Appendix A: Minimum Lot Area and Lot Width Requirements for Lots on Partial or Private Services

1. Scope

1.1. Title

- 1) This Bylaw is known as the “Development Bylaw” of the Town of Three Rivers.

1.2. Purpose

- 1) The purpose of the Development Bylaw is to establish:
 - a) Regulations with respect to planning and land use matters affecting the general welfare, health, safety and convenience of persons in the Town of Three Rivers;
 - b) Regulations with respect to the subdividing or consolidating of land parcels; and
 - c) Regulations and procedures with respect to administration of planning permits.

1.3. Area Defined

- 1) The provisions of this Bylaw shall apply to all lands within the physical boundaries of the Town of Three Rivers.

1.4. Authority from the Province of Prince Edward Island

- 1) This Zoning Bylaw is enacted under the authority of the Planning Act, R.S.P.E.I. 1988, Cap. P-8, referred to here as the “Planning Act” and the Municipal Government Act, 2016 c.44 R.S.P.E.I. 1988, Cap. M- 12.1.

2. Definitions

In this Bylaw,

“Accessory” means a use, building or structure customarily incidental and subordinate to the principal use and located on the same lot with such principal use.

“Accessory apartment” means a secondary dwelling accessory to a Single-Unit Dwelling within the same building that is equipped as an independent living facility and accessed by a private entrance from outside of the building or from a common hallway or stairway inside the building.

“Accessory building” means a separate subordinate building, not used for human habitation, that is used or intended for the better or more convenient enjoyment of the main building to which it is accessory and located upon the lot upon which such main building is.

“Accessory use” means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.

“Agricultural use” means a use of land and buildings for farming, dairying, pasturage, agriculture, aquaculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, storing, treating or selling the produce.

“Alter” means

- a) with reference to a building or part thereof, to change any one or more of the external dimensions of the building.
- b) with reference to a lot, to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise, and “altered” and “alteration” shall have corresponding meanings.

“Animal hospital” means a building or part of a building used by a veterinary surgeon where companion domestic animals (household pets) and birds are kept for treatment including surgery, and where veterinary drugs and other related products, including pet food, may be sold.

“Auction establishment” means the offering for sale of new and used goods by means of request or invitation for bids, includes a livestock auction sales barn and vehicle or liquidation auction.

“Automobile body shop” means an establishment where motor vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition shall not include a salvage yard as defined herein.

“Automobile dealership” means a place where new or used passenger or family vehicles such as cars, vans, motorcycles and trucks, are leased, rented, sold or auctioned at retail. Accessory uses may include enclosed and/or exterior showroom and areas for display; car wash; automobile service; automotive parts sales/distribution; automobile body and structural work and painting; storage and parking areas for vehicles which are for lease, rent, sale or auction and for those being serviced by the dealership; office space; and restricted eating establishment.

“Automobile service station” means a building where gasoline, propane, diesel fuel or oil is kept for sale including alternative sources of fuel or electrical charging stations, where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of a commercial garage are carried on.

“Automotive store” means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance and repair operations on motor vehicles. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this Bylaw.

“Bed and breakfast” means a dwelling occupied by the owner and used incidentally to provide accommodation and meals to transient travellers but does not include a boarding house, rooming house, hostel, group home, hotel, motel, restaurant or lounge.

“Boat house” means an accessory building or structure intended for use to house, shelter, or protect a boat or other form of water transportation. When constructed in association with a dwelling, a boat house shall be deemed to be an accessory building.

“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.

“Building height” means the highest allowable distance from the ground level next to the main entrance of the building to the highest point of the building, exclusive of any accessory roof construction.

“Business or professional office” means a premises where professional services are offered, but does not include premises used for the retailing, wholesaling, manufacturing or conversion of goods.

“Campground” means a tract of land, managed as a unit, providing short-term accommodation for tents, tent trailers, travel trailers, recreational vehicles, campers and cabins.

“Cemetery” means a property used for interring dead persons or in which human bodies have been buried. A cemetery may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments but shall not include crematoriums. Cemeteries may also be provided for domestic pets exclusive to human burial places.”

“Club” means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club shall also mean, where the context requires, premises owned or occupied by members of such association within which the activities of the club are conducted.

“Commercial Use” means the use of a building or lot for the storage, display or sale of goods or services, and includes hotels, motels, inns, or rental cottages.

“Community care facility” – see “Residential Care Facility.”

“Community centre” means a multi-purpose facility that offers a variety of programs of a recreational, cultural, day care, social, community service, informational or instructional nature, and may include, as a portion of it, a medical facility.

“Community garden” means a garden for plants, including vegetables, fruits, grains, flowers, or herbs, maintained for the benefit of the community.

“Convenience store” means a retail store where a range of day-to-day items such as newspapers, confections, food, and other such household items are sold in small quantities.

“Contractor's shop or yard” means a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, or truck, bulldozer, loader and backhoe operating and such place of business may be used for the storage of equipment, materials and vehicles which are used on construction sites and may include such related uses as office space, or maintenance facilities, and may also include a retail business, sales counter or a wholesale business as an accessory use.

“Council” means the Council for the Town of Three Rivers.

“Day care facility” means any institution, agency or place that receives individuals, including children, for temporary care, with or without stated educational purposes, for a period not exceeding 24 hours, and includes a day nursery, nursery school, kindergarten, or play school.

“Demolition” means to remove, pull down or destroy a building and/or structure.

“Developer” means a person who, directly or indirectly, is authorized to apply for approval of a development or subdivision or to enter into an agreement regarding a development or subdivision.

“Development” means:

- a) site alteration, including but not limited to altering the grade of the land, removing vegetation from the land, excavating the land, depositing or stockpiling soil or other material on the land, and establishing a parking lot;
- b) locating, placing, erecting, constructing, altering, repairing, removing, relocating, replacing, adding to or demolishing structures or buildings in, under, on or over the land;
- c) placing temporary or permanent mobile uses or structures in, under, on or over the land; or
- d) changing the use or intensity of use of a parcel of land or the use, intensity of use or size of a structure or building.

“Development Officer” means the person(s) appointed by Council with the duty of administering the provisions of this Bylaw.

“Development Agreement” means an agreement between a developer and a council, or between a developer and a Minister of the Government of Prince Edward Island, or a tripartite agreement between a developer, a council and a Minister, respecting the terms and conditions under which a development may be carried out.

“Development Permit” means a permit issued for a development pursuant to this Bylaw, but does not include a Building Permit issued under the Building Codes Act 2017 c.61 R.S.P.E.I. 1988, B-5.1.

“Drive-through facility” means a premises used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated queuing space, and may be in combination with other land uses.

“Dwelling” means a building or portion thereof designated or used for residential occupancy, but does not include hotels and motels.

- a) **“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.

- b) **"Apartment dwelling"** means a residential use building that contains four or more dwelling units, other than a row dwelling.
- c) **"Duplex dwelling"** means a dwelling divided horizontally into two dwelling units.
- d) **"Grouped dwellings"** means two or more residential use buildings containing dwellings of any type, except accessory dwellings, located on a single lot.
- e) **"Micro dwelling"** means a dwelling designed or used for occupancy as one dwelling unit and that has a floor area of 37 sq.m (398.3 sq.ft) or less.
- f) **"Mobile home"** means a residence that is designed and manufactured to be transported on its own chassis and is equipped for year-round occupancy.
- g) **"Modular dwelling"** means any dwelling that is designed and built in more than one unit and is designed to be mobile on a temporary basis and constructed or manufactured off-site to provide a permanent residence for one or more persons.
- h) **"Multiple-unit dwelling"** means a building containing three or more dwelling units.
- i) **"Row dwelling"** means a dwelling that is divided vertically into three or more dwelling units.
- j) **"Semi-detached dwelling"** means a dwelling that is divided vertically into two separate units.
- k) **"Single-unit dwelling"** means a dwelling designed or used for occupancy as one dwelling unit and includes Micro Dwellings and Modular Dwellings, but does not include a summer cottage.

"Entertainment Facility" means a facility where the primary function is the provision of entertainment to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a movie theatre, live theatre, night club, cocktail lounge, arena or sports complex.

"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.

"Equestrian establishment" means a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.

"Excavation pit" means any excavation in the ground opened 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.

"Farm market" means a building in which farm produce comprises the major portion of goods offered or kept for sale directly to the public at retail value.

"Farmer's market" means an establishment or premises where the farm products of a local farming community are sold at retail.

“Fishing vessel” means any watercraft. engaged on a part-time or full-time basis for use in a commercial fishery.

"Floor area" means:

- a) With reference to a residential building or 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.
- b) With reference to a commercial building or use, the total usable floor area within a building used for commercial purposes excluding washrooms, utility rooms and common halls between stores.
- c) With reference to an Accessory Building, the area contained within the outside walls.

“Food truck park” means more than three mobile food businesses that congregate at an established private property location to offer food or beverages for sale to the public.

“Forestry use” means commercial silviculture and the production of timber or pulp and any uses associated with a forestry use, including sawmills, shingle mills, vehicle and equipment storage and maintenance buildings and yards and retail and wholesale outlets for wood and wood products.

“Garden centre” means land, building, structure or part thereof or an outdoor area primarily used for the retail sale of gardening equipment, landscaping products and planting materials.

“Grade” means the lowest elevation of the finished surface of the ground, paving or sidewalks between the building and a line 1.5 metres (4.9 feet) from the building.

“Greenhouse” means a premises, or any land used primarily to raise and store trees, shrubs, flowers, and other plants for sale or for transplanting.

“Gross floor area” – see “Floor Area.”

"Group home" means a residence for the accommodation of four or more persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. A group home does not include a Day Care Facility, or a halfway house or a facility for the temporary use of transient and homeless persons.

“Heavy industrial use” means a use that, from its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration or by reason of the emission of gases, fumes, dust, and any objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

"Highway" means all the area within the boundary lines of every road, street or right-of-way that is vested in the Province of Prince Edward Island or the Town 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.

“Home-based business” (as an ancillary use) means the accessory use of a dwelling unit for gainful employment involving the production, sale, or provision of goods and services.

“Hobby farm” means the keeping, breeding, raising and grazing of livestock, and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm and excludes an agricultural use as defined herein which is operated for commercial purposes.

“Hotel” means a building other than a motel occupied or intended to be occupied as the temporary lodging place for any individual for a fee.

“Inn establishment” means a tourist establishment where the tourism operator provides personal service to guests, the majority of guests have access to rental units from within the establishment, each rental unit has at least a three-piece private bathroom, the main entrance and common areas of the establishment used by guests are separate from the entrances and areas used exclusively by the tourism operator, and breakfast and dinner are served in the establishment.

“Institutional Use” means any educational or religious use (with or without dormitory accommodation), museum, public library, fire or police station, public works, Hospital, Community Building, recreational, cultural or Open Space use.

“Kennel” means a building or structure where more than four domestic animals, excluding livestock, are kept, bred or raised for profit or gain.

“Landscaping” means any combination of trees, shrubs, flowers, grass, other horticultural elements, paving, or other architectural elements, all of which are designed to enhance the visual amenity of a property.

“Light Industrial” means use of land or buildings for fabrication, manufacturing, assembly, treatment or warehousing of goods, but does not include industrial processing or other process which may result in the creation of hazardous or offensive conditions related to noise, odour, smoke or effluent.

“Livestock” means horses, cattle, sheep, swine, goats, poultry, fox, mink, chinchilla and rabbits.

“Loading space” means an unencumbered area of land provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded.

“Lot” means any discrete portion of land described in a deed or as shown in a registered subdivision or survey plan.

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) **“Through lot”** means a lot bounded on two opposite sides by streets.

“Lot area” means the total area included within the lot lines.

“Lot depth” means the shortest depth from the front lot line to the rear lot line.

“Lot line” means any boundary of a lot.

- a) **“Front lot line”** means the line dividing the lot from the street or private right-of-way. In the case of a corner lot or a lot with more than one line abutting a single street or private right-of-way the shorter boundary line abutting the street private right-of-way shall be deemed the front lot line. In the case of a through lot, either lot line may be considered the front lot line.
- b) **“Flankage lot line”** means the lot line, other than the front lot line, that abuts the street or private right-of-way on a corner lot.
- c) **“Rear lot line”** means the lot line furthest from and opposite to the front lot line.
- d) **“Side lot line”** means a lot line other than a front, rear or flankage lot line.
- e) **“Common Lot Line”** means a development wherein a semi-detached building may be located on two lots with the common side lot line coincident with the party wall between the two units.

“Lot Frontage” means the straight distance between the points where the side lot lines of a lot intersect the front lot line of that lot. If the side lot lines are not parallel, Frontage means the straight distance between the two points on the side lot lines located a distance of 6 metres (19.7 ft.) from where the side lot lines intersect the front lot line. Lot width shall be measured as the lot frontage.

“Lot coverage” means the percentage of lot area covered by the ground floor area of all buildings located thereon.

“Marina” means a building, structure or place containing docking facilities and located on or abutting a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels and lubricants may be provided.

“Marine facility” shall mean a non-commercial accessory building or structure having a maximum height of 5.0 metres (16.4 ft.) which is used to moor, berth or store a boat. This definition may include a boat launching ramp, boat lift., dock or boathouse but does not include any building used for human habitation or any boat service, repair or sales facility.

“Motel” means a building occupied in whole or in part as a temporary lodging place for an individual and for which there is an exit for any room or suite of rooms directly to the outdoors with access to grade level.

“Municipality” means the Town of Three Rivers or the Corporation of the Town of Three Rivers.

“Non-complying” means a lot, building, or structure that does not meet the regulations of the Zone in which it is located as of the date of passage of this Bylaw.

“Non-conforming” means an existing use or activity on any land, building, or structure that is not a permitted use for the Zone in which it is located as of the date of passage of this Bylaw.

“Nursing home” – see “Residential care facility.”

“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.

“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 lot.

“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 driveways or off-street parking.

“Park” means land owned or leased by the Town or some other level of government used or intended for use by members of the public.

“Parking lot” means an area or structure other than a street, used or intended to be used for the temporary storage of motor vehicles and includes drive aisles, driveways, and parking spaces.

“Parking space” means an area of land that is suitable for the parking of a vehicle and accessible to vehicles without the need to move other vehicles on adjacent areas.

“Personal service shop” means a building or part of a building in which services are provided for the individual and personal needs of persons, and without limiting the generality of the foregoing, may include such establishments as barber shops, beauty parlors, automatic laundry shops, hairdressing shops, tanning salons, tattoo parlours, shoe repair and shoe shining, tailoring, and dry-cleaning collection depots, but excludes the manufacturing or fabrication of goods for retail or wholesale distribution.

“Planning Board” means a Board appointed by Council, as established in the Planning Act R.S.P.E.I. 1988, P-8, which provides recommendations on matters related to land use planning.

“Place of worship” means a place or building that is used for the regular assembly of persons for the practice of religious worship, services or rites, which may accommodate the assembly of persons for community events and may include a cemetery.

“Private road” means a private right-of-way over private property which affords access to at least two abutting lots and which is not maintained by the Province of Prince Edward Island or the Town of Three Rivers.

“Property” – see “Lot.”

“Recreational use” means use of land for parks, playgrounds, tennis courts, lawn bowling greens, athletic fields, golf courses, picnic areas, swimming pools, day camps, campgrounds, recreational vehicle park, but does not include a tract for the racing of animals or any form of motorized vehicles.

“Recycling facility” means a facility or place where recyclable material is: (i) accepted and stored; and (ii) handled, collected, sorted or prepared for transport for the purposes of the use, reuse or incorporation of the material in the manufacture of secondary products.

“Renewable energy generation facility” means a facility for generating electric energy from any renewable energy source, and includes structures, ancillary equipment or other things used for that purpose, and includes a Solar Collector System and a Wind Energy System.

“Resource Use” means the use of land or buildings for the production and harvesting or extraction of any agricultural, forestry, or fisheries product.

“Residential care facility” means a building or premises licensed by the Province of Prince Edward Island, where accommodation and supervisory and/or personal care is provided or made available for three or more persons.

“Restaurant” means buildings or structures or part thereof where food and drink is prepared and offered for sale to the public within or off the premises.

“Restaurant, Drive-through” – see “Drive-through facility”

“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.

“Retirement home” means premises where lodging is provided primarily for retired persons and may include common facilities for eating, recreation and other such activities and may also include limited medical care and other services.

“Road” – see “Highway.”

“Salvage yard” means an area of land used for the storage, handling or processing of and sale of scrap material, and without limiting the generality of the foregoing, may include wastepaper, rags, bones, used bicycles, vehicles, tires, metals or other scrap material or salvage, but shall not include a hazardous waste material storage or disposal site or recycling depot.

“Secondary suite” means a detached dwelling accessory to, and subordinate to, a principal dwelling unit.

“Setback” means the horizontal distance between the specified lot line or feature and the nearest main wall of any building or structure.

“Shopping centre” means a group of commercial uses that have been designed and developed as a continuous unit and characterized by shared parking facilities and may or may not have enclosed common walkways.

“Sight triangle” means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

“Sign” means any structure or device used to advertise or draw attention to any product, place, person, business, institution, organization, or event, including any directional or wayfinding purpose and that is intended to be seen from off the premises or from a parking lot.

- a) **“Ground sign”** means a sign supported by one or more posts, poles or braces placed in or upon the ground.

- b) **“Mobile sign”** means a sign designed and intended to be moved from one site to another and is not permanently affixed to the ground or a building, but shall not include the side, body, trailer of a commercial motor vehicle.
- c) **“Projecting sign”** means a sign that projects from and is supported by the wall of a building.
- d) **“Sandwich board sign”** means a sign consisting of two surfaces attached to each other at the top and designed so as to stand temporarily without foundation or other support on a lot or sidewalk without electrical or other service connection.

“Solar collector system” means a structure or array of structures, and ancillary equipment, designed to collect solar radiation and convert it to useable forms of energy. Without restricting the generality of this definition, solar collector system may include evacuated tubes, flat plate collectors, concentrating mirrors, and building integrated photovoltaic materials but does not include windows or greenhouses.

“Special Permit Use” means those proposed uses of land, buildings, and structures which are deemed compatible amongst existing land uses and sympathetic to the overall character of a specific zone. A Special Exception Development will not already be permissible in any other zone, and it shall be subject to the approval of Council and any conditions imposed.”

“Storey” means that portion of a building between any floor and ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 metres (5.9 ft.) above grade and provided also that any portion of a building between any floor and ceiling or roof next above exceeding 4.2 metres (13.8 ft.) in height shall be deemed an additional storey.

“Street” – see “Highway.”

“Structure” means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure.

“Subdivision” means:

- a) the division of a parcel of land to create two or more new parcels of land;
- b) the consolidation of two or more contiguous parcels of land to create a new parcel of land; or
- c) the attachment of a part of a parcel of land to another parcel of land contiguous to that part to create a new parcel of land; by means of a plan of subdivision, a plan of survey, an agreement, a deed or any other instrument, including a caveat, that transfers or creates an estate or interest in the new parcels of land created by the division, or in the new parcel of land created by the consolidation or the attachment, as the case may be.

“Subdivision agreement” means an agreement between a council and a developer whereby the developer undertakes to provide basic services in order to develop a plan of subdivision.

“Subdivision plan” means an appropriately scaled and detailed drawing of a subdivision, certified by a Prince Edward Island Land Surveyor.

“Survey” means an appropriately scaled drawing of survey details, certified by a Prince Edward Island Land Surveyor.

“Town” – see “Municipality.”

“Use” means any purpose for which a building or other structure or parcel of land may be designed, arranged, intended, maintained or occupied, and includes any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel.

“Utility” means any public or private system, works, plant, building, equipment, or services that are provided to or for the use of the general public, including but not limited to telephone, electric power, public water supply or sewage services, and includes a Utility Building.

“Variance” (including Minor Variance (up to 10%) and Major Variance (over 10%)) 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.

“Warehouse” means a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet.

“Watercourse” means an area which has a sediment bed and may or may not contain water, and without limiting the generality of the foregoing, includes the full length and width of the sediment bed, bank and shore of any stream, spring, creek, brook, river, lake, pond, bay, estuary or coastal body, any water therein, and any part thereof, up to and including the watercourse boundary, but does not include an irrigation channel.

“Water lot” means land, including land covered by water.

“Wetland” means:

- a) an area which contains hydric soil, aquatic or water-tolerant vegetation, and may or may not contain water, and includes any water therein and everything up to and including the wetland boundary; and
- b) without limiting the generality of the foregoing, includes any area identified in the Prince Edward Island Wetland Inventory as open water, deep marsh, shallow marsh, salt marsh, seasonally flooded flats, brackish marsh, a shrub swamp, a wooded swamp, a bog or a meadow.

“Wind energy system” means a structure that converts the kinetic energy in wind to electrical energy.

“Yard” means an open, uncovered space on a lot pertinent to a building and unoccupied by buildings or structures except as specifically permitted in this bylaw, and:

- a) **“Front yard”** means a yard extending across the width of a lot between the front lot line and nearest wall of any building or structure on the lot.
- b) **“Rear yard”** means a yard extending across the width of a lot between the rear lot line and the nearest wall of any building or structure on the lot.

- c) **"Side yard"** means a yard extending from the front yard to the rear yard of a lot between a side lot line and nearest wall of any building or structure on the lot.
- d) **"Flankage yard"** means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure on the lot.

"Zone" means a designated area of land shown on the zoning map of the Bylaw within which land uses are restricted to those specified by this Bylaw, in the below table.

Zone	Symbol
Agricultural	AG
Rural	RU
Rural Residential	RR
Low Density Residential	R1
Medium Density Residential	R2
High Density Residential	R3
Residential Mobile Home Park	RM
Mixed Use	MU
Highway Commercial	HC
Community	C
Heavy Industrial	HI
Light Industrial	LI
Parks and Open Space	OS
Institutional	I

3. Administration

3.1. Administration

- 1) The Development Officer shall administer this Bylaw. The Development Officer shall have authority to approve or deny development permits in accordance with this Bylaw, except for the following classes of development, which shall be determined by Council:
 - a) New buildings or structures for commercial uses over 371.6 sq.m in floor area (4000 sq.ft.);
 - b) New buildings or structures, or expansions to existing buildings or structures, for industrial uses;
 - c) New residential development containing seven or more units;
 - d) New buildings or structures, or expansions to existing buildings or structures, for institutional uses;
 - e) Subdivision of six or more lots.
- 2) The authority to approve or deny development permits by the Development Officer shall be extended to applications for severance, consolidation and a change of use within an existing building, which may require minor structural alterations, provided that the new use is permitted within this bylaw.

3.2. Development Permits

3.2.1. General Requirements

- 1) Unless otherwise stated in this Bylaw, no person shall undertake development or subdivision of land on a lot within the Town of Three Rivers without first obtaining a Development Permit from the Development Officer.
- 2) The Development Officer shall only issue a Development Permit for developments in compliance with the provisions of this Bylaw.
- 3) Development Permit applications proposing development that does not comply with the provisions of this Bylaw will be refused.
- 4) Notwithstanding provisions (2) and (3) above, a Development Permit may be issued where a variance or rezoning is granted.
- 5) The Development Officer may revoke a Development Permit in cases where information provided on the application is found to be inaccurate.
- 6) The Development Officer may waive decision making authority for any proposal and refer it to Town Council for a decision.

3.2.2. Development Permit Not Required

- 1) Unless otherwise specified, no Development Permit is required for:
 - a) A fence or wall that does not exceed 1.83 metres (6.0 feet) in height or where the relevant boundary is adjacent to a commercial lot, not exceeding 2.44 metres (8ft.)

- b) A sign less than 0.4 sq.m (4.3 sq.ft) in area;
 - c) A temporary use subject to Section 5.20;
 - d) Public and private utilities located within a street right-of-way;
 - e) Roofing;
 - f) Siding;
 - g) Repainting;
 - h) Chimney maintenance or rebuilding;
 - i) Replacement of windows and doors;
 - j) Other routine maintenance that has the effect of maintaining or restoring a structure or any of its elements to its original state or condition;
 - k) Installing clotheslines, poles and radio and television antennae or satellite dishes less than 0.6 sq.m (2 feet in diameter);
 - l) Making a garden;
 - m) Making landscaping improvements or constructing ornamental structures less than 9.3 sq.m (100.1 sq.ft);
 - n) Laying paving material for patios, sidewalks and driveways;
 - o) Accessory buildings up to 20 sq.m in floor area (215.3 sq/ft.), where the eaves height of that building shall be no higher than 3.0 metres (11.2 ft.).
 - p) Roof mounted solar arrays subject to the following:
 - (a) the solar PV or solar thermal equipment would not protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the roof slope.
 - (b) it would not result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney).
 - q) A deck of up to 37.2 sq.m (400 sq.ft) and 0.6m (2 ft.) high shall be permitted in all zones. The deck shall be subject to a setback of 1.2m (4ft.).
- 2) All classes of development listed in provision (1) above must comply with the applicable provisions of this Bylaw.

3.2.3. Applications for Development Permit

- 1) All applications for a Development Permit must include a completed Development Permit Form signed by the registered owner of the lot or by the owner's agent, duly authorized in writing to act for the owner.

- 2) Every application for a Development Permit shall be accompanied by a plan, drawn to an appropriate scale and showing:
 - a) The shape and dimension of the lot to be used;
 - b) The distance from the lot boundaries, dimension and height of the building or structure proposed to be erected;
 - c) The distance from the lot boundaries and size of every building or structure already erected on the lot and the general location of the buildings on abutting lots;
 - d) The proposed location and dimension of any parking space, loading space, driveway, drive aisles and landscaped area;
 - e) The stormwater drainage pattern plan and stormwater management and management plan;
 - f) The proposed use of the lot and any building or structure; and
 - g) The measures undertaken to demonstrate flood resilient design, where development is located within the Rising Sea Level Impact Overlay (RSLIO);
 - h) Any other information the Development Officer deems necessary to determine whether or not the proposed development complies with the requirements of this Bylaw.
- 3) Where a Development Permit application is submitted for a building or structure, the application must be accompanied by a floor plan of the proposed building and exterior elevation drawings of all four sides.
- 4) Provision (3) applies to applications for new construction and to applications for additions exceeding 30 percent of the floor area of the existing building.
- 5) A Survey certified and stamped by a Prince Edward Island Land Surveyor shall be required where:
 - a) The area of the lot to be developed is less than 4 hectares (9.9 acres); or
 - b) In the opinion of the Development Officer, a Survey Plan is required to evaluate the development proposal to ensure compliance with the provisions of this Bylaw.
- 6) An application for Development Permit shall remain active for 12 months from the date of successful payment of the application fee.

3.2.4. Timelines for Development Permit Applications

- 1) Where all required submission materials and required payment has been received, the Development Officer shall provide a Notice of Application Deemed Complete within seven business days of receipt of the materials by the Town.
- 2) Where authority to approve a Development Permit is vested in the Council of Three Rivers, the Development Officer shall, within 15 business days of issuing the Notice of Application Deemed Complete, inform the applicant:

- a) If the Development Permit is proceeding to a meeting of the Planning Board for consideration; or
- b) If additional information is required from the applicant.

3.2.5. Conditions

- 1) Approved Development Permits may be issued subject to conditions.
- 2) Receipt by the developer of permits from the Province of Prince Edward Island may be required as conditions of approval.

3.2.6. Timelines for Approved Development Permits

- 1) A Development Permit shall expire within 12 months from the date issued.
- 2) If the development has not commenced a permit extension may be granted by the development officer, for an additional 12 months, subject to receipt of a written request from the developer.
- 3) For the purpose of provision (2), the following activities shall be deemed to represent commencement of development:
 - a) Excavation of the proposed foundation area; or
 - b) Installation of water or sanitary servicing infrastructure; or
 - c) Installation of utility infrastructure; or
 - d) Application of surfacing materials for the purpose of a driveway or parking lot; or
 - e) Erection of a building or structure.
- 4) Where a Development Permit has expired, a developer may submit a written request to the Town to reinstate the original approval within 12 months of the expiration of the Development Permit.

3.3. Development Agreement

- 1) As a condition of granting a Development Permit, a developer may be required to enter into a Development Agreement with the Town of Three Rivers.
- 2) The following classes of development may require a Development Agreement as a condition of Development Permit:
 - a) Residential developments containing seven or more dwelling units;
 - b) Residential developments on properties that do not have frontage on a public road;
 - c) Commercial uses;
 - d) Institutional uses; and
 - e) Industrial uses.
- 3) Development Agreements may govern matters including, but not limited to:

- a) Streets or roads;
 - b) Central or private water or sanitary services;
 - c) Open space and/or recreational areas;
 - d) Refuse collection and refuse storage facilities;
 - e) Sidewalks;
 - f) Storm sewers;
 - g) Curbs and gutters;
 - h) Phasing of the development; and
 - i) Any other services that Council deems appropriate and required.
- 4) Development Agreements may contain conditions or schedules requiring a developer to post a performance bond, cash bond, or other financial guarantee satisfactory to the Town of Three Rivers, to ensure the development proceeds in accordance with the conditions established in the Development Agreement.
 - 5) All Development Agreements shall be registered in the office of the Registrar of Deeds.

3.4. Demolition Permits

- 1) A Demolition Permit may be issued by the Development Officer for a building or structure or parts thereof.
- 2) A Demolition Permit shall be valid for 60 days.

3.5. Zoning Amendments

- 1) A developer or owner seeking to rezone a parcel of land or to request site-specific amendments to provisions of this Bylaw shall complete and submit a completed zoning amendment Form in Appendix C, authorized by the Development Officer.
- 2) All applications for a zoning amendment or bylaw amendment shall be submitted to the Planning Board for review and recommendation to Council.
- 3) An application for a zoning amendment or bylaw amendment shall include such information as may be required by the Development Officer and Planning Board for the purpose of evaluating the application, including:
 - a) The names and addresses of the owner(s) of the property and, if the applicant is not the owner, a statement as to the applicant's interest in the property.
 - b) One of the following:
 - i. A plot plan showing the location of the property to be rezoned, accompanied by a legal description of the property; or
 - ii. A Survey Plan prepared by a Prince Edward Island Land Surveyor.

3.6. Variances

- 1) Where a development proposal detailed in a Development Permit application does not meet the minimum standards of this Bylaw, the Development Officer may approve a minor zoning variance, provided:
 - a) The degree of variance is within 10 percent of the zoning requirement.
 - b) The need for the variance is due to particular site conditions or unique attributes of the property or development that generate undue hardship in meeting the zoning requirement;
 - c) The proposed variance is consistent with the intent of the Official Plan;
 - d) The proposed variance is consistent with the intent of this Bylaw; and
 - e) The proposed variance will result in a desirable condition.
- 2) Where an objection to a zoning variance is received as a result of the public notification requirements of this Bylaw, the Development Officer shall refer the request for variance to the Planning Board to make a recommendation to Council.
- 3) Notwithstanding any other section of this Bylaw, Council in its discretion may authorize variances in excess of ten percent (10%) from the provisions of this Bylaw. A proposal will be considered against the criteria of 3.6.1 (b)(c)(d) & (e) and where Council deems such a variance appropriate, and if such variance is in keeping with the general intent and purpose of this Bylaw and the Official Plan for the Town of three Rivers, a variance may be granted.

3.7. Application Fee & Payment

- 1) Every application for a Development Permit, Demolition Permit, Zoning Amendment, Variance, or Amendment to Development Agreement shall be accompanied by payment for the required fee in accordance with the Town of Three Rivers Municipal Fees Bylaw.

3.8. Public Notification

- 1) In accordance with the Planning Act R.S.P.E.I. 1988, P-8, where a Zoning Amendment application is received, the Town shall:
 - a) Give an opportunity to residents and other interested persons to make representations; and
 - b) At least seven clear days prior to the meeting, publish a notice in a newspaper circulating in the area.
- 2) In addition to the notification requirements in provision (1), the Town of Three Rivers will provide notice of development applications as follows:
 - a) Where an application for a Zoning Amendment is received, the Town shall provide notice of the application to property owners within 150 metres (492.1 ft.) of the property subject to the application.

- b) Where an application for major Zoning Variance is received, the Town shall provide notice of the application to property owners within 100 metres (328.1 ft.) of the property subject to the application.
 - c) Where an application for minor Zoning Variance is received, the Town shall provide notice of the application to property owners within 30.5 metres (100 ft.) of the property subject to the application.
 - d) Where an application to amend a Development Agreement is received, the Town shall provide notice of the application to property owners within 100 metres (328.1 ft.) of the property subject to the application.
 - e) No public meeting is held, where the development officer has not received written objections for minor variances submitted under part 3.2.8(c)
- 3) The notices described in provisions (1) and (2) shall contain:
- a) A description of the property, including address and location;
 - b) Details of the proposed development, variance or amendment;
 - c) The date, time and place of the meeting at which the application will be considered;
 - d) Details of where more information can be obtained during normal business hours; and
 - e) Details on how the Town will receive public comments.
- 4) A general “Public Notice” of all decisions respecting all applications received under the requirements of this Bylaw shall be given by posting the decisions in a conspicuous place in the Town of Three Rivers Town Hall or Administrative Office. The date of posting shall be displayed along with a statement advising the public of its right to appeal the decision, in accordance with the Planning Act R.S.P.E.I. 1988, P-8, within 21 days from the date of posting.

3.9. Bylaw Appeal

- 1) Any person who is dissatisfied by a decision of the Town of Three Rivers in respect of the following may appeal the decision to the Island Regulatory and Appeals Commission:
- a) An application by the person, or any other person, under this Bylaw for:
 - i. A Development Permit;
 - ii. A preliminary approval of a subdivision;
 - iii. A final approval of a subdivision; or
 - b) The adoption of an amendment to this Bylaw, including:
 - i. An amendment to a Zoning map established in this Bylaw; or
 - ii. An amendment to the text of this Bylaw.

- 2) The appellant shall file a Notice of Appeal with the Commission within 21 days after the date of the decision being appealed.
- 3) For the purposes of provision (2), where an appeal is filed in respect of an amendment to this Bylaw, the 21-day period for filing a notice of appeal commences on the date that the Council of Three Rivers gave final reading to the amendment to the Bylaw.
- 4) The Notice of Appeal under provision (2) shall be made in writing and shall state the grounds for the appeal and the relief sought.
- 5) A person filing an appeal under provision (2) shall, within seven days of filing an appeal with the Commission, serve a copy of the Notice of Appeal to the Council of the Town of Three Rivers.
- 6) Despite the provisions of this section, no appeal may be filed respecting a decision of Council respecting:
 - a) The final approval of a subdivision where the grounds for the appeal are matters that could have been heard and determined at the stage of preliminary approval of the subdivision; or
 - b) The final approval of a subdivision or Development Permit within a resort development, where the grounds for the appeal are matters that could have been heard and determined at the stage of preliminary approval of that subdivision or development.

3.10. Licenses, Permits and Compliance with Other Bylaws

- 1) Nothing in this Bylaw shall exempt any person from complying with the requirements of any other Bylaw in force within the Town, or from obtaining any license, permission, permit, authority, or approval required by any other Bylaw of the Town, or statute or regulation of the Province of Prince Edward Island or the Government of Canada.
- 2) Where the provisions of this Bylaw conflict with those of any other Town of Three Rivers Bylaw or any regulations or codes of the Province of Prince Edward Island, the higher or more stringent requirement shall prevail.

3.11. Enforcement

- 1) The Development Officer, or Designate, is authorized, with cause, to enter any land, building, or structure in the Town, provided that:
 - a) Such entry is not excessive or by force;
 - b) The entry occurs at a reasonable time; and
 - c) The entry is for the purpose of making an inspection or examination relating to this Bylaw.
- 2) The Development Officer may issue a Stop Work Order to a developer or contractor in instances where a development has commenced without a valid Development Permit.
- 3) The Town may enforce the provisions of this Bylaw in accordance with the procedures established in Part IV of the Planning Act R.S.P.E.I. 1988.

- 4) In addition to, or instead of, the penalties referred to in this Bylaw, the Supreme Court of Prince Edward Island may, upon application by the Town, cease or prohibit by injunction any development which does not comply with the provisions of this Bylaw.
- 5) The Town, its Officers or employees shall not be liable for any damage caused to any property when acting under the authority of this section.

3.12. Offences

- 1) Any person who, being the owner or occupant of any land, building, or structure to which this Bylaw applies, fails to perform any of the following actions in contravention of this Bylaw is guilty of an offence and liable under conviction to a fine and, in default of payment, to a term of imprisonment:
 - a) Remove any sign;
 - b) Comply with provisions;
 - c) Obtain a permit; or
 - d) Cease work on, and restore to its original condition, any property on which a development has been undertaken.
- 2) Any person who impedes, attempts to impede, refuses or does not permit inspection of a property pursuant to this Bylaw shall be guilty of an offence.
- 3) Where a person convicted under this section fails to commence the restoration ordered within 60 days after the order has been made, the Town may take such steps as it deems necessary to restore or remove the subject matter of the offence at the expense of the owner or occupier.
- 4) When an offence under this Bylaw is committed or continued for more than one day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed or continued.

3.13. Penalties

- 1) A person, contractor or owner who violates this Bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000.00) in each case, together with the cost of prosecution.
- 2) Where the offence is a continuing offence in addition to the penalties provided in this section, such person shall be liable for all costs in immediate removal of such an offence, and the Provincial Judge may impose a penalty not exceeding four hundred dollars (\$400.00) for every day the said offence continues.
- 3) Where there is default of payment, any person or corporate officer is liable to be imprisoned in accordance with the Summary Convictions Act.

3.14. Effective Date

- 1) This Bylaw shall take effect upon the date of approval by the Minister.

4. Interpretation

4.1. Symbols

- 1) The symbols used on the zoning maps refer to the corresponding zones established in the Bylaw:
 - Schedule A - Land Use and Road Network (Key Map)
 - Schedule A1 – Montague Settlement Area
 - Schedule A2 – Georgetown Settlement Area
 - Schedule A3 – Cardigan Settlement Area
 - Schedule A4 – Poole’s Corner Settlement Area

4.2. Units of Measure

- 1) This Bylaw generally uses metric units of measurement, unless otherwise specified. Imperial measurements are shown.
- 2) In the event of a conflict between figures using different units of measurements, the metric figure shall prevail.

4.3. Interpretation of Zone Boundaries

- 1) The extent and boundaries of zones are shown on the Zoning map and the applicable provisions of this Bylaw shall apply to all zones.
- 2) Boundaries between zones shall be determined as follows:
 - a) Where a zone boundary is indicated as following a street, the boundary shall be the centre line of the street, unless otherwise indicated;
 - b) Where the zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines;
 - c) Where a right-of-way or a watercourse shown on a Zoning map serves as a zone boundary, the centre line of the right-of-way or watercourse shall be considered the boundary between the zones, unless otherwise indicated;
 - d) Where a zone boundary is indicated as following the edge of a watercourse, the zone shall follow any change in the boundary of that watercourse;
 - e) Where none of the above applies, the zone boundary shall be scaled from the Zoning map and if there is disagreement as to where the boundary line rests on the Zoning map, the decision shall rest with the Town.

4.4. Interpretation of Certain Words

- 1) In this Bylaw,
 - a) Words used in the present tense include future;
 - b) Words in the singular number include the plural;

- c) Words in the plural include the singular;
- d) The word “used” includes “arranged to be used,” “designed to be used,” or “intended to be used”; and
- e) The word “shall” indicates a compulsory requirement.
- f) The word “may” indicates a discretionary requirement.

4.5. All Land to be Zoned

- 1) All lands within the Town shall be zoned.

4.6. Permitted Uses

- 1) In this 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 this Bylaw, the uses permitted in the zone include any similar uses that satisfy such definition, except where a definition specifically excludes any similar use.

4.7. Conflict

- 1) In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall prevail.
- 2) In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall prevail.

4.8. Severability

- 1) If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Bylaw.

4.9. Schedules

- 1) All schedules, figures and appendices attached to this Bylaw are deemed to form part of this Bylaw.

5. General Provisions for All Zones

5.1. Permitted Uses in All Zones

- 1) The following uses are permitted in all zones:
 - a) Temporary construction facilities such as sheds, scaffolds and equipment incidental to building on the premises for so long as work is in progress or for a maximum period of six months, whichever is the shorter period.

- b) Buildings and structures intended for public uses and owned by the Town of Three Rivers, the Province of Prince Edward Island, or the Government of Canada.

5.2. Accessory Buildings and Structures

- 1) An accessory building or structure is permitted in any zone.
- 2) For greater certainty, an electric vehicle charging station is permitted in any zone.
- 3) An accessory building or structure may be used only as accessory to the main building or use.
- 4) An accessory building or structure shall not:
 - a) Be used for human habitation, except where an accessory dwelling unit is permitted;
 - b) Be located in the front yard or flanking side yard of any lot;
 - c) Be located closer than 1.2 metres (3.94 ft.) to an interior side or rear lot line, except:
 - i. Common garages for semi-detached dwellings may be centred on a mutual side lot line; and
 - ii. Boat houses and docks may be located on a lot line, where the lot line corresponds with the water's edge; and
 - d) Be located within 1.8 metres (5.9 ft.) of a principal building.
- 5) The following elements shall be exempt from the provisions of this this section:
 - a) Awnings;
 - b) Clothesline poles;
 - c) Flag poles;
 - d) Garden trellises;
 - e) Retaining walls
 - f) Signs; and
 - g) Fences.
- 6) Accessory Buildings and Structures shall comply with the following performance standards:

Performance Standard	Requirement
Maximum Floor Area	Zone R1, R2 & R3: aggregate total of up to 80 sq.m (861.1 sq.ft.) or 50% of the total floor area of the dwelling, whichever is the greater

Maximum Floor Area for all other zones	No maximum
Maximum Building Height	6.7 metres (22ft.)
Maximum number of accessory buildings	Zone R1, R2 & R3: Two (2)
	All other zones: no maximum

- 7) No accessory building or structure shall be constructed:
 - a) Prior to the time of construction of the principal building to which it is accessory; or
 - b) Prior to the establishment of the main use of the land, where no principal building is proposed in the development.
- 8) Notwithstanding the above provisions, the Council may issue a Development Permit for an Accessory Building located within the Front Yard or Flanking Side Yard of a Lot of any Zone, or prior to the construction of the main building, where the Council is satisfied the Accessory Building will have the general standard, use and appearance compatible with adjacent buildings or structures subject to conditions as the Council may impose.
- 9) Any maximum height restriction set out in this Bylaw shall not apply to steeples, spires, lightning rods, water tanks, monuments, elevator enclosures, mechanical enclosures, silos, barns, grain elevators, flag poles, lighting standards, television or radio antennas, telecommunications towers, ventilators, skylights, chimneys, clock towers, power transmission towers, cupolas, wind turbines, or utility poles.
- 10) Ground Mounted Solar Arrays shall be permitted in all Zones, subject to the following:
 - a) The minimum setback to adjacent Lot Lines for Ground Mounted Solar Arrays shall be 4.57 m (15 ft.) or the height of the Ground Mounted Solar Array, measured from grade, whichever is greater. The setback shall be measured across grade from highest point of the Solar Array to the nearest lot lines.
 - b) Ground Mounted Solar Arrays may be placed in the front, rear, or side yards.
 - c) The owner of the ground mounted solar array shall remove the ground mounted solar array and associated equipment sufficient to return the land to its previous use within two years of ground mounted solar array inactivity.
- 11) The installation of a swimming pool, of permanent construction, shall follow the setback requirements for accessory buildings & structures and be permitted in any zone in accordance with the following provisions:
 - d) A 1.8 metre (5.9 ft.) fence shall be constructed in such a manner as to impede unauthorized persons from entering over or under said fence;

- e) A self-closing and self-latching gate shall be installed.

5.3. Buildings to be Erected on a Lot

- 1) No building shall be erected or used unless it is erected upon a single lot of record.

5.4 Buildings to be Moved

- 1) No building shall be moved to a lot within the Town without the owner first obtaining a Development Permit to relocate the building.

5.5. Calculation of Lot Frontage

- 1) Lot frontage for a lot with a regular shape shall be measured as a distance between the side lot lines where they meet the front lot line.
- 2) Lot frontage for a lot with an irregular shape shall be measured as the straight distance between the two points on the side lot lines located a distance of 6 metres (19.7 ft.) from where the side lot lines intersect the front lot line.

5.6. Conforming with Existing Front Yards

- 1) Notwithstanding the minimum front yard requirements established in this Bylaw, in any zone where a building is erected between two existing buildings within 60 metres (196.9 ft.) of the proposed building, the minimum front yard requirement shall be no less than that of the adjacent building that is closest to the street, but in no case shall the front yard requirement be less than 3 metres (9.8 ft.) and need be no greater than the front yard requirement prescribed for that zone.

5.7. Driveway Access

- 1) Where an Entranceway Permit is required under the Regulations of the Roads Act R.S.P.E.I. 1988, R-15, its issuance shall be a precondition of the approval of a Subdivision or Development Permit.

5.8. Drive-Through Facilities

- 1) Where a drive-through is a permitted use, and is provided on a lot, off-street motor vehicle queuing space must be provided for that drive-through leading both to and from each service bay, window, kiosk or booth.
- 2) All queuing spaces shall be a minimum 3 metres (9.8 ft.) in width and 5.7 metres (18.7 ft.) in length.
- 3) No queuing line, drive-through window or order board may be located within 5 metres (16.4 ft.) from a residential or mixed use building and may require screening from view from that use by an opaque screen with a minimum height of 1.5 metres (4.9 ft.).

5.9. Frontage on a Street

- 1) All development must be located on a lot that abuts an approved public or private highway or Street.

- 2) Notwithstanding provision (1), a lot that fronts onto a private road shall be deemed to have frontage on a street, provided the private road is legally established.

5.10. Existing Undersized Lots

- 1) A lot held in separate ownership from adjoining parcels on the effective date of this Bylaw that has less than the area or frontage required may be used for a purpose permitted in the zone in which the lot is located, and a structure may be erected on the lot.
- 2) Notwithstanding provision (1), an existing lot that has less than the area or frontage required shall continue to be classified as an existing undersized lot for the purpose of this section if, after enlargement, it remains undersized.
- 3) In addition to other provisions of the zone applicable to an existing undersized lot, a maximum permitted lot coverage of 30 percent shall apply to development.

5.11. Landscaping

- 1) New non-residential developments within the Industrial (LI, HI), Institutional (I), Mixed Use (MU), and Highway Commercial (HC) Zones shall require a minimum 4.5 metre (14.8 ft.) landscaped buffer in the interior side and rear yard when the property abuts a residential use or residential zone.
- 2) Landscaped buffers shall consist of hard and soft landscaping materials including, grass, trees, shrubs and flowers, or a combination thereof.

5.12. Illumination

- 1) No person shall erect any illuminated sign or illuminate any area outside any building which impacts upon adjoining properties or streets.

5.13. Multiple Uses

- 1) In any zone, where any land or building is used for more than one purpose, all provisions of this Bylaw relating to each use shall be satisfied. Where there is a conflict, the more restrictive zoning provisions shall apply.

5.14. One Main Building on a Lot

- 1) No person shall erect more than one main building on any lot except:
 - a) Within the Highway Commercial (HC) zone;
 - b) Within the Heavy Industrial (HI) zone;
 - c) To permit a grouped dwelling within a Residential zone;
 - d) Within the Agricultural (AG) Zone for uses other than residential uses,
 - e) Within an Environmental Protection (EP) zone and;
 - f) Mixed Use (MU), Light Industrial (LI) and Highway Commercial (HC) zones.

- g) Recreational uses where related to tourism within Agricultural (AG), Rural Residential (RR) and Rural (RU) zones.

5.15. Accessory Dwelling Units

5.16.1. Accessory Apartments

- 1) An accessory apartment shall be permitted attached to a single-unit dwelling, a semidetached dwelling, or a row dwelling.
- 2) Accessory apartments shall not exceed 40 percent of the floor area of the dwelling unit.
- 3) An accessory apartment shall share the same water and sanitary services as the dwelling.

5.16.2. Secondary Suites

- 1) One secondary suite shall be permitted on a lot accommodating a single-unit dwelling.
- 2) Ingress and egress to the secondary suite shall be provided by the driveway serving the dwelling unit.
- 3) The secondary suite shall share the same water and sanitary services as the dwelling unit.
- 4) The secondary suite shall not be greater than 60 sq.m (645.8 sq.ft) in floor area.
- 5) One parking space shall be required for a secondary suite, in addition to the parking requirements for the dwelling unit.

5.17. Municipal Government Service Facilities

- 1) Notwithstanding the provisions of this Bylaw, services and facilities provided by the municipality, including but not limited to: sewage treatment plants, pumping stations, water storage reservoirs and stormwater management facilities, and those temporary buildings and/or temporary structures associated with social, recreational and cultural events may be located in any zone and no development permit shall be required and no zone provisions shall apply.

5.18. Non-Conforming Structure or Use

- 1) Where a building or structure has been erected prior to adoption of this Bylaw on a lot having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:
 - a) the enlargement, reconstruction, repair or renovation does not further reduce the non-complying yard(s); and
 - b) all other applicable provisions of this Bylaw are satisfied.
- 2) Subject to the provisions of this Bylaw, a building or structure, or use of land, lawfully in existence prior to adoption of this Bylaw may continue to exist.

- 3) A Building or Structure shall be deemed to exist on the effective date of approval of this Bylaw if:
 - a) it was lawfully under construction, or
 - b) the permit for its construction was subject to the provisions of this Bylaw.
- 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 non-conforming use thereof is continued.
- 5) If a building that does not conform to provisions of this Bylaw is destroyed by a fire, natural weather event, flood, or similar event, it shall only be rebuilt or repaired in a manner that does not exceed the original non-conforming character of the building in question.
- 6) Any change of tenants or occupants of any premises or Building shall not of itself be deemed to affect the use of the premises or building for the purposes of this Bylaw;

5.19. Public and Private Utilities

- 1) Notwithstanding the provisions of this Bylaw, public and private utilities located within the street right-of-way or underground may be placed in any zone, and no Development Permit shall be required and no zone provisions shall apply.

5.20. Temporary Uses, Buildings and Structures

- 1) Nothing in this Bylaw shall prevent the temporary use of land or the temporary use of a building or structure incidental to a construction project provided that a Development Permit has been issued for the main construction project and the temporary use is discontinued and removed within 30 days following completion of the main construction project.
- 2) A building or structure may be erected, or an area of land used for a special occasion or holiday, provided that no such building or structure shall remain in place for more than 20 consecutive days.

5.21. Through Lots

- 1) Notwithstanding the provisions of this Bylaw, a building on a through lot may be erected facing either abutting street. For the purposes of determining yard setbacks, the front yard setback provision shall apply to both streets.

5.22. Watercourse Separation Distance

- 1) Where a development is proposed adjacent to a waterbody, watercourse, or wetland, the development shall obtain all necessary permits under the Environmental Protection Act R.S.P.E.I. 1988, E-9 as a precondition of approval.

5.23. Water and Sewage Systems

- 1) No land shall be used or the intensity of any use of land expanded or any building placed, erected, altered, enlarged, or used within the Town of Three Rivers unless the

development can be adequately serviced by central or private water and central or private sanitary services or;

- 2) Where special circumstances are demonstrated that the above provision is not required to service a development due to the unique nature of that proposal, or alternative means of provision have been demonstrated to the satisfaction of the Council, a development permit may be granted subject to conditions the Council may impose.

5.24. Permitted Encroachments in Yards

- 1) Except for accessory buildings, every part of any yard required by the Bylaw shall be open and unobstructed by any structure from the ground to the sky, provided however, that those structures listed in the following table shall be permitted to project for the specific distances as indicated:

Structure	Permitted Yard	Maximum Projection from Main Wall
Sills, belt courses, cornices, eaves, gutters or chimneys	Any yard	0.6 m (2 ft.)
Bay windows	Any yard	1.0 m (3.3 ft.)
Fire escape and exterior staircase	Rear and side yards only	1.22 m (4 ft.)
Balconies	Any yard for all residential of mixed use buildings	1.22 m (4 ft.)
Open, roofed porches not exceeding one storey in height, uncovered terraces	Any yard	1.22 m (4 ft.); including eaves

5.25. Corner Sight Triangle

- 1) On a corner lot, a fence, sign, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 0.6 metres (2 ft.) above the grade of the streets which abut the lot within the triangular area indicated by the street boundary lines for a distance of 6 metres (19.7 ft.) from their point of intersection.

5.27. Recreational Trailers or Vehicles

- 1) No person shall use or occupy a Recreational Trailer or Vehicle other than in an approved Campground, unless Council has issued a Development Permit for such use.
- 2) A permit issued in accordance with provision (1) shall be valid for a period of not more than 120 days, but may be renewed by Council.
- 3) A Recreational Trailer or Vehicle placed in accordance with these Regulations shall be removed from the lot immediately following expiry of the Development Permit.

5.28. Bed and Breakfast

- 1) Bed and breakfast establishments shall be permitted to operate in any Single-Unit Dwelling, Semi-Detached Dwelling, or Row Dwelling in any Agricultural, Rural, or Residential Zone subject to the following:
 - a) the dwelling shall be occupied as a residence by the principal operator;
 - b) not more than three (3) rooms shall be offered for overnight accommodation;
 - c) adequate off-street parking, in accordance with this Bylaw, separate from that required for the dwelling, shall be provided; and
 - d) there shall be no other signage, open storage or visible display area.

5.29. Day Care Facilities

- 1) A Day Care Facility may be established as a Home-Based Business, subject to the provisions of this Bylaw.

5.30. Kennels

- 1) Notwithstanding the provisions of this Bylaw, no kennel shall be erected or established, after the day of the passing of this Bylaw, within 300 metres (984.3 ft.) of a dwelling located on another lot.
- 2) Notwithstanding provision (1), a dwelling may be constructed within 300 metres (984.3 ft.) of an existing kennel if the dwelling complies with all other provisions of this Bylaw.

5.31. Petroleum Storage

- 1) Petroleum storage shall comply with the Petroleum Storage Tank Regulations under the Environmental Protection Act R.S.P.E.I. 1988, E-9, or successor legislation.
- 2) Underground storage tanks may be permitted in any zone and subject to Wellfield Protection Zone regulations.
- 3) The installation of any underground storage tanks shall require a Development Permit.

5.32. Storage of Commercial Fishing Vessel and Related Equipment

- 1) The storage of fishing vessels and related equipment shall be permitted in any zone, subject to the following:
 - a) Related fishing equipment shall be stored in an organized manner including, but not limited to, the orderly stacking and harvesting of traps and other related paraphernalia.

5.33. Home-Based Business as an Ancillary Use

- 1) A home-based business may be located in a residential dwelling or its accessory building as an ancillary use in any zone, subject to specific provisions within zones R1, R2 & R3:
 - a) The owner of the business lives in the dwelling.
 - b) Not more than two (2) employees live outside the dwelling.

- c) Not more than 25% of the total floor area of the dwelling or less than 100 sq.m (1076.4 sq.ft) floor area of an accessory building may be used in conjunction with the business.
- d) Adequate off-street parking is provided for both the dwelling and the business.
- e) No outdoor storage of materials or product display is used in conjunction with the business.
- f) No mechanical equipment shall be used except for what is reasonably consistent with the use of the dwelling.

2) Within all other zones:

- a) The owner of the business lives in the dwelling.
- b) Not more than four (4) employees live outside the dwelling.
- c) Not more than 25% of the total floor area of the dwelling or less than 100 sq.m (1076.4 sq.ft) floor area of an accessory building may be used in conjunction with the business.
- d) No mechanical or electrical equipment shall be used except that reasonably consistent with the use of a dwelling.
- e) One parking space per 20 sq.m (215.3 sq.ft) of floor area used for the Home-Based Business or Occupation and one parking space for an employee shall be provided in addition to the required parking for the residential use.
- f) An accessory structure not more than 20 sq.m (215.3 sq.ft) in floor area may be used as storage.

2) General provisions for all zones:

- a) Premises signs shall follow the requirements of Section 9 of this bylaw.
- b) Retail sales shall be limited to products produced on site.
- c) Outdoor storage required in conjunction with the business shall not be located closer than 15 metres (49.2 ft.) from any lot line and not within any front yard area of the dwelling and or accessory building.
- d) The home-based business shall not operate to the detriment of neighbouring properties by reason of noise, odour, vibration, traffic or parking impacts.
- e) The external appearance of the dwelling is not altered.
- f) Any sewage requirements deemed necessary are satisfied.

6. Zoning Provisions

6.1. Agricultural Zone (AG)

6.1.1. General

- 1) Except as provided in this Bylaw, all development and land used in the AG Zone shall comply with the provisions of this section.
- 2) The Agricultural Zone is intended to:
 - a) Recognize and permit agricultural uses and agriculture-related uses in the Agricultural Official Plan designation;
 - b) Regulate uses in a manner that respects the character of the area and minimizes land use conflicts.

6.1.2. Permitted Uses

- 1) Accessory apartment;
- 2) Agricultural use;
- 3) Auction establishment;
- 4) Bed and breakfast;
- 5) Boat house;
- 6) Cemetery;
- 7) Day care facility;
- 8) Farm market;
- 9) Farmer's market;
- 10) Forestry use;
- 11) Greenhouse;
- 12) Group home;
- 13) Home-based business;
- 14) Hobby farm;
- 15) Kennel;
- 16) Park;
- 17) Plant nursery;
- 18) Resource use;
- 19) Single-unit dwelling;
- 20) Secondary suite;

- 21) Solar collection system;
- 22) Wind energy system;
- 23) Resource Use;
- 24) Single Family dwellings;
- 25) Duplex dwellings;
- 26) Multi-unit dwellings.

6.1.3. Provisions

Performance Standard	Requirement
Minimum Lot Area	As per Appendix A
Minimum Lot Width	
Maximum Building Height	11 metres (36.1 ft.)
Minimum Front Yard Setback	Livestock building: 45 metres (147.6 ft.) All other buildings: 15 metres (49.2 ft.)
Minimum Flankage Yard Setback	Livestock building: 45 metres (147.6 ft.) All other buildings: 15 metres (49.21 ft.)
Minimum Interior Side Yard Setback	Livestock building: 15 metres (49.2 ft.) All other buildings: 4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	Livestock building: 15 metres (49.2 ft.) All other buildings: 7.5 metres (24.6 ft.)

6.1.4. Special Permit Use

- 1) The following special permit uses have been identified as compatible with the Agricultural Zone (AG). Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed:
 - a) Warehouse
 - b) Club
 - c) Recreational Use

6.2. Rural (RU)

6.2.1. General

- 1) Except as provided in this Bylaw, all development and land used in the Rural (RU) Zone shall comply with the provisions of this section.

- 2) The Rural Zone (RU) is intended to:
 - a) Recognize and permit agricultural uses and agriculture-related uses in the Rural Official Plan designation;
 - b) Recognize and permit a range of land uses appropriate for a rural context; and
 - c) Regulate uses in a manner that respects the rural character of the area and minimizes land use conflicts.

6.2.2. Permitted Uses

- 1) Accessory apartment;
- 2) Agricultural use;
- 3) Animal hospital;
- 4) Auction establishment;
- 5) Boat house;
- 6) Bed and breakfast;
- 7) Cemetery;
- 8) Day care facility;
- 9) Equestrian establishment;
- 10) Excavation pit;
- 11) Farm market;
- 12) Farmer's market;
- 13) Forestry use;
- 14) Greenhouse;
- 15) Group Home;
- 16) Home-based business;
- 17) Hobby farm;
- 18) Kennel;
- 19) Recreational use;
- 20) Park;
- 21) Plant nursery;
- 22) Resource use;
- 23) Secondary suite;
- 24) Single-unit dwelling;

- 25) Solar collection system;
- 26) Wind energy system;
- 27) Duplex dwelling;
- 28) Multi-unit dwelling.

6.2.3. Provisions

Performance Standard	Requirement
Minimum Lot Area	As per Appendix A
Minimum Lot Width	
Maximum Building Height	11 metres (36.1 ft.)
Minimum Front Yard Setback	Livestock building: 45 metres (147.6 ft.) All other buildings: 15 metres (49.2 ft.)
Minimum Flankage Yard Setback	Livestock building: 45 metres (147.6 ft.) All other buildings: 15 metres (49.2 ft.)
Minimum Interior Side Yard Setback	Livestock building: 15 metres (49.2 ft.) All other buildings: 4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	Livestock building: 15 metres (49.2 ft.) All other buildings: 7.5 metres (24.6 ft.)

6.2.4. Special Permit Use

- 1) The following special permit uses have been identified as compatible with the Rural Zone (RU). Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.
 - a) Warehouse
 - b) Club
 - c) Offices

6.3. Rural Residential (RR)

6.3.1. General

- 1) Except as provided in this Bylaw, all development and land used in the Rural Residential (RR) Zone shall comply with the provisions of this section.
- 2) The Rural Residential (RR) Zone is intended to:

- a) Recognize and permit large-lot residential development in the Rural Official Plan designation; and
- b) Regulate uses in a manner that respects the rural character of the area and minimizes land use conflicts.

6.3.2. Permitted Uses

- 1) Accessory apartment;
- 2) Bed and breakfast;
- 3) Boat house;
- 4) Day care facility;
- 5) Group home;
- 6) Home-based business;
- 7) Park;
- 8) Secondary suite;
- 9) Single-unit dwelling;
- 10) Solar collection system;
- 11) Duplex dwelling;
- 12) Multi-unit dwelling

6.3.3. Provisions

Performance Standard	Requirement
Minimum Lot Width	As per Appendix A
Minimum Lot Area	
Maximum Building Height	11 metres (36.1 ft.)
Minimum Front Yard Setback	15 metres (49.2 ft.)
Minimum Flankage Yard Setback	15 metres (49.2 ft.)
Minimum Interior Side Yard Setback	4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)

6.3.4. Special Permit Use

- 1) The following special permit uses have been identified as compatible with the Rural Residential (RR) Zone. Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed:
 - a) Club
 - b) Warehouse

6.4. Low-Density Residential Zone (R1)

6.4.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Low-density Residential (R1) Zone shall comply with the provisions of this section.
- 2) The Low-Density Residential Zone (R1) is intended to:
 - a) Restrict the building form to single-unit dwellings; and
 - b) Regulate development in a manner that is compatible with low-density residential land use patterns.

6.4.2. Permitted Uses

- 1) Accessory apartment;
- 2) Bed and breakfast;
- 3) Day care facility, as a home-based business;
- 4) Group home;
- 5) Home-based business;
- 6) Park;
- 7) Secondary suite;
- 8) Single-unit dwelling.

6.4.3. Provisions

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	550 sq.m (5920.2 sq.ft)	As per Appendix A
Minimum Lot Width	18 metres (59.1 ft.)	
Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	1.2 metres (3.9 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	1.2 metres (3.9 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	1.2 metres (3.9 ft.)	4.5 metres (3.9 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.4.4. Special Permit Use

- 1) The following special permit use have been identified as compatible with the Low-density Residential Zone (R1). Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed:

- a) Boathouse

6.5. Medium-Density Residential (R2)

6.5.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Medium-Density Residential (R2) Zone shall comply with the provisions of this section.
- 2) The Medium-Density Residential Zone (R2) is intended to:
 - a) Restrict the building form to ground-oriented residential dwellings; and
 - b) Regulate development in a manner that is compatible with medium-density residential land use patterns.

6.5.2. Permitted Uses

- 1) Accessory apartment;
- 2) Bed and breakfast;
- 3) Day care facility;
- 4) Duplex dwelling;
- 5) Group home;
- 6) Home-based business;
- 7) Park;
- 8) Row dwelling;
- 9) Secondary suite;
- 10) Semi-detached dwelling;
- 11) Single-unit dwelling.

6.5.3. Provisions

- 1) For single-unit dwellings in the R2 zone, the provisions of the R1 zone shall apply.
- 2) For other permitted residential uses in the R2 zone, the following provisions shall apply:

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area (Per Dwelling Unit)	275 sq.m (2960.1 sq.ft)	As per Appendix A

Minimum Lot Width (Per Dwelling Unit)	9 metres (29.5 ft.)	
Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	1.2 metres (3.9 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	1.2 metres (3.9 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	1.2 metres (3.9 ft.)	4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.5.4. Special Permit Use

- 1) The following special permit use have been identified as compatible with the Medium-Density Residential Zone (R2). Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed:
 - a) Boathouse.

6.6.High-Density Residential (R3)

6.6.1. General

- 1) Except as provided in this Bylaw, all development and land use in the High-Density Residential Zone (R3) shall comply with the provisions of this section.
- 2) The High-Density Residential Zone (R3) is intended to:
 - a) Permit a full range of residential dwellings; and
 - b) Regulate development in a manner that is compatible with higher-density land uses.

6.6.2. Permitted Uses

- 1) Accessory apartment;
- 2) Apartment dwelling;
- 3) Bed and breakfast;
- 4) Day care facility;
- 5) Group home;
- 6) Grouped dwellings;
- 7) Home-based business;
- 8) Multiple-unit dwelling;
- 9) Park;
- 10) Residential care facility;
- 11) Retirement home;
- 12) Row dwelling;
- 13) Secondary suite;

6.6.3. Provisions

- 1) For single-unit dwellings in the R3 zone, the provisions of the R1 zone shall apply.
- 2) For semi-detached, duplex, and row dwellings in the R3 zone, the provisions of the R2 zone shall apply.
- 3) For other permitted residential uses in the R3 zone, the following provisions shall apply:

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area (Per Dwelling Unit)	275 sq.m (2960.1 sq.ft)	Not permitted

Minimum Lot Width (Per Dwelling)	9 metres (29.5 ft.)
Maximum Building Height	11 metres (36.1 ft.)
Minimum Front Yard Setback	1.2 metres (3.9 ft.)
Minimum Flankage Side Yard Setback	1.2 metres (3.9 ft.)
Minimum Interior Side Yard Setback	1.2 metres (3.9 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)

6.6.4. Special Permit Use

- 1) The following special permit uses have been identified as compatible with the High-Density Residential Zone (R3). Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed:
 - a) Duplex dwelling;
 - b) Semi-detached dwelling;
 - c) Single unit dwelling.

6.7. Residential Mobile Home Zone (RM)

6.7.1. General

- 1) Except as provided in this Bylaw, all development and land use in the RM Zone shall comply with the provisions of this section.
- 2) The Residential Mobile Home (RM) Zone is intended to:
 - a) Limit permitted land uses to mobile homes; and
 - b) Regulate development in a manner that ensures the orderly placement of mobile homes and service buildings within the mobile home park.

6.7.2. Permitted Uses

- 1) Mobile home park;
- 2) Mobile home park offices, maintenance equipment storage and resident accessory structures;
- 3) Neighbourhood parks and playgrounds.

6.7.3. Provisions

- 1) When a mobile home park abuts an R1, R2, R3, MU or I Zone, opaque fencing or a landscaped buffer strip a minimum of 1.8 metres (5.9 ft.) in height shall be provided along the side and rear lot lines, excluding access driveways.

- 2) All required yards shall be landscaped with soft. landscaping, such as lawn, shrubs and trees.
- 3) All mobile home dwellings shall be fully skirted with a durable, opaque material.
- 4) All mobile home dwellings shall be permanently connected to electric, sewer and water facilities.

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area (Per Mobile Home Park)	0.4 hectares (1 acre)	Not permitted
Minimum Lot Area (Per Mobile Home)	464 sq.m (4994.5 sq.ft)	
Minimum Distance Between Mobile Homes	9 metres (29.5 ft.)	
Minimum Setback to a Lot Line	7.5 metres (24.6 ft.)	

6.7.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.8. Mixed Use Zone (MU)

6.8.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Mixed Use (MU) Zone shall comply with the provisions of this section.
- 2) The Mixed Use (MU) Zone is intended to:
 - a) Permit a range of residential, commercial and institutional uses suitable for the Settlement Area designations in the Official Plan; and
 - b) Regulate development in a manner that is compatible with surrounding land uses.

6.8.2. Permitted Uses

- 1) Animal hospital;
- 2) Apartment dwelling;
- 3) Auction establishment;
- 4) Business or professional office;
- 5) Club;
- 6) Community care facility;
- 7) Community centre;
- 8) Convenience store;

- 9) Day care facility;
- 10) Farmer's Market;
- 11) Home-based business;
- 12) Hotel;
- 13) Marina;
- 14) Medical clinic;
- 15) Motel;
- 16) Personal service shop;
- 17) Place of worship;
- 18) Park;
- 19) Recreational use;
- 20) Residential care facility;
- 21) Restaurant;
- 22) Retail store;
- 23) Retirement home;
- 24) School;
- 25) Single Family dwelling;
- 26) Duplex dwelling;
- 27) Entertainment facility;
- 28) Multi-unit dwelling;
- 29) Group home.

6.8.3. Provisions

- 1) For a permitted multi-unit residential use in the Mixed Use (MU) Zone, the provisions of the R3 zone shall apply. Single Family dwellings shall be subject to the provision of the Low Density Residential (R1) Zone. For all other development in the Mixed Use (MU) Zone the following provisions shall apply:

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	450 sq.m (4843.8 sq.ft)	As per Appendix A
Minimum Lot Width	15 metres (49.2 ft.)	

Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	1.2 metres (3.9 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	1.2 metres (3.9 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	2.5 metres (8.2 ft.)	4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.8.4. Special Permit Use

- 1) The following special permit use has been identified as compatible with the Mixed Use Zone (MU). Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.
 - a) Warehouse

6.9. Highway Commercial (HC)

6.9.1. General

- 1) Except as provided in this Bylaw, all development and land use in the HC Zone shall comply with the provisions of this section.
- 2) The Highway Commercial (HC) Zone is intended to:
 - a) Permit a range of commercial uses suitable for well-travelled roads; and
 - b) Regulate development in a manner that is compatible with surrounding land uses.

6.9.2. Permitted Uses

- 1) Animal hospital;
- 2) Auction establishment;
- 3) Automobile body shop;
- 4) Automobile dealership;
- 5) Automobile service station;
- 6) Automotive store;
- 7) Business or professional office;
- 8) Club;
- 9) Community centre;
- 10) Convenience store;
- 11) Contractor's Shop or Yard;
- 12) Day care facility;

- 13) Drive-through facility;
- 14) Farmer's market;
- 15) Garden centre;
- 16) Hotel;
- 17) Kennel;
- 18) Motel;
- 19) Personal service shop;
- 20) Place of worship;
- 21) Restaurant;
- 22) Retail store;
- 23) Shopping centre;
- 24) Salvage yard;
- 25) Warehouse;
- 26) Entertainment Facility.

6.9.3. Provisions

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	1115 sq.m (12001.8 sq.ft)	As per Appendix A
Minimum Lot Width	46 metres (150.9 ft.)	
Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	15 metres (49.2 ft.)	15 metres (49.2 ft.)
Minimum Flankage Yard Setback	15 metres (49.2 ft.)	15 metres (49.2 ft.)
Minimum Interior Side Yard Setback	4.5 metres (14.8 ft.)	4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.9.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.10. Community Zone (C)

6.10.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Community Zone (C) shall comply with the provisions of this section.
- 2) The Community Zone (C) is intended to:
 - a) Permit a range of community uses to create and support complete communities; and
 - b) Regulate development in a manner that is compatible with surrounding land uses.

6.10.2. Permitted Uses

- 1) Business or professional office;
- 2) Club;
- 3) Community centre;
- 4) Community garden;
- 5) Day care facility;
- 6) Farmer's market;
- 7) Park;
- 8) Personal service shop;
- 9) Place of worship;
- 10) Post office;
- 11) Recreational use
- 12) Restaurant;
- 13) Retail store;
- 14) Hospital;
- 15) Library;
- 16) Museum.
- 17) Dwelling Unit

6.10.3. Provisions

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	690 sq.m (7427.1 sq.ft)	As per Appendix A

Minimum Lot Width	22 metres (72.2 ft.)	
Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	3 metres (9.8 ft.)	3 metres (9.8 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.10.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.11. Institutional Zone (I)

6.11.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Institutional Zone (I) shall comply with the provisions of this section.
- 2) The Institutional Zone (I) is intended to:
 - a) Permit a range of institutional uses to create and support complete communities; and
 - b) Regulate development in a manner that is compatible with surrounding land uses.

6.11.2. Permitted Uses

- 1) Business or professional office;
- 2) Community centre;
- 3) Day care facility;
- 4) Library;
- 5) Museum;
- 6) Place of assembly;
- 7) Place of worship;
- 8) Park; and
- 9) School.

6.11.3. Provisions

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	1,000 sq.m (10763.9 sq.ft)	As per Appendix A
Minimum Lot Width	30 metres (98.4 ft.)	
Maximum Building Height	15 metres (49.2 ft.)	14 metres (45.9 ft.)
Minimum Front Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.11.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.12. Light Industrial Zone (LI)

6.12.1. General

- 1) Except as provided in this Bylaw, all development and land use in the LI Zone shall comply with the provisions of this section.
- 2) The Light Industrial Use Zone is intended to:
 - a) Permit light industrial uses to support economic activities in Three Rivers; and
 - b) Regulate development in a manner that is compatible with surrounding land uses.

6.12.2. Permitted Uses

- 1) Auction establishment;
- 2) Automobile body shop;
- 3) Contractor's shop or yard;
- 4) Kennel;
- 5) Recycling facility;
- 6) Warehouse.

6.12.3. Provisions

- 1) Where an Industrial Zone abuts a non-Industrial Zone, one of the following shall be provided along the abutting property line:
 - a) A landscaped buffer strip with a minimum width of 3 metres (9.84 ft.).
- 2) Where outdoor display, outdoor storage, or garbage collection bins are permitted on a lot:
 - a) The outdoor display, outdoor storage, or garbage collection bins shall not be permitted within a required front yard of a lot;
 - b) The area devoted to outdoor display, outdoor storage, or garbage collection bins shall not exceed 50 percent of the lot area; and
 - c) All garbage collection bins associated with the industrial use shall be screened by an opaque fence with a minimum height of 1.8 metres (5.9 ft.).

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	1,115 sq.m (12001.8 sq.ft)	As per Appendix A
Minimum Lot Width	30 metres (98.4 sq.ft)	

Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	Abutting an LI or HI zone: 4.5 metres (14.8 sq.ft) All other cases: 7.5 metres (14.8 sq.ft)	4.5 metres (14.8 sq.ft)
Minimum Rear Yard Setback	7.5 metres (14.8 sq.ft)	7.5 metres (14.8 sq.ft)

6.12.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.13. Heavy Industrial Zone (HI)

6.13.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Heavy Industrial (HI) Zone shall comply with the provisions of this section.
- 2) The Heavy Industrial Zone (HI) is intended to:
 - a) Permit heavy industrial uses to support economic activities in Three Rivers;
 - b) Restrict heavy industrial uses to the HI zone to protect public health and safety; and
 - c) Regulate development in a manner that is compatible with surrounding land uses.

6.13.2. Permitted Uses

- 1) Auction establishment;
- 2) Automobile body shop;
- 3) Contractor's shop or yard;
- 4) Heavy industrial use;
- 5) Kennel;
- 6) Recycling facility;
- 7) Warehouse.

6.13.3. Provisions

- 1) Where a Heavy Industrial (HI) Zone abuts a non-Industrial Zone, one of the following shall be provided along the abutting property line:
 - a) An opaque fence with a minimum height of 1.8 metres (5.9 ft.); or
 - b) A landscaped buffer strip with a minimum height of 1.8 metres (5.9 ft.) and a minimum width of 3 metres (9.84 ft.).
- 2) Where outdoor display, outdoor storage, or garbage collection bins are permitted on a lot:
 - a) The outdoor display, outdoor storage, or garbage collection bins shall not be permitted within a required front yard of a lot;
 - b) The area devoted to outdoor display, outdoor storage, or garbage collection bins shall not exceed 50 percent of the lot area; and
 - c) The area devoted to garbage collection bins associated with the industrial use shall be screened by an opaque fence with a minimum height of 1.8 metres (5.9 ft.).

- 3) Parking spaces shall not be permitted within 6 metres of a side or rear lot line that abuts a non-industrial zone.

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	1,115 sq.m (12001.8 sq.ft)	As per Appendix A
Minimum Lot Width	30 metres (98.4 ft.)	
Maximum Building Height	11 metres (36.1 ft.)	11 metres (36.1 ft.)
Minimum Front Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	Abutting an LI or HI zone: 4.5 metres (14.8 ft.) All other cases: 7.5 metres (24.6 ft.)	4.5 metres (14.8 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.13.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.14. Resource Extraction Zone (RE)

6.14.1. General

- 1) Except as provided in this Bylaw, all development and land use in the RE Zone shall comply with the provisions of this section.
- 2) The Resource Extraction (RE) Zone is intended to:
 - a) Permit resource extraction uses to support economic activities in Three Rivers;
 - b) Restrict resource extraction uses to the Resource Extraction (RE) to protect public health and safety; and
 - c) Regulate development in a manner that is compatible with surrounding land uses.

6.14.2. Permitted Uses

- 1) Excavation pit.

6.14.3. Provisions

Performance Standard	Requirement
Minimum Lot Area	As per Appendix A
Minimum Lot Width	
Maximum Building Height	11 metres (36.1 ft.)
Minimum Front Yard Setback	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	7.5 metres (24.6 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)

6.14.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.15. Parks and Open Space Zone (OS)

6.15.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Parks and Open Space Zone (OS) shall comply with the provisions of this section.
- 2) The Parks and Open Space Zone (OS) is intended to:

- a) Reserve land in Three Rivers for recreation and amenity purposes;
- b) Identify lands for marinas and wharfs associated water-based recreation and economic activities ;
- c) Regulate development in a manner that is compatible with surrounding land uses.

6.15.2. Permitted Uses

- 1) Community garden;
- 2) Farmer's market;
- 3) Marina;
- 4) Marine facility;
- 5) Open space;
- 6) Park; and
- 7) Recreational use.

6.15.3. Provisions

Performance Standard	Requirement	
	Central Services	Partial or Private Services
Minimum Lot Area	No minimum	As per Appendix A
Minimum Lot Width	No minimum	
Maximum Building Height	11 metres (36.1 ft.)	
Minimum Front Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Flankage Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Interior Side Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Minimum Rear Yard Setback	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)

6.15.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

6.16. Environmental Protection Zone (EP)

6.16.1. General

- 1) Except as provided in this Bylaw, all development and land use in the Environmental Protection Zone (EP) shall comply with the provisions of this section.
- 2) The Environmental Protection Zone (EP) is intended to:
 - a) Reserve land in Three Rivers for the protection of sensitive environmental features;
 - b) Preserve visual amenity in the Town of Three Rivers.

6.16.2. Permitted Uses

- 1) Conservation-related uses; and
- 2) Passive recreational uses.

6.16.3. Provisions

Performance Standard	Requirement
	Partial or Private Services
Minimum Lot Area	As per Appendix A
Minimum Lot Width	

6.16.4. Special Permit Use

- 1) Where a special permit use is proposed it shall be subject to the approval of Council and any conditions imposed.

7. General Provisions for Subdividing Land

7.1. Subdivision Approval

- 1) No person shall engage in the subdivision of land unless the proposed development is compliant with the provisions of this Bylaw.

7.2. Conveying Interest in a Lot

- 1) No person shall sell or convey any interest in a lot in a subdivision before the Development Officer has issued approval for the subdivision in which the lot is situated.

7.3. Permission to Subdivide

- 1) No person shall subdivide land unless the subdivision:
 - a) Complies with the requirements of this Bylaw;
 - b) Is suitable to the topography, physical conditions, soil characteristics, and natural and surface drainage of the land;
 - c) Will not cause undue flooding or erosion;
 - d) Has convenient access to a road;
 - e) Has adequate utilities and services available or can be conveniently provided with such 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 for the future use of adjacent lands; and

7.4. Subdivision Procedure

- 1) Any person seeking approval of a subdivision shall first make application for preliminary approval to the Development Officer and shall be required to submit, along with the application, one copy of a preliminary subdivision plan, drawn to scale, showing:
 - a) The true shape and dimensions of every lot;
 - b) The location of every existing building or structure on the parcel;
 - c) Existing and proposed services and utilities;
 - d) Proposed widths and locations of all streets;
 - e) Location of land proposed for recreation and public open space use; and
 - f) The existing use of the land and all immediately adjacent properties, showing buildings, fields, streams, rivers, swamps, wooded areas and areas subject to flooding or erosion.
- 2) Applicants of approved subdivisions shall be required to register perimeter deeds with the Provincial Registrar of Deeds.

7.5. Servicing

- 1) All proposed lots to be subdivided shall have the capacity to be serviced by central or private water and sanitary services.
- 2) Notwithstanding provision (1), where a subdivision creates a lot on which development is prohibited, including by not limited to environmental preservation areas, setback buffers, and open spaces, the lot need not have the capacity to be serviced by central or private water and sanitary services.

7.6. Highways and Roads

7.6.1. General

- 1) All lots created through a subdivision shall have frontage on a public road.
- 2) Notwithstanding provision (1), a lot that fronts onto a private road shall be deemed to have frontage on a street, provided the private road was legally established and is governed in accordance with an agreement registered in the Provincial Registrar of Deeds.
- 3) New private roads shall be permitted where all lots serviced by the private road accommodate one of the following uses:
 - a) Commercial rental cottages;
 - b) Farm buildings;
 - c) Seasonal commercial and residential uses related to tourism;
 - d) Single family dwellings; and
 - e) Wind energy conversion system development.
- 4) Where a private road is proposed through a subdivision, the private road shall be designed to provincial standards, with the exception of finished pavement.
- 5) Notwithstanding provision (4), subdivisions containing 21 or more lots established after March 21, 2009 shall be serviced by public roads regardless of land use.
- 6) All development shall comply with the requirements of the Roads Act R.S.P.E.I. 1988, R-15, including the requirement of Entrance Permits, as applicable.

7.6.2. Subdivisions Along Collector Highways

- 8) Where an existing lot which abuts, and requires access to, a collector highway classified under the Roads Act R.S.P.E.I. 1988, R-15 is proposed to be subdivided:
 - a) A lot with less than 402.3 metres (4330.3 sq.ft) of frontage on the collector highway may only be subdivided to create one new lot in addition to the retained lot;
 - b) A lot with more than 402.3 metres (4330.3 sq.ft) of frontage on the collector highway may be subdivided to create a maximum of one new lot for every 201 metres of frontage along the collector highway.

- 9) Notwithstanding provision (8), where the proposed lot contains an existing farm dwelling served by an existing highway access, one additional lot may be created in addition to the allowances in provision (9).
- 10) Where an additional lot is created under provision (9), no dwelling unit may be developed on the remainder of the subdivided parcel.

7.7. Subdivisions Along Shorelines

- 1) Where a subdivision is proposed along a shoreline, the subdivision may include a right of-way easement to be dedicated to the Town of Three Rivers to provide public pedestrian access to the shoreline.

7.8. Parkland Dedication

- 1) For subdivisions creating six or more lots, up to 10 percent of the lands being subdivided may be conveyed to the Town for the purposes of parkland. The parkland dedication requirement may alternatively be established and therein maintained through the creation of a homeowner's association, which shall assume ownership at a point to be determined by the Council. The physical condition and location of the land shall, in the opinion of Council, be suitable for use as parkland and shall include at least 1.8 metres (5.9 ft.) of frontage on approved street.
- 2) Where Council deems a dedication of land is not appropriate or the exercising of the conveyance, or establishment through a homeowner's association is not appropriate, Council may impose a parkland dedication fee up to 10 percent of the fair market value of the lands being subdivided. The sum shall be specifically designated for the purchase, development, or maintenance of public parklands in the Town. The parkland dedication fee shall be calculated on the value of the lands being subdivided at the time of application and shall not account for the value of structures on the lands.

7.9. Subdivision Agreement

- 1) The Town may require applicants of a subdivision to enter into a Subdivision Agreement as a condition of subdivision approval. The Subdivision Agreement may cover any matters as required by the Development Officer and/or Council and may include, but not be limited to the following:
 - a) Design and construction costs of sidewalks, water supply, sanitary and storm sewers, roads, and street lighting;
 - b) Dedication of land for recreation and public open space purposes, or payment of a fee in lieu of land;
 - c) Deeding of roads to the Department of Transportation and Public Works;
 - d) Posting of a financial guarantee satisfactory to Council;
 - e) Provision of a controlled landscape plan and stormwater management plan to facilitate the drainage of water and to guard against flooding of lots within the subdivision and adjacent properties;

- f) Provision of such services, facilities or actions as are necessary to ensure the satisfactory development of the subdivision;
- g) Provision for the phasing of the subdivision; and
- h) Preservation and enhancement of surface water drainage systems.

7.10. Final Approval

- 1) Final subdivision approval shall be granted by Development Officer only where the developer has complied with all applicable requirements of this Bylaw and has submitted five copies of a final subdivision plan showing all lots pinned and certified by a surveyor registered to practice in Prince Edward Island.
- 2) The Development Officer may grant final approval to part of a subdivision that is proposed to be developed in phases.
- 3) The Development Officer shall give notice of final approval of a subdivision in writing and shall place the Town's seal on the five copies of the subdivision plan and shall return one copy to the applicant.
- 4) The Development Officer shall file a copy of the final subdivision plan with:
 - a) The Registrar of Deeds;
 - b) The Department of Transportation and Infrastructure; and
 - c) Council files.

8. Parking Requirements

8.1. Parking Requirements

- 1) For every building or structure to be erected or enlarged, off-street parking having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule:

Type of Use	Number of Parking Spaces	Loading Area
Residential	1.5 per dwelling unit (minimum of 2)	n/a
Auditorium, theatre, church or hall	1 per 4 seats	n/a
Hotel, motel, or tourist home	1 per guest room	n/a
Restaurants (including take outs)	1 per 100 sq.ft (9.3 sq.m) minimum of 10	n/a
Business and professional offices	1 per 300 sq.ft (27.9 sq.m) of floor area	n/a

Warehouse and storage facilities and other industrial uses	1 per employee	1 per loading bay
Other Commercial Uses	1 per 300 sq.ft (27.9 sq.m) of floor area	
Other Institutional or Recreation Uses	1 per 400 sq.ft (37.2 sq.m) of floor area	n/a
Other industrial uses	1 per employee	1 per loading bay

8.2. Loading Zones

- 1) One loading space shall be provided for every 929 sq.m (9999.7 sq.ft) of commercial, industrial or institutional floor space.
- 2) A loading space may be required for any building less than 185.8 sq.m (2000 sq.ft).
- 3) A loading space may be located wholly or partly within a building or structure.
- 4) A loading space shall be:
 - a) A minimum of 3.6 metres (11.8 ft.) by 9.2 metres (30.2 ft.), with a vertical clearance of 4.6 metres (15 ft.).
 - b) Constructed with a stable surface that is treated to prevent the raising of dust or loose particles; and
 - c) Have access to a street by means of a driveway with a minimum width of 3.6 metres (11.8 ft.) for one-way traffic and 7.2 metres (23.6 ft.) for two-way traffic.

8.3. Parking Lot Standards

- 1) Where a parking lot for more than four spaces is to be constructed:
 - a) the parking lot shall be constructed with a stable surface that is treated to prevent the raising of dust or loose particles;
 - b) any lighting used to illuminate the parking lot shall be diverted away from streets, adjoining lots and buildings;
 - c) a building not more than 4.6 metres (15.1 ft.) in height and not larger than 4.6 sq.m (49.5 sq.ft) in area may be erected for use of permanent attendants;
 - d) where a permanent hard surface is used, each parking space shall be marked;
 - e) the number of driveways accessing a lot shall not exceed two from any one street;
 - f) a driveway accessing a parking lot shall have a minimum width of 7.6 metres (24.9 ft.); and
 - g) parking lots which abut residential uses shall be screened by landscape buffers, fences or a combination thereof.

- 2) In addition to the parking requirements in this Bylaw, where off-street parking is provided on the same lot as the associated building, accessible parking shall be provided at a rate of one accessible space per 100 parking spaces, or part thereof.
- 3) Where an accessible parking space is provided, the space shall be 3.6 metres (11.8 ft.) wide and shall be located a maximum distance of 45 metres (147.6 ft.) from the accessible building entrance.

9. Signage

9.1. General

- 1) Except where otherwise exempted in this Bylaw, no person shall erect a sign without first obtaining a Development Permit from the Development Officer.
- 2) No Development Permit to erect a sign shall be issued unless all sign provisions of this Bylaw are satisfied.
- 3) An indoor sign shall not be considered a sign for the purpose of this Bylaw unless it is intended to be viewed from outside the building.

9.2. Maintenance

- 1) Every sign shall be kept clean, in good repair and working order.
- 2) If the business, service or other enterprise for which a sign is erected is no longer in operation, the sign shall be removed by the owner within 60 days of the date the operations cease. Removal of a sign includes the support structure or apparatus to which it is attached.
- 3) Provision (2) shall not apply to a seasonal enterprise that normally closes during part of the year.

9.3. Number of Signs

- 1) A sign with two or more faces, including a projecting sign or a ground sign, shall be classified as one sign.
- 2) No more than three signs, other than wall signs, may be erected on a lot unless otherwise approved by the development officer.
- 3) Where there are more than two businesses on a lot, there may be one directory sign per lot and independent signs shall be permitted for each business.
- 4) The maximum size of a directory sign shall not exceed 19 sq.m (204.5 sq.ft).

9.4. Signs Permitted in All Zones

- 1) The following signs shall be permitted in all zones and no Development Permit shall be required:

- a) Signs identifying the name and address of a resident, provided the sign does not exceed 0.4 sq.m (4.3 sq.ft) in area;
- b) Signs for regulating the use of a property, including “No Trespassing” signs, provided that the sign does not exceed 0.4 sq.m (4.3 sq.ft) in area;
- c) Real estate signs that advertise the sale, rental or lease of the premises for the duration of the marketing period;
- d) On-premises directional or traffic control signs, provided that the sign does not exceed 0.4 sq.m (4.3 sq.ft) in area;
- e) Signs erected by a government body or under the direction of a government body; f) Memorial signs or tablets;
- g) Community identification signs;
- h) The flag, pennant or insignia of any government, religious, charitable or fraternal organization;
- i) Temporary election signs;
- j) Temporary signs advertising a construction firm on the lot where the construction is occurring, provided the sign does not exceed 3 sq.m (32.3 sq.ft) in a residential zone or 6 sq.m (64.6 sq.ft) in all other zones.
- k) Identification signs for a place of worship; and
- l) Temporary signs that comprise part of a seasonal or holiday decorative display, provided the sign is not displayed for a period exceeding 60 days.
- m) Pesticide and insecticide spraying warning signage.
- n) A sign erected on a vehicle or trailer, parked on public or private property so as to be visible from a street, for the sole purpose of advertising products or directing people to a business or activity located on the same or nearby property.

9.5. Signs Prohibited in All Zones

- 1) The following signs are not permitted in any zone:
 - a) Signs that incorporate flashing illumination or moving parts;
 - b) Roof signs;
 - c) Any sign or sign structure that is or could be a safety hazard;
 - d) Any sign that obstructs or detracts from the visibility or effectiveness of any traffic sign or control device;
 - e) Any sign that obstructs the free egress from any fire exit door, window, or other required exit way;

- f) Any sign not erected by a public authority that makes use of words such as “Stop,” “Look,” “One Way,” “Danger,” “Yield,” or any similar word, phrase, symbol, light or character in such manner as to mislead or confuse the traffic along a street;
- g) Any sign erected upon a public property or a public right-of-way, unless erected by a public authority or authorized by a public authority;
- h) Signs painted on, attached to, or supported by a tree, stone cliff, or other natural object; with the exception of civic address;
- i) Balloon or gas-filled figure or signs;
- j) Signs not related to any business or use located on the lot or premises unless otherwise approved by the development officer.
- k) Signs displaying obscene content.

9.6. Wall Signs

- 1) No wall signs shall exceed above the top or beyond the sides of the wall to which it is affixed.

9.7. Projecting Signs

- 1) Projecting signs shall:
 - a) Not have a sign face larger than 1 square metre (10.8 sq.ft).
 - b) Not project further than 1 metre (10.8 sq.ft) from the wall to which it is affixed;
 - c) Not project above the wall to which it is affixed;
 - d) Not extend beyond the property line of the property on which it is erected;
 - e) Not swing freely on its support; and
 - f) Be erected not lower than 2 metres (6.6 ft.) and not higher than 5 metres (16.4 ft.) above the ground.

9.8. Ground Signs

- 1) Ground signs shall:
 - a) Not exceed 12 metres (39.4 ft.) in height;
 - b) Not have a sign face larger than 5 sq.m (53.8 sq.ft); and
 - c) Not extend beyond the property line of the property on which it is erected.

9.9. Mobile Signs

- 1) Mobile signs shall be permitted subject to the following:
 - a) Sandwich board signs shall be limited to Mixed Use (MU), Highway Commercial (HC), or Rural Zones (RU);
 - b) No more than one mobile sign is permitted on a lot;

- c) The mobile sign shall be removed after 30 consecutive days unless otherwise permitted by the development officer;
- d) The mobile sign has no moving parts or flashing or unshielded lights; and
- e) The sign does not exceed 6 sq.m (64.6 sq.ft) in size.

9.10. Canopies or Awnings

- 1) Signs incorporated in a canopy or awning shall be permitted.

9.11. Sandwich Board Signs

- 1) Sandwich board signs shall be permitted subject to the following:
 - a) Sandwich board signs shall be affixed securely in place.
 - b) Sign faces shall not exceed 1 square metre (10.8 sq.ft) in area;
 - c) One sandwich board sign shall be permitted per business on a lot; and
 - d) Sandwich board signs shall not obstruct pedestrian or vehicular traffic.

9.12. Menu Signs

- 1) For commercial operations that operate a drive-through facility, menu boards shall be permitted in addition to all other signage, provided:
 - a) The menu board does not exceed 2 sq.m (21.5 sq.ft) in area;
 - b) The menu board is positioned so that lighting does not project on neighbouring properties or street rights-of-way; and
 - c) The menu board complies with setback requirements in the applicable zone.

9.13. Signs in Sports Fields and Outdoor Arenas

- 1) Notwithstanding the provisions of this section, any number of signs may be erected in a sports field or outdoor arena, provided the signs are intended for view from within the sports field or outdoor arena.

10. Repeal

10.1. Repeal

- 1) The Brudenell Zoning Bylaw 2019-06, all previous versions, and all amendment thereto are hereby repealed.
- 2) The Town of Georgetown Zoning & Subdivision Control (Development) Bylaw, 2018, all previous versions, and all amendments thereto are hereby repealed.
- 3) The Community of Lower Montague Zoning and Subdivision Control Bylaw, all previous versions, and all amendments thereto are hereby repealed.

- 4) The Town of Montague Zoning Bylaw, 2017, all previous versions, and all amendments thereto are hereby repealed.
- 5) The Town of Montague Subdivision Bylaw, 2008, all previous versions, and all amendments thereto are hereby repealed.

Zoning Schedules

- Schedule A - Land Use and Road Network (Key Map)
- Schedule A1 – Montague Settlement Area
- Schedule A2 – Georgetown Settlement Area
- Schedule A3 – Cardigan Settlement Area
- Schedule A4 – Poole's Corner Settlement Area

Appendix A: Minimum Lot Area and Lot Width Requirements for Lots on Partial or Private Services

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 4ft.. (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).

Table A1 – 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 Lots – 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.

(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 Lots – feet / metres
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

(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 Lots – feet / metres
Central water supply and on-site sewage disposal system	I	50 feet / 15.25 m	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 m	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.

(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 Lots – feet / metres
Central water supply and on-site sewage disposal system	III	50 feet / 15.25 m	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 m	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

(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 Lots – feet / metres
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.

Table A2 – 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.

(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
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.

