

**TOWN OF MONTAGUE**

**OFFICIAL PLAN**

**2006**



## 1.0 INTRODUCTION

### 1.1 Preface

This document together with any Appendices or Amendments constitutes the Official Plan (hereafter referred to as either the Plan Strategy or Strategy) for the Town of Montague. It replaces the 1995 Official Plan prepared by the Montague Planning Board and approved by the Minister of Community and Cultural Affairs and Attorney General pursuant to Section 15 of the *Planning Act, RSPEI 1988*, on 10 August, 1995. This strategy was developed under the guidance of the Council of the Town of Montague through the Town Planning Board, as permitted under the Planning Act. This Strategy covers the area within the official boundaries of the Town of Montague as indicated on the accompanying maps.

### 1.2 Purpose

The general purpose of this Strategy and the accompanying Zoning Bylaw is to guide the decisions of Council in the management of land issues and the provision of public services and facilities. While undertaking the final stages of the review process, staff, Planning Board members and the Council developed an overall "mission statement" which would serve to guide the development of policy for this plan.

Although this Strategy sets forth the several goals, objectives and policies approved by the Council, the mission statement is the guiding focus for this document. The goals, objectives and policies respecting the nature and pattern of development within the Town shall be reviewed periodically to ensure that this document remains current. Implementation of these statements and initiatives will be carried out through the use of the Zoning Bylaw which this document enables.

#### **Mission Statement**

*The Town of Montague is an aesthetically pleasing and civic-minded community that enjoys a positive image as a regional service centre. A comprehensive guide for future development will be set out within this Strategy that projects the Town as being "open for business". At the same time, it will clearly seek to protect and enhance those aspects that have made Montague a quality community in which to live and work, and will ensure a land use mix that provides balanced opportunities for residents and businesses alike. The Town will provide strategic management and coordination of services delivered by both the public and private sectors, and will promote itself vigorously, thereby creating a sense of security and predictability about community development.*

This Strategy is aimed at guiding the physical, social and economic development of the Town. The document enables the implementation of the Zoning Bylaw and other affiliated bylaws

thereby directing the policy framework and direction regarding residential, commercial and industrial development, recreation and open space, transportation, public works, municipal services, environmental standards and institutional uses.

The Strategy will not only guide the decisions of Council with respect to the regulation of development and the provision of public services and facilities it will also lead staff when reviewing public requests and applications. The Strategy will provide for the orderly growth and development that will preserve and improve the living environment for the residents of the Town. In addition this Strategy will secure the Town's position as a regional service centre in the Southern Kings Region, enhance both the natural and built environments from the disruptions caused by uncontrolled development and provide a variety of services to maximize the social benefits for the greater community without placing an unnecessary financial burden on the residents of the Town.

The goals of Council have been developed into policies which will be implemented through a variety of bylaws. The general goals of this Strategy are to continue to encourage economic growth related to the business and secondly, but just as importantly, provide an improved economic base and more employment opportunities for both the residents of Montague and King's County. At the same time, this Strategy will attempt to enhance and maintain both the natural and man-made environment from unwanted or undesirable development that could occur within the Planning Area in the future.

Council therefore has adopted a list of policies which are intended to foster these goals. The implementation of these policies is intended to be carried out in several ways; the most important, the Zoning By-law. The Zoning Bylaw sets forward specific zones including a list of permitted uses and appropriate land standards for development within the Town. The second implementation mechanism is the Subdivision Bylaw for the Town which controls the subdivision of land and thirdly, there is the Dangerous Hazardous and Unsightly By-law which contains standards that are designed to ensure proper safety and quality factors related to a physical building and its maintenance and aesthetics.

Throughout this document there are a number of maps referred to in the various policy statements i.e. Existing Land Use Map (Map # 1), and the "Generalized Future Land Use Map" (Map # 2), which are included and constitute a part of the Strategy. The most important of these maps is the "Generalized Future Land Use Map" which is a graphic representation of the land use designations that are to be developed in accordance with the policies of this Strategy.

### **1.3 Planning Area**

This Strategy addresses the geographic area for the Town of Montague as legally described and incorporated. The area of the Town of Montague is approximately 3.04 square kilometres. Although the strategy deals directly with matters arising within the Town limits, attention has been paid to the Town's relationship to the region, its importance as a regional service centre and impacts on adjacent municipalities.

### **1.4 Legislative Authority**

The Town of Montague derives its powers from the *Municipalities Act* and *Planning Act*. The latter enables the Council to appoint a Planning Board or Planning Advisory Committee, adopt a Municipal Planning Strategy and associated Zoning and development control bylaws.

### **1.5 Plan Content**

*The Planning Act, RSPEI, 1988*, requires that an Official Plan (Strategy) shall include:

- a statement of economic, physical, social and environmental objectives;
- a statement of policies for future land use, management and development, expressed with reference to a specified period not exceeding fifteen (15) years; and
- proposals for its implementation, administration and the periodic review of the extent to which the objectives are achieved.

To assist readers this document has been divided into the following sections:

- Introduction
- A profile of the Town of Montague
- Development Goals;
- Land Use Objectives and Policies;
- General Land Use Plan; and
- Implementation Strategies

The first Section, *i.e.*, the Introduction describes the purpose, physical area, legality and organization of the Strategy. Section 2.0 provides a brief history of the town, highlights the background studies that have been undertaken, describes the public consultation process and provides a description of the physical, social and economic characteristics of the town. Section 3.0 provides a broad summary of how the Council envisages development occurring within its boundaries over the next ten (10) years and includes the development goals. Section 4.0 details the objectives, policies and intended actions for specific topics. Section 5.0 provides the Generalized Land Use Plan. The last section sets out the process for administering and implementing the Official Plan and Development By-laws.

## **2.0 THE TOWN OF MONTAGUE: A PROFILE**

### **2.1 Location**

The Town of Montague Planning Area is located on either side of the Montague River in King's County, approximately 46 kilometres east of the City of Charlottetown and 16 kilometres west of the Town of Georgetown. The Town is geographically located on Lots 52 and 59. Several highways serve the community including Route 210, (the Queens Road), Route 4 and Route 17. These highways have facilitated the Town's growth and development thereby promoting the Town as a service hub for the surrounding communities.

The Planning Area is bounded on the north and east by the community of Brudenell, the south by the community of lower Montague and to the west by the community of Valley Field. The area of land within this area is approximately 3.0 square kilometres. This includes residential, commercial, institutional, and recreational uses and a limited amount of industrial activity.

### **2.2. Chronology of Planning In Montague**

Montague was not a planned centre for commerce, trade, and government services unlike many towns and cities within the Province and Maritimes. The bridge is perhaps the original catalyst for the development of the Town as a distinct community. Soon thereafter the Town's officials began to plan for the orderly growth of the Town.

To achieve orderly development past Councils adopted general zoning and regulations with no clear objectives or policies for the long-term. Over the years these general zoning regulations became more comprehensive, and grew into what is now know as the Official Plan or Strategy. This Strategy is a substantial revision and update of those previous documents with several changes in policy direction.

### **2.3 Research and Analysis**

In 2000 under the direction of Council and the Planning Board, the professional services of CBCL had been secured to assist in the review and development of the Strategy and accompanying Zoning Bylaw. CBCL reviewed the existing Plan and Bylaw, analysed Statistics Canada data, appraised existing land use patterns, researched building permits and trends in recent construction. This and other information was compiled to create the background research for this document.

In accordance with the provisions of the Planning Act, the Town and CBCL participated in a public consultation and participation process in the fall of 2001. Comments gathered from the public both verbal and written have been incorporated into this document. Also as part of this review process the background information was updated and revised to reflect the present

statistics and trends within the Town. In reviewing the Strategy, a number of the policies were found to still be applicable, a number had to be modified, some new policies were added and others were deleted as they had successfully been implemented.

Implementation of the entire Strategy is not required, Council may undertake any or a portion of the projects outlined in the Strategy. Council is, however, prevented from undertaking any development or projects that is not consistent with the Strategy. In addition, as the Strategy contains policies relating to land use, the Council, is required to adopt a Zoning Bylaw for the purpose of carrying out its intents.

#### **2.4 Historical Development**

The area around Cardigan Bay is one of the youngest geologically on Prince Edward Island; it is composed of Permian deposits that were formed 280 million years ago. Over time the area has accommodated various waves of human settlement including the Paleo-Indians, the Shellfish People and the Micmac who lived on “Abegweit” for many years prior to the arrival of the first Europeans in the early 18th century.

In 1731, a company in France was established to organize farming and fishing on Isle St. Jean, the name that had been given to Prince Edward Island by the then French government. The founders bought three thousand (3000) acres of land and planned to sell their products at Fortress Louisbourg, the Cape Breton stronghold of the Acadians. These three thousand (3000) acres was located where the present day Montague and Brudenell Rivers flow into Georgetown Harbour.

Jean-Pierre Roma, one of the members of the company, visited this location and, in 1732, built a town on Brudenell Point which he named Three Rivers. The buildings, which he constructed in the “piquet” style, included a company house, fishermen’s quarters, a bake house, a storehouse, a forge and stable, and residences for the ships’ officers and crews, labourers, overseers and tradesmen. Each house had its own garden; wells were dug, and a stone jetty was built off the point. In order to enhance communication, roads were built to link the new community with Cardigan, Souris, St. Peter’s and the capital, Port la Joie (now known as Charlottetown). Roma sought to make Three Rivers the centre of a commercial and fishing empire. Europe, however, was at war in 1745, and, as a consequence, the English in North America attacked the French stronghold of Louisbourg. On the way to the fortress, a British ship stopped unexpectedly at Three Rivers. The Town was looted and burned to the ground.

The Montague area was first settled by ancestors of the MicMac Indians thousands of years ago. During the thirteen year of Roma’s settlement, the area that we now know as Montague was undeveloped by Europeans. The area that is today’s town was referenced as Lots 52 and 59.

Lot 59, located to the south side of the Montague River, had been granted to a group of men engaged in the fishery; these early settlers had succeeded in making some improvements to the land. They had, for example, cleared approximately thirty (30) acres of land for agriculture and had attempted to establish a small community including the building of a saw mill and a gristmill. Due to financial difficulties, however, they had little success: the population fell from thirty two (32) tenants in 1774 to a mere fifteen (15) in 1820.

Lot 52, located on the north side of the Montague River, had been allocated to three people, but here too settlement was slow, and successive leaseholders failed to attract new settlers (part of the requirements for ownership of the lots), with the result that the land reverted back to the Crown. It was not until the late 18th century that there is concrete evidence of permanent settlement on lots 52 and 59. Joseph Ball's 1804 map of the Town of Montague Bridge (as the community was then known) indicates a wharf on the south side of the river, a bridge and roads to Charlottetown and to Wightman's Point. Settlement in the area was at this date permanent, but growth continued to be slow and intermittent. Conditions were often very different from what the settlers had expected: much of the area was deep wilderness, travel was hazardous and the establishment of a sense of community was very difficult.

By 1840, however, there were at least four small clearings on the south side in Lot 59, and by the same date, some settlers had located to Lot 52; a rough bridge had been built across the river. The decision to build the bridge is perhaps the original catalyst for the development of Montague as a distinct community. The inhabitants were given twenty (20) pounds by the Commission on Roads and Bridges and were required to build the bridge themselves.

The first church was built in 1851 on the site of the present Presbyterian Church. Montague Road first appeared on maps in the same year, showing the growing importance of the town. It linked Montague Bridge with Brudenell Bridge and connected Lower Montague with the Georgetown Road, an important route to Charlottetown. These communication links helped to increase the exportation of both farm products and logging material. Mills became important, and three (3) were established in the area. Montague developed slowly as a trading and service centre.

Equally as important in the development of the Town as a trading and service centre is the rail line. The placement of the rail line in the community in the early 1900's connected Montague, not only to other locations within the province but also, to Canada. This branch line ending in the Town serviced the region. A turntable enabled train engines the ability to be turned to pull rather than push the various cargo cars. The foundation of this turntable remains today. Although the use has been altered, it still serves as a commercial link. The commercial aspects associated with the turntable today, is tourism. The former CN station and turn table are

important features in the Waterfront Park. The turntable is used as a natural amphitheatre for youth theatre productions, or a resting spot to watch marine pleasure craft after walking along the Confederation Trail. The station building is a tourist information centre and tourism retail outlet.

## **2.5 Recent Development**

The Town of Montague today continues to prosper as a centre of government services and as a hub for commercial activity. In relation to its size, the Town has excellent shopping, a variety of commercial services and recreational facilities that attract customers from a wide area. With the redevelopment and enhancement of the waterfront, including a number of restaurant facilities, Montague is a destination for tourists. The commercial district is expanding along Main Street, and new residential development includes multi-unit residential structures as well as single family homes.

Council gave final approval, during 2005, to two subdivisions with a total of 37 residential lots. A third subdivision, with 27 residential lots, has been given tentative approval.

Most new commercial development has been accommodated on and within a close proximity to Main Street. At the same time, two commercial developments have taken place outside the downtown area, both on the Queen's Road. A physiotherapy clinic relocated from the Down East Mall and an accounting firm moved out of the Town Centre.

These new developments and investment are positive for the community's economic stability.

The nature of these initiatives poses new challenges. This Strategy addresses the need to ensure that further commercial development in and adjacent to Main Street recognizes both the character of the existing Main Street and the legitimate needs of new commercial development, including parking and signage and that commercial development outside the downtown core do not create conflicts with adjoining properties.

## **2.6 Population Structure**

While commercial development remained consistent, population levels in the Town have been fluctuating over the past ten years. A review of past statistical profiles for the Town indicates that the Town has grown from a population base of 1901 as measured by the statistical survey taken in 1991. The Town's population grew to a peak of 1995. This high point of population in the Town measured by the 1995 survey has fallen. The most recent statistical profile for the Town lists the population at 1946.

The decline in population is attributed to a decrease in average household size and a change in average household age. The demographics of the community show a marked increase in seniors, which is indicative of the national trend. Another contributing factor for the decline is the change in land use along Main Street. Residential dwellings have been removed to accommodate new commercial growth and development.

Despite the Town's drop in population, the total number of dwelling units has slightly increased as more structures have been and continue to be built for multi unit residential use. Between January 1, 2002 and September 1, 2005 a total of 36 new dwelling units have been created in the Town of Montague.(8 single units; 11 duplexes and 1 six unit) The overall aging of the population has and will continue to change the character of residential development. Many people who have moved into the Town have moved for the convenience factor and the availability of adult housing. The net effect of this will be a greater demand for more efficient dwelling units, catering to the senior market.

Land available for development is one of the major factors that will affect the population growth. The Town's present growth is proportionate to the physical limitations of the Town and its existing boundaries. Conclusions may be drawn that the Town's population will remain at present levels or decline as existing residential development is replaced by commercial development. Population density will increase in specific neighbourhoods as single family residential are replaced by multi family residential. However, this can cause stress on both municipal and provincial services.

As noted above, the emerging population pattern of interest is the aging residential base. This pattern is similar to the province with the residents in the 65 plus age group anticipated to continue increasing into the future. Therefore this document must address senior housing. Although the Town has seen its population decline while the surrounding area has experienced reasonable growth, this trend may be reversed if the Town focuses on in fill housing, with appropriate regulations to control size and percentage of lot coverage.

**Therefore, it shall be a policy of Council to:**

- **Take measures to ensure senior housing will blend into neighbourhoods;**
- **Encourage the development of various types of housing, in order to provide adequate opportunity for in fill development;**
- **Limit the total amount of adult units per dwelling as not to increase neighbourhood density beyond municipal and social capacities;**
- **Encourage and promote greater development of single family residential development within the Town to ensure a mix of age ranges; and**
- **Promote regional harmony that will support the extension of municipal services.**

## **2.7 Council Structure**

The Town of Montague has provided responsible administration since 1917. Council's have worked with all levels of government and the private sector in an effort to operate responsibly. The elected officials are comprised of six (6) Councillors and a Mayor. Past and Present duties have required these dedicated civic minded individuals to manage the day to day operation for the Town. Under pressure of changing times and increased work loads a review of the management method and its efficiency was felt to be warranted.

Late in 2003, Council hired a new Chief Administrative Officer with responsibility for the day to day administration of all departments. A policy was adopted that prohibits members of Council from giving instructions to town staff. The Council, as a whole, is assuming the role, stipulated in the Municipalities Act, as the decision making authority.

The alterations made to refocus administrative duties has reduced Council's need to deal with issues of a day to day nature and focus efforts on planning and policy development. Committees have been established to assist Council in this endeavour. **The role of committees is now to conduct research and develop policy statements for recommendation to Council.**

## **2.8 Administrative Structure**

The Chief Administrative Officer is the head of the administrative branch of the Town government. He is responsible to the Council of the Municipality of the Town of Montague for the proper administration of all the affairs of the municipality in accordance with the policies and plans approved and established by the Council.

**Therefore, it shall be a policy of Council to:**

- **Review existing policies and regulations and develop new policies and regulations to assist staff in managing the Town effectively;**
- **Regularly review administrative functions, with the objective of refining the delivery of all services provided;**
- **Educate staff toward new reporting practices; and**
- **Take measures to educate staff to better perform their work.**

## **2.9 Municipal Budgets**

Up to the present time, the Council has developed its operating and capital budgets on an annual basis only. There has been no thought to preparing longer range projections.

Since a number of objectives and policies, in the following pages of this document, involve capital projects which will require dedicated funding, Council should establish a longer term capital budget (either a three or five year document) and determine the ongoing effect these projects will have on the municipality's operating budget over the same period.

### 3.0 DEVELOPMENT GOALS

#### 3.1 Background to Planning Context

This Strategy replaces the Official Plan and Zoning Bylaw prepared for and adopted by the Town in late October of 1995. This previous document, provided guidance for the community's land use planning over the past ten (10) years. To respond to changing needs, amendments were made on a number of occasions to both the Official Plan and the Zoning Bylaw. These documents, however, no longer accurately reflect the current or anticipated future, development pattern for the Town.

In the early part of 2000 the Town's Planning Board Committee, recommended to Council to undertake a review of the Official Plan and Zoning Bylaw. The review, in accordance with the provisions of the *Planning Act, Section 19, RSPEI, 1988*, was encouraged by the Department of Community and Cultural Affairs. This Strategy, subsequent to approval by Council and the Minister, will replace the document adopted in 1995.

This Strategy, along with the Zoning Bylaw, has been prepared under the direction of the Planning Board and the guidance of Council. In the early stages, technical assistance was provided by CBCL consultants. Together these documents are intended to guide the decisions of the Planning Board and Council with respect to standards of development and the provision of services and facilities within the Town.

#### 3.2 Future Development

*The Town encourages positive planned development for the community.*

The Town supports a vibrant business community with many government services and recreation opportunities. The future development concept of Council is to implement through the Zoning Bylaw the ability to continue the positive commercial development growth along Main Street thereby diversifying the Towns economy and increasing the assessment base. The Town is a vital service centre for the region and Council will continue to support and strengthen the Towns services to the region.

The downtown core or traditional shopping area of the Town will receive special attention and efforts will be targeted at restoring its historic characteristics and vitality. Commercial activity in the northern section of Main Street will be promoted to foster further enterprises to strengthen the economic base. The Town will continue to support the efforts and work with the various community groups such as the Waterfront Development Committee, the Economic Development Committee, and Chamber of Commerce to beautify the Main Street area.

Emerging trends in development identify the northern region of Main Street as the desired location for large commercial development, adult housing, senior development and multi unit residential development. Growth in development sectors has and continues to occur north of the Montague River. This development has increased the neighbourhood density and demands on municipal services.

The work of the Waterfront Development Corporation has had a dramatic positive impact in regenerating interest and attracting business adjacent to the Montague River. In an effort to continue this interest and further the Waterfront Park, Council shall lobby both senior levels of government to assist in the expansion of the Waterfront Park along the southern side.

The impetus for development must come from Council through its leadership. Therefore Council should investigate the acquisition of land adjacent to the river, identify sources of financial assistance to expand the park and develop both a landscape and business plan that will ensure that Council's direction is followed into the future.

### **3.3 Development Goals**

Given the history of the Town and the nature of the observations received during the public consultation process, it is apparent that Montague is the main urban centre within the Southern Kings region. The increase in senior housing, commercial development and health services over the past five years must be managed in a manner to support services without adverse affects to the residents of the Town. The Town is first and foremost a residential community. It is a residential community that increasingly recognizes the importance that its history and environmental setting as to both its sense of place and its role as a service destination. It is recognized by Council that the environmental aesthetic and structural characteristics of Montague must be protected and enchanted.

In recent years, subdivision techniques have improved considerably. However, many subdividers are not aware of more innovative techniques which can increase the overall attractiveness and saleability of their lands. It is then in the Town's interests to promote proper subdivision design in order to enhance its own image as a quality place to live.

**Therefore, it shall be a policy of Council to:**

- **Protect and enhance residential neighbourhoods and facilitate the development of new residential options in Montague;**
- **Enhance and maintain both the natural and man-made environment in Montague;**
- **Encourage economic growth through the accommodation of new, and the expansion of existing, business initiatives to generate more employment and a stronger tax assessment base;**

- **Provide an improved economic base and more employment opportunities for the residents of both Montague and King's County;**
- **Encourage and facilitate the further rehabilitation of Montague waterfront to attract and accommodate users from the community and beyond;**
- **Ensure development standards facilitate safety, efficiency, visual appeal and overall sound design principals;**
- **Continue to foster public participation and voluntarism in all aspects of civic activity; and**
- **Promote strong social and economic ties between Montague, adjacent communities and the surrounding rural area.**

Council has adopted objectives and policies to foster the attainment of the above goals. The implementation of the objectives and policies will be carried out in several ways: the primary mechanism will be through adherence to the Zoning Bylaw which sets out specific zones including a list of permitted uses and appropriate development standards. Associated implementation mechanism include the subdivision regulations which control the subdivision of land.

## **4.0 LAND USE OBJECTIVES AND POLICIES**

This section presents the detailed policy framework of the Strategy. Based on the goals identified in the previous section, the following objectives and policies provide increasingly more precise statements to address specific issues of importance for the town. In particular, the Policies outline courses of action that the Town will take or encourage in order to achieve the stated goals.

### **4.1 The Environment**

#### **(a) Discussion**

While it is understood that development will have impacts on the natural environment which are unavoidable, it is imperative that environmental standards are established to ensure the protection of surface and ground water resources, significant habitat areas, vegetation, water frontages and other natural and man made features which contribute to the visual appeal and overall health of the Town.

Montague is dependant on ground water for its potable water. It is therefore important that the Town work with the Department of Fisheries, Aquaculture and Environment to protect this resource from depletion or contamination. Several years ago the Town increased its land holdings around the northern well head. This land has been secured to ensure that the northern water supply is adequately protected for future generations. A consultant is expected to be engaged, early in 2006, to assist the Town in the preparation of a Well Field Protection Plan.

Council is committed to retain the remaining aesthetics along Main Street. At the same time, the most northern portion of Main Street has accommodated, in recent years, several commercial and retail developments common to many urban centres across North America. Fortunately through the efforts of Council and the initiatives of the developers, these developments have been accommodated within one part of the central business district and related signage and landscaping has recognized, at least in part, the historic scale and aesthetic characteristics of Main Street.

In order to better protect and manage its natural and built attributes Montague shall investigate long-term management plans including an overall surface drainage and storm water management plan, a pedestrian walkway plan and design guidelines for Main Street and the waterfront area. These actions would serve to protect and enhance the natural and built environment, increase property values and enhance the overall health of the residents.

**(b) Objectives**

To protect the quality of the Town's surface and ground water resources;

To encourage the protection and enhancement of the Town's natural and man made environments, views and streetscapes;

To protect and enhance the significant natural areas in the Town including the waterfront area;

To encourage the development and maintenance of pedestrian routes and trails including the Confederation Trail; and to encourage responsible waste management.

**Environmental Policies**

Policy 1.1

Council shall work with the Department of Fisheries Aquiculture and Environment to protect both the quantity and quality of ground water resources in the Town.

Policy 1.2

Council, through adherence to the Planning Strategy and Zoning By-law, shall ensure that land uses that may pose serious ground water contamination risk are not permitted to locate in the Town and that all applications are required to identify any proposed chemical storage areas or underground petroleum tanks.

Policy 1.3

Council shall encourage the maintenance and protection of features which contribute both to ground water recharging and the natural aesthetics of the Town such as wetlands, ponds, storm water retention areas, trees and other dense vegetation.

Policy 1.4

Council shall work toward the development of landscape and signage guidelines for the Central Business District that augment and strengthen the requirements of the Strategy within the Zoning By-law.

Policy 1.5

Council shall establish a setback, or buffer zone, adjacent to all rivers, streams, drainage courses, ponds and wetlands limiting construction activities and minimizing the disruption of natural vegetation.

Policy 1.6

Council shall require construction activities to implement erosion and siltation control measures to ensure the protection of Montague River, streams and wetlands and to prevent run-off to adjacent properties.

#### Policy 1.7

Council shall restrict any infilling or alteration of surface drainage features without the issuance of a development permit, the performance of an environmental assessment and the issuance of a stream alteration permit where required by Provincial regulation.

#### Policy 1.8

Council shall work with the Department of Fisheries, Aquaculture and Environment as well as Community and Cultural Affairs to identify areas of valued natural habitat in the Town, to restrict development in and adjacent to these areas, to encourage the implementation of management plans and to work with the province and neighbouring communities to jointly protect valued natural habitats in the region.

## **4.2 Residential Development**

### **a) Discussion**

The Town of Montague accommodates a rich mixture of residential housing types. Single detached dwellings represent the largest percentage (54.6%) of housing stock. There are also a significant number of two unit dwellings as well as some medium or high density residential developments and some mobile homes. The housing stock is characterized by both home ownership and rental accommodations and affords accessible housing to a wide range of income categories.

Senior citizen housing and nursing homes owned and operated by the Province of Prince Edward Island are considered to be institutional uses for the purpose of this Strategy.

The residential development pattern in the town has evolved over many years. In large measure, Route 4 and the Montague River have defined, and continue to define, community and neighbourhood boundaries.

Residential policies have been developed which establish zones that permit only those uses that are prevalent in, are appropriate to, and do not represent a significant threat to, the uniformity of the existing residential neighbourhood character.

The housing objectives of this Strategy strive to facilitate a diversity of housing types with an emphasis on meeting the lifestyle needs of the community. The Strategy also seeks to provide for stable residential neighbourhoods and encourages the conservation of the existing housing stock. The housing policies address several issues, including housing mix, affordability, density,

rehabilitation, and compatible uses in residential neighbourhoods.

All existing residential areas will be designated General Residential on the Future Land Use Map. Residential development within this designation will provide for a choice of dwelling types and densities. Undeveloped areas which are suitable for residential development will be restricted to single detached dwellings.

Residential uses are usually categorized according to density; low, medium and high density developments.

Low density development generally includes single and two family dwellings. Residential development in Montague is predominately low density development. Within the areas designated for residential use, there will be two zones for low density development. One zone is exclusively for single detached dwellings and the other zone is to accommodate single and two family dwellings.

The Town also intends to provide for medium to high density residential development within the General Residential Designation. Medium to high density residential development uses land more efficiently and is generally more affordable than low density residential development. This type of development includes townhouses, triplexes, low and high rise apartments and mobile home parks. Within the General Residential Designation there will be two zones for medium density residential development. One zone is for multiple unit dwelling and the other zone is for mobile home parks.

Home occupations are common to small communities throughout Prince Edward Island, and the Montague Planning Area is no exception. These small businesses operate in a residential dwelling and usually entail no outdoor storage, limited use of signs, and no activity which would have a detrimental impact on the surrounding residential properties. In most cases, the operator benefits from reduced start-up and operating costs, while residents may benefit from close proximity to the service or convenience. Such uses range from small personal service shops including, but not limited to, barber shops and beauty parlours, artisan workshops, professional offices, and offices for technicians such as plumbers, electricians, and other building trades. With technological advancements, there are many other opportunities for home occupations using the internet and other forms of communication. Council is of the opinion that these uses are in keeping with the scale and character of Montague. From the municipalities point of view, to permit home occupations brings them out of the closet and enables Council to set acceptable standards to minimize any potentially negative effects caused by the home occupation. The onus is on Council to establish the conditions under which they may operate.

***b) Residential Objectives:***

- To promote and encourage a revitalization of established neighbourhoods within the community;
- To encourage new residential development in appropriate locations;
- To permit innovative, higher density housing forms, but subject to stringent design standards, public input and in locations which are segregated or buffered from existing single family neighbourhoods;
- To develop residential development standards which stress safety, efficiency, aesthetic appeal, land use compatibility and the fostering of a healthy lifestyle;
- To promote high standards of residential property maintenance and “beautification”.

***c) Residential Policies:***

Policy 2.1

Council shall designate as General Residential those areas within the serviced and un-serviced portion of the Planning Area as shown on the Generalized Future Land Use Map to accommodate projected housing needs in the Town for the period of this Strategy. It is Council’s intention to ensure that new residential development be undertaken in an orderly fashion and built in a manner that will not put a strain upon, or exceed the capacity of, community services and facilities; and that the availability of existing partially serviced lots will not generate any unnecessary demand, or premature expenditures to extend trunk services or roads.

Policy 2.2

Council shall establish in the Land Use By-law a “Residential Single Unit Dwelling (R-1)” Zone that shall permit development of the following uses:

- Single detached dwellings;
- Converted dwellings for single family residential use;
- Day care centres, day nurseries;
- Bed and Breakfasts to a maximum of two (2) rooms;
- Public recreational facilities including tot lots, parks, play grounds & community centres; and
- Institutional uses such as senior citizen housing, nursing homes, special care facilities, homes for Special Care and/or Group Homes to a maximum of four (4) bedrooms devoted to resident use;
- Home occupations.

### Policy 2.3

Council shall establish in the Land Use By-law a “Residential Two Unit Dwelling (R - 2)” Zone which shall permit development of the following, or similar types of, uses:

- Single unit detached dwellings;
- Converted dwellings to a maximum of two (2) units;
- Duplex dwellings;
- Semi - detached dwellings;
- Boarding or rooming houses to a maximum of two (2) units;
- Day care centres, day nurseries;
- Public recreational facilities including tot lots, parks, play grounds & community centres;
- Institutional uses, such as senior citizen housing, nursing homes providing special care, homes for Special Care and/or Group Homes to a maximum of four (4) bedrooms devoted to resident use, churches, museums, cemeteries, schools, hospitals and senior clubs subject to the requirements of the Zoning By-law;
- Home occupations.

### Policy 2.4

Council shall permit one auxiliary dwelling unit, known as an In Law Suite, on a lot with any single detached dwelling in a Residential Zone. Such development shall be approved through the use of a Development Control Contract.

### Policy 2.5

Council shall establish in the Land Use By-law a “Residential Medium Density (R-3)” Zone that permits the following uses:

- all those uses permitted in the R-1 and R-2 zones
- multiple unit dwellings;
- row houses;
- double duplex dwellings;
- triplexes;
- converted dwellings of three or more units;
- boarding or rooming houses to a maximum of six rooms;
- flower shops, provided they are located along a main thoroughfare, specifically Queen’s Road, Main Street or Wood Islands Road;
- bed and breakfast establishments to a maximum of six rooms.

Policy 2.6

Council shall through the Regulations set forth by the Island Regulatory Appeals Commission and associated act(s) ensure that all residential development is connected to the Water and Sewer Commission's Central Water System where such service has been installed in a public street. On-site sewerage systems will not be permitted within the Town of Montague.

Policy 2.7

For the purpose of providing for orderly development within the Planning Area, Council shall establish development standards in the **Zoning Bylaw**. The By-law shall contain minimum requirements for lot size, front, rear and side yards, maximum height of buildings and off-street parking. Standards shall apply to all developments, but different standards may apply to different types of development.

Policy 2.8

Council shall enable development permits for R-1 and R-2 residential uses to be issued under *a DCC* with respect to those existing lots which do not front a public street. New structures and converted dwellings will be permitted in such circumstances, provided the proposed structures, alterations and modifications meet, or exceed fire safety requirements, satisfy safe vehicular access to a **local or arterial** road and provide the requisite parking and open space. Converted dwellings and new dwellings containing up to three dwelling units on such lots will be required to provide landscaped amenity space. Developers will be required to provide proof that a right-of-way exists between the lot and the public street.

Policy 2.9

Council shall allow in all residential areas accessory buildings and structures, but these structures will be required to be setback a distance as detailed in the Land Use By-law, and the height of such buildings will be controlled

Policy 2.10

Council shall permit in all residential areas the construction of boat-houses and boat docks on the lot line where such lot line corresponds to the water's edge of the Montague River.

Policy 2.11

Council shall establish in the Land Use By-law a "Residential Mobile Home Park" (R-MHP) zone and shall permit within the zone the following and similar types of uses:

- mobile homes;

- public recreational uses including parks and playgrounds; and
- mobile home park offices, maintenance equipment and storage facilities related and incidental to the operation of the park.

Within the Residential Mobile Home Park (R-MHP) zone, more than one auxiliary building may be placed on a lot.

Policy 2.12

Council shall not pre-zone any land holdings within the Planning Area for a public or private service residential mobile home park that is not already used for such purposes. Through the By-law amendment process, Council would consider an amendment to the zoning map provided that the criteria for such an amendment are met and that the following factors are fully addressed by the applicant:

- the proposed mobile home park would be serviced by the central water and sewage collection and treatment systems and that the proposed development would not overburden the capacity of these systems; and
- the proposed mobile home park would not overburden the capacity of either the school system or the transportation network.

Policy 2.13

Council shall allow residential development to occur in a subdivision, or similar type development, but shall require the developer to provide streets or roads, central water and sewer services, open space and/or recreational areas, and refuse collection and refuse storage facilities for said development.

Policy 2.14

Council shall permit in the residential designations, business uses such as, but not limited to, day nurseries, professional offices, barber shops and beauty parlours, artisan workshops, offices for technicians such as plumbers, electricians and other building trades and information and technology which uses are conducted within the place of residence provided that criteria as set forth in the Land Use By-law are met.

These criteria are designed to ensure that:

- the scale of the home occupation is limited in size;
- there is no exterior mechanical equipment (except that required by the residential use);
- adequate parking is provided;

- there shall be no more than one employee in addition to the owner(s);
- any advertising is small in size as determined and approved by the Development Officer;
- outdoor storage and display are prohibited; and
- the business can be conducted unobtrusively.

### **4.3 Parks and Open Space**

#### **a) Discussion**

Montague has much to offer in the way of recreation for both residents of, and visitors to, the Town. Its location on the Montague River, for example, makes the Town an attractive destination for sailing, canoeing and kayaking while the waterfront redevelopment and the extension of riverside trails, including the Confederation Trail, attract visitors who enjoy walking and taking in the scenery. Other recreational facilities include a small playground, ball fields and playing fields located adjacent to the schools and along the Valleyfield Road. Soccer fields located along Douses Road outside the Town boundary provide additional recreational opportunities during the summer months and attract players from across the province and beyond.

During the winter, recreational activities revolve around the Iceland Arena which provides an ice surface for figure skating and competitive, as well as recreational, hockey. A Committee of interested persons has recently been formed to investigate the need and feasibility of constructing a new facility to replace the aging Arena. The Town is also home to a curling facility. Cross country skiing is popular along the Montague portion of the Confederation Trail.

At the present time, however, Montague is somewhat deficient in the availability of tot lots in the residential neighbourhoods. Council does not own land suitable for such lots, and it lacks the financial capability to acquire and develop tot lots. One means to meet this need, at least in part, is through the adoption of a policy that five percent (5%) of all lands subject to future subdivision for four or more lots within the Planning Area be dedicated to the municipality for park, playground and public purposes. In the event that any such land dedication is not suitable for open space use, Council would accept money in lieu, or a combination of land and money, depending on the nature of the subdivision application.

#### **b) Objectives**

To develop and implement a long-term approach to the provision of recreational facilities and programs which promote healthy lifestyles for all residents of Montague;

To sustain the present level of recreational services and to encourage new opportunities for active and passive recreational activities;

To foster the creation of a walkway system that links the residential areas to the central business district and recreational areas including the waterfront trail system; and

To encourage volunteer participation in all aspects of recreational programming.

### **c) Policies**

#### Policy 3.1

Council shall support the volunteer efforts to sustain the present level of recreational activities within the Planning Area and shall facilitate and work with the volunteers in their contact with various government agencies for grant support to enable their upkeep.

#### Policy 3.2

Council shall require that any person subdividing more than 4 lots shall be required to set aside and convey to the Town, for public purposes, an amount of land equal to five percent (5%) of the land to be subdivided. In lieu of the setting aside and conveyance of land for public purposes, the Town may accept a cash payment of a sum of money not to exceed five percent (5%) of the market value of the lots severed for subdivision.

#### Policy 3.3

Council shall encourage and preserve the property across the Montague River from Riverside Drive to be used for recreational purposes.

#### Policy 3.4

Council shall establish, in the Zoning Bylaw, a Parks and Open Space (P-1) Zone that will permit development of the following uses:

- playgrounds and tot lots;
- sports fields;
- picnic areas; pavilions and band shells;
- community gardens;
- hiking trails;
- buildings and structures accessory to these uses.

## 4.4 Commercial Development

### a) Discussion

The business core of Montague has changed quite extensively over the past seven years with the addition of several new structures and the removal of others. The new buildings consist of a drug store, which was relocated from the Down East Mall across Main Street, and several new fast food establishments all of which are located north of Queens Road and Main Street intersection. At the other end of Main Street, the former Irving Oil bulk container station has been removed along with the adjacent buildings to make room for the waterfront development. The former CN rail station has been converted for retail and tourism use. Several other commercial spaces have been converted from one type of commercial use to another.

The commercial image of Montague continues to improve through the diligent efforts of both Council and residents. Building facades have been improved while new sidewalks, street lights, planters and garbage bins have been incorporated into portions of Main Street. At the same time, the efforts of the Waterfront Development Corporation have had a profound and positive effect on the public use of the lands adjacent the Montague River. The enhancement that has taken place along Station and Brook Streets has not only created a tourist attraction, but has become the catalyst for further development of a new research centre. Change is taking place in the heart of the community which is attracting traffic into the community, both on a daily basis and, in greater numbers, during the summer tourist season.

While additional commercial and retail services and a broader commercial and retail tax base are widely supported, Council and the residents of Montague do not wish to see the Town, or Main Street, dominated by commercial development that is inappropriate to the scale and character of the community. Commercial and retail development will therefore be permitted where traffic congestion and safety concerns can be minimized and where the design and visual appearance of new development is in keeping with the scale and character of the community. Major commercial and retail development will in the future be located in the Central Business District-Development (C-2) Zone. More innovative small scale multi-use commercial/residential developments will be encouraged to develop, or reuse, existing properties in the Central Business District-Traditional (C-1) Zone. As these areas of the Town continue to develop, Council must ensure that high standards of traffic safety and convenience, building design, site development and adequate buffers are established to promote safe, attractive and well designed commercial and retail development which will enhance property values and the attractiveness of the Town.

The boundaries of the business district formerly referred to as Town Centre, have not been altered since October, 1995, when the previous Strategy and Land Use By-law were adopted. As indicated above, this business core is considered by Council to be the prime commercial area in

the municipality, and, more importantly, the prime commercial area in the south eastern part of the county. While no substantial change is proposed to the boundary of this business district, it is proposed that the area be divided into two distinct zones to more accurately reflect the character of the present and anticipated future development pattern.

The traditional Central Business District (C-1 Zone) will extend from the Queens Road and Main Street intersection south along Main Street across the bridge to the present boundary line at Locust Street. A second zone, the Central Business District Development Zone (C-2 Zone) will extend from the Queens Road and Main Street intersection north to the end of the Planning Area; this latter zone will accommodate the larger free-standing retail outlets and mall-type developments.

In addition to the commercial development that occurs within the CBD, there are a number of residential uses located within the boundaries of the proposed Traditional and Development Zones. It is Council's intention to recognize these existing dwellings as permitted uses within the Central Business District. If these dwellings were to be destroyed, they could be rebuilt as of right. To strengthen the concept of a vibrant Central Business District, Council will prohibit the development of new single and two family homes in the Central Business District. Council will, however, permit residential uses to be located in commercial buildings within the Central Business District as an accessory use. Such uses will be limited by certain restrictions including the percentage of square footage which may be occupied by the residential use depending on the location of the street entrance to the building.

Council, in the future, would like to explore the possibility of encouraging the development of a parking lot in the Business District that would eliminate the need for any off-street parking on individual lots and that would encourage a more pedestrian friendly atmosphere within the Town.

A growing number of commercial activities in Montague are related to the tourism industry which, in turn, is tied to the history of Montague and the natural environment surrounding the Montague River. The primary facilities include the museum, motels, hotels, bed and breakfast establishments, cottages/cabins and associated uses, several restaurants and gift shops. These uses are located on land holdings both within and outside the Central Business District; many are located along Main Street. One motel, several restaurants and a number of other shops are located within the Central Business District.

Council is of the opinion that the sites for those tourist uses located outside the Central Business District should be designated as Commercial – Other (C-3) Zone as illustrated on the Generalize Future Land Use Map. Council will attempt to ensure that these properties are maintained for tourist commercial development in a manner befitting the character of the Town. At the same

time, Council will attempt to ensure that the capacity and functioning of the existing centralized services are not overburdened. This position is being taken in light of the large land holdings located along Main Street on the south side of the bridge adjacent to the present motel and recreation park which for the past number of years have been zoned Commercial under the previous Land Use By-law (1985) and supported by policy in the 1985 Strategy. A large portion of these land holdings remain unused, but was recently rezoned for residential purposes. Council will therefore designate this area on the Future Land Use Map as Residential. The portion of land currently used for the motel will be zoned as Commercial – Other (C-3). In the event an addition or change to the existing use is proposed, Council will by Development Control Contract, consider the proposed expansion or change to the existing use, provided that specified criteria are addressed.

Council is of the opinion that additional commercial activity is a vital part of the overall economy of the Town of Montague and of King’s County. Council will therefore consider new commercial (C-3) uses outside the designated areas by spot rezoning provided the property has street frontage on either Main Street or on a road deemed appropriate by the Department of Transportation and/or the RCMP with regard to traffic volume and congestion. These developments will be closely monitored to ensure a high standard of visual appearance, minimal land area conflicts and safe and efficient design. Council shall also ensure that developers are responsible for incremental municipal infrastructure requirements.

There is one exception to the commercial policies as stated above. This relates to a small rental cottage operation located on Brook Street which has been in operation for a number of years. This will be zoned Commercial - Other (C-3) to protect the present use while at the same time limiting the possible future commercial use of the property and protecting adjacent residential uses.

The Zoning Bylaw will list those businesses that will be permitted in the C – 3 Zone.

There are a number of professional offices in Montague located outside the Commercial Business District, including an ambulance service and accounting offices. Council intends to allow these existing professional offices to continue at their present location, and treat them as “non-conforming uses” within the zone in which they are located.

### **Commercial Objectives**

- To encourage additional commercial investment to be made in the appropriate locations in Town;
- To minimize potential conflicts between commercial development and existing or future residential use; and
- To ensure that future commercial development is of a high quality in terms of appearance, traffic

safety and compatibility with adjacent land uses.

## **Commercial Policies**

### Policy 4.1

Council shall designate the lands fronting on both sides of Main Street in the Central Business District for commercial purposes as shown on the Generalized Future Land Use Map. This area shall establish in the Land Use By-law a Commercial Business District area which shall include two distinct commercial zones:

- Commercial Business District - Traditional Zone, (C-1), and
- Commercial Business District - Development Zone, (C-2).

Within these zones more than one commercial building will be permitted on a lot.

### Policy 4.2

Council shall permit within the Commercial Business District Zones, (C-1 and C-2) the following and similar types of uses:

- R-1, R-2, and R-3, uses as herein set out;
- Arenas and Auditoriums;
- Automobile Service Stations (including automobile supply establishments) and/or convenience stores;
- Bakery shops;
- Bank and Financial Institutions;
- Building Supply Outlets;
- Business and Professional Offices;
- Churches and Cemeteries;
- Commercial Schools;
- Community Centres;
- Government Offices and Facilities;
- Hotels, Motels and associated uses;
- Institutional Uses;
- Medical Clinics and other professional offices;
- News and Magazine Stands;
- Places of Entertainment, Recreation and Assembly;
- Repair Shops;
- Restaurants, take-out restaurants, beverage rooms and lounges;

- Retail Stores, retail outlets including, but not limited to, grocery stores, bakeries, dry cleaning establishments and Laundromats, etc.;
- Service and Personal Service Shops;
- Taxi Stations;
- Parks and Community Centres;
- Residential dwellings in the same building as any commercial use;
- Uses accessory to any of the foregoing uses;
- Waterfront and Associated uses;
- Yachts and Equipment;

New residential uses within the same building as a commercial use in the CBD zones shall meet specific standards as detailed in the Land Use By-law with respect to the percentage of floor space to be occupied by the residential use. The residential use shall not exceed twenty-five (25) percent of the total floor area at that level of the building that fronts on Main Street and shall be located at the rear of the building. All other levels of the building will be permitted one hundred (100) percent of either commercial or residential space.

If a building fronts on an adjacent side street running perpendicular to Main Street and is located in the C-1 zone, one level of that building must be identified as the main level and twenty-five (25) percent of that level shall be permitted to be used for residential purposes. At all other levels, one hundred (100) percent shall be permitted to be used for either commercial or residential use.

In the case of a corner lot on Main Street and a side street, the Main Street level shall be the main commercial level and can accommodate a limit of twenty-five (25) percent residential floor space.

#### Policy 4.3

Council shall require special setbacks for outdoor displays, or parking areas, wherever a Commercial Business District use abuts a Residential Zone. The Land Use By-law shall specify the minimum lot frontage and the number, location and width of driveway accesses required. In the case of automobile service stations the Land Use By-law shall specify the pump-island setbacks.

#### Policy 4.4

Council may waive parking requirements from the Commercial Business District Zone except for grocery stores, building supply outlets, hotels and motels, fast food outlets and restaurants, beverage rooms and lounges. All new buildings will require parking facilities.

Policy 4.5

Council shall investigate possible methods of encouraging a private parking lot within the Central Business District.

Policy 4.6

Council shall designate certain land holdings within the Planning Area as “Commercial - Other” as shown on the Generalized Future Land Use Map.

Policy 4.7

Council shall establish, in the Zoning By-law, a “Commercial - Other” (C-3) Zone and shall apply the C-3 Zone to those properties, outside the Central Business District, designated Commercial. Not all sites, however, will be zoned Commercial - Other (C-3) in conjunction with the Commercial designation. Land holdings fronting on Main Street adjacent to tourist motels and/or associated accommodations will be zoned (C-1) in keeping with their present use and/or location. The rezoning of such properties may be considered at some future time. Within this zone more than one commercial building will be permitted on a lot provided the uses are for tourist related activities.

Council shall permit within the Commercial - Other (C-3) Zone the following and similar types of uses:

General:

- business and professional offices, including doctor’s office, medical clinic, paramedical office, dentist’s office, dental clinic, optometrist’s office, lawyer’s office, paralegal office, accounting office, bookkeeping office, insurance office, financial planner’s office, and veterinarian’s office and small animal hospital;
- funeral homes;

Tourism

- hotels, motels and tourist resorts;
- tourist cabins, tourist inns and bed & breakfast establishments;
- restaurants, dining rooms and coffee shops;
- gift shops;

Retail

- those operations which provide services and/or sell products associated with the services provided by the above-noted general category of businesses and professional offices and funeral homes, including, but not limited to, pharmacies, eyeglass sales, medical device sales, etc.;

Other

- residential uses ancillary to the main use.

Policy 4.8

Council shall ensure that the capacity of the centralized services are not exceeded and will therefore limit the size of any new Commercial or Industrial (C-1; C-2; C-3 or I-1) use as follows:

- an addition to an existing use to a total maximum area of sixteen hundred (1,600) square feet; or
- a maximum lot coverage on any property located in any Commercial (C-1; C-2; C-3 or I-1) zone to thirty (30) percent.

Policy 4.9

Council shall permit by way of Development Control Contract any one or more of the uses permitted in the Commercial or Industrial (C-1; C-2; C-3; or I-2) Zones which exceed the limitations stated in Policy 4.8 except where the addition to one of these uses does not exceed twenty thousand dollars in construction value in which case it may be permitted as a right subject to the zone requirements.

Policy 4.10

In considering a proposal for a development control contract as referenced in Policy 4.9, Council shall have regard to:

- potential of the proposed development to adversely affect adjacent residential or commercial uses;
- architectural design, including the scale and exterior finish of any building, and its compatibility with adjacent structures;
- adequacy of the total area proposed for outdoor storage and the adequacy of proposed vegetated or structural landscaped screens or buffers with the adjacent properties;
- adequacy of the community's central water and sewer services to accommodate and service the proposed development;
- impact of the proposed or expanded use on traffic volumes and the local road network, as well as traffic circulation, sighting distances at the entrance and exit to and from the site, and pedestrian walkways.
- adequacy of the buffering and setback distances from low density residential uses and the nature of the landscaping proposed to enhance visual impact and the privacy of the residential units;

- protection of abutting properties from potential emissions that may interfere with the use and enjoyment of the abutting property, including disturbance from noise, odour, dust, vibration, smoke or other emission; and
- hours of operation;
- provision for employee parking; and
- impact of storm drainage on adjoining properties.

Policy 4.11

Council shall consider proposed new Commercial - Other (C-3) uses on properties located outside the commercial designated area by spot rezoning, provided the proposed use has street frontage on either Main Street or a road as approved by the Department of Transportation and/or Montague Public Works and provided the criteria as detailed in Policy 4.10 are met.

Policy 4.12

Council shall zone the existing rental cottage operation located on Brook Street as Commercial - Other (C-3).

Policy 4.13

Council shall permit tourist homes, guest homes or bed & breakfast establishments in areas zoned Residential (R-1) or Residential (R-2) provided that the use contains no more than two (2) sleeping rooms for overnight accommodation, is used as a residence by the operator, provides for off-street parking for this use and provided a site plan for this development is approved by the Development Officer. A limitation will be placed on the type and size of signs.

Policy 4.14

To ensure that the capacity of the centralized services are not exceeded, Council shall limit the size of any new Bed and Breakfast (Tourist or Guest Home) establishment, or addition to an existing such use in a R-1 or R-2 zone, to a total maximum square footage and/or maximum lot coverage of sixteen hundred (1,600) square feet and thirty (30) percent respectively.

Policy 4.15

Council shall permit by way of a Development Control Contract in accordance with Policy 4.1- Bed and Breakfast (Tourist or Guest Home) use permitted which exceed the limitations stated in Policy 4.14 in any Residential (R-1, R-2, or R-3) zone except if the addition does not exceed twenty thousand dollars in construction value.

Policy 4.16

A site plan shall contain terms which reflect Council's intention to allow Bed and Breakfast

(Tourist and Guest Homes) to a maximum of six (6) sleeping rooms that is compatible with adjacent development. These terms are addressed specifically in the Land Use By-law. In addition, the Land Use By-law will contain regulations with respect to the external appearance of such development.

#### Policy 4.17

Council shall allow new professional offices to locate in the Central Business District, Commercial – Other Zone or, depending on the size, be considered as “a home occupation”. If the use is considered a home occupation then the proposed use must comply with the appropriate criteria for a home occupation.

### **4.5 Industrial Development**

#### **a) Discussion**

At the present time there are no industrial uses located within the Montague Planning Area.

Council, however, is aware of the importance of this type of use for the generation of regional employment and economic diversity. It is also noted that depending on the nature of the industrial development, such development could infringe on the character of the surrounding community and on the nature of the existing commercial and tourism related businesses in the Planning Area. This is particularly true of those lands in and adjacent to Main Street and those adjacent and in proximity to the Montague River.

While the development of light industrial and associated services in the Town could be expected to create additional economic activity, employment and assessment, the Town is unable to accommodate businesses which would be large water consumers or would pose heavy demands for waste water treatment. Given the relative proximity and importance of residential, waterfront and tourist related activities to any potential industrial site in Montague, industrial activity must also be restricted to those which are not noxious by reason of excess noise, airborne contaminants or other hazards or nuisances.

#### **b) Objectives**

To enable the development of selected light industrial uses;

To restrict industrial use of lands adjacent the Montague River to those industrial uses that have an identified requirement for water access;

To prevent conflicts between industrial uses and non-industrial uses; and

To permit only light industrial uses to locate in the Town, (i.e., those that have minimum impact on the environment or adjacent land and water uses)

### Policy 5.1

No land will be designated on the Future Land Use Map for Industrial use; however, Council will consider a Plan and Zoning Bylaw change for industrial development provided the following criteria are met:

- the development has direct access to an arterial highway;
- the development has access to municipal water and sewer services;
- the development does not place an undue stress on the town's water supply or sewage treatment processes.

### Policy 5.2

Council shall permit the following and similar types of use in the Industrial (M) zone:

- Boat fabrication, repair, marine sales, and supplies, rentals and storage;
- Light industrial and service, office and related commercial activities that pose no environmental risks and can be appropriately integrated into the Town;
- All other industrial activities shall be permitted in an (M) zone by development agreement.

### Policy 5.3

Council shall have regard to the following criteria in considering any application for a development agreement for an industrial use:

- potential to adversely affect adjacent residential or commercial uses;
- architectural design, including the scale of any building and its exterior finish and its compatibility with adjacent uses;
- total area used for outdoor storage and the nature of the provisions for artificial or natural screening devices to buffer the proposed use from all abutting uses;
- adequacy of the community's central water and sewer systems to accommodate the proposed development;
- impact of the proposed use on traffic volumes and the local road network, as well as traffic circulation, sighting distances, and entrances and exits to and from the site; and
- nature of the exterior lighting, the noise generated and other nuisances to enable compatibility with adjacent uses;
- adequacy of buffering and setback distances from residential or commercial uses; and
- nature and detailing of landscaping treatments to enhance the visual appearance of the proposed development, to ensure a high quality development and to minimize land use conflict.

## 4.6 Government and Institutional

### a) Discussion

There are many government and institutional facilities located within the Town of Montague, many of which are located outside of the business district. Under the former Plan and Bylaw, the majority of these properties were zoned as Open Space. The Council recognizes the importance of these facilities to the economic and social well being of the community. Being the commercial centre of Kings County, Montague has the capacity to grow the government and institutional sector.

### b) Objectives

While the Town has no direct involvement in many of the institutional facilities that provide services to its residents, it is important for the Town to identify the need for further institutional development and to provide appropriate encouragement.

It shall be the objective of Council to continue to work closely with the Government of Canada and the Province of Prince Edward Island to ensure adequate health, education and other government services are readily available to the residents of Montague.

### c) Policies

#### Policy 6.1

Council shall establish a new Government – Institutional (G – 1) Zone that would permit the following and similar types of uses:

- cultural uses
- religious uses
- government uses
- educational uses
- health care uses
- emergency service uses
- special care facilities
- day cares
- non profit social agency uses
- public or private recreational facilities and clubs
- any other institutional use

#### Policy 6.2

Council will consider institutional zoning for specific parcels within residential neighbourhoods to accommodate small institutional uses (that may typically use all or part of a recycled residence) such as social service facilities.

#### Policy 6.3

Council shall work closely with the Government of Canada and the Province of Prince Edward Island to ensure that adequate health related services are available to the residents of the Town.

#### Policy 6.4

Council shall work closely with the Province of Prince Edward Island and its various departments to ensure that appropriate government services are and continue to be available to the residents of the Town through Access PEI.

#### Policy 6.5

Council shall work closely with the Province of Prince Edward Island and the Eastern Region School Board to ensure that adequate educational facilities and programs are delivered within the Town of Montague.

### **4.7 Transportation**

#### **a) Discussion**

Responsibility for the roads and streets within the Town of Montague is shared between the Town of Montague and the Provincial Department of Transportation and Public Works. The Town is responsible for local streets while the DOT&PW is responsible for those roads which make up part of the provincial highway system. Both parties recognise the critical relationship that exists between land use and traffic generation. The Town has worked, and will continue to work, with the Department of Transportation and Public Works to ensure that the requisite transportation facilities are provided to serve the needs of the community. Recent commercial developments on Main Street have exacerbated the traffic congestion and parking issues in the immediate area, and the Town, in association with the Department of Transportation and Public Works, have taken the following actions to address these problems:

- i) ***Widen Main Street and put in turning lanes, (left and right)***
- ii) ***Reduced Parking to one side of street.***
- iii) ***Located control access points (lights)***

Council has concerns with the level of through truck traffic using the town's Main Street and will continue to pursue and review options to redirect through truck traffic around the CBD to

alleviate noise, congestion and danger.

### **b) Objectives**

To continue to work closely with the Department of Transportation and Public Works to ensure the development and maintenance of a safe and efficient transportation system;

- To co-ordinate land use planning and transportation planning activities;
- To provide for adequate and safe access across the Montague River and from the arterial road network to all parts of the Town, and
- To provide for the safe circulation of pedestrians within the Town.

### **c) Policies**

#### Policy 7.1

Council shall work closely with the Department of Transportation and Public Works and private consultants in the design and management of the Town's road system, including the review and approval of new subdivision roads; private road access; annual road maintenance priorities; speed limits; roadway and intersection improvements; and residential and commercial developments which will generate significant traffic volumes.

#### Policy 7.2

Council shall work closely with the Department of Transportation and Public Works to ensure that the Montague River bridge crossings are adequate to carry existing and projected traffic loads;

#### Policy 7.3

Council shall require that developers of major projects contribute to the capital cost of road improvements which are required as a direct result of the development. Developers of residential subdivisions shall continue to be responsible for the full cost of all local streets.

#### Policy 7.4

Council shall develop and implement a plan to provide for the safe movement of pedestrians from residential areas to major destinations including schools, the central business district, parks etc. and shall actively encourage volunteer participation in the development of the system to reduce overall cost and increase local support for the system.

## 4.8 Municipal Services

### a) Discussion

The Town of Montague currently supplies a range of municipal services including the collection and treatment of sanitary waste, solid waste collection and disposal, water distribution system, and police and fire services. While it can be expected that all of these services will require some level of upgrading over the course of the Strategy period, the potential cost of such works is high and Council must pursue strategies which maintain the current high levels of service while optimising affordability. The projected growth of the Town's population and assessment base should serve to increase municipal revenues and offset some of these costs.

### b) Objectives

To provide efficient and cost effective central waste water collection and treatment services to the built up area of the Town;

To enact policies and regulations which will ensure the long term effectiveness of on-site waste water treatment systems in those areas of the Town that are not connected to the central waste water collection system;

To ensure high quality domestic water supply for all residents and property owners in the Town;

To provide for the special servicing needs of commercial, industrial and institutional users, where those needs can be realistically met by the Town;

To provide cost effective fire and police services; and

To manage storm water run-off in the most effective and environmentally appropriate manner.

### c) Policies

#### Policy 8.1

Council shall upgrade the sewage collection system as required in order to accommodate future residential growth.

#### Policy 8.2

Council shall develop a long term strategy for the extension of the central water supply system to serve those areas of Town not currently served by the central water system and new developments.

#### Policy 8.3

Council shall work closely with the Department of Fisheries, Aquaculture and Environment to ensure that storm water run-off is managed in a manner which is cost effective, environmentally sensitive and minimises risks to public health, safety and private property.

Policy 8.4

Council shall promote waste reduction, re-use and recycling and shall work with neighbouring municipalities and the Province to collect and dispose of solid waste in an economical and environmentally appropriate manner;

Policy 8.5

Council shall continue to emphasise its approach to policing, public safety, crime prevention, education and community involvement;

Policy 8.6

Council shall continue to support the Montague Fire Department and will work closely with them to ensure that adequate fire safety standards are applied throughout the Town.

## **5.0 FUTURE LAND USE PLAN**

The future land use plan is a conceptual representation of the direction in which Council envisions land use patterns and growth will occur over the next 10 years. It lays the foundation and establishes the direction for the Zoning Map in the Zoning By-law, which is more precise in terms of boundaries and land use designations. The Zoning Map must, however, conform to the Future Land Use Map.

In the compilation of the Future Land Use Map, Council took account of the following factors:

- land use conflicts should be minimised;
- the residential nature of the Town will be primarily low density;
- higher density residential developments will be situated in close proximity to major commercial and institutional services and adjacent to major traffic routes;
- commercial development will locate primarily in the central business district and in those locations well served by major traffic routes and appropriate to that type of activity;
- industrial activity will only be permitted in areas designated for such development or by development agreement; and
- all other objectives and policies included in this Strategy.

## **6.0 IMPLEMENTATION**

### **6.1 Administration**

Council is responsible for the administration and implementation of this Strategy. The Council shall seek the input of the Planning Board on matters pertaining to implementation of the Strategy. The primary implementation tool is the Zoning By-law, but aspects of the Strategy may also be implemented through other municipal by-laws or regulations, associated operating policies and procedures, the municipal budget and other relevant Council actions. Council shall work collaboratively with the appropriate provincial government departments to further the adherence and implementation of the Strategy. Council may also delegate aspects of the implementation of this Strategy to a Development Officer appointed by Council.

### **6.2 Zoning By-law**

Immediately on approval of this Strategy by the Minister of Community and Cultural Affairs, Council shall amend its current Zoning By-law to be in compliance with the objectives and policies of this Strategy in accordance with the provisions of the Planning Act. The revised and consolidated document shall be referred to as the Town of Montague Zoning Bylaw.

The Zoning Bylaw shall set out specific land use zones, permitted uses for each zone, standards and procedures for development and land use. In addition, the Sub-division Bylaw will provide the framework for the procedures and standards controlling the subdivision and consolidation of land in the Town.

### **6.3 Approval of Development or Change of Use**

The Zoning By-law shall require that any person undertaking any development or change of use of land or premises to apply for a development permit using a standard application form. Exceptions to this procedure shall be noted in the By-law. Council may attach such conditions as it deems appropriate to any development permit in order to ensure conformance with this strategy.

The Zoning By-law may also require submission of a Construction Plan for the development outlining such details as construction phasing, stockpiling of soil, screening or fencing, erosion or run-off control measures, definition of heavy truck access and any other item which could present a nuisance or hazard during construction.

Once the development is approved a numbered permit will be issued which must be displayed at the development site. The receipt of a development permit does not excuse the applicant from complying with all provincial and federal laws in force, such as fire protection, health and safety, sewage disposal, signage, plumbing and electrical installations and others. Council will liaise

with provincial officials during the permit issuing process.

#### **6.4 Development Control Contract**

Council may, under certain conditions, require a developer to enter into a development control contract. This agreement will contain all conditions which were attached to the building permit or subdivision approval and will be legally binding on both parties and the land.

#### **6.5 Occupancy Permit/Certificate of Compliance**

Council may, as a condition of approval, require that no property shall be occupied until all conditions in the Development Control Contract are met.

#### **6.6 Variances**

Council may grant variances to the provisions of the Zoning Bylaw where strict compliance would represent an inappropriate burden to the land owner and where the general intent of the Strategy is upheld.