

**COMMUNITY OF MILTONVALE PARK**

**OFFICIAL PLAN**

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## 1.0 INTRODUCTION

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### 1.1 PURPOSE

The Official Plan for the Community of Miltonvale Park is a formalized statement of Goals, Objectives, Policies and Plan Actions approved by Council concerning the nature, extent and pattern of land use and development within the Community until the year 2024.

The Community's Goals, as set out in the Plan, indicate overall policy direction while the Objectives and Policies deal with specific topics and issues. Plan Actions are statements indicating specific initiatives or directions which will be undertaken to implement the Plan's Policies and Objectives.

The Official Plan guides the physical, social and economic development of the Community. It provides the policy framework for the Community of Miltonvale Park Zoning and Subdivision Control (Development) Bylaw and policy direction for Council's actions in relation to: economic development initiatives; public works; social programs; municipal services; environmental standards; and fiscal management.

### 1.2 PLANNING AREA

The Official Plan covers all the geographical area contained within the legal municipal boundaries of the Community of Miltonvale Park. Although the Official Plan can only control those matters which arise within the Community's legal boundaries, consideration must also be given to what is happening in adjacent municipalities and, indeed, the Greater Charlottetown Area and the Province as a whole.

### 1.3 LEGAL ENABLEMENT

The Community of Miltonvale Park derives the majority of its powers from the *Planning Act* and the *Municipalities Act*. The *Planning Act* empowers Council to appoint a planning board, adopt an Official Plan and subsequently adopt land use control bylaws. The *Municipalities Act* empowers the community to make bylaws and/or develop programs and strategies which help, in part, to implement other aspects of the Official Plan.

#### 1.4 **TIME FRAME**

The Official Plan will guide the physical, social and economic development of Miltonvale Park until the year 2024. Periodic reviews will take place as required, but the reviews must occur at least once every 5 years.

#### 1.5 **PLAN CONTENT**

The *Planning Act, R.S.P.E.I., 1988, Cap P-8*, requires that an Official Plan 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 years;
- proposals for its implementation, administration and the periodic review of the extent to which the objectives are achieved.

This document contains six sections:

- 1) Introduction
- 2) The Community of Miltonvale Park
- 3) Future Development Goals
- 4) Objectives, Policies and Plan Actions
- 5) General Land Use Plan; and
- 6) Implementation

The first section deals with the purpose, scope and legal enablement for the Official Plan. The second section summarizes the background studies and provides a description of the physical, social and economic characteristics of the Community. The third section provides a broad summary of how the Community desires to see its development unfold in the future. The fourth section is the core of the document, stating objectives, policies and intended actions for specific topics. The fifth section includes the General Land Use Plan or Official Plan Map. The last section sets out the process for administering and implementing the Official Plan and Development Bylaw.

## 1.6 OFFICIAL PLAN REVIEW

An Official Plan is intended to be a dynamic planning tool and is therefore subject to periodic review and/or amendment. The initial planning process got started in June of 1975 and the first Official Plan was completed in 1981. It was intended that the Official Plan be reviewed in February 1983; however, it was not until the summer of 1988 that the process got off the ground only to be stalled by Government's decision to discontinue Planning Services to the Municipalities.

There has been a considerable amount of development that has taken place in the community since 1981, particularly in the southern parts bordering the former Communities of Winsloe and West Royalty. In light of the development activity and the frequent requests to amend the bylaws, Council directed the planning board to initiate a plan review in the spring of 1996. The revised Plan and Development Regulations resulting from that review were registered in November of 1997.

### Current Review

A review of the 1997 Plan commenced in 2002 as per Section 15.1 (1) of the PEI Planning Act. A consultant was retained to undertake the review and a Planning Board was appointed as per Section 9(2) of the Act. The Planning Board held a series of meetings to identify a direction for various Plan review topics for the consultant.

A current land use survey was performed to obtain current land use information.

Background studies were undertaken to obtain demographic and social information as well as information from agencies and operations that supply services to the Community.

A series of "kitchen-table" interviews with twenty-five Miltonvale Park residents were undertaken by a Community Development Officer of the Provincial Government. Results of these interviews were formulated into a report used as a resource in the preparation of this Official Plan.

A public meeting was held to obtain public input into the planning process. A portion of this meeting included an exercise in community goal and action formulation concerning the topics of residential, municipal service, recreation and environmental issues.

While this process resulted in a draft Plan and Bylaw the process was not completed due to various financial and administrative issues. It

also proved difficult to draft a Plan within the confines of the Provincial Special Planning Area Regulations.

In 2007 the Community received financial assistance from the Capacity Building Fund of the New Deal for Cities and Communities, hired a new consultant and began the first phase of the current Plan review which resulted in this final document.

## **1.7 SPECIAL PLANNING AREA**

In 1993, as part of the Provincially initiated Municipal Reform process in the Greater Charlottetown and Summerside Areas, the Provincial Government imposed Special Planning Area (SPA) Regulations which enforced a development freeze in the rural areas directly adjacent to the two major urban regions. Miltonvale Park fell under the Charlottetown Region Special Planning Area.

While some limited development was allowed, communities with Official Plans were forced to adopt severe development restrictions which to a large extent removed most of the community's autonomy and control. Some communities, such as Winsloe South, responded by abandoning their Official Plan. Others, like Miltonvale Park, continued to operate for the next 14 years under a confusing arrangement with duplicated regulations and severely curtailed authority. The result was very slow rates of development and a great deal of confusion and frustration. At the same time uncontrolled and unserved residential development continued at an increased rate just beyond the SPA.

As part of the current Official Plan Review, all 13 communities affected by the SPA regulations in the Charlottetown, Stratford and Cornwall Areas joined together, hired a consultant and submitted a report to the Provincial Government on the future of the SPA. A series of public consultation meetings were also held as part of this process.

The report resulted in an agreement with the Provincial Government whereby Official Plans in the SPA could effectively be removed from the regulatory restrictions provided that the Plans and Bylaws effectively restrict large scale urban style developments from spilling over into these rural communities.

This Official Plan review has been prepared in conformance with the standards imposed by the Provincial Government and upon its approval the Community of Miltonvale Park is no longer bound by the specific provisions of the SPA regulations. From the date of approval of this Plan and the implementing Bylaw all development in the Community is no longer affected by the SPA Regulations.

## **2.0 THE COMMUNITY OF MILTONVALE PARK**

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### **2.1 HISTORICAL BACKGROUND**

The Miltonvale Park area, particularly the area adjacent to the North River, was first settled by the French in the late 1600s and early 1700s and then by the English in the early 1800s. Agriculture has been a main factor in the community's development and continues to be a prominent activity today. Miltonvale Park stayed almost entirely as a farming community until the early 1970s when suburban type development began to occur.

The proximity of Miltonvale Park to Charlottetown, the low cost of land, and the peace and tranquility of the surrounding countryside were strong selling points. Developers, farmers, and other landowners took advantage of the "housing boom" and developed several small subdivisions and sold building lots off the fronts of their farms and other land holdings. The result of this activity is that the majority of the population is no longer involved in the agricultural sector but are rural residential in nature.

The community has also experienced some industrial and institutional growth since the early 1980s. Charlottetown Metal Products and Island Breweries located in the area of the old fertilizer plant on the North Yorke River Road. The latter facility is now being occupied by Island Sandblasting. The regional landfill site and the PEI Firemen's Training Centre were developed in the Sleepy Hollow Area.

The Province's move toward a more environmentally friendly means of waste disposal saw the development of the Waste Watch program; now a Province-wide initiative. This has brought about the closing of the regional land fill and provided an opportunity for future development of an alternative use for the site.

### **2.2 MUNICIPAL ORGANIZATION**

North Milton, South Milton and Springvale were school districts each with their own school and Board of Trustees. The board was essentially an identifiable group within the community that government and other groups could liaise with on matters of concern to the community. In the late 1960s the province began its school consolidation program and by the mid 1970s all three of the schools had been closed and school boards disbanded. This left the old school districts without any recognizable body to which governments and/or individuals could raise concerns.

On July 17, 1974, Miltonvale Park was incorporated under the Community Improvement Act as a Community Improvement Committee (C.I.C.). The Community incorporated for two main reasons – the collection of fire dues and to have an identifiable group to represent the residents on local and regional matters. At the time of its incorporation Miltonvale Park was given five areas of authority that were standard for all C.I.C.s: administration, fire protection, garbage collection, street lighting and recreation.

In 1975, Miltonvale Park residents decided to undertake an Official Plan. The lack of control over development in the community, the high rate of development in the Charlottetown area for the previous few years and problems surfacing from poor planning or no planning are some of the reasons the Community Council felt it would be an appropriate time to commence an Official Plan. In the mid to late 1970s many communities in the Charlottetown Area were involved in preparing Official Plans to guide their communities' development.

In 1983, the Community Improvement Act was replaced by the *Municipalities Act*. As a result, the Miltonvale Park Community Improvement Committee became the Community of Miltonvale Park. Miltonvale Park kept all of the powers it obtained while it was a C.I.C. The *Planning Act* provides all incorporated municipalities with the power to undertake community planning.

Miltonvale Park has been involved in planning on a regional scale through its involvement in the Charlottetown Area Regional Planning Board (CARPB). CARPB developed a set of regional planning guidelines that served as a planning standard for the member municipalities. The Community Council placed one representative on the Board of Directors of CARPB until it was dissolved in the spring of 1988. Although the regional planning board is no longer in existence there are still regional concerns to be addressed (eg. Regional landfill).

In 1995, a major amalgamation initiative took place on Prince Edward Island. Smaller, neighbouring communities were joined with larger centres such as Charlottetown, Summerside and Cornwall. In order to discourage development from “leap-frogging” to areas outside the newly amalgamated communities, the Province introduced Special Planning Area Regulations. The purpose of these regulations is to limit the amount of residential subdivision occurring adjacent to the larger centres. Miltonvale Park is geographically located in an area governed by the Charlottetown Special Planning Area Regulations. The Community was therefore required to maintain its development regulations in a manner consistent with these regional regulations.

### **2.3 SITE AND SITUATION**

Miltonvale Park is located immediately to the northwest of the City of Charlottetown and abuts the City along much of its southern border. The Community is bisected by Rte. 2, the major highway connecting Charlottetown to Summerside and the central and western parts of the Province.

The Community is approximately 8,600 acres in size. Topography is gently rolling and is dominated by one major river, the North River, its tributaries and several smaller streams.

To the north the Community is bounded by Oyster Bed Bridge, to the east by Winsloe South and to the west by unincorporated lands with no significant population clusters until Hunter River.

### **2.4 POPULATION**

Prior to 1986, Miltonvale Park was not treated as a census subdivision by Statistics Canada. In preparation for the 1986 Canadian national census, Statistics Canada, on the advice of the provincial government, began to consider Miltonvale Park and several other significant municipalities in this manner. In the 1986 census, the 1981 population of Miltonvale Park was estimated to be approximately 941 people. Given the fact that the average family size was 3.1 persons in 1981 there were about 304 census families residing in the community.

In the 1986 Census the population was 1080, approximately a 15% increase over a five year period or 3.0% per year. In the 1991 Census, the population was 1,105, an increase of approximately 2.3% over a five year period or 0.5% per year. For the 10 year period between 1981 and 1991 the population grew by 164 people or at a growth rate of approximately 1.75% per year. The population density in 1991 was 31.33 people per square kilometre.

The 1996 census listed the population of Miltonvale Park as 1,242 people. The majority of this 11% population increase from 1991 was, in all likelihood, attributable to the new residential development as household size had decreased significantly during these years. The increase in population between 1986 and 1991 was far less significant than was the increase for the previous five years.

The 2001 Census saw a reversal in population growth, with a drop to 1,185 people. This 4.6% drop since 1996 translates into a yearly decline of 0.92%. This decrease may be in part due to the

Charlottetown Special Planning Area Regulations which have limited the rate of land subdivision in Miltonvale Park since their inception.

The 2006 Census once again found a decrease in population, with a slight drop to 1,162 or a decline of 1.9% in 5 years, or a yearly decline 0.38%. The population density is now 32.9 persons per square kilometer compared to the provincial average of only 23.9.

According to the 2001 Census profile, the Miltonvale Park population consisted mainly of young families with parents in the 25-44 age category, and the children under 19 years old. Forty-six percent of the 370 families in the Community consisted of couples with children. The percentage of couples without children was 38%, equaling the provincial rate. This was likely due to the trend of waiting longer to start families, but also relates to the large number of young adults in the Community and the group referred to as “empty nesters” whose children have grown up and moved out. This age profile was consistent with most other municipalities on PEI and Canada located on the outskirts of major centres.

The 2006 Census showed the largest group in the community is found between the 35-49 age category. There were 445 private households in the community in 2006; 160 of these were couples with children, 140 were childless couples, 80 of these were one-person households and there were 60 “other” types of households.

The median age of residents has increased to 38.3 in the 2006 Census, from 36 in the Census of 2001, compared to an average of 31.3 years in 1991. The median age of all Islanders was 37.7 years in 2001, but increased to 40.8 in the 2006 Census.

## **2.5 PRESENT LAND USE**

### **2.5.1 Residential**

A recent land use survey reveals that there are approximately 8,650 acres of land in the community. Approximately 7% of this acreage has been developed, with the majority of this developed land utilized for residential purposes (non-farm).

Virtually all of the residential development has been single family in nature. According to Statistics Canada, 85 of the 440 occupied dwellings in the Community were constructed over the 1991-2001 time period, pointing to an average of 8.5 housing starts per year. Relatively low land prices and low taxes enable young families to become homeowners. This is evident in the statistic of home ownership, where

in 2001, 85% of the Miltonvale Park dwellings were owner occupied. In context, 73% of Islanders and 67% of Canadians own the dwelling in which they lived at that time. In the 2006 Census, 420 of the 440 private dwellings in the community were owned (95.5%) while 20 were rented. Almost half (205 or 46.6%) of these 440 dwellings were constructed between 1986 and 2006. The average value of an owned dwelling in Miltonvale Park in 2006 was \$195,152, as compared to the Island average of \$144,404.

While single family dwellings remain the popular housing choice, alternative housing options must be considered as a means of meeting the needs of an aging and more demographically diverse population.

Most of the rest of the other residences in the community are farm homes. During the 1980s and the mid-1990s considerable interest was shown in residential development in Miltonvale Park. The multiple lot subdivision was the largest recipient of residential development. Most of the interest demonstrated was in the Lower Malpeque Road/Sleepy Hollow area. In particular, Meadowvale Park, the mobile home park accounted for 112 new dwelling units. In recent years the practice of subdividing lots off the fronts of existing parcels (farms) has increased. The Rustico Road and, to a lesser extent, the Crabbe Road area, and the Loyalist Road area saw a considerable amount of this type of residential activity.

Miltonvale Park is now included in the Charlottetown Special Planning Area. The CSPA regulations limit residential subdivision, in most cases, to one (1) lot off any parcel eligible for subdivision.

**MAP 1**  
**PRESENT LAND USE**

### **2.5.2 Rural Resource**

Rural Resource land use is clearly the dominant land use in Miltonvale Park. Of the estimated 8,650 acres in the community, over 6,770 acres are utilized primarily for agriculture. This represents 78% of the entire land base, while forestry land occupies almost 550 acres or about 7% of the land base. Virtually all of the forestry land is in the form of small wood lots at the back of farms.

The farms in the community are typical of PEI mixed farming operations of about 100 acres in size. In reality, the majority of the land is farmed by fewer than 15 farmers. The amount of farmland in the community has declined in recent years. About 100 acres have been lost to residential development; much of that has been road frontage. The industrial and institutional development mentioned above accounts for the greatest amount of land taken out of agricultural production. The residential development; however, poses a much greater threat to agricultural land and the farming community because it is occurring throughout the Community. This type of sprawl development vastly increases the possibility of conflict between the land uses. The CSPA Regulations have slowed down this type of development but have not completely eliminated it.

### **Environmental Farm Plans**

In response to increasing concerns over the environmental impacts of farming, the Prince Edward Island Environmental Farm Initiative was established in 1995. The objectives of the Initiative were to have 95% of the primary agricultural landowners complete an Environmental Farm Plan (EFP) by the winter of 2005 and to establish a process promoting regular reviews and updates of the EFPs. Environmental Farm Plans are documents prepared by individual farm managers and their families to help identify areas of potential environmental risks on their farm.

Each Environmental Farm Plan starts with an environmental assessment of the farm by the farm manager. This assessment includes soil and site characteristics, the homestead, the farmstead, livestock and manure management, windbreaks and hedgerows as well as sensitive ecological areas.

### **2.5.3 Commercial**

Less than 15 acres of land are currently in commercial use in Miltonvale Park. There are no large scale commercial enterprises presently operating in the community. The commercial sector consists

mainly of small businesses operating out of private residences and is primarily commercial service in nature. There is no area in the community, planned or otherwise, which has developed as a commercial centre. The commercial needs of Miltonvale Park residents are met primarily in Charlottetown. Businesses in Winsloe, Oyster Bed Bridge and the convenience store and farm market on Highway #2 in Miltonvale Park meet the day-to-day convenience shopping and services needs of the residents.

#### **2.5.4 Institutional**

Institutional land uses utilize approximately 100 acres of land in Miltonvale Park representing approximately 0.7% of the community land base. In the late 1970s the Sleepy Hollow Correctional Centre was constructed. The Correctional Centre occupies about 46 acres of land. It is currently scheduled for upgrading or replacement.

In 1989, the PEI Firemen's Training Centre was constructed. The facility includes a fire tower, fire pits, a garage, and classroom facilities. The training centre occupies approximately 8 acres of land.

The St. John's Anglican Church is located on Highway #2.

The most recent addition to institutional facilities is the Faithworks Church, constructed on a 45 acre parcel on the Loyalist Road in 2001.

The Milton Community Hall occupies less than an acre.

#### **2.5.5 Industrial**

Industrial land uses utilize approximately 46 acres of land in Miltonvale Park. The majority of the industrial land is occupied by three principle concerns: Charlottetown Metal Products, Island Sandblasting Inc. and PD Construction. These industrial activities are located in the same area, near the intersection of Highway #2 (Malpeque Road) and Highway #248 (Warren Grove Road).

Charlottetown Metal Products, a metal fabrication company, specializing in brewing and food processing equipment, utilizes approximately 27 acres of land or about 58% of the industrial land.

Island Sandblasting Inc., an industrial sandblasting service company located in the old Island Brewery Plant, utilizes approximately 5.5 acres or about 12% of the industrial land in the community.

PD Construction, a company specializing in moving homes and other large structures is located at the old fertilizer plant. It occupies approximately 4.5 acres or about 10% of the community's industrial land base. J.E. Matheson Construction is a residential and commercial construction company located on Rte 2 just south of the Rustico Road intersection. Tim's Crane Service is located just south of the Sleepy Hollow Road.

A significant portion of land fell out of the industrial land use category when the former Charlottetown and Area Bulk Landfill Site located in Sleepy Hollow was de-commissioned in 2003 as part of the Provinces Waste Watch initiative. This 60 acre site holds great potential for re-development.

### **2.5.6 Parks and Open Space**

Miltonvale Park has one community park occupying 6.4 acres of land. The park contains a softball diamond, a children's play area, space for a future soccer field, and a small wooded area about one acre in size.

There is a privately owned equestrian facility on Highway #2 at the bottom of Holl's Hill. The facility is used extensively for both training and competition.

The Community also has about 62 acres of linear recreation space via the portion of the Confederation Trail which runs through it. Developed throughout the 1990s from the former rail lines; this trail is used for walking, hiking and bicycling in the spring, summer and fall. The PEI Snowmobilers Association has exclusive use of the trail in the winter months.

According to accepted planning standards, a community should have about 8 acres of parkland and open space for every 1,000 residents. With the addition of the Confederation Trail, the community has enough open space in total. The location of the community park; however, is not geographically central which may result in the park being underutilized by residents in the Springvale and North Milton areas of the community.

An opportunity to create recreation space from the former Sleepy Hollow landfill site could add greatly to Miltonvale Park's appeal as a location for young families to live. The sixty acre site is bordered by the Correctional Centre and the Confederation Trail. The site offers easy roadway access and contains a mixed growth of mature trees surrounding the site. The opportunity to augment winter recreation opportunities through the creation of cross country skiing trails and

sliding or snow boarding opportunities via creative landscaping are but two possibilities. The popularity of soccer as a youth activity might generate interest in the site housing a number of soccer pitches, as has been done quite successfully in communities such as Hunter River.

The Council is in agreement that the Community of Miltonvale Park should not be the owner/operator of any recreation facilities created on the site. Instead, private or community group interests should be encouraged to step forward as leaders in the initiative.

**2.6 BUILDING PERMIT ACTIVITY**

Over the past thirty-four years (1974-2008) the Building Permits issued in the Community of Miltonvale Park included the following activity:

	<u># of Permits</u>	
New Single Family Dwellings	153	( 59 additions)
New Semi-Detached Dwellings	11	( 2 renovations)
New Modular/Mobile Homes	48	(12 renovations)
New Cottages	2	( 2 renovations)
Accessory Buildings	150	
Other (Signs, Decks, etc.)	31	
New Institutional	4	( 4 renovations)
New Commercial	10	(10 renovations)
New Industrial	3	
Agricultural	54	( 3 renovations)
Demolitions	0	
Re-Zoning	1	
New Subdivisions Approved	125	
Total Lots Subdivided	116	
Lot Consolidations	11	

The pace of new single family dwelling permits has declined considerably since the implementation of the Special Planning Area. Between 1999 and 2008, single family permits were down by 46 per cent. There were no new semi-detached homes, no new summer cottages, no commercial buildings or industrial buildings. Mini homes and mobile homes declined by 31 per cent. Two new institutional permits were issued plus two renovations. Seven commercial renovations were approved. Subdivisions also declined by five per cent and the total number of lots subdivided was down by four per cent.

The total dollar value of all permits issued over the last 3 years totaled \$2.7 million dollars.

## 2.7 THE LOCAL ECONOMY

Miltonvale Park is somewhat unique among the 13 communities included in the Special Planning Areas surrounding the Provincial Capital. While the northern portion of the Community above Rte. 2 remains largely rural and is dominated by farming and resource based activities, the southern portion is more diversified.

The area along Rte. 2 (due no doubt in part to the significant traffic counts) and to the south of Rte. 2 has developed a variety of non-resource based businesses, from service businesses to light industries. Almost all of these businesses were established prior to the implementation of the Special Planning Area regulations.

In the future it is likely that the portion of the Community north of Rte. 2 will remain primarily rural. There will continue to be pressure, however, for more diversified commercial and industrial developments along Rte. 2 and to the area south of Rte. 2. The combination of land use policies and the availability of central services will be the primary factors determining whether further non-resource development happens in these areas.

### LIST OF BUSINESSES

#### Accommodations

Meadowview Cottages

Terpstra Country Lodging and Sleigh Rides

#### Services

Anne Marie's Family Hairstyling

Klomp's Piano Sales & Service

SoundZ Plus DJ Services

Jay's Quality Paint

Miltonvale Park Veterinary Clinic

#### Retail Operations

Silhouette Bridal Boutique

Milton Convenience Store

Green Valley Farm Market

#### Construction/Trades/Manufacturing

PD Construction Ltd.

Matheson JE Construction

Tim's Crane Service

Coles Door Systems Ltd.

Curtis Ltd. (Plumbing and Heating)

Island Sandblasting (1987) Ltd.  
Virgo Trucking Inc.  
Dollar Steel & Welding  
CMP Charlottetown Metal Products  
Waterline Ltd.  
Spruce Grove Landscaping

**Vehicle Repair**

Frizzell's Autobody  
Fred Smith  
TS Welding & Machinery Repair

**Institutional**

St. John's Anglican Church  
Faithworks Centre  
Milton Community Hall  
Provincial Correctional Centre  
PEI Firefighter Training Centre

**2.8 TRANSPORTATION**

The Malpeque Road (Highway #2), a provincially designated arterial highway, is the main highway through Miltonvale Park. It is the principal east/west route for the movement of people and goods on PEI. For the most part, the highway functions quite well, with the exception of the locations of a number of residential and commercial accesses created prior to the creation of the Arterial Highway Regulations. In March 1993, the Arterial Highway Regulations came into effect. In an effort to protect the efficiency and safety of the arterial highways, the regulations have significantly limited the number and intensity of accesses permitted on the arterial highways.

The conflict between the traffic on Highway #2 and those attending the St. John's Anglican Church on Sundays remains a problem; although it has been reduced somewhat by the expansion of the church parking lot in 2000.

The Rustico Road (Highway #7), Glasgow Road (Highway #224), the Lower Malpeque Road and the North Yorke River Road (Highway #248) are the primary collector roads in the Community. The Rustico Road and the Glasgow Road, in concert with the Malpeque Road, serve as the primary route between Charlottetown and the PEI National Park, in particular the Cavendish resort area. The Rustico Road has experienced a considerable amount of residential development in recent years and is becoming less efficient and safe with each new access. The Lower Malpeque Road was, until recently, the only collector road

in the province which required a highway access permit before a new access will be granted. This provision of the Regulations was rescinded. The rest of the roads and streets in the community are deemed to be local. There are no provisions for pedestrian movement throughout the community, save for the Confederation Trail.

## **2.9 MUNICIPAL SERVICES**

### **2.9.1 Sanitary Sewer**

At the present time, there is no municipal sanitary sewer system in Miltonvale Park. The rural nature of most of the community would suggest that it is unlikely that a sewer system will be needed, certainly, in the foreseeable future. In the Sleepy Hollow – Lower Malpeque Road area, where the density is relatively high and soil conditions make sewage disposal difficult, it is possible that a sanitary sewer system may have to be installed. If a sanitary sewer was required, one possible option would be to try to purchase services from the Charlottetown Water and Sewer Utility. Another option would be a stand alone system.

There is currently one private central sewer system in Miltonvale Park. It services all homes in Meadowvale Park. Effluent from the system is treated using a waste stabilization lagoon with seasonal draw-down.

### **2.9.2 Central Water**

There is one private central water system in Miltonvale Park. Presently, all homes in Meadowvale Park are serviced by a central water system, but the rest of the community utilizes individual wells.

### **2.9.3 Fire Protection**

The Community of Miltonvale Park receives fire protection from the North River Fire Department. There are usually 9-10 calls per year from Miltonvale Park. In general, the community is content with the quality and the price of the service it receives.

### **2.9.4 Police Protection**

The Community of Miltonvale Park receives police protection from the RCMP based in the former Community of West Royalty. This service is provided from the Province and at present, there are no other feasible alternatives.

### **2.9.5 Solid Waste Management and Recycling**

The Community of Miltonvale Park participates in the province-wide waste reduction strategy managed by the Island Waste Management Corporation. Residents sort their household waste, compost and recyclables for roadside pick up. This situation is a vast improvement as it was previously the responsibility of residents to individually dispose of their household waste in an environmentally responsible manner. The former bulk landfill site was the destination for the majority of residents' garbage in the past. The site is now closed and the sorted product is now trucked to a new recycling/composting plant in nearby Brookfield.

### **2.9.6 Social and Recreation**

The Community of Miltonvale Park has access to the community hall in North Milton and formerly utilized a portion of the structure as an office for the Community Administrator. The hall is owned and operated by Milton Community Hall Inc. Given the age of the structure, an assessment of its condition and future utility has been recently undertaken. The Community offices have been relocated to the Winsloe Lion's Club building and will remain there until an alternative location can be developed.

One community park is located in Sleepy Hollow.

There are several social or service groups in Miltonvale Park; the Springvale, South Milton and North Milton branches of the Women's Institute and Milton Community Hall Inc.

## **3.0 ENVIRONMENT**

### **3.1 Surface Water and Groundwater**

The major environmental concern in Miltonvale Park is the protection of surface and groundwater resources. A basic knowledge of the hydrologic cycle makes it clear that these resources are closely linked and mutually dependent.

Given the fact that Prince Edward Island is completely surrounded by salt water and we have no large bodies of fresh water, we are completely dependent on groundwater and wells for our domestic water supply. The aquifers in Miltonvale Park not only supply the needs of local residents, at the time this Plan was prepared the City of

Charlottetown was also investigating areas of the Community as a potential new well field site to meet the City's growing needs.

### **3.2 Wastewater and Water Servicing Study**

While there have not been any significant numbers of contaminated wells or on-site wastewater system failures, Miltonvale Community Council felt it was advisable as part of the background studies for the revised Official Plan to prepare a comprehensive analysis of long term servicing options.

The need for the study was summarized in the report as follows:

**“The Community has been trying to find solutions for wastewater and water issues for many years. Growth in Miltonvale Park is currently stifled by regulations set forth.....(the CSPA designation) directly related to the lack of a central sewer system.**

**Both residential and business properties are currently serviced by individual on-site sewage disposal systems with the exception of Meadowvale Mini-Home Park (approximately 112 mini-homes). The mini-home park is serviced by a central sewer collection and lagoon system which discharges to the North River. The mini-home park also has a private central water supply system which was recently upgraded by installing a chlorination and UV disinfection system. Although upgrades to the mini-home park's sewer and lagoon system may also be needed to comply with current standards, the owners have indicated that they cannot afford to pay for any additional upgrades.**

**High e-coli and coli form counts have been recorded in the Sleepy Hollow area which is the most densely populated area in Miltonvale Park and the site of the former Queens County Landfill. There is growing concern that on-site sewage systems are not sustainable in the area. High levels of metals have also been detected in monitoring wells surrounding the former Queens County landfill. Concern has been expressed by residents and Council that contamination will eventually make its way into nearby residential wells.**

**Staff from the PEI Department of Environment, Energy and Forestry have suggested that the Sleepy Hollow area**

**would be best serviced by a central water and sewer system.”**

While the study had a strong focus on the Sleepy Hollow Area, it also addressed the problems presented by the relatively heavy clayey soils in many parts of the Community and methods to address locations where clusters of homes may have already been developed with on-site systems that may or may not be sustainable.

### Recommendations

The report paid particular attention to areas of the Community where significant clusters of development have occurred and assessed various options for the future.

The Sleepy Hollow area has long been the area creating the greatest concern. After the assessment the consultant identified several possible central servicing options. One would be to simply request the City of Charlottetown to extend its system to service this area. Another would be a stand alone system which would likely maintain individual on-site septic tanks and utilize an “effluent sewer” system and a central treatment facility – possibly a lagoon with one of several possible disposal options. The third option could be a hybrid system where the collection system would be similar to option #2 but the treatment would be provided via a connection to the Charlottetown system.

Options 1 and 3 would obviously require the agreement of the City of Charlottetown. Any of these options would have an effect on the development standards which would need to be adopted. Boundaries of the final serviced area could also vary depending on the results of the detailed engineering assessment and system design.

The consultant also recommended a central water supply system eventually be installed in this area.

The “North Yorke” cluster, which is located at the northern end of the North Yorke River Road and the “Rustico Road” cluster, which is located along Rte. 2 in the vicinity of the Rustico Road intersection, were recommended by the consultant to be serviced by “cluster systems or on-site upgrades”. The development of a cluster system would require Council to form a utility corporation. At the time of drafting this Plan, Council had not taken a decision to form a separate utility corporation and the regulation of on-site sewage treatment systems remains the responsibility of the Provincial Government.

The other identified clusters, Upper Loyalist Road, Lower Malpeque, Crabbe Road North and South, Miller Drive and Milton Station were all recommended to be addressed by the installation of significantly upgraded individual on-site systems. The consultants also made valuable recommendations about possible upgrades to the standard of new on-site systems across the Community.

At present Council's position is to provide better education and information on the recommended standards for installation and maintenance of on-site systems and to work with the Provincial Government to upgrade current Provincial standards for installation and inspection.

## **4.0 FUTURE DEVELOPMENT GOALS**

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### **4.1 INTRODUCTION**

The Goals presented in this Chapter are broad statements indicating the overall shared vision of Miltonvale Park's Council, residents and property owners in terms of the future evolution or development of the Community. These Goals provide the framework and general direction for the subsequent more detailed statements which follow.

### **4.2 FUTURE DEVELOPMENT CONCEPT**

The Community of Miltonvale Park is unique among the 13 communities encircling the City of Charlottetown and the Towns of Cornwall and Stratford. The southern portion of the Community directly adjacent to the City (particularly the Sleepy Hollow Area) has a distinctly suburban character with a mix of commercial and industrial developments, a large mini-home park and a significant cluster of suburban style housing. The northern portions of the Community, particularly north of Rte. 2 are very comparable with its neighbouring communities. The area remains primarily "rural" in character with a mix of active farms and rural non-farm housing straddled along the rural thoroughfares.

The common thread in the Community is the strong sense of community identity and independence. Most, if not all, residents of Miltonvale Park moved to the Community (or stayed there) because they did not want to live in an urban area. The suggestion is often made that residents in rural areas adjacent to cities move there simply to avoid urban taxes and utility rates. While this issue cannot be completely negated, there are many other appeals to living in a smaller community which is able to maintain its rural values and lifestyle.

The Future Development Concept reflected in this Plan would see the Community of Miltonvale Park remain as a distinct and viable community. While it is inevitable that some form of central services will be needed in the Sleepy Hollow Area and somewhat higher residential densities will result, these residents will continue to want to be part of the larger rural community and will want to retain a distinct identity from their neighbours in the City of Charlottetown.

Even with the advent of central services, residents of Miltonvale Park still desire to see their Community develop slowly and wish to protect the viability of farming and other resource-based activities in the future.

The significant assessment base in the southern portion of the Community is important, however, to maintain the viability of the Community and to support expanded community services in the future.

Miltonvale Park residents also value the physical appeal and overall health of their local and regional environment. This Plan will emphasize the importance of moving toward a “watershed” land use planning approach and will seek to protect ground and surface water resources and significant natural areas. The Plan will also seek to establish higher standards for various elements of the built environment within the Community.

The overall Goal of this Plan remains:

**To continue to be primarily a rural community while allowing properly planned and environmentally sound development to occur in designated areas and to encourage recreational opportunities and institutional facilities for the residents.**

#### **4.3 GOALS**

##### **4.3.1 General**

- To preserve and enhance the unique rural character of the Community.
- To create a community climate which fosters a sense of safety, security and stability.
- To strictly limit large scale unserviced residential development.

##### **4.3.2 Social**

- To foster the creation and maintenance of a safe, efficient, stable and visually appealing residential environment.
- To foster social interaction and healthy lifestyles for all residents of the Community.
- To provide for a range of housing opportunities which meet varied socio-economic needs.

#### **4.3.3 Economic**

- To protect the viability of established businesses in the Community.
- To limit large, urban scale commercial and industrial development in the future.
- To protect the viability of farming and other resource based activities.

#### **4.3.4 Physical**

- To establish a plan for future development that limits large scale development and maintains the rural character of the Community.
- To encourage the maintenance of a safe and efficient vehicular circulation system in the Community.
- To enhance the safety of pedestrians.
- To encourage action to protect the quality of drinking water in the Community.

#### **4.3.5 Environmental**

- To protect and enhance the quality and quantity of groundwater and surface water resources in and adjacent to the Community.
- To protect and enhance significant natural areas.
- To encourage energy efficiency.
- To protect air quality.

## **5.0 OBJECTIVES, POLICIES AND PLAN ACTIONS**

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### **5.1 INTRODUCTION**

This chapter represents the policy core of the Official Plan. Within the broad policy framework laid down by the previous chapter, the following Objectives provide more precise statements which address specific issues and concerns within the Community.

Policies and Plan Actions outline the proposed course of action to achieve the performance targets described in the Objectives. Policies indicate with some precision the approach the Council will take in pursuing its Objectives. Plan Actions are concrete measures which implement that approach.

### **5.2 RESIDENTIAL**

Miltonvale Park offers a very appealing location for residential development due to its combination of proximity to the City of Charlottetown and its rolling pastoral rural landscapes. As a direct result of the Special Planning Area Regulations, residential development has been very slow over the past 14 years. For the most part, this slow pace of residential development is felt by residents to have directly contributed to the maintenance of the rural quality of life which they value.

In the Sleepy Hollow area, however, the combination of somewhat more intense development and a number of environmental risks has made the installation of central services inevitable. Once central services are installed, there will be pressure to infill the vacant land within the serviced area at somewhat higher densities in order to minimize servicing costs.

#### **OBJECTIVES:**

- To restrict large scale unserviced residential development.
- To encourage a range of cost-effective residential development options.
- To enhance the character and appearance of established residences and neighbourhoods.

- To encourage residential development standards which stress safety, efficiency, aesthetic appeal, land use compatibility and fostering of healthy lifestyles.

**POLICIES:**

**Policy PR-1: Zoning**

It shall be the policy of Council to establish a Serviced Residential Zone in the Sleepy Hollow area. All unserviced residential development shall occur in either the Unserved Residential Zone or the Agricultural Zone.

**Plan Action:**

- The Zoning and Subdivision Control Bylaw will establish a Serviced Residential Zone in the Sleepy Hollow Area.
- The boundaries of this zone will conform to the recommendations in the Wastewater Servicing Study but may be adjusted once detailed engineering is completed for the central sewer system.
- Until the central sewer system is installed, development may proceed in conformance with the Minimum Lot Standards as set out in the Planning Act Regulations.
- All unserviced residential development shall take place in either the Agricultural Zone or the Unserved Residential Zone in conformance with the policies as established under the Charlottetown Region Special Planning Area Regulations. Accordingly, no more than five (5) lots may be created from any parcel which was legally “existing” as of July 9, 1994.

**Policy PR-2: Minimum Lot Sizes**

It shall be the policy of Council to establish minimum residential lot sizes for both the Serviced Residential Zone and the Agricultural Zone.

**Plan Action:**

- The Zoning and Subdivision Control Bylaw shall establish minimum lot sizes for the unserved residential lots in the Unserved Residential Zone and

for centrally serviced lots in the Serviced Residential Zone which shall maintain the rural character of the area.

- Prior to the installation of central services, development will be permitted with on-site services in the Serviced Residential Zone in conformance with the requirements of the Planning Act Regulations.
- In the Agricultural Zone minimum residential lot sizes shall be a minimum of one (1) acre and shall be of an adequate size to accommodate the installation of a second tile field in order to better ensure the long term sustainability of the system.

### **Policy PR-3: Undersized Lots**

It shall be the policy of Council to permit the development of existing undersized lots under certain conditions.

#### **Plan Action:**

- The Zoning and Subdivision Control Bylaw will permit the development of existing undersized lots but Council may require that a licensed engineer has certified both the design and installation of the on-site wastewater treatment system.

### **Policy PR-4: Ribbon/Strip Development**

It shall be the policy of Council to regulate the number of uncontrolled accesses in the Agricultural Zone in order to control strip development.

#### **Plan Action:**

- The Zoning and Subdivision Control Bylaw will limit the number of accesses one (1) for every six hundred and sixty feet (660') of road frontage in the Agricultural Zone.
- Where this would limit the total number of lots to less than five (5) from the existing parcel, the Bylaw will permit the establishment of a subdivision road serving up to five (5) lots, provided that safe sight distance can be obtained.

- The Bylaw will also enable the creation of “panhandle” lots which share a single access.

### **Policy PR-5: Residential Compatibility**

It shall be the policy of Council to encourage a housing mix compatible with adjacent areas.

#### **Plan Action:**

- Limited duplex development will be permitted if it will not detract from existing low density neighbourhoods and if the lot on which they are located has suitable septic disposal capabilities.
- Permanent occupancy of travel trailers or recreational vehicles will be prohibited.
- Mobile homes will only be permitted to locate in an approved mobile home park.

### **Policy PR-6: Residential Development Standards**

It shall be the policy of Council to establish residential development standards relating to density, architectural harmony, setbacks, parking, buffering and other matters in order to enhance the health, safety and convenience of residents.

#### **Plan Action:**

- The Zoning and Subdivision Control Bylaw will establish residential designations for mobile homes, mini-homes, single family and duplex uses.
- The Zoning and Subdivision Control Bylaw will establish residential development standards relating to lot sizes, setbacks, servicing, open space, parking, buffering and other related matters.
- Council will encourage residential properties to be developed and maintained at a high standard.

- Council will encourage energy efficiency and reduced water consumption in residential construction.

### **Policy PR-7: Accessory Apartments**

It shall be the policy of Council to permit the addition of an accessory apartment to any single family dwelling provided that the exterior of the residence retains an appropriate single family appearance and the lot has suitable septic disposal capabilities, or is centrally serviced.

#### **Plan Action:**

- The Zoning and Subdivision Control Bylaw will permit the addition of an accessory apartment to any single family dwelling provided that adequate parking spaces are provided, the apartment has safe fire exits and meets all requirements of the fire marshal, the exterior of the residence retains an appropriate single family appearance and the lot and septic system have been certified to be able to sustain the additional wastewater treatment demand.

### **Policy PR-8: In-Home Occupations**

Dramatic changes in the workplace combined with new telecommunications technology such as computers, the internet, modems and fax machines have made it possible, and sometimes imperative, that more people work out of their homes. With this trend in mind, Council shall permit a range of in-home occupations in residential areas, provided there is no significant negative impact on adjacent properties or the immediate neighbourhood.

#### **Plan Action:**

- The Development Bylaw will set out standards for home occupations, which limit potential residential conflicts such as noise, hours of operation, square footage, number of employees, parking, signage, physical changes to the structure and any other factors which may represent an impediment to the safety, convenience or enjoyment of neighbouring residents.

### **Policy PR-9: Bed & Breakfast**

It shall be the policy of Council to permit and, in fact, encourage the operation of small scale “bed and breakfast” establishments in all residential zones, provided they have no negative effects on the surrounding neighbourhood.

**Plan Action:**

- The Development Bylaw shall permit the operation of “bed and breakfast” establishments in all residential zones provided that they are limited in terms of size, signage, parking, dining facilities and that the overall visual appearance of the building and character of the neighbourhood is not negatively affected.

**5.3 COMMERCIAL**

The Charlottetown Region Special Planning Area Regulations place severe limitations on large scale non-resource based commercial development. In terms of realizing its goal of maintaining the rural character of the Community this restriction is very appropriate. While the presently established commercial enterprises in the Community are well accepted and should be protected, new non-resource based commercial developments should be strictly controlled.

Resource-based commercial activities which are closely related to primary sector activities are very appropriate and necessary in the rural parts of the Community and should be permitted provided that safe access can be established and there are no negative impacts on neighbouring residences or farms.

**OBJECTIVES:**

- To strictly limit new large scale non-resource commercial development.
- To minimize potential land use conflicts between commercial development and local residents and landowners.
- To protect the interests of established commercial developments where they do not pose public safety or health risks and where they are compatible with neighbouring land uses.
- To accommodate limited commercial development where it poses no risks to neighbouring properties and can contribute to strengthening the Community’s rural lifestyle.

- To accommodate appropriate resource-based commercial development in rural areas.

**POLICIES:**

**Policy PC-1: Zoning**

It shall be the policy of Council to zone all established commercial uses in the Zoning and Subdivision Control Bylaw as “Commercial” unless they pose safety concerns or create significant land use conflicts with neighbouring properties.

**Plan Action:**

- All current commercial developments other than “in-home occupations” will be designated as Commercial (C1) Zones in the Zoning and Subdivision Control Bylaw.
- No new large scale non-resource based commercial developments shall be permitted.
- Any new small scale non-resource commercial developments shall be processed as a Development Bylaw amendment but shall not require an Official Plan amendment.
- Resource-based commercial developments, such as feed mills or saw mills, shall be considered as “special permit uses” within the Agricultural (A1) Zone and may be approved provided that safe access can be provided and no land use conflicts will be created for neighbouring properties.

**Policy PC-2: Buffers**

It shall be the policy of Council to establish adequate buffer areas adjacent to any new or expanded commercial developments in order to minimize any negative effects on adjacent properties.

**Plan Action:**

- The Zoning and Subdivision Control Bylaw shall establish minimum buffer area requirements, i.e.

setbacks, screening, etc. for any new or expanded commercial developments in order to mitigate negative impacts on adjoining properties.

#### **5.4 INDUSTRIAL**

The Charlottetown Region Special Planning Area Regulations place severe limitations on any large scale non-resource based industrial development. In terms of realizing its goal of maintaining the rural character of the Community, this restriction is very appropriate. There are a number of industrial developments that are well established in the Community, however, and the viability of these operations should be protected.

##### **OBJECTIVES:**

- To strictly limit any further development of non-resource based industrial developments in the Community.
- Where such facilities are already established, to protect their long term viability unless there are significant land use conflicts with adjacent properties.
- To permit the development of appropriate resource-based industrial uses in rural areas.

##### **POLICIES:**

###### **Policy PM-1: Zoning**

It shall be the policy of Council to zone all established industrial uses in the Zoning and Subdivision Control Bylaw as “Industrial” unless they pose safety concerns or create significant land use conflicts for neighbouring properties. New non-resource based industrial uses shall be prohibited. Resource-based industrial uses may be accommodated in rural areas where they are appropriate.

###### **Plan Action:**

- All current industrial developments will be designated as Industrial (M1) Zones in the Zoning and Subdivision Control Bylaw.
- No new non-resource based industrial developments will be permitted.

- Resource-based industrial developments may be considered as “special permit uses” within the Agricultural (A1) Zone and may be approved provided that safe access can be provided and no land use conflicts will be created for neighbouring properties.

## **5.5 AGRICULTURE**

Agriculture and related resource activities remain the dominant land use in Miltonvale Park and provide the foundation for the community’s high quality rural lifestyle. While the number of full time farmers has declined and a significant amount of farmland is leased to corporate or non-resident farmers, farming will continue to be the dominant land use in the Community for the period of this Plan and for the foreseeable future.

Current market conditions make farming challenging and the Community must be sensitive to these challenges. To the extent practical, however, resource lands should be encouraged to be kept in active agricultural use.

While there are inevitable minor conflicts between farmers and non-farm residents, the Community accepts these minor nuisances as part of our rural lifestyle.

### **OBJECTIVES:**

- To protect the long term viability of farming in the Community.
- To minimize conflicts between farmers and non-farm residents.

### **POLICIES:**

#### **Policy PA-1: Zoning**

It shall be the policy of Council to designate an Agricultural Zone which will protect farm and forestry lands from the intrusion of conflicting land uses and serve to discourage the conversion of primary resource lands into non-resource use.

#### **Plan Action:**

- The Development Bylaw shall designate all those lands currently in agriculture use as an Agricultural Zone.

- Council shall work with the local farming community and residents to minimize land use conflicts.

### **Policy PA-2: Livestock Operations**

It shall be the policy of Council to protect existing livestock operations from residential encroachment, but also to protect existing residents from the encroachment of new large-scale livestock operations.

#### **Plan Action:**

- The Development Bylaw shall restrict any new residential development from locating within five hundred feet (500') of an existing intensive livestock operation.
- The Development Bylaw shall prohibit any new intensive livestock operation from locating within one thousand feet (1000') of any existing residences.
- Council will endeavour to ensure that all livestock operations in the Community comply fully with all Provincial regulations in relation to manure handling and storage and other matters.

### **Policy PA-3: Riparian Zones**

It shall be the policy of Council to support the protection of the Provincially designated Riparian Zones adjacent to streams and wetlands in the Community.

#### **Plan Action:**

- Council will work with the Provincial Government to ensure that designated Riparian Zones adjacent to streams and wetlands are appropriately protected and managed.

## **5.6 TRANSPORTATION**

Significant volumes of traffic pass through the Community of Miltonvale Park and both the safety of the traveling public and the

efficiency of the Province's Arterial Highway system are major priorities for Council. Council strongly supports the current access restrictions to Rte 2 through the Community and is also concerned about the hazards caused by uncontrolled strip development along other roads in the Community.

**OBJECTIVES:**

- To protect the safety of the traveling public.
- To maintain the safety and efficiency of the Province's Arterial Highway system.
- To limit uncontrolled access and turning movements on all roads in the Community.
- To ensure a high level of maintenance on all roads in the Community.
- To limit strip development.

**POLICIES:**

**Policy PT-1: Rte 2**

It shall be the policy of Council to support the current Highway Access Regulations and to limit uncontrolled access onto Rte 2.

**Plan Action:**

- Council shall ensure that any development application which proposes to access Rte 2 shall first obtain an access permit from the Provincial Government.
- Council shall discourage the approval of any new access onto Rte 2 which could create a traffic hazard or serve to reduce the efficiency of the highway.

**Policy PT-2: Strip Development**

It shall be the policy of Council to adopt regulations which limit strip development in the Community.

**Plan Action:**

- The Development Bylaw shall adopt the “ten chain rule” which will limit new accesses to one for each 660 feet of road frontage.
- Where this is not sufficient to accommodate the needs of the developer, one of these accesses may be used to create a public road which will provide internal access.

**Policy PT-3: Maintenance**

It shall be the policy of Council to work with the Provincial Government to ensure that all roads in the Community are maintained in good condition.

**Plan Action:**

- Council will meet with officials from the Provincial Government on an annual basis to discuss road maintenance priorities in the Community.

**5.7 ENVIRONMENT**

Almost all properties in the Community of Miltonvale Park are dependent on individual wells and on-site sewage treatment systems. Proper installation and maintenance of these systems is therefore of critical importance to the entire Community. The Community is also concerned about the protection of surface water resources and air quality.

**OBJECTIVES:**

- To protect the quality and quantity of ground and surface water resources.
- To protect air quality.
- To encourage the use of alternate energy systems.

## **POLICIES:**

### **Policy PE-1: Septic Systems and Wells**

It shall be the policy of Council to work with the Provincial Government to ensure that all on-site sewage treatment systems and wells in the community are installed at a high standard and are appropriately maintained. Where systems are abandoned, Council shall endeavour to ensure that the systems are removed and proper abandonment techniques are utilized.

#### **Plan Action:**

- The Zoning and Subdivision Control Bylaw may require that all new on-site treatment systems and wells are approved by the Provincial Government or a licensed installer.
- Council will encourage all property owners to perform regular maintenance on their on-site systems.
- Council will provide information to the public on the proper installation and maintenance of on-site wastewater treatment systems.

### **Policy PE-2: Point Sources of Pollution**

It shall be the policy of Council to work with the Provincial Government to identify and control potential point sources of groundwater and surface water pollution.

#### **Plan Action:**

- Council will work with the Provincial Government to help identify potential point sources of pollution such as underground and above ground petroleum storage, pesticide and fertilizer storage, other chemical storage, manure storage, etc.

### **Policy PE-3: Alternate Energy Systems**

It shall be the policy of Council to encourage the use of alternate energy systems in the Community.

**Plan Action:**

- A windmill enabling section will be added to the Development Bylaw.
- Council will endeavour to encourage the use of alternate energy systems in the Community and will work to reduce or eliminate any regulatory hurdles which may be in place.

**5.8 SPECIAL PLANNING AREA REGULATIONS**

At the time of approval of this Official Plan the Community of Miltonvale Park remained under the Charlottetown Region Special Planning Area Regulations. This Plan was prepared in conformance with Section 63 (10) of these regulations. Wherever there may be any conflict between the policies of this Official Plan and the Special Planning Area Regulations the “most stringent” policy shall take precedence.

It is believed, however, that this Official Plan is fully consistent with the intent and policies stated in the Special Planning Area Regulations and whether the regulations remain in effect or are rescinded at some point in the future, this Plan will remain in full force and effect.

**6.0 GENERAL LAND USE PLAN**

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The General Land Use Plan is a conceptual representation of the direction Council envisions land use patterns emerging over the next fifteen years. It lays the foundation and establishes the direction for the Zoning Map in the Development Bylaw, which is normally more precise in terms of boundaries and land use designation. The Zoning Map must, however, conform to the General Land Use Plan.

In formulating the General Land Use Plan, Council has applied the following criteria:

- Land use conflicts shall be minimized.

- Commercial development shall be limited and directed toward established commercial clusters.
- New accesses to Rte 2 shall be limited.
- No new large scale residential development is envisaged.
- Agriculture shall remain the dominant land use in the community.
- Industrial development shall be discouraged unless directly related to the primary sector.
- All other relevant policies and principles included in this Plan shall be implemented.

**MAP 3**  
**GENERAL LAND USE PLAN**

## **7.0 IMPLEMENTATION**

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### **7.1 ADMINISTRATION**

Administration of this Plan shall be the responsibility of Council. Council shall, however, seek the input of Planning Board on matters pertaining to the Plan. The primary implementation tool for this Plan is the Development Bylaw. Aspects of the Plan may also be implemented through other municipal bylaws and regulations, Council's operating policies and procedures, the municipal budget and other appropriate Council actions. Council may also delegate aspects of the implementation of this Plan or the Development Bylaw to a Development Officer appointed by Council.

### **7.2 DEVELOPMENT BYLAW**

Immediately upon approval by the Minister of Communities, Cultural Affairs and Labour, Council shall amend its current Zoning and Subdivision Control (Development) Bylaw to be in conformance with the policies and provisions of this Plan, in accordance with the provisions of the *Planning Act*. The revised bylaw shall be referred to as the Community of Miltonvale Park and Subdivision Control (Development) Bylaw.

The Development Bylaw shall set out specific land use zones, permitted uses for each zone, standards and procedures for development and land use, and standards and procedures for the subdivision and consolidation of land in the Community. The Bylaw may also provide for "conditional" and "special permit" uses. Conditional uses shall be subject to such restrictive conditions as Council deems appropriate. Special Permit uses represent exceptions to the "permitted uses" in each zone and shall be approved at the sole discretion of Council.

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

The Development Bylaw shall require any person undertaking any development, change of use of land or premises, or subdivision/consolidation of land to apply for a permit using a standard

application procedure. Exceptions shall be noted in the Bylaw. Council may attach such conditions as it deems appropriate to any permit in order to ensure conformance with this Plan.

The Bylaw may also require submissions 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, heavy truck traffic access, hours of operation and any other items 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 site. The receipt of a development permit does not excuse the applicant from complying with any Provincial or Federal laws in force, such as fire protection, health and safety, sewage disposal, plumbing and electrical installation, or disabled access. Council shall maintain liaison with appropriate Provincial officials during the permit issuing process.

#### **7.2.2 Development Agreements**

Council may, at its discretion, require the developer of a development or a subdivision to enter into a Development Agreement or Subdivision Agreement. These agreements will contain all conditions which were attached to the building permit or subdivision approval and shall be legally binding on both parties.

#### **7.2.3 Variances**

Council may grant a variance to the provisions of the Development Bylaw where strict compliance would represent an inappropriate burden to the developer and where the general intent of this Plan is upheld.

### **7.3 BUDGETING**

While the Development Bylaw and other bylaws passed under the *Municipalities Act* are the primary tools for controlling and directing development activities in the Community, the Community budget is the key policy tool for directing the annual activities of Council. As such, the budget is a key implementation tool for many of the policies and plan actions laid out in this Plan. To the extent practicable, the budget should conform with the policies of this Plan.

#### **7.3.1 Budget Policies**

Council has established the following fiscal policies as a framework to guide decisions on municipal revenues and expenditures:

- Council shall strive to maintain stable and affordable property tax rates.
- Council shall pursue all available options for cost-sharing and maximize financial assistance from other levels of government.
- Council shall pursue a “user pay” approach for programs and services where appropriate.
- Council shall not budget for an operating deficit in any year.
- Any incurred deficit shall be addressed as part of the subsequent annual budget if possible.
- Council shall continue to maintain low staff levels and contract out for specialized services until needs and projected savings warrant additional staffing.

**7.4 REVIEW**

Council shall, on a regular basis, review its activities in terms of successful implementation of this Plan.

**7.5 AMENDMENTS**

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

**7.6 APPEAL PROCEDURE**

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