Land Use Planning in Kings County, Prince Edward Island

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Executive Summary

The Province of Prince Edward Island is a province blessed with a great deal of assets. The landscape is among the most beautiful in the world. However, rural PEI is encountering a dual problem; uncontrolled development of its rural countryside, and a lack of mechanisms to ensure necessary, controlled development. Land use in many parts of the rural areas of the province are overseen by the provincial government, who without province-wide land use policies, or procedures for public notification and participation, have not been able to direct orderly development. The result has been the loss of
environment and natural resources to ribbon development, cottage lot along shrinking shorelines, and growing concern among Islanders. While many on the Island recognize the need to change governance in rural PEI to halt the disappearance of the land they hold as precious, there is no consensus, up to this point, about what could be done.

It is the purpose of this paper to offer a potential solution. As the smallest and hardest hit in terms of population loss in the province, Kings County provides a case study that, if successful, could provide a unique answer to the land use problem in PEI; the establishment of a County Planning Board to administer a number of tasks at a regional level that would not be achievable in many of the small communities in the County (such as land use planning, economic development, by-law enforcement and building inspection). Though further study would be required, it is believed that this would be the most cost effective way to manage these responsibilities. It is the hoped that this paper can form the basis of a blueprint for successful land use planning and governance in rural Prince Edward Island.
Table of Contents

1. Executive Summary------------------------------------------------------------------------------------------------------------------1

2. Table of Contents------------------------------------------------------------------------------------------------------------------3

3. Introduction of King’s County-------------------------------------------------5
   a) Overview of the County
   b) Demographics
   c) Existing Industry
   d) Political Set up in the County
   e) The Goal: comprehensive Land Use Planning process throughout King’s County
      i. Reduction of areas without local land use planning coverage
         (i.e. unincorporated areas)
      ii. Encourage community input in the planning process
      iii. Establish a cohesive County-wide Plan
      iv. Institute a local system by which well-reasoned planning decisions are made
      v. Inaugurate a local planning expertise within King’s County

4. Literature Review------------------------------------------------------------------------------------------------------------------17

5. The View on the Ground---------------------------------------------------------28
   a) Existing Provincial Municipal Planning Set up
   b) The Planning Practice in King’s County
   c) The Strengths and Weaknesses of the Status Quo
   d) Comparison to elsewhere

6. The Overview of Potential Solutions--------------------------------------------36
   a) Maintain the Status Quo
   b) Province-wide Municipal Planning (i.e. Land Use Planning centralized in Charlottetown)
   c) Provincial Instituted Municipal Restructuring
   d) Recommendations in the 2014 Task Force of Land Use Policy report
   e) County Land Use Planning (The Kings County Land Use Planning Board)

7. The Assessment of the Suggested Solutions---------------------------------------38

8. The Proposal------------------------------------------------------------------------------------------------------------------------40
   a) The Kings County Land Use Planning Board and Office
      i. Reasoning for selection
      ii. Needed Legislation
      iii. Basic Set up of office
         a. Duties
b. Positions required

   iv. Powers
   v. Suggested Municipal Set up

9. Suggested Implementation--------------------------------------------------------46

   i. Timeline

10. Conclusion---------------------------------------------------------------------48

11. Bibliography/References---------------------------------------------------------49

12. Appendices---------------------------------------------------------------------54

   a) Examples of Landscape
Introduction of Kings County

Overview of the County
King’s County occupies the eastern third of Prince Edward Island. At 1,685.8 km² and with a population of 17,990, Kings County is the smallest of the three counties in both area and population. According to the Provinces Thirty-Ninth Annual Statistical Review in 2012, the County was also experiencing a steady decline of population (from a high population of 22,016 in 1991). The County also has the fewest number of municipalities, 6, that have an official plan governing land use, and all but one (Eastern Kings) of the municipalities is outside the major population areas of the County (Montague and Souris). Indeed, in terms of land mass, Kings County has the smallest amount of land in incorporated municipalities.

However, many problems exist in the County. For example, the largest town, Montague is landlocked between two other incorporated municipalities (Brudenell and Lower Montague), and is running out of room to expand (It is a community of 1890, with an area of 3.04 km²). (Town of Montague, 2009, p.7). Montague is the regional service centre for a large area of Kings County, and of all the communities in the County, has a great deal of development pressure, and it is finding hard to manage given its small land area. Furthermore, there is pressure from the other municipalities to use services from Montague to help in managing growth in those communities (Sharratt, 2014). Add this to the spotted development within unincorporated areas of the County (see Appendix D), and it is apparent that a regional land use action plan is direly needed.

Demographics
In a rural province like Prince Edward Island, Kings County is the most rural of them all. Taking the eastern end of the province it contains an area of 1684 square kilometres, and a population of 17990 in 2011, making it the smallest county in both categories (PEI Statistics Bureau, 2013, p.4). The average taxable income is 14% lower than the provincial average (PEI Statistics Bureau, 2013, p.50).
The County has experienced a steady decline of population; while there have been a general increase both province-wide, and in Queens County, while Prince County has basically maintained its population level (see Figure 4).
Existing Industry
Economically, Kings County differs slightly from the rest of the province. While there is an even split among major economic activities in the province as a whole, Kings County has a greater emphasis on forestry, fishing, agriculture and manufacturing as a catalyst for its economy.

Kings County's economy is unique in the province in that it has a greater reliance on primary industry than the province in general, primarily due to the importance of forestry here compared to elsewhere in the province. The following shows the comparison between Kings County and the province in terms of percentage working in the five major industries in PEI.

Figure 4: Population by County, 2003-2012 Estimates (Source: PEI Statistics Bureau, 2013)
In calculating the economic numbers for both the Province of Prince Edward Island and the location quotient (LQ) of Kings County, a few observations appear quite obvious. First, in terms of the province, a few areas stand out. Though the Agriculture, Forestry, Fishing and Hunting is still among the most important economies of the province at 8.55% (down from 11.67%), rather than being the most important industry, it has dropped to fourth in percentage of employment on the Island, behind Public Administration (13.57%), Retail (11.91%) and Health Care and Social Assistance (10.67%). Indeed, Public Administration is the fastest growing industry in the province, growing by 15.5% or 1250 positions province wide.

Focusing in on Kings County, the same trend in declining employment in the Agriculture, Forestry, Fishing and Hunting sectors appears to be occurring (down 31.2% in the county, similar to the 33.1% province-wide). However, when the location quotient for the sectors in the county is calculated, it registered at 2.14. This, coupled with the fact that 1520 jobs are allocated to these sectors in Kings County, makes these the most important segment of the County’s economy. Among the other sectors to achieve a better-than-1 on the location quotient include Construction & Administrative and Support,
Waste Management and Remediation Services (both 1.40), Transportation and Warehousing (1.29), Arts, Entertainment and Recreation (1.20), Mining and Oil and Gas Extraction (1.16) and Manufacturing (1.07). It is interesting to note that Management of Companies and Enterprises registered a LQ of 2.48, representing an increase from 0 to 15 jobs in the County. It is also thought-provoking that Retail (0.68) and Health Care (0.79) register at lower levels in Kings compared to the province, suggesting that there may be an exodus of residents to elsewhere to get these services (principally to Charlottetown). The large numbers of the other sectors seem to suggest that there is a greater importance on primary industries in the area than is evident in other parts of the province. The strength of Arts, Entertainment and Recreation could be explained by the presence of strong theatre organizations in Montague and Georgetown.

A) Economic Base Analysis
1. Agriculture, forestry, fishing and hunting – This is an industry were using a survey could be useful to determine where the divide exists between Basic and Non-Basic Employment. Given the high LQ for the County in this sector, and the relative small population of the area, it is entirely reasonable to discover that more than half of employment would be found to be basic, in terms of the potato industry, forestry products, fish and the ever increasing mussel industry, in which most of the product produced would be bought and consumed elsewhere.

2. Construction – The use of the LQ to determine the multiplier is acceptable as it is assumed that most construction that occurs in the County would be used within the County. For example, there is a Province-wide trend toward developing cottages along prime shoreline. It would be likely that, given the relative lack of municipal administration in the area (with no push for this to be remedied any time soon)and, therefore a lack of development controls restricting it, there is no reason to believe any less of shoreline development to be occurring here.

3. Manufacturing & Transportation and Warehousing – As with Agriculture, forestry, fishing and hunting (indeed most manufacturing in Kings County would be closely associated with those
industries), a survey of the companies which are located there would be useful, and would probably show that most of the goods produced would be sent elsewhere. For Transportation and Warehousing, a judgement would be used to determine that they would primarily be involved with exporting goods elsewhere.

4. Management of Companies and Enterprises – With this being a relatively new industry in the area (absolute data shows that 15 jobs have been created in Kings County, where previously no jobs apparently existed in the County), it will be useful to survey these businesses to determine the nature of their business, and to ascertain where they do their primary business.

5. Administrative and Support, Waste Management and Remediation Services – Along with calculating the LQ for this sector, two important assumptions can be made. The first is that Georgetown is the County Seat for Kings County, and, as such, acts as the seat of the county court, which will account for some of the employment. Secondly, the Province recently moved the administrative headquarters of the provincial Department of Fisheries, Aquaculture and Rural Development, which creates a certain degree of basic employment for the area.

6. Arts, Entertainment and Recreation – A judgement can be made that almost all that is ‘consumed’ in this sector (i.e. Theatre, arena facilities, beaches, etc.) is likely to be consumed onsite, with the possible exception of souvenirs that may be purchased at these locations.

B) Shift Share Analysis

In looking at the shift share analysis for Kings County, there are a number of observations that can be made when looking at the data:

1. The Provincial Growth Share shows that overall; the economy of Kings County is not performing as well as the provincial economy. All sectors measured are lagging behind provincial growth, and the overall county economy produced 726 jobs less than the provincial suggested that it should.
2. In terms of **Industry Mix Share**, the suggestion is that the county economy overall produced 5 less jobs than if it were similar to the provincial economy. In this regard, there are winners and losers. For example, the local economy has 213 more jobs in Public Administration, and 193 more in Education than it would have if it’s structured like the provincial average in those industries; while it has 371 fewer jobs in Agriculture, Forestry, Fishing and Hunting using the same barometer.

3. When looking at the **Regional Share Effect**, the overall economy has lost 1294 jobs to the competitive position of the county itself; that the area’s economy lost employment due to factor that are directly attributable to conditions in Kings itself, irrespective of industry or provincial factors. Of note, Manufacturing is among the weakest industries in the County, producing 788 fewer jobs than it could have produced in a similar economy elsewhere. Administration however, has produced 259 more job than in similar economies in other places, suggesting a possible strength in local economy.

What does this mean for Kings County? One conclusion that can be deciphered is that the biggest industries in the County, Agriculture, Forestry, Fishing and Hunting are greatly affected by industry factors which are beyond local control. Farm operation consolidations, the closure of the McCain plant on PEI, depleted fishing stocks; world-wide prices on lumber have all had negative impacts on the local economy. There have been attempts to resuscitate the local economy, such as the Souris Port Authority purchasing a closed fish plant in an attempt to provide local opportunities for the area fishing industry. The second conclusion is that the most active growth industry in Kings County appears to be Administrative and Support, although it could be suggested that is primarily due to the moving of Provincial Department offices to Montague, essentially Provincial government investment in the local economy.
Political Reality in the County

When looking at King’s County, there is a severe lack of local land use oversight in the area. Currently, there are only 15 municipalities incorporated in the County, of varying sizes of land mass. One area, called the Greenwich Special Planning Area, was established in the provincial Planning Act for the purpose of the province to closely monitor the area surrounding the eastern entrance to Prince Island National Park (to the west of St. Peters, on the north shore of the County). Indeed, in terms of land mass, Kings County has the smallest amount of land in incorporated municipalities. However, many problems exist in the County. For example, the largest town, Montague is landlocked between two other incorporated municipalities (Brudenell and Lower Montague), and is running out of room to expand (It is a community of 1890, with an area of 3.04 km$^2$). (Town of Montague, 2009.p.7). Montague provides a number of regional services that serve a wide area (such as recreational facilities and retail services). However, it does not receive any financial consideration for this importance from the Province (Montague’s share of property taxes collected by the provincial government only takes into account the town’s own population), nor from the communities whose residents use the provisions found in Montague. The result is that the town struggles to provide and maintain its services. Coupled with the fact that there is little room for expansion within Montague’s current boundaries as a means to expand its own coffers, it is evident that the town could find itself in a severe financial crunch if things do not change soon. Elsewhere, there does not appear to be a great deal of pressure to address the situation of uneven policy between incorporated municipalities and areas that are not. Indeed Jim Evans, who at the time was a councillor for the community of Murray Harbour in south Kings County, stated that “it is an area of great concern to me and to all who see such wonderful resources being frittered away in the name of
commercial and political expediency” (Jim Evans interview).

There is a plan afoot to create a regional municipality to include the existing municipalities of Montague, Cardigan, Lorne Valley, Brudenell, Valleyfield, Lower Montague and Georgetown. As of June 2015, the councils of each community have received a copy of the report (written by Phil Wood and Associates) with decisions of whether to follow the recommendations to be made this year.

**Goal: A Comprehensive Land Use Planning Process in Kings County**

Kings County represents a region which, although growth is not as robust as elsewhere in the province (particularly the Greater Charlottetown and Summerside areas), there are pressure on land and service resources that need to be focused on. Land in the County is extremely inexpensive compared to other area of Prince Edward Island. As land in and around the major urban centres turns out to be more and more unavailable, Kings may become an alternative to rising land prices elsewhere. Because of this, and, given that no land use plan currently exists for a majority of the County, a comprehensive strategy should be in place to address pressure on the finite land resource.

1) **Reduction of areas without land use planning coverage**

Only 6 municipalities in the County, containing 191.5 km² (or 11% of the County’s total land mass), have official plans, and thus local management of land use policies. Another 223.8 km² fall under incorporated municipalities with no Official Plan. For these, as well as the remaining unincorporated areas of the County, land use planning is managed by the Province under the Planning Act. Rural areas have become popular for residential development. Indeed, the Report of Land Use Task Force established that approximately 30000 undeveloped residential lots exist throughout the province in areas that local planning does not exist. Benefits for developers to construct in these areas are obvious: development charges are only paid to the Province, not to a municipality; rules governing development are more lax in unincorporated areas, particularly in the area of optimum use of servicing and the proper expansion of built-up areas; and public
notification of upcoming development proposals. The goal here is not to discourage development, but rather to allow for smart growth to occur that takes into account historic growth patterns, using existing servicing, and protecting the unique landscape and environment that is synonymous with the Island.

2) **Encourage community input in the planning process**
   It is imperative that the public have a say in the community that live in so that it will be successful. The irony is that many people move to the unincorporated area to avoid paying municipal taxes, and have a greater say on what they can do on their property. However, they are unaware at the time that as more development comes into their area, they are unable to have their say due to the fact that there is no local, and public forum in which for them to take part.

Conversely, pressure is placed on the services provided by incorporated communities in that they are being used by residents of unincorporated areas (such as arenas and parks), and they provide no funding for their upkeep (i.e. taxes). This is further exacerbated by the fact that currently, the Province collects taxes from residents, then gives the individual communities their share based on population and the mill rate established by the community. No consideration is given to the load placed on the communities on their services being used by non-residents. While the new provincial government (2015) has stated that it will look at the current structure of how property tax is collected in the province (CBC Prince Edward Island. 2015, May 25), given the size of most communities throughout the County, their voice would be better heard in Charlottetown as a group representing the County rather than individually.

3) **Establish a cohesive County-wide Plan**
   To recognize the situation throughout the County, it is suggested that a County-wide plan be established to address land use at a regional level to address issue at a larger scale, and to ensure
protection of the entire area. It may also prove to be a way to address land use planning in the County at a cost which would be palatable, and affordable to the small communities throughout Kings. As proposed later, a County-wide would complement existing Official Plans and Zoning By-Laws; while at the same time encourage unincorporated areas to embrace land use planning at a local level through the creation of district plans. It could also encourage incorporation in communities throughout Kings County, and persuade a grassroots community building throughout the County.

4) **Institute a local system by which well-reasoned planning decisions are made**

As currently constituted, existing communities throughout Kings County are unable to have their own systems of land use planning within their own entities, primarily due to the cost of establishing their own process. Because of this, by establishing a form of regional planning in Kings County, these communities would then be able to draw upon a local source of planning expertise to deal with local issue, as opposed to the provincial which has resources, but they are currently spread thin throughout the province. It would be imperative to create a means to establish planning experts who would draw upon their knowledge of local issues and the landscape to make well-structured and consistent decisions and suggestions for the betterment of all in the County.

5) **Launch a local planning expertise presence in Kings County**

As it stands right now, there are no professional planners working on a consistent basis on land use issues faced in Kings County. Primarily, the communities as they are currently configured (both in size and budget) are unable to retain planning staff on a consistent basis. The creation of the Kings County Planning Board would tackle land use issues in a way that can recognize the needs of individual communities, while at the same time, have a county-wide focus to ensure that decisions made have in mind the ‘big picture’. With all communities investing in the board (along
with staff), the dollars that they currently provide would have more effect, and create a resource that they could use as their own planning office, while at a cost that fits within their budget.
Literature Review

A History of Land Use Planning in Prince Edward Island

To understand the current situation in PEI, one has to go back to the Samuel Holland survey of 1764-65. As a result of the 1763 Treaty of Paris, the Island (along with many of the French colonies in North America) was transferred from French rule to British. Holland, as Surveyor General of Quebec, was charged with charting all of the new British territory along the east coast of the continent. The end result would be the most comprehensive mapping of the Island up to this point, as well as the basis for land management that exists to this day.

Holland’s work divided the new colony of Prince Edward Island into three counties, Prince, Queens and Kings Counties (from west to east). Within each county, a capital was established. Prince had Prince Town (now the village of Malpeque); Queens had Charlotte Town (named after the wife of then King George III); and Kings County would have its capital in George Town. With the exception of Summerside supplanting Prince Town as the principal centre of Prince County, the other two towns have maintained their role in the other counties present day, with Charlottetown gaining the added responsibility of provincial capital. In fact, both Charlottetown and Georgetown maintain the street layout established in the original survey.
Holland further divided the land up by creating 67 lots of 20000 acres each, which would be granted to nobles who would then divide the land within each lot as they saw fit. To this day, both the lots and counties maintain important places in modern day land use planning on the island, some communities (such as Lot 64) continue to use the original layout founded by Holland; modern day Property Identification Numbers (PIN) are based on the original lots.

Of note, the original map by Samuel Holland will be returned and displayed in Charlottetown in 2015 to mark the 250th anniversary of the completion of the survey (Charlottetown Guardian. 2014. October 6).

**An Evolution of Land Use Planning in Prince Edward Island**

The basis of land use planning in the Province of Prince Edward Island stems currently from two Acts; The Planning Act (1974, amended in 1988) and The Land Protection Act (1982). While the Planning Act (like in Ontario) forms the skeleton upon which planning decisions are made in the province, it also gives the government the ability to adopt provincial land use policies. It also grants communities the ability to incorporate, and to create official plans to regulate land use and development in their municipality. Thus far, only 31 communities (representing only 10% of the total land mass of the province) have an official
plan. The remaining 90% have no local planning policy, thus requiring the Province to oversee developments there.

In 1991, the Province adopted a General Land Use Policy. It made three basic statements:

1) It dismiss strip development along roads and coasts as being wrong for the province, as it placed strain on the economy, and it would irrevocably adjust the nature of the land.

2) Five issue require immediate attention:
   - Coastal development (including subdivisions and access issues
   - Strip development along access roads
   - Municipal servicing
   - Protection and development of resource areas
   - Protection of natural ecosystems.

3) The Province must encourage development, but it must be done in a sustainable way, and

4) The Province will use three tools to implement good land use policy: legislation, programs and information. (Prince Edward Island Commission on Lands and Local Governance. 2009, December. p.20)

This policy was launched and there appears to have been little change in land use in the province.

According to Report of the Commission on Land and Local Governance in 2009, the land use policy seem to have disappeared from consideration in land use decisions, even though there was no apparent rescindment (Prince Edward Island Commission on Lands and Local Governance. 2009, December. p.20). There are currently no provincial land use policies or statements of interest on record for Prince Edward Island.

In 1995, the government amalgamated communities in and around both Summerside and Charlottetown (including the creation of the new Towns of Cornwall and Stratford around Charlottetown) as a way to control what was, at the time, rapid development and expansion in rural areas surrounding the two cities.
In these new towns and cities, land use controls, similar to what exist in towns in Ontario, were established to facilitate more measured development.

The Land Protection Act is a rather unique piece of legislation in Canada, in that it sets land ownership limits for corporations and non-residents. For both, they are only allowed to own a maximum of five acres, and 160 feet of coastline (For residents and local corporations, the maximums are 1000 acres and 3000 acres respectively). It also establishes the Land Identification Program, which attempts to place restrictions on the type of development which may occur on certain properties. It will be discussed later as to whether this is a successful program.

**The Review of Land Use Planning in Prince Edward Island**

Since the 1970’s, there have four major reports which aimed to overall the land use process in the province. There appear to have been common objectives for each; to modernize the framework for land use and development province-wide, to ensure that all areas of the province have local land use policies in place, to prevent undesirable development from occurring, and to protect the land resources of the Island, which many consider a precious resource. To date, it appears that little success have occurred, but it is necessary to examine what each attempt endeavoured to do, and why little has appeared to have been done.
1) Royal Commission on Land Ownership and Land Use
   In 1973, The Raymond Report was presented to the government in the first far reaching attempt
to overhaul land use planning on the Island. It made 23 recommendations, including:
   - Develop a province-wide land use plan;
   - Give communities decision-making power and the necessary resources to develop and
     administer local land use plans;
   - Take measures to protect agricultural land;
   - Tighten the rules around land acquisition and the holding of land for commercial purposes;
   - Curb ribbon development; and
   - Give special attention to coastal areas (Prince Edward Island Commission on Lands and

2) Royal Commission on the Land
   In 1990, the Boylan Report was released after two years of work reviewing the results of the
Raymond Report (which it concluded was not very much, save for the creation of the Land Use
Commission in 1974, which has since morphed into the present day Island Regulatory and
Appeals Commission (IRAC)), and then providing a far reaching report of 221 recommendations over 2 volumes. They included:

- Developing province-wide comprehensive land use plans;
- Protect agricultural land;
- Limits on land ownership;
- Expand incorporated areas to facilitate future growth;
- Expand Charlottetown’s boundaries;
- Place growth restrictions on the Cavendish area (a rapidly growing tourist area);
- Restrict retail developments to incorporated areas with Official Plans in place;
- Restrict all development outside incorporated areas;
- Improve natural environmental areas;
- Maintain the Land Use Commission; and
- Make the provision of land use expertise available to communities.

Though many aspects of the report were implemented, as with the first report, there appeared to be resistance by the government to implement a province-wide land use policy, or to create a system to ensure that all parts of the province had some form of local land use system. (Prince Edward Island Commission on Lands and Local Governance. 2009, p.12).


An extremely comprehensive report released December 2009 by the Thompson Commission, it is an oft mentioned report by those advocating change in the land use hierarchy in the province. It made 40 total recommendations including:

- the establishment of new legislation for municipal government;
- the reduction of municipalities on the Island from 75 to 24, covering the entire mass of the province;
- determine the consensus of Islanders regarding local governance and municipal incorporation;
- increase the province's professional planning capacity and provide that service to Island communities;
- consult with municipalities regarding transfer of tax room on non-commercial property;
- province should provide detailed analysis of the potential tax implications of any proposed changes;
- Any proposed changes should clearly provide for the establishment, within a municipality, of different rates of property tax based on the range and standard of services provided.
The effects of this report are ongoing, as it also recommended that changes should not come into effect until 2012, after the next provincial election. It remains to be seen what, if any, of the recommendations come to fruition. One of the results is the most recent of the reports to be examined in this review.

4) **Report of the Task Force on Land Use Policy**

In January 2014, the Task Force on Land Use Policy released its long awaited report after a couple years of examining the existing situation, consulting with Island residents and stakeholders.

The task force came up with 10 recommendations, which were:

1) The adoption of Statements of Provincial Interest and provincial land use policies;
2) The revision of the Planning Act;
3) The government create an education campaign, to articulate the need of coherent land use policies in the province;
4) The creation of a province-wide land use map;
5) The development of regional planning areas, each with their own regional plan governing land use in their area;
6) The creation of a new provincial planning commission (much like Ontario’s OMB);
7) The introduction of policy to see the consolidation of undeveloped lots;
8) The restriction of development in unincorporated areas until regional plans are approved;
9) The creation of policy to preserve agricultural lands;
10) The adoption of legislation to ensure that all planning documents are certified by a Registered Professional Planner. (Government of PEI. 2014, January. p.39)

As of the writing of this paper, it is still early to determine the effect of this report on land use on the Island. Of note, it will be interesting to see how the political changes in Prince Edward Island will affect the chances of whether these or any of the suggestion are put into practice. Wade MacLauchlan, a law professor and author, was acclaimed Liberal leader and, as a result of the most recent election in May 2015, became the next premier of the province. To date, it is not clear what he feels about the recommendations of the report, and thus what their opinions on land use reform will be.
5) The Institute of Island Studies

It could be argued that no organization has examined various aspects of Island life than the Institute of Island Studies (IIS) at the University of Prince Edward Island. It was found in 1985, with a mandate to examine all features of life and nature of islands, not just in PEI, but throughout the world. It does have a focus on land use, and has written a number of papers on the subject.

One the earliest, and still most cited work is “The Geography of Governance: An Overview of Boundary Powers and Responsibilities on Prince Edward Island” by J.A. Cousins. Written in 1999, it dealt with history of municipal organization in the province. It concluded that Prince Edward Island is a province that is over governed, but that severe gaps exist. This will affect challenges in many areas of Island life, including land use planning. It adds that “it would be short-sighted to use the Island’s small population and its increasingly ‘urban’ concentration as an excuse to ignore issues of local governance” (Cousins.1999. p. 20)

Another important work by the IIS was written by Carol Horne in 2009, and is entitled “The Island Landscape: A Non-renewable Resource”. In it, Horne laments the disappearance of the defining landscape throughout PEI. It defines the province’s landscape as the ‘brand’ of the province; one that has a great deal of importance of the economic well-being of the Island, not just in agriculture and forestry, but also in tourism and the image that visitors invariably take away from the province. (Horne. 2009. p.4) She further states that “if, through lack of adequate land use and development planning and control, home is allowed to become ‘placeless’, where does that leave an island people?” (Horne. 2009. p.28) Through her examination of existing legislation, as well as focusing on actions in other jurisdictions, she concludes that PEI lags behind what other island places have done in the protection of landscape through stringent land use policy.
Harry Baglole, a professor at IIS, stated in a number of his papers that there exists an acknowledgement that land use planning on Prince Edward Island must be given more of a priority if the land resource is to be preserved for years to come, but many in the province are resisting change as the suggestions for change are often coming from Charlottetown, and many in the rural areas harbour mistrust of the motives of the provincial government (Baglole, 2002 & 2007).

*Remote Control*
One book that offers a great overview of the various land use and governance issues that face islands in general (not just PEI) is the book ‘Remote Control’. The authors bring together a number of examples of the concerns facing territories around the world, and even showing what has been proposed and established to act as a model for what can work elsewhere. One chapter in the book lays out the research done by Denbeigh Armstrong and Elaine Stratford in the area of land use planning and its effect on economic development concurrently in West Prince (on the opposite end of PEI from Kings County) and Tasmania, in Australia. The basis of the chapter was to examine how Tasmania has reformed its municipal governance system, and how this reform could be applied to West Prince to address issues that have similarities to Kings County. One of the key arguments is that an effective land use planning system in Tasmania has led to improved and sustainable economic development, and there is no reason why some of the changes in Australia could not be brought to the Island with similar success. The research also emphasized that while the provincial government must take a lead in any changes in policy, there must be a stewardship fostered at the local level, so that there is ownership among residents, and a more possible degree of success in any changes that come forward. (Baldacchino. Greenwood. Felt. 2009. p.202)
Of note, since 1983, the state of Tasmania does have a state (same level as provincial in Canada) planning oversight in planning matters, but it places much of the responsibility at the local level (State of Tasmania. 2014).

As shown in this paper, much has been written, and suggested for the entire province of Prince Edward Island in regards of what needs to be done to effectuate a much needed, and valuable land use planning system for the province. However, little or nothing has been written about what could be done in Kings County specifically to address the issues facing it. Kings County is the least urban county of the province, and has the greatest amount of its area under unincorporated areas. Its population has experienced a steady decline for many years, and it has its largest community (Montague) facing a crisis due to lack of land for which it can grow (Sharratt. 2014).

In the work ‘Planning Canadian Regions’, Hodge & Robinson provide a way to regard planning in a regional context, and how many issues faced by planners cannot be isolated to a single community, but that effects can be felt over a larger geographic area, something that ‘nevertheless, there exists no comprehensive rendering of the origins and evolution of the approaches we use in regional planning.’
(Hodge & Robinson. 2001. p.23). It is a suggestion worth looking into for the good of the future of the county. While the suggestions offered up in each of the documents examined in this paper could help in solving many of the issues facing Kings County, it is perhaps worthwhile, to look at the issues from the ground, in a county-wide focus and through the eyes of those that live there, find a truly home grown solution to a pretty corner of Canada’s smallest province.
The View on the Ground

Existing Municipal Planning Set-up

As mentioned previously, much of the county falls under unincorporated areas, and thus acquires their planning services directly through the provincial government (currently from the Department of Communities, Land and Environment). While members of the community are able to participate in the process through making comments on planning application directly to the Province, there is no current framework existing to formally notify the public, or have them participate in the process. Essentially, all planning decisions for unincorporated areas are made in Charlottetown. This creates a communicative vacuum which may not take into account unique local issues which may affect what is being planned.

One aspect of planning that does cover the entire County is in the area of watershed planning. The entire province of Prince Edward Island is covered by 23 watershed management groups who are tasked with ensuring the protection of river and creek watersheds within their area. This includes stream, watercourse, and wildlife habitat evaluation, restoration and protection, as well technical guidance/input for communities and residents. Three such groups: The Morell River Management Coop, The Souris & Area Branch of the PEI Wildlife Federation, and The Southeast Environmental Association cover the entire area of Kings County. These groups get funding from both the federal and provincial government, and have a great deal of say in how development occurs in their area of management. However, they do not act in a way to ensure smart land use; only ensure that such development does not adversely affect the watersheds that they are responsible for. In many ways, they will act as Conservation Authorities do in Ontario, in that they will comment on applications handed in to official plan municipalities, and provide communities with expertise on issue involving watersheds. They would have an important role to play in an overall comprehensive land use structure for King County.
Land Use Planning Practice in Kings County
Kings County is the only of the three counties in the province that does not have any planners employed by any of the municipalities located there. In fact, there are no planners located anywhere in the County (including private practice). Currently, if any of the municipalities (or a member of public) needs to hire a professional planner, they must contact the relative few private agencies in Charlottetown, or even out of province. The larger municipalities in the areas will employ a development officer, who will oversee the accepting of application to be considered by Council, but many of these may not have a planning education, and will quite possibly have other tasks besides the development file. As mentioned previously, the communities within Kings County are of such a size that they lack the resources to employ planning staff, even on a part-time basis. This suggests that a ‘regional’ solution may be utilized to provide these services to all communities at a more cost-effective rate.
Recently, a working group of a number of communities in the Three Rivers area of the County (including Montague, Brudenell, Lower Montague, Cardigan and Georgetown) in an examination of the possibility of amalgamation as a way to more efficiently provides services to their residents. As of June 2015, a report has been prepared and delivered to each council for consideration.

**Strengths and Weaknesses of the Status Quo**

Without a presence of certified planners in the County, invariably there is no local oversight of land use policy in the area. Though local councils will do their best in their areas, and though provincial staff does the same in the unincorporated areas, lack of professional land use expertise will lead to a creation of unsavory landscape results; such as strip development, non-optimum use of servicing, shoreline erosion and disorganized development and growth.

There are 74 municipalities in the province (16 in Kings County), many of which are too small to have the capacity for land use management. Some 82% of the land base is either unincorporated or is not subject to any municipal planning regulations. Taxes are lower in the unincorporated areas, where the provincial Planning Act is the only means to manage infrastructure development. The tax incentive to build outside municipal boundaries is contributing to sprawl and eroding the financial capacity of municipalities.

Special planning areas have been imposed surrounding several larger municipalities and around areas of significance, with the intent to provide green space on the fringes of the urban areas. Unfortunately, the desired effect has been lost as developers take their subdivisions and infrastructure projects to lands just outside of the buffer zones, where lower taxes create an incentive for strip development. Indeed many of these unincorporated areas contain some of the most beautiful landscapes in the provinces, another incentive for developers and new residents to construct in these areas, such as along the coastline, or along roads in rural areas.
New construction that occurs outside of municipal boundaries may follow the law, but the effect is that development is unstructured and is costly in many ways. Even the provincial government has been responsible of erecting public infrastructure on unincorporated land instead of within municipalities. An example in Kings County is the Industrial Park at Pooles Corners, which was built near the geographic centre of the County as a way of encouraging new business to come to the area.

Indeed, the cost of unchecked urban growth in rural areas of Kings County can be a heavy burden on communities and their residents. As they stated in their submission to the Commissioner of Land and Local Governance in 2009, the federation of Prince Edward Island Municipalities stated that ‘…when homes and businesses are spread out it costs more to provide public infrastructure and services, such as building and maintaining roads, transporting children to school, collecting garbage, and installing and operating water and wastewater systems, to name a few. Instead of using land use plans as a tool to control costs, we are often servicing unplanned development. Islanders cannot afford to allow haphazard development to drive up costs and further threaten the quality or availability of services’. (FPEIM, 2009, p.11)

**Comparisons to Elsewhere**

**New Brunswick**

Perhaps the closest example to what has occurred in Prince Edward Island would be the past example of what occurred in New Brunswick. In 2008, the government there asked the Finn Commission to examine alternatives to the situation of local services (including planning) that existed throughout the province, and to address lapses and overlapping in the provision of servicing that existed, especially in the northern part of the province.

One aspect that was examined by the commission was that, even though there were some communities that were doing well in terms of growth, many New Brunswick communities were having difficulty providing services to their residents, even day-to-day essential such as emergency services.
Other small communities were having difficulty to encourage volunteers to serve the community, who procuring experts to fulfill services, such as planning. Infrastructure had upkeep, however many communities were encountering a plateauing or even a shrinking of property tax revenue. Additionally, large parts of New Brunswick (particularly to the north of the province) were unincorporated, and were in no condition to provide servicing to those that lived there. This created a situation, where a greater load was placed on communities with services to provide for people in unincorporated areas (similar to what is occurring in Prince Edward Island), and putting additional pressure on existing infrastructure already in need of improvement. Many communities were looking to federal and provincial funding sources just to maintain the existing services, and these communities were, due to the setup, had no ability to control their own affairs.

Many communities were nervous about restructuring or even service sharing arrangements for a number of reasons including different funding methods for services in different municipalities, different degrees of servicing from community to community, and especially the loss of civic identity.

Due to this situation, the New Brunswick government created the Finn Commission to address the following realities and find solutions that could be applied by Fredericton:

• "New Brunswick has a large number of local entities with 101 Municipalities, 4 Rural Communities and 266 Local Service Districts for a total of 371. Eighty-three percent of these have a population of less than 2,000.

• In many smaller rural areas, the population is declining as residents are moving to more urban areas. This reduces the amount of property taxes collected, resulting in less revenue coming in to support the delivery of services to the community.

• Many neighbouring communities are trying to deliver many of the same services to small portions of New Brunswick’s population, resulting in duplication of services, administration, equipment and infrastructure.
• More than 250,000 New Brunswickers are without a local government and the current system does not encourage locally-led solutions.” (Government of New Brunswick. 2011, December)

From this basis, the Government had established the following anticipated results:

• “An increased number of communities are aware of their capacity, and are pursuing opportunities to become sustainable local governments.

• The number of local government entities in New Brunswick has been reduced, without losing local identity.

• More autonomous local governments with the capacity to contribute to the sustainability of the communities they serve.

• A larger portion of New Brunswick with locally elected representatives who can represent the communities they serve and are accountable for the decisions they make.

• Fairer distribution of costs; residents pay for the services they receive.

• Increased public awareness of property tax use and service costs”. (Government of New Brunswick. 2011, December)

The end result was to provide an outline of a new regional services model, called Regional Service Commissions.

• “Under the new model, the Province will be divided into 12 regions.
• All Municipalities, Rural Communities, and Local Services Districts which are situated within each region will be served by a Regional Service Commission for that region.
• Boundaries for 12 regions are based on communities and regions of interest (including such factors as regional identity, existing boundaries, language profiles, as well as proximity to and use of facilities such as schools, recreation centres, etc.)”. (Government of New Brunswick. 2011, December)

This model came into force in 2012, and it remains to be seen as to whether or not the government will see results that it hopes for New Brunswick.
Nova Scotia

Nova Scotia has a long history of municipal government. The first municipality incorporated was Halifax in 1841. The County Incorporation Act came into effect in 1879 which set about the establishment of the province-wide county system. The local governments in Nova Scotia include:

- Regional Municipalities
- Towns
- Rural Municipalities
- Villages

What differentiates Nova Scotia from the rest of Canada with respect to municipal government is that the whole area of Nova Scotia is covered by a municipality.

In the fall of 2013, the Steering Committee of the Provincial-Municipal Fiscal Review raised the specter of the need to reform the structure of municipal government in Nova Scotia, as a way to address issues of an aging population (particularly in rural areas), as well as the growing inability of smaller communities to afford services to their residents. This concern was further raised by the Report of the Nova Scotia Commission on Building our New Economy (commonly referred to as the Ivany Report), which was released in February 2014. Once the development plan described above is in place, the provincial government will immediately initiate a comprehensive review of current municipal government structures and of federal and provincial regional service delivery systems, improving efficiency, cost effectiveness and community engagement. This work will be guided by the following considerations:

- “Development of the strategy should be supported by appropriate public and stakeholder engagement.
- The review should build on the analyses and advice generated by previous studies and panels, ranging from the Graham Commission through to the recent Towns Task Force, the review panel on Regional Development Authorities (RDAs), the Schools Review Process and the provincial government’s consideration of shared services options.
- Prime objectives for restructuring should include:
- Greater service efficiency and improved “value for money” for taxpayers,
- A critical evaluation of the fairness, effectiveness and sustainability of the current distribution of service responsibilities between the provincial and municipal levels,
- Greater engagement of communities with regard to economic development planning,
- Improved incentives for entrepreneurship,
- The integration and streamlining of services to business,
- Reductions in regulatory burden, and
- The better alignment of tax policies with economic growth objectives. “(NSCBONE. 2014, February. P.50))

It appears that the provincial government will be looking at what they will do in the coming months.
Overview of Potential Solutions

Status Quo
Though the first official commission on land use was formed in 1972, little has changed since then.

Though many have felt that the time has come to modernize and expand land use in the province, the same land use planning has existed since the current Planning Act was passed in 1988. A redesign of the Municipal Act was suggested ten years ago (2005), but it has not been acted on since. The Report of the Task Force on Land Use Policy released in 2014 has quoted many Islanders saying that there is a need for change in how land use planning is done on the Island. In Kings County, there is no planning presence to oversee orderly development within the County. Complicating things is the fact that the local economy is on a steady decline.

Municipal Land Use Planning from Charlottetown
A possible solution is for the provincial government to provide full planning services to municipalities and other areas within the walls of the applicable ministry (currently the Department of Communities, Land and Environment). During the late 1970’s and 1980’s, this service was provided by the Province, but was eventually cut. (Prince Edward Island Commission on Lands and Local Governance. 2009, p.11)

Provincial-Instituted Municipal Restructuring
Another possibility is for the provincial government to unilaterally reorganize the province into new municipal units that ensure total coverage of the Island. Currently, the Province has a policy to have smaller communities to explore the prospects of amalgamating with surrounding communities in the hopes of creating municipalities that are more sustainable financially.

Prince Edward Island has had prior experience with provincial inaugurated municipal restructuring, when, in 1995; the Province passed the Charlottetown Area Municipalities Act (which merged 14 communities
into three; including the new City of Charlottetown) and the *City of Summerside Act* (which merged four communities into one).

Amongst the most well-known processes of unilateral municipal restructuring occurred in the late 1990s and early 2000s in Ontario. First through *Bill 26 (the Saving and Restructuring Act)* in 1995, in which municipalities were given the opportunity to find cost savings through amalgamation with neighbouring municipalities; through the *City of Toronto Act* of 1996, and finally the 1999 *Fewer Municipal Politicians Act*. The result was the reduction from 850 municipalities down to 444. Indeed, Bill 26 described it role as to “achieve fiscal savings and promote economic prosperity through public sector restructuring, streamlining and efficiency…” (Miljan & Spicer. 2015. p.5)

**Recommendations of the 2014 Task Force of Land Use Policy report**

The most recent report on the issue of land use in Prince Edward Island, the Task Force recommended:

1. the provincial government adopt the Statements of Provincial Interest and provincial land use policies as regulations under the Planning Act;
2. the provincial government review and revise the Planning Act;
3. the provincial government prepare companion documents, maps and a handbook to promote public awareness and education;
4. the provincial government create a Land Use Vision Map and broad planning “zones” to be applied Island-wide;
5. that regional land use plans be developed;
6. the provincial government create a new provincial planning commission to serve as the central planning authority for the province;
7. the provincial government facilitate consolidation of undeveloped lots;
8. the provincial government implement regulations to restrict development in areas without an official plan until regional plans are approved;
9. the provincial government explore farmland preservation tools to keep farmland in food production;
10. the provincial government move quickly to adopt legislation recognizing the title and practice of professional land use planning and require that all planning
documents be certified by a Registered Professional Planner (RPP). (Government of Prince Edward Island. 2014, January. p.39)

Establishment of the Kings County Land Use Planning Office/Board
Another option would be the creation of a King County Planning Office. Based on a hybrid of the New Brunswick model mentioned earlier in this paper, along with some of the recommendations of the 2014 Report of the Land Use Task Force, it would require the establishment of a planning board to oversee a staff of planning staff, along with the possibility of other positions (such as economic development and building inspectors). This structure would establish a plan to cover the entire County, including the currently unincorporated areas.

Assessment of the Potential Solutions
Status Quo
Outside of the major urban area of Charlottetown and Summerside, the province consists of many small, even tiny communities. Many of these were created as the result of the old school districts. A vast number of these communities do not have a form of local government, and because of this, they provide few services to those who live there. As Cousins states in The Geography of Governance ‘... the great bulk of the Island’s land area has no local government. Unlike neighboring New Brunswick and Nova Scotia, there is no tradition of rural local government on the Island. The counties never developed real county government, serving primarily as geographical markers for electoral districts and court systems.
Along with huge unincorporated areas, Prince Edward Island has large incorporated areas that have no official plan for zoning and land use. The Standing Committee on Agriculture, Forestry and Environment estimated in 1997 that between six and nine per cent of Prince Edward Island's land area falls under a planning and zoning bylaw. The government plans to increase the area covered by official plans to 50 per cent by 2003, including Special Planning Areas (which are
not necessarily incorporated).” (Cousins, 1999, p.20)

Simply put, the status quo, as attested by the numerous commissions that have convened since the 1970’s is untenable. Development is often disorganized throughout unincorporated areas, and most development will occur in these areas to avoid the higher development cost that would be incurred in the incorporated areas, despite the reality that communities that are incorporated and have official plans will be better suited to deal with the growth, and often have the servicing to handle the growing need.

**Municipal Land Use Planning from Charlottetown**

While this option may be the most cost effective and would provide defacto planning services to the entire Island, it is debatable whether the idea of consolidating planning services in Charlottetown would be accepted in rural areas of the province. No other province in Canada has land use planning system that has the Province dealing with local planning issues. Despite the fact that Prince Edward Island is the smallest and most densely populated province in Canada, one can easily get a distinct feeling of uniqueness from one community to another. Islanders are extremely proud of their small communities, and they may not react in a positive way to influence in local issues by Charlottetown. As well, given that many provincial governments (including PEI) are looking for ways to cut costs, it is unlikely that the Province will want to spend required revenue to adequately provide land use planning to the entire province.

**Provincial-Instituted Municipal Restructuring**

If the Province wanted to see the effects of a province unilaterally forcing amalgamation on local municipalities, one only has to look at the file of Ontario in 2000-01. Still an unpopular idea to this day, there is little evidence to show that it was a success in its goal to cut back on expenditures at the local level. According to a report by the Fraser Institute released in 2015, many municipalities in Ontario that went through amalgamation did not experience a reduction of expenses in the operation of government,
nor necessarily more efficient of resources. (Miljan & Spicer. 2015, p.25) Restructuring should be done at the grassroots level, encouraging members of the community to see the benefits of sharing limited resources through the creating of larger, more sustainable municipalities, and to instigate the amalgamation process themselves. Currently the Province has a policy of encouraging such a process (and the communities of Bedeque and Central Bedeque merged prior to the most recent municipal elections), (McPhee, N. 2015, July 29) but it is completely voluntary, and there is no criteria currently in place to speak of the desired size of a new amalgamated community (i.e. population, tax base, etc.)

**Recommendations of the 2014 Task Force of Land Use Policy report**

The Report of the Task Force of Land Use Policy addresses many important topics, including the creation of Provincial Statements of Interest, and the creation of Regional Plans. Where they fall short, in the opinion of this report is the creation of 5 regional plans. While their ascertainment of basing the planning areas on population and tax base levels, it ignores historical tendencies. Many people in Prince Edward Island relate not just to their community, but also to their county. While it addresses the need to establish Regional Plans, it is humbly suggested that rather than creating new regional entities, it would be more advantageous to use existing districts which are currently utilized for other purposes (such as court services, deed registrations), and is currently accepted by the population.

Other recommendations included in the report are considered by this report to be long overdue and essential to the province in general, and Kings County in particular. Primary of these is the creation of a new provincial planning structure, especially the formation of Provincial Statement of Interest. The instituting of more strict provincial oversight can only improve the situation in communities by offering areas standards that they can work toward to improve the anticipated growth and structure of municipalities.
Establishment of the Kings County Land Use Planning Board
As explained in the next part of this paper, the creation of a planning board (with staff) to oversee land use planning in the County could succeed on a number of fronts. First, land use planning at the County-level would represent the ideal scale of process; by establishing a system of planning that could address local planning issue with a resident expertise that would not be achievable at the provincial level (no matter the number of staff that the provincial would choose to employ). Secondly, it could create an expert community planning resource that would be available to the area in a way that individual communities would not have to provide with their limited resources. Thirdly, a local planning board would stand a better chance at gaining acceptance within the community toward creating a County-wide planning structure, and, quite possibly, lead to formation of more sustainable communities in Kings County.

The Proposal
The Kings County Land Use Planning Office
As mentioned in my previous policy brief, the establishment of County Planning Offices would prove to be the ideal solution to the gaps in land use planning for the area. Setting up regional municipal governance would do a great deal to help the County. Establishing a County administration could eliminate the lack of governance in unincorporated areas (at least in terms of land use planning), and also create cooperation among all incorporated communities in terms of the provision of certain services needed in the area (i.e. planning, economic development, by-law enforcement, building inspection). This could be a similar solution as what has been recommended in New Brunswick, another province dealing with governance in unincorporated areas (Government of New Brunswick, 2011, p. 202). Among its many recommendations included the establishment of regional service districts to ensure that all areas of the province would fall under this level of governance (New Brunswick Commissioner on the Future of
Local Governance. 2008. p.79). Based on this, it is proposed that Kings County be a test subject of a similar governance model.

I) Reasoning for Selection
As previously mentioned, by having these tasks done at the County level, individual communities will not have to take on the burden on the own, many of which simply could not afford to do so. The establishment of County land use planning would, in one action, ensure that the entire landscape of the area would be under a land use process. The creation of a new County Plan, will make sure that there is a uniform protection of the area’s natural resources, as well as orderly development. In terms of the issue of land governance, this process would allow the creation of municipalities that are decided upon by members of the community (with direction provided by County staff), as opposed to it being determined in Charlottetown. In all likelihood, this will allow for the new governance structure to be accepted by citizens in the County, which would appear to be the biggest obstacle to progress on this matter (both in terms of resistance from residents, and inaction on the part of the provincial government).

There is evidence that there is movement afoot to have a more collaborative game plan in terms of governance in the County. The most visible has been the creation the Eastern Prince Edward Island Municipal Coalition. A result of the Georgetown Conference, it is currently in its organizational phase. However, it is currently working on the mandate of finding a way for communities to work together to solve area issues (MacAulay, 2014). It is believed that by creating a County board, there could be a formalization of this movement.
II) Required Legislation
The province establishes a `Kings County Act` to mandate a County planning board, and establish the County`s responsibilities (similar in configuration as the Acts for both Summerside and Charlottetown areas). As the Planning Act is currently worded, there is provision for two or more municipalities to create a joint planning board. However, as unincorporated communities do not have the ability to do so, and given that a majority of the area of Kings County is unincorporated, it would be not capable to use existing provision to create a County-wide board. It would be advisable to declare the entire county a special planning area (as currently established in Greenwich), with the exception of communities currently with official plans, to restrict development until such time as the board can be established. The board staff would work to create the County Official Plan, which, upon the approval of the Province, would then be the policy governing land use county-wide. Zoning By-laws would then be created to provide more specific land use details throughout. Also of note is that the provincial government plans to introduce a new Municipalities Act in 2016. This may be a good opportunity to establish wording in the new Act which would allow for the creation of such a regional board.

III) Set-Up of the Office
The provincial government would provide the budget to establish the County planning board for the first year. During this time, a planning board would be created. In subsequent years, the County planning board would set a tax rate to finance County responsibilities going forward. With the possibility of a reworking of the assignment of property tax revenues to communities, it may be possible to establish conditions whereby the County planning board could have property taxes assigned to their office to perform planning tasks on behalf of the entire County.
a) Duties

Based on the four districts mentioned below, community groups would be established to discuss, and recommend how each area would be structured. The board and its staff would act as the planning authority for all areas of the County. The board would oversee planning issues in the areas currently unincorporated, acting as the de-facto council for these areas, ensuring orderly planning decisions. For communities currently with plans, board planning staff would act on decisions of that community’s council, as well as being advisors to those councils on planning issues affecting their municipality.

b) Required Positions

The board would then hire staff to fulfill the responsibilities in the various County tasks (As mentioned earlier, they could include; it is recommended, planning, economic development, by-law enforcement, building inspection staff, as well as support staff). It is also possible that, in the interim, some positions could be covered by provincial staff (such as economic development and building inspection specialists that currently fill these roles) until such time as County staff could be hired to fill the roles.

IV) Powers of the Office

The Planning Office would perform all the above duties in all towns and communities within the County, especially in all areas currently unincorporated, and act as if they were the office for each community as if they could afford their own. All by-laws passed by local municipalities would be enforced by the board staff as if they were passed by the board. For unincorporated areas, the board would pass and enforce new plans and zoning by-laws for each district, thereby creating a planning framework there.

V) Suggested Board Set-up

Divide Kings County into 4 temporary districts, and the six communities with Official Plans (Montague, Souris, Eastern Kings, Georgetown, Brudenell and Lower Montague). Each area
would elect/appoint a representative to sit on the County planning board, for a total of ten members of the board.

Planning staff would then be tasked with creating Official Plans and Zoning By-laws for each of the districts. Each district follows the rough area that was originally laid out by the Samuel Holland survey. More importantly, each area contains area of similar land and coastal scape, and would therefore, have similar issues that could be addressed by a plan and by-laws for the area. Each proposed district would also contain a similar population to each other (roughly 2100 to 3800 residents). The district would also roughly follow the watershed areas already established previously.

![Figure 10 – Zone 1 for King County Planning Board (Source: Government of PEI website)](image_url)

This planning area is based on the old St. Patrick’s civil parish marked out of the original Holland survey. This area would include the communities of St. Peters Bay, Morell Lots 38, 39, 40, 41 and 42; and contain a population of 2837 (according to 2011 Census figures).
Figure 11 – Zone 2 for King County Planning Board (Source: Government of PEI website)

This planning area is based on the old St. George’s civil parish marked out of the original Holland survey. This area would include the communities of Cardigan, Kings Royalty, Lots 51, 52, 53, 54, 55, 56 and 66 (not including the Towns of Montague and Georgetown, nor the community of Brudenell; and contain a population of 3308 (according to 2011 Census figures).

Figure 12 – Zone 3 for King County Planning Board (Source: Government of PEI website)

This planning area is based on the old St. Andrew’s civil parish marked out of the original Holland survey. This area would include the communities of Murray River, Murray Harbour,
Lots 59, 61, 62, 63, and 64 (not including the community of Lower Montague; and contain a population of 3806 (according to 2011 Census figures).

![Map of Zone 4 for King County Planning Board](image)

*Figure 13 – Zone 4 for King County Planning Board (Source: Government of PEI website)*

This planning area is based on the old Eastern civil parish marked out of the original Holland survey. This area would include the community of Souris West, Lots 43, 44, 45, 46, and 47 (not including the Town of Souris, nor the community of Eastern Kings; and contain a population of 2164 (according to 2011 Census figures).

**Suggested Implementation**

**Timeline**

Ideally, the County board would ideally be set up within 3 month of approval from the Province. Initial board appointments could be dealt with in plan communities through the appointment of a representative by the Council. In unincorporated areas, community meetings could be set up by the Province in each proposed district (similar to community meetings are held in some communities in Prince Edward Island to elect their new councils) for the purpose of choosing a representative to sit on the board.
From this, the board should meet and set up criteria for choosing staff for each position mentioned above (including compensation).

Then the planning staff would begin the process of formulating five plans; an overall Official Plan for the entire County, then one for each of the four districts that require them. It is imperative that each plan is formulated with public input (possibly through public meetings). It is quite possible to designate all areas not currently under an Official Plan and Zoning By-Law within a new Special Planning area until such time as plans are put into place.

Given that all plans would have to be approved by the province (and anticipating that there could be appeals to the Island Regulation and Appeals Commission), the full process could take as much as 3 years to complete.
Conclusion

In conclusion, it is felt that this will be a good first step in creating a ‘Made in Prince Edward Island’ solution to the gaps which are apparent in the planning system in the Province. PEI is a unique province, with unique planning issues. Though ideas can be taken from other jurisdictions, the ultimate future course must be developed here. If the establishment and subsequent analysis of the Kings County planning office deems it a success, there is every reason to think that it could be applied to other rural areas of the Province.

It is believed that there is room for this solution in the existing landscape in Prince Edward Island. Land Use in Kings County needs a consistent answer to the protection of its unique landscape and resources. This is a solution that can be cost-effective, comprehensive, and respective of local wants and needs. It is humbly suggested that this solution could be adjusted to be used in other parts of the province, such as Prince County; an area that is facing similar matters as is Kings County.

The Province has recognized the need for coherent and effective land use planning by saying “…PEI must deal with changes in the population, the environment and economic activity, which place pressure on the island’s landscape and resources. Land is the foundation of our environment, economy and our quality of life. Water quality, public safety, agriculture, recreation, forestry, tourism, wildlife, forestry, and coastal resources all depend on land and the choices we make.” (Government of PEI Website, n.d.)

It is imperative that the solution must be one that is most likely to be accepted by the communities of Kings County, both incorporated and unincorporated. A process that gives communities the opportunity to actively participate in its formation and continued operation is one that will achieve this goal. The creation of a planning board that takes into account the historical connection with Kings County will create a sustainable land use planning process in this rural community, setting up a potential future of growth and protection for a truly unique region of the Island.
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Riley, S (Mount Stewart Councillor). Interview by E-mail done on July 23, 2014.


Appendices

Appendix A – Location of Kings County (Source: Government of PEI at http://www.gov.pe.ca/)

Appendix B – Prince Edward Island Municipal and Special Planning Area Boundaries (Government of PEI at http://www.gov.pe.ca/)
Appendix C – Town of Montague (Government of PEI at http://www.gov.pe.ca/)

Appendix E – Example of Coastline Erosion [Union Corner Provincial Park] (Source: Natural Resources Canada Website)