

COMMUNITY OF TIGNISH
OFFICIAL PLAN
2008

Pursuant to Section 14 of the Planning Act,
RSPEI 1988, Cap. P-8 I hereby grant approval
of the attached Official Plan, effective on the 8th day of July, 2009.

(Original signed) _____

Hon. Carolyn I. Bertram,
Minister of Communities, Cultural Affairs and Labour

TABLE OF CONTENTS

	Page
1.0 INTRODUCTION	3
2.0 LEGAL ENABLEMENTS AND CONTENT REQUIREMENTS	3
3.0 PLANNING AREA, TIME AND INTERPRETATION	3
4.0 VISION	3
5.0 OBJECTIVES	5
5.1 SOCIAL OBJECTIVES	5
5.2 ECONOMIC OBJECTIVES	5
5.2 ECONOMIC OBJECTIVES	5
5.3 ENVIRONMENTAL OBJECTIVES	6
5.4 PHYSICAL OBJECTIVES	6
6.0 OFFICIAL PLAN POLICIES	6
6.1 GENERAL	7
6.2 RESIDENTIAL DEVELOPMENT	7
6.3 CORE AREA DEVELOPMENT	8
6.4 COMMERCIAL DEVELOPMENT	8
6.5 INDUSTRIAL DEVELOPMENT	9
6.6 RESOURCE LAND USE AND DEVELOPMENT	9
6.7 PARKLAND, PUBLIC OPEN SPACE AND INSTITUTIONAL AND RECREATIONAL DEVELOPMENT	10
6.8 HIGHWAY TRANSPORTATION	10
6.9 SEWERAGE AND WATER SYSTEMS AND SURFACE WATER MANAGEMENT	10
7.0 OFFICIAL PLAN IMPLEMENTATION	10
8.0 OFFICIAL PLAN REVIEW AND AMENDMENT	11

1.0 INTRODUCTION

- 1.1 This document, together with any appendices or maps which are bound separately, as amended, constitutes the Official Plan (2008) for the Community of Tignish. The document supersedes any previous Official Plans as amended. Users are cautioned to ensure that the Official Plan version which is being used is current and complete. This information should be obtained from the Community of Tignish office.

2.0 LEGAL ENABLEMENTS AND CONTENT REQUIREMENTS

- 2.1 The Community of Tignish derives most of its powers from the Municipalities Act (RSPEI 1988, Cap. M-13) and the Planning Act (RSPEI 1988, Cap. P-8). The Planning Act enables municipalities to undertake planning in accordance with the Act. The Community Council has appointed a Planning Board whose responsibilities include the preparation or amendment of an Official Plan and a recommendation that the Council adopt the Official Plan or amendment and submit it to the Minister of Communities, Cultural Affairs and Labour for approval.
- 2.2 The Planning Act requires that a municipality review its Official Plan and confirm it, amend it or replace it with a new Official Plan. This Official Plan is a new one. The study content and process which preceded the development of this Official Plan has been summarized in the document *Community of Tignish, Official Plan Review Document, 2008*. The review document does not form a part of the Official Plan. Its purpose is to provide insight into the process and content of the review and study process which led to its preparation.
- 2.3 Section 12 of the Planning Act sets out the matters which must be addressed and included in an Official Plan:

“An official plan shall include

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

3.0 PLANNING AREA, TIME AND INTERPRETATION

- 3.1 The Official Plan shall apply within the legal boundaries of the Community of Tignish in its regional and Provincial context.
- 3.2 The Official Plan period is fifteen years.
- 3.3 Within the Official Plan “will” and “shall” shall be interpreted as being “mandatory” and “may” or “should” shall be interpreted as being “permissive”.

4.0 VISION

- 4.1 Unification of a Community can occur in many ways. One of the positive ways of contributing to this is to create a statement of how the Community sees itself emerging over a given planning period. This is sometimes referred to as a Vision Statement and

comprises statements about the components, features or aspects of a Community which lead to and then reflect the plan which it has developed for itself. To be useful as a practical tool for the development of policy the vision must be grounded by the art of the possible and address issues and activities which lie within the jurisdiction of the Community.

4.2 The Tignish Planning Board has developed a Vision Statement which has a 15 year forward view. The vision is couched in the terms which the Planning Act sets out as the main parameters of an Official Plan which are the local economy, the natural environment, the physical structure of the Community, and the social structure of the Community

4.3 The Community's Vision Statement is as follows:

Over the next 15 years Tignish will become a renewed Community.

Economically, it will continue to be the centre of the cooperative activities in the region. Its past as rail centre will be celebrated and the former rail lands will evolve into a combination community recreation centre and a contributor to the economy by attracting visitors. The Community's function as a service centre for the fishing industry will continue. Tignish will become a significant destination for visitors focussing on a renewed core area, the Confederation Trail, the wind power industry and festivals and events. Its farmland and forested areas will continue to be an important part of the Community's economic well being.

Environmentally, the required steps to protect the Community's water supply will be taken and its central sewer and water systems will be expanded and upgraded. The land base of the Community will continue to develop and evolve sustainably and with regard for the natural environment.

Physically, the Community will complete a renewal and beautification of the core area and develop the majority of the vacant residential lots which are serviced. The existing residential subdivisions will be substantially developed, in some cases following redesign. A part of the Community will be selected as the major focus of new residential growth. Beautification of the Community will be extended throughout the core area into other parts of the Community. The viable farm and forested lands will be protected so that they can remain in production.

Socially, the Community will attract or retain more young families and the population distribution will be consistent with the rest of the West Prince region. A renewed pride of place in Tignish will be established and the Community will be clearly and positively distinguished from others in the region.

4.4 The setting of short term objectives for achieving the vision serves as a means of operationalizing the achievement of the vision. A summary of these objectives for 2013 is as follows:

- a) 30% of the existing vacant residential lots will be built on.
- b) a local improvement plan for the core area will be developed and 50% implemented.
- c) 40% of the lots in undeveloped subdivisions will be built on or resubdivided.

- d) Attendance at festivals and events will be increased by 25%.
- e) 30 acres of residential land will be identified for new housing initiatives and a servicing plan developed.
- f) a plan for the upgrading and expansion of the central water and sewerage systems will be developed and implementation will proceed based on need and the availability of capital funds.
- g) the Community bylaws will be reviewed and:
 - i) targeted to dealing with new development and structural issues;
 - ii) directed to the protection of the farm and forested lands.
 - iii) ensure protection of the water supply and sewage treatment plant;
 - iv) an enforcement plan for the bylaws will be developed and implemented.
- h) the Province will be requested to regulate development in the Community water supply watershed which lies adjacent to and outside of the Community.

5.0 OBJECTIVES

5.1 SOCIAL OBJECTIVES

5.1.1 The social objectives of the Community are:

- a) to see the population distribution move towards that of the Province as a whole.
- b) to increase pride of place in the Community.
- c) to improve stability and safety in the Community.

5.2 ECONOMIC OBJECTIVES

5.2.1 The economic objectives of the Community are:

- a) to be the major service centre for the Tignish area.
- b) to foster and protect farming and forestry in the Community.
- c) to increase the assessment base of the Community.
- d) to expand commercial development and employment opportunities in the Community.
- e) to maintain property tax and sewer and water rates at competitive levels.

5.3 ENVIRONMENTAL OBJECTIVES

5.3.1 The environmental objectives of the Community are:

- a) to protect the quality and quantity of the Community water supply.
- b) to improve and expand the water distribution and sewerage collection and disposal infrastructure.
- c) to ensure that development does not significantly adversely affect the natural environment.
- d) to encourage proper management of waste in the Community.
- e) to protect natural areas.

5.4 PHYSICAL OBJECTIVES

5.4.1 The physical objectives of the Community are:

- a) to renew the core area of the Community'
- b) to beautify the community.
- c) to ensure that the scale of the built parts of the Community is consistent with the historic standards of the area.
- d) to continue to expand central sewer and water services in the Community.
- e) to manage storm water runoff safely and cost effectively.
- f) to minimize land use conflicts.
- g) to ensure that the available land supply reasonably matches the demand for development of the land use types in the Community.
- h) to protect farmland, forested land and wetlands in the Community.

6.0 OFFICIAL PLAN POLICIES

6.1 GENERAL

6.1.1 It is the policy of the Council:

- a) that it will promote or permit development which is:
 - i) sustainable in nature;
 - ii) consistent with the Official Plan;
 - iii) not in conflict with nearby land uses which are legally in existence;

- iv) serviced by central sewer and/or water supply, where available, prior to being approved;
 - v) in architectural harmony with the standard of the surrounding area or the Community;
 - vi) in scale with the surrounding area;
 - vii) consistent with standards respecting the height, bulk and location of buildings on the lot, density, intensity and such other standards as are considered expedient;
- b) that the provision of sewer, water and roads to accommodate new development be at the cost of the developer.
 - c) that all land within the Community be subject to zoning and subdivision control bylaws and that the bylaws be enforced.
 - d) to establish and require that development permits be obtained prior to commencing regulated development, that the permit be complied with during construction of the development and to reserve the right to require an occupancy permit prior to the activation or operation of the development.
 - e) to require a development permit for a change in use from one land use category to another.
 - f) that the development and zoning of the Community will be in accordance with the intent of Map OP-1, Future Land Use.
 - g) to develop strategic plans to implement the Official Plan including
 - i) a local improvement plan to renew and beautify the existing core area of the Community;
 - ii) a water and sewerage system improvement plan.
 - h) to consider the regulation of signage in the Community to ensure that signage is of high quality.
 - i) that detailed plans, sketches, models, specifications and the like may be required as part of the application process.

6.2 RESIDENTIAL DEVELOPMENT

6.2.1 It is the policy of the Council:

- a) that existing neighbourhoods will be protected from encroachment of incompatible uses or uses which will detract from the residential quality or liveability of the neighbourhood.
- b) to permit the development of a range of new residential units.

- c) to designate sufficient additional land in close proximity to existing sewer services and, where applicable, to central water services to accommodate the expected residential development over the lifetime of the Plan.
- d) to promote the Community as a location for residential development.
- e) to permit residential development on on-site sewer and water services, subject to Provincial approval, where required, having been obtained, and:
 - i) central sewer and water services are not available and will not be available within a reasonable time;
 - ii) the development is infill in nature and is compatible in scale, design and character with surrounding development.
- f) to permit medium density development in a form and scale which is not in conflict with the low density character of the Community.
- g) to actively promote the development of vacant residential lots in the community.
- h) to actively promote the resubdivision of residential subdivisions which are no longer viable.
- i) to permit a range of low impact home occupations in residential areas subject to meeting specific standards or conditions.
- j) to permit seasonal tourism bed-and-breakfast or similar businesses to locate in residential areas subject to meeting specific standards or conditions.

6.3 CORE AREA DEVELOPMENT

6.3.1 It is the policy of the Council:

- a) to identify an area in the community core where the mixing of small scale, low impact commercial development and low or medium density residential development can occur on the same lot or in close proximity to each other.
- b) that mixed use development proposals shall be in sufficient detail for the Planning Board and the Council to accurately assess the impact of the proposed mixed use development.

6.4 COMMERCIAL DEVELOPMENT

6.4.1 It is the policy of the Council:

- a) to encourage low negative impact commercial development in the Community.
- b) to ensure that commercial development is of high quality and consistent with the scale, architecture and character of the area in which the development is to be located.

- c) to not approve commercial development proposals which will result in such things as nuisance, including high sound levels for all or part of the time of operations, noxious odours, degradation of the natural environment, high traffic volumes, inappropriate traffic, or be offensive to community standards.
- d) to ensure that commercial development proposals do not create land use conflicts with nearby uses which cannot be remediated through the design of the development.
- e) that major commercial development will be subject to special consideration on a case-by-case basis.
- f) that detailed plans, sketches, models, specifications and the like may be required as part of the application process.

6.5 INDUSTRIAL DEVELOPMENT

6.5.1 It is the policy of the Council:

- a) to encourage and permit low impact light industrial development in the Community.
- b) to ensure that industrial development is high quality and consistent with the scale, architecture and character of the area in which the development is to be located.
- c) to not approve industrial development proposals which will result in such things as nuisance, including high sound levels for all or part of the time of operation, noxious odours, degradation of the natural environment, high traffic volumes, inappropriate traffic, or be offensive to community standards.
- d) to ensure that industrial development proposals do not create land use conflicts with nearby uses which cannot be remediated by the design of the development.
- e) that major industrial development will be subject to special consideration on a case-by-case basis.

6.6 RESOURCE LAND USE AND DEVELOPMENT

6.6.1 It is the policy of the Council:

- a) that the resource lands, including agricultural and forested land, wetlands, and waterways within resource lands, shall be protected to ensure that their natural and man-made productivity is improved, enabled or not impaired.
- b) that, where subdivision of resource lands for urban and suburban use is required, it shall be regulated to ensure that surrounding resource land use is not impaired by the subdivision.
- c) to monitor activities on resource lands and advise the appropriate authorities of activities which may be detrimental to the long term use of the land for resource purposes, protection of the natural environment, public health or public safety or cause a nuisance.

6.7 PARKLAND, PUBLIC OPEN SPACE AND INSTITUTIONAL AND RECREATIONAL DEVELOPMENT

6.7.1 It is the policy of the Council:

- a) to continue the development of the portion of the Confederation Trail which lies within the Community.
- b) to require the contribution of parkland, recreation land, public open space or cash-in-lieu of land as part of the subdivision approval process.
- c) to promote and permit the development of institutional facilities.
- d) to ensure that institutional, park, recreational and public open space land uses are protected from encroachment by uses which are incompatible with the designated use.

6.8 HIGHWAY TRANSPORTATION

6.8.1 It is the policy of the Council:

- a) to categorize all roads and streets.
- b) to monitor the need for maintenance, changes or improvements to the roads, including alignments, and to propose changes or improvements to the Province.

6.9 SEWERAGE AND WATER SYSTEMS AND SURFACE WATER MANAGEMENT

6.9.1 It is the policy of the Council:

- a) to continue to improve or expand the central sewerage and water systems in accordance with demand, minimum standards of the Provincial and Federal Governments and the availability of capital funds.
- b) to ensure that the central water supply is protected to ensure its continued suitability for public use and to request that the Province regulate the use of the land within the supply watershed lying outside of the Community to ensure its protection.
- c) to ensure that the sewerage system outfall is protected from conflicting uses.
- d) to ensure that surface water runoff from development is directed to appropriate locations.

7.0 OFFICIAL PLAN IMPLEMENTATION

7.1 It is the intention of the Council to implement this Official Plan through all means at its disposal. The main implementation means are:

- a) the use of regulatory powers under the Planning Act and the Municipalities Act. The primary instrument will be a Zoning and Subdivision Control Bylaw.

- b) the use of financial instruments, the primary one being the Community budget and secondary ones being the targeted use of Provincial and Federal programs.
 - c) the use of human resources the primary ones being the Chief Administrative Officer of the Community and staff resources and volunteer efforts led by community leaders.
- 7.2 Upon the approval of this Official Plan the Council will authorize the preparation of new or amended zoning and subdivision control bylaws. In addition the Council will authorize a review of its other bylaws which are relevant to the implementation of the Official Plan. As part of this the Council will appoint a Development Officer for the Community and assign a specific set of responsibilities to this role. The Council will continue to appoint a Planning Board. The Development Officer's role will continue to include assistance to applicants in moving through the approval process.
- 7.3 The Council will undertake the preparation of a strategic financial plan for the implementation of the Official Plan and implementation of the vision and short term objectives to move towards the fulfillment of the vision adopted through strategic plans. This will include taking advantage of available relevant Provincial and Federal programs as well as the funds raised to support the Community budget.
- 7.4 It is of critical importance that the residents of the Community take part in the implementation of the Official Plan. The lead roles will be carried out by the Community Council and its Planning Board which will take the responsibility for the identification and designation of Committees to assume roles in the implementation of the Official Plan.

8.0 OFFICIAL PLAN REVIEW AND AMENDMENT

- 8.1 The usefulness of an Official Plan is determined by its relevance. Official Plans which lose relevance can quite quickly become a hindrance rather than a help. For this reason the Official Plan will be reviewed and amended as circumstances change and problems and opportunities arise. The Planning Act requires that the Community undertake a formal review at intervals of not less than five year. It is entirely appropriate that the review process take place at more frequent intervals as circumstances shift.