

# 2021 Official Plan What We Heard Report

November 2021

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## Acknowledgments

### **What We Heard Report**

*November 2021*

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# 1 Introduction



## 1.1 The Plan Review

In PEI, development must conform to the Official Plan and Development Bylaw. The Official Plan is a legal document which defines policy on a broad range of planning issues, while the Development Bylaw includes regulations that implement these policies as they relate to land use and development. Within the Development Bylaw, the Municipality is divided into zones which determine permitted land uses. Zoning defines the development standards required in each case, such as lot area and frontage requirements, the location, size, and height of structures, permitted signage, outdoor storage, parking, and erosion control standards such as the required setbacks from watercourses.

The current documents were developed in 2013 and are now up for review. Updates will examine existing gaps in land use policy and regulations, and respond to new challenges and key issues for the community. This is an important opportunity to establish a shared vision for the future and guide growth and development in the years to come. This is also a chance to make the Official Plan and accompanying Bylaw easier to navigate and understand for staff, Council and residents.



## 1.2 What we did

This Plan Review process began with some initial community engagement to hear from residents and stakeholders about their priorities. We asked participants to share their insights and perspectives on land use and development in Eastern Kings. Over the summer of 2021, we hosted a series of in-person and online engagement activities. This engagement process was promoted through the following:

- » The Municipality's website and social media
- » The project website
- » The local newspaper
- » The Community Centre road sign
- » Pamphlets & surveys at the Municipal office and local businesses
- » Materials handed out to 30 residents at Elliott's General Store

Engagement activities for the Plan Review included:

- » A public survey (available online & hard copy) with 35 responses
- » A public workshop with 9 participants
- » A Council workshop with 4 participants

We also spoke with representatives from 15 stakeholder groups, including:

- » 5 local farms & aquaculture companies
- » Aquaculture PEI
- » Basin Head Marine Protected Area Advisory Committee
- » ECO PEI & Macphail Woods Ecological Forestry Project
- » Island Nature Trust
- » Eastern Kings Fire Department
- » North Lake Harbour Authority
- » Elliott's General Store
- » 2 local campgrounds and accommodations
- » Tourism PEI
- » PEI Energy Corporation

The results from these activities demonstrate a series of key themes and findings, which this report explores.



## 2 Themes





## 2.1 Community Identity

We asked engagement participants “what makes Eastern Kings a great place to live?”. Survey respondents selected the following top five characteristics:

- » Rural atmosphere
- » Access to nature
- » Sense of community
- » Trails
- » Long-standing connections to the area

For residents, the community’s draw is the quiet, rural lifestyle and access to nature. Participants added that in Eastern Kings, people take care of their neighbours, and despite being a small Municipality there is easy access to most amenities. Community members can enjoy the outdoors even if they don’t own waterfront property or their own scenic vista. One stakeholder described the appeal of the landscape saying,

*“There is something about this place, it’s refueling, calming”.*

The industries which sustain Eastern Kings residents also form an important part of the community identity, and residents place strong value on the fisheries, agriculture, and supporting industries. The role of tourism has been increasing in recent years, and residents provided input on how the industry can attract visitors without detracting from the local sense of place and quality of life. Many residents emphasized the desire to be a year-round community, and remain distinct from tourism-based municipalities like Cavendish, or community centres like Souris.

For survey respondents, the key challenges to living in Eastern Kings were the following:

- » Access to healthcare and social services
- » Employment opportunities
- » Roads
- » Cost of housing
- » Tax rate

Other challenges arising from our engagement are discussed throughout this report, and provide insight into how Eastern Kings can respond to changing land uses and conditions.



## 2.2 Vision Statement

From the start, Council members felt that it would be important to revisit the goals and vision of the Official Plan. These vision and goals guide the land use documents and set out the direction for development in the community. Council wants the vision to reflect the existing conditions and goals of the residents, while capturing Eastern Kings' unique sense of place in a clear, specific, and tangible way. The following vision statement has been written in response to the completed community engagement, and aims to respond to community members' values and priorities.

Vision statement:

*"The Rural Municipality of Eastern Kings will protect the health and vitality of the natural environment and sustain the quiet and wild beauty of the landscape. The municipality will be a place where all community members are welcomed and cared for, with access to a high quality of life year-round. The community will balance traditional industries with new opportunities, looking to the future while staying true to the deep-rooted sense of place."*

## 2.3 Economy

### Employment

Some of the main challenges identified by engagement participants were related to employment. Participants noted that some of the biggest barriers to living in Eastern Kings were finding well-paying, year-round, permanent employment, and finding and retaining reliable employees. Many stakeholders noted issues with staffing, and mentioned the various industries competing for the workforce. Some stakeholders explained that employers often turn to migrant or immigrant workers to supplement their staffing, though the additional bureaucracy involved makes this difficult. One stakeholder added that some employers have increased wages to attract staff. Stakeholders feel that the lack of housing options is a major cause of the staffing crisis which needs to be addressed.

Participants added that with remote work increasing in popularity, access to high speed internet and cell service is another barrier, one that has been more obvious than ever with more people working from home under Covid-19 restrictions. Public workshop participants suggested that it would be beneficial to have more office spaces with good internet and cell service, as well as flexible work spaces or co-working spaces where residents can go to work or study.

### Resource industries

Participants discussed the ways the resource industry has changed. One participant involved in the agricultural industry noted that the role of farming is changing in Eastern Kings, and they feel that with people more disconnected from their food supply the community doesn't place as much value on the local industry as it once did. The participant went on to add that while the footprint of agriculture hasn't changed dramatically in Eastern Kings, there are fewer people making a decent living at it, and technological advances and cultural shifts mean that farms run with much fewer employees than they once did. Regardless, stakeholders emphasized the value that agriculture and industrial businesses add to the local economy, sustaining work that may otherwise be outsourced to New Brunswick or the United States.

Some stakeholders involved in the industry had concerns about the development of agricultural land, suggesting that they don't want to see more farmland lost to development, but understand the dilemma many landowners face when they want to sell their land. Agricultural stakeholders added that most local farmers rely largely on leased private land, and are subject to the desires of the land owners, with a lack of available land limiting their expansion. One stakeholder was particularly concerned about investors from elsewhere in Canada or the United States purchasing large swaths of land. One suggestion from a local stakeholder was a land trust provided for agricultural uses.



There was also concern from environmental groups about the balance of agriculture and forestry within the community, and many advocated for sustainable agricultural practices and strong buffer zones around waterways and sensitive environments. Stakeholders added that runoff from septic tanks and agricultural products are one risk of development.

They went on to say that this runoff can increase nitrogen levels in the water, affecting yields for aquaculture and fisheries and having harmful effects on the natural habitat. Many participants recommended that the government support organic farms and crop diversity, and one added that there has been a lot of interest among local farmers in participating in sustainable farming projects.

Stakeholders also mentioned that Eastern Kings has had an issue with clear cutting for harvesting forest products and clearing new agricultural land. They went on to explain the harmful effects this can have on the environment as well as the productivity of the forests, and recommended sustainable forestry practices as an alternative.

Engagement participants feel that the fisheries are an important part of the local economy, and provide crucial income for residents. Aquaculture professionals noted that there is often tension with seasonal residents who have aesthetic and other concerns around both land and water-based aquaculture farming, suggesting that a buffer could avoid conflicting uses.

## Tourism

Workshop participants also discussed the role of local industries in Eastern Kings, and agreed that tourism has become essential to the economy, providing jobs and offering visitors access to nature and cultural sites.

One local tourism operator explained that business had been steadily increasing every year until the pandemic hit PEI, halting many financial goals. Multiple operators added that shorter winters have created longer tourism seasons, with many of their visitors looking for a more casual and quiet vacation in contrast to destinations like Cavendish. Another added that particularly during the pandemic, these types of destinations are becoming preferable to crowded tourist sites. They commented that partnering with the Island Walk has helped attract people walking and cycling across the province. In addition to active transportation, experiential tourism is increasing in popularity, with activities like fishing and crafting attracting new demographics. One stakeholder suggested that the Municipality should look to the Island East Tourism Group to expand the branding and marketing of the local market.

## Local amenities

Council members observed that 30-40 years ago there were many more shops in Eastern Kings, but amenities have become more centralized now that it is easier to get to centres like Souris. A couple participants noted that it would be nice to have year-round restaurants and food trucks in Eastern Kings for permanent residents, or at least more options in nearby Souris. One tourism operator added that visitors and residents have both been frustrated by the lack of food options, particularly for groceries and coffee spots. They also suggested that more rental and tour businesses are needed to keep up with tourist demand for outdoor experiences. Another stakeholder added that visitors are looking for hotels with lower price-points, moving away from the short-term rental market. They noted the “10/10/10” rule of tourism:

- » Ten places to eat
- » Ten craft stores
- » Ten things to do after 6pm

Throughout engagement participants praised the amenities for local residents including the General Store, Community Centre, and Fire Department. However, several participants suggested that Eastern Kings would benefit from better healthcare access, with the nearest hospital an hour-and-a-half away, the nearest ambulance often 45 minutes away, and no walk-in clinic. One added that the Province should make it easier for new medical graduates to work locally. The volunteer fire department acts as first responder in Eastern Kings, but stakeholders report that with the aging population, volunteers often burn out from the frequency of calls.



## 2.4 Environment

### Quality of life

It's hard to miss the natural beauty of Eastern Kings, and throughout engagement participants highlighted the importance of the environment in drawing both residents and visitors to the community, as well as supporting the local economy. Participants in the public workshop added that the natural environment in Eastern Kings creates a great quality of life, and creates many positive opportunities for community members and visitors to enjoy, including fishing, birding, and wildlife photography.

### Climate change

Coastal communities across PEI are particularly vulnerable to the effects of climate change, and Eastern Kings is no exception. Many engagement participants referenced issues with coastal erosion as the most obvious effect of climate change, and stakeholders noted the serious impacts that this has on the resource industries. One property owner noted that the North side of Eastern Kings has experienced some of the worst erosion, with an average of around 1 foot per year on their property. At one recording station, a stakeholder commented that 5.3 metres of bank was lost in one storm alone. Another suggested that with a loss of sea ice, greater erosion and coastal flooding is expected, which has potential to cause serious property damage. One stakeholder recommended bigger setbacks for coastal development to avoid damage from erosion and flooding.

Another key effect of climate change discussed with participants was increased storm intensity and changing weather patterns. A local farmer mentioned that lower rainfall has been hard

on crops, while another demonstrated the reverse of this problem and cited Hurricane Dorian as a recent example, explaining how major rainfall can shut down aquaculture operations due to runoff and acidification. This stakeholder noted that runoff from residential development along the coast could affect aquaculture yields, while other stakeholders added that higher water temperatures resulting from climate change will likely impact fish populations as well.

A stakeholder urged that local operations need to be aware of shoreline buffers and the hazards of wetland alteration. They added that while wetlands have the potential to mitigate some of the impacts of climate change, community members need to be educated on the importance of shoreline management, as fines are not always enough disincentive to discourage land owners from developing sensitive areas. Another noted that many farmers have changed their practices in response to climate change, including planting cover crops in the fall.





## Land protection

Some participants raised concerns around the protection of natural spaces, suggesting government regulated protected areas and land trusts as some options for controlling the use of sensitive areas and maintaining valued open space. Residents also mentioned the need to protect coastal access for the public, as well as important coastal view sheds, to ensure everyone is able to enjoy the natural setting. One stakeholder suggested identifying land for conservation now, in order to meet provincial targets for protection.

Stakeholders on the Advisory Committee explained that the Basin Head Marine Protected Area was established in Eastern Kings to maintain the health of a unique species of giant Irish moss native to the area, as well as the ecological integrity of its habitat. Stakeholders added that a new Management Plan is being developed for the Protected Area which will outline how local partners can work together on protection measures.

Environmental groups in the area voiced their support for maintaining and expanding buffer zones around waterways, and enforcing the regulations. Stakeholders noted that these buffers protect against agricultural runoff which can bring extra sediment and nitrogen into the water, creating the conditions for excess algae growth which blocks light and smothers sensitive species. As one example of this, stakeholders explained that with the combination of more frequent and severe storms and coastal erosion, the flow of water has changed in the Marine Protected Area, meaning that algae growth and sediment stay within the system longer.

## Forests

With a large proportion of forested land in Eastern Kings, forest management came up as a key priority among many stakeholders. The Island Nature Trust owns several properties in Eastern Kings, mostly made up of forested land. Stakeholders detailed how shorter winters and increased stress on the ecosystem have created more problems with invasive species in the Municipality's forests. They added that this has major impacts on both trees and wildlife, and is likely to affect the productivity of the forests, as well as other services they provide, including carbon sequestration and water filtration.

One stakeholder discussed how the forests in PEI have been impacted by development and harvesting, making them less healthy and more fragmented than a more natural Acadian forest. They added that this means that local forests are particularly susceptible to the effects of climate change. This stakeholder added that clear cutting land for harvesting or new agricultural fields leads to further damage, and should not be allowed, particularly within larger swaths of land and wildlife corridors. A stakeholder added that reforestation in PEI needs to be more carefully planned to avoid "canceling out" the environmental benefits with harmful chemical inputs required to sustain less diverse planting.

Stakeholders noted that one example of more sustainable forestry practices is the Macphail Woods Forestry Project, an initiative of ECO PEI which offers programming for youth and adults, hosts gardens and trails, as well as conducting research and consulting work in forest restoration and native landscaping.

## Wildlife

The PEI Wildlife Federation also manages a significant amount of land in Eastern Kings, and representatives note that the municipality has arguably the best salmon habitat in the province, with North Lake and Priest Pond being important streams.

These stakeholders explained that the community is also important habitat for the endangered Little Brown Bat (often found in abandoned wells), and birds including songbirds, raptors, waterfowl, with some of the best rare bird nesting sites on the Island. Stakeholders added that the Canadian Wildlife Service's "red triangle" covers the eastern tip of the Island, and comes with unique controls.



## 2.5 Housing

### Housing gaps

Housing was one of the primary themes throughout engagement, and stakeholders highlighted the need to ensure that new housing development addresses current needs and demographics. Participants highlighted gaps in the current housing market, including:

- » Affordable housing
- » Year-round rentals
- » Starter homes for young families
- » Seniors housing
- » Transitional housing
- » Accessible housing for people with disabilities
- » Smaller options for one-person households
- » Multi-unit dwellings
- » Tiny homes and container homes
- » Energy efficient housing

### Affordability

One participant added that new housing should work within the means of current residents, ensuring that “affordable” options are suited to the income levels of the area. Suggestions included developing a community land trust for affordable housing, and using Municipal and Provincial land for housing development. One stakeholder suggested that Eastern Kings be proactive about protecting the existing stock and establish rules for short-term rentals in some areas, adding that places like Charlottetown have lost a significant amount of housing to this business.

Others noted that there is an invisible housing crisis in Eastern Kings, with residents who are unhoused or without secure housing couch surfing or forced to live with their parents or roommates well into adulthood. They added that in PEI, having a permanent address is essential for receiving government assistance, accessing a family doctor, driver’s license, and proof of vaccination. This stakeholder suggested that even tiny homes have become out of reach for some residents, and are not suitable housing for most people. They speculated that some home owners are unable to pay additional expenses like heating and repairs. Some participants suggested that energy efficient housing design and solar energy could help cut costs, if the initial investment was affordable.

One participant added that they feel it is important to innovate housing options while maintaining the rural character of the community. Some stakeholders mentioned that while there are many summer cottages in Eastern Kings, many are not winterized, and there is a need for year-round stable rentals.



## Housing for young residents

Many engagement participants mentioned that young residents have been moving away from Eastern Kings either seasonally or permanently, in search of employment and affordable housing. One stakeholder added that most properties for sale in Eastern Kings have been selling within weeks, often to residents coming from out of province and far out of the budget of any first-time home owners. Some stakeholders expressed concerns about homes being “flipped”, with renovations further inflating their value. Another participant suggested that everyone needs some help in order to thrive, particularly for young people getting started in their lives and seniors looking to age in place.



## Seniors housing

Seniors housing was identified as a major gap by many participants, and recommendations included supportive housing, grouped dwellings, 1 and 2-bedroom options, clustering housing near amenities and recreation, and ensuring the necessary social supports are in place.

On the other hand, one stakeholder argued that some older residents don't feel seniors housing is suitable for Eastern Kings due to the lack of amenities. The stakeholder suggested that they would prefer to move to a community that has healthcare and commercial services close to housing.

## Employee Housing

Many engagement participants highlighted that the housing issue is closely tied to issues with employment, and a couple business operators mentioned getting involved in staff housing either setting up migrant workers with host families, or building their own worker housing.

Figure 1 shows survey respondents' top five choices for approaches to tackling the housing challenges with smaller, one-storey homes coming out on top.

Figure 1. Top five approaches to increasing housing options, availability or affordability, ranked by survey respondents from 1 (most important) to 10 (least important).

Top five  
 Bottom five



## 2.6 Infrastructure

### Transportation

While most participants felt that there is good access to amenities in Eastern Kings, some recognized the appeal of more urban areas like Souris, where services are located within walking distance. For some engagement participants, transportation was closely linked to housing concerns, and some suggested that many seniors move out of Eastern Kings to be closer to the commercial and social services they rely on. Another stakeholder commented that some things still require a trip to Charlottetown, and with fuel prices going up this can be very difficult even for residents with access to a vehicle.

Several stakeholders added that public transit should be a priority for the community, and could help local businesses fill employment gaps, while helping residents and visitors to access amenities and services. Some stakeholders mentioned a new transit service between Souris and Charlottetown that will improve options. One tourism operator noted that it is important to them to pay a living wage, particularly considering that many employees have to pay the costs of transportation between their home in Souris or elsewhere. Another operator noted that they offered their own small shuttle service for guests walking or cycling along the Island Walk or Confederation Trail, but have had to turn down larger walking groups.

Stakeholders feel that the low-traffic roads make Eastern Kings attractive for farmers who need to transport equipment, as well as making it more suited to active transportation uses like walking and cycling. One stakeholder added that the Points East Coastal Drive is a draw for tourists who plan their trips around

the scenic views. One suggested that road improvements are needed throughout Eastern Kings, and should be prioritized on East Point Road which is used for walking, running, and cycling.

Many participants want to see more active transportation facilities like paved shoulders, bike lanes, boardwalks and trails, and one participant noted that winter maintenance needs to be considered as a part of this. Multiple participants suggested that they would like to see the local trail network expanded, and specific recommendations included pathways at the North Lake Harbour and Lakeville loop, as well as Basin Head.

### Renewable energy

Eastern Kings has one operating wind farm, and two applications for additional wind farms have been submitted in the past, with the most recent currently undergoing a regulatory hearing through the Island Regulatory and Appeals Commission. Stakeholders and residents had a range of opinions on the suitability of wind farms for the Municipality. Many stakeholders feel that high winds in Eastern Kings make it the ideal location for wind energy and support the opportunity to advance environmental goals and bring in money for the community. One suggested an interpretive centre to accompany wind farms and educate visitors on alternative energy sources.



Others were in favour of wind energy but did not feel it is appropriate in the proposed sites due to the proximity of vulnerable forests and wetlands, the importance of East Point's migratory bird habitat, and concerns around the environmental assessment and community engagement processes. To avoid concerns about habitat fragmentation, some stakeholders suggested that potato fields could be a better location for local wind farms. One participant commented that they are only in favour of wind farms that supply energy to the Island exclusively.

A few participants felt that wind farms should never be permitted anywhere in the community, due to concerns about ecological protection, sound complaints, decommissioning protocols at the end of the turbines' life cycles, perceived health implications, and aesthetic preferences. One participant worries that development would decrease with the creation of wind farms, with no one wanting to live in the area, and another participant added that some of their neighbours moved away from their neighbourhood once the existing wind farm went in.

While many permanent residents and environmental groups advocate for strict restrictions on the siting of wind farms, some stakeholders noted that many community members who want to see wind farms completely prohibited are seasonal residents of Eastern Kings, a speculation supported by the public survey results. This suggests that seasonal home owners may have unique concerns around wind development.

One stakeholder feels that although Eastern Kings has the most prescriptive regulations around wind farms, the application process is not clear. They suggested that making use of the conditional approval process would improve clarity for applicants and remove some of the contradictory elements of the application. They also mentioned that existing road frontage requirements can be limiting for some forms of development like wind farms, storage, and warehousing.



## 2.7 Administration

### Council discretion

Eastern Kings has seen an increase in development over the last few years, particularly of residential subdivisions and seasonal homes. Engagement participants and Councilors both noted the need for careful planning to manage these applications.

Within the land use documents, there are permitted uses which are allowed according to the regulations included in the Official Plan and Bylaw, and then there are special permitted uses, which are subject to the approval of Council. Council discussed the appropriate balance of these types of uses, and felt that they want to have additional controls for important and delicate matters, while avoiding red tape. Council and local stakeholders also noted that the Municipality has limited capacity for enforcement, and regulations need to be feasible within the available resources.

### Updates

Participants highlighted areas where regulations are out of date or don't address new issues and land uses. One example cited was solar panels, which are currently absent from the documents. One stakeholder suggested that requirements be added for Council to consult with planning and subject matter experts wherever possible.

Council suggested that it may be worth revisiting current zoning. While the majority of the land in Eastern Kings is zoned Agricultural, the Municipality may wish to identify new areas for development, and consider whether the current labels fit. They added that it could be useful to set aside undevelopable areas.

### Clarity

Survey respondents indicated that while they find regulations to be reasonable, the documents are confusing and hard to follow, and do not do enough to manage incompatible land uses. Other engagement participants added that it will be important to improve clarity around the development process, and outline approximate timelines included in permitting applications.

One Councilor suggested that they also need clarity on what is considered "development" within the documents, and what does not require a permit. One Council member noted that there is sometimes confusion about the restrictions created by covenants (imposed on some land owners by subdivision developers) and how they interact with the Municipality's land use regulations.

Council mentioned that they would like to have a public meeting in advance of the next Municipal election to clarify government roles, including planning process and documents.

### Jurisdiction

Uses on Provincial and Federal land (such as parks, campgrounds, and the fisheries) have to deal with additional land use regulations. One stakeholder reported that there are sometimes issues where permits are required for multiple levels of government, and dealing with the Province and Federal Government can be complicated when staff don't know the context of Eastern Kings. One business owner noted that the new provincial Building Code requirements have also complicated many of their projects.

## 2.8 Relationships

Relationships often play a big part in the daily experience of residents, as well as the efficacy of long-term planning. Some engagement participants noted that there seems to be a lack of interest from some residents in planning for the community. They feel that while many residents show up for contentious issues like wind farm development, there needs to be more involvement in community planning. One survey respondent summed it up saying the community needs to plan to “take hold of the change they want to make”. Another respondent added that there can be a lot of resistance to change in Eastern Kings, and it often takes a long time for people to warm up to new ways of doing things.

Some engagement participants noted the need for more cooperation between levels of government. Referencing this, one stakeholder stated that the Plan Review process should consider coming changes associated with the Province’s Land Matters report, a project to modernize land-related legislation in PEI.

Another stakeholder suggested that where there is overlapping jurisdiction, involved government bodies are not always clear on roles and responsibilities. They commented that for the local fisheries, there is often confusion about property ownership, an issue which could be cleared up with better communication between governments.





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