



2023 Official Plan

Town of O'Leary

DRAFT FOR STATUTORY PUBLIC MEETING

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Prepared by SJ Murphy Planning & Consulting,
in association with Greg Morrison, RPP, MCIP,
and Mitch Underhay

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1. INTRODUCTION

1.1 PURPOSE

The Official Plan for the Town of O’Leary is a formalized statement of Goals, Objectives, Policies and Plan Actions approved by the Council of the Town of O’Leary (the “Town”) concerning the nature, extent and pattern of land use and development within the Town until the year 2038.

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

The Official Plan guides the physical, social, environmental, and economic development of the Town. It provides the policy framework for the Town of O’Leary Land Use Bylaw, hereinafter referred to as the Bylaw, and policy direction for Council’s actions in relation to: economic development initiatives; public works; social programs; municipal services; environmental standards; and fiscal management.

1.2 PLANNING AREA

The Official Plan covers all the geographical area contained within the legal municipal boundaries of the Town of O’Leary. Although the Official Plan can only control those matters which arise within the Town’s legal boundaries, consideration must also be given to what is happening in adjacent municipalities and, indeed, the West Prince area and the province as a whole.

1.3 LEGAL ENABLEMENT

The Town derives the majority of its powers from the *Municipal Government Act* and the *Planning Act*. The *Municipal Government Act*, which took effect on December 23, 2017, requires the Town to provide “municipal planning services, including an official plan and bylaws,” and enables other bylaws, programs, and strategies to help implement other aspects of the Official Plan. The *Planning Act* empowers Council to appoint a Planning Board, adopt an Official Plan, and, subsequently, to adopt implementing land use and development control bylaws.

1.4 TIME FRAME

The Official Plan will guide the physical, social, environmental, and economic development of O’Leary until the year 2038. Periodic reviews will take place as required, but the reviews must occur at least once every 5 years pursuant to the requirements of the *Planning Act*.

1.5 PLAN CONTENT

The *Planning Act* requires that official plans include:

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

This document contains six sections:

1. Introduction
2. O’Leary Today
3. Future Development Goals
4. Objectives, Policies and Plan Actions
5. Future Land Use Map; and
6. Implementation

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

The technical analysis and policy development expressed in this Official Plan is supported by a more extensive Background Report and Community Profile, with the objective of keeping the Official Plan itself as focused and accessible as possible.

1.6 OFFICIAL PLAN REVIEW

An official plan is intended to be a dynamic planning tool and is therefore subject to periodic review and/or amendment under the *Planning Act*. The Village of O’Leary appointed its first Planning Board in 1985. The first Official Plan was completed and adopted in 1990. A comprehensive review of this Plan was performed in 2000 and again in 2014, where Planning Board undertook a relatively comprehensive upgrading of the Official Plan and updating of the Zoning and Subdivision Control (Development) Bylaw.

Current Review

The review of the 2014 Official Plan commenced in 2022 in accordance the requirements of Section 15.1 (1) of the PEI *Planning Act*. A consulting team was retained to undertake the review, under the guidance of the Town’s Planning Board. The Planning Board held a series of meetings with the consulting team to identify a direction for various plan review topics. Background studies were undertaken to obtain demographic and social information as well as information from agencies and operations that supply services to the Town. Two public meetings were held prior to the final formal public meeting to present the final Official Plan and Land Use Bylaw for final public feedback.

2. O'LEARY TODAY

2.1 CONTEXT

Location

O'Leary is located in the south-central portion of West Prince at the intersection of the O'Leary Road and the Confederation Trail (former CNR rail lines) approximately 5 kilometers west of the Western Road (Rte 2). The Town is 60 kilometers north-west of Summerside and 130 kilometers west of the provincial capital, Charlottetown.

Historical Background

Prince Edward Island is known as *Epekwitk* and is part of Mi'kma'ki, the traditional, unceded territory of the Mi'kmaq people for more than 12,000 years. The entire province, along with Nova Scotia, eastern New Brunswick, the Gaspé peninsula and southern Newfoundland, comprise Mi'kma'ki where oral tradition and historic record point to seasonal use and habitation of the region.

O'Leary grew out of the development of the western Prince County rail system. The O'Leary Station was built at the location where the rail crossed the O'Leary Road. The community quickly developed into a service centre for the area, supporting sawmills and warehouses, and offering services such as the post office and stores. The local economy has been dominated by potato farming and relating businesses and industries.

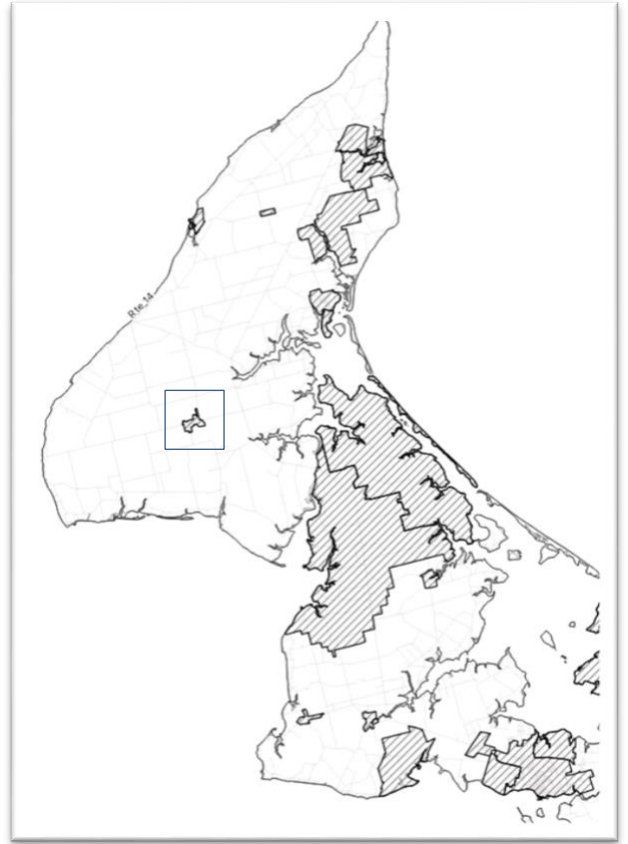


Figure 1- Context Map - O'Leary in West Prince

Municipal organization

O'Leary was incorporated as a Village under the PEI *Village Services Act* in 1951. The *Municipalities Act* in 1983 resulted in a name change to the Community of O'Leary. In 2014, the O'Leary Council applied to the Province of Prince Edward Island (the "Province") to change the status of the Community to a Town and the change took effect on March 11, 2014, a status that was retained through the transition to the *Municipal Government Act* in 2017.

Under the *Municipal Government Act*, the Town has a 6- member Council. Town staff includes a full-time chief administrative officer, recreation director, and maintenance supervisor, with additional seasonal staff during the summer months for maintenance and recreation programs.

2.2 DEMOGRAPHICS

Population

O'Leary has fared somewhat better than some other smaller communities in Prince Edward Island. The population growth over the most recent census period was 7.5%, after a 0.4% growth from 2011 to 2016.

Town of O'Leary Population

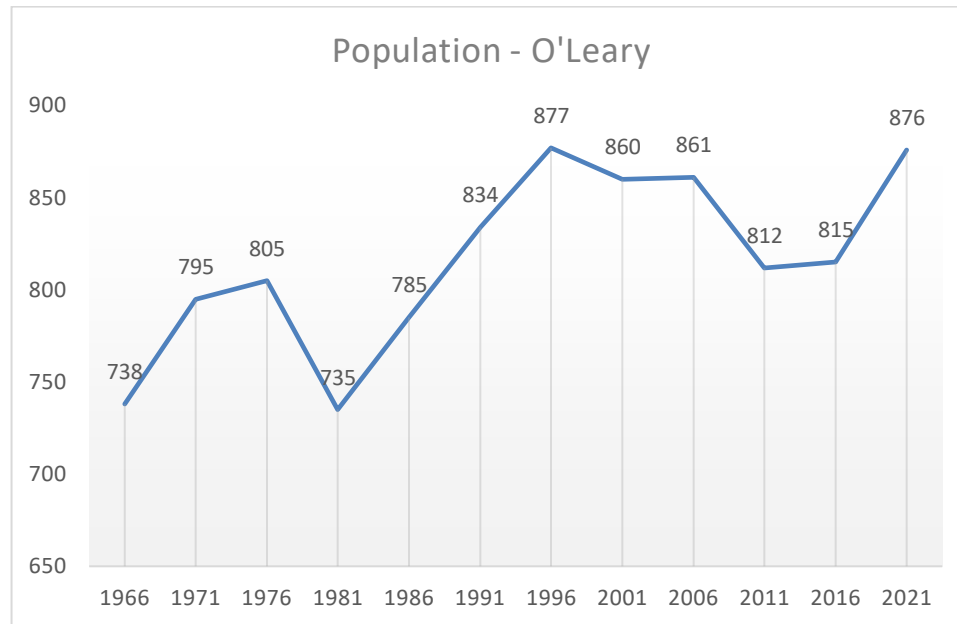
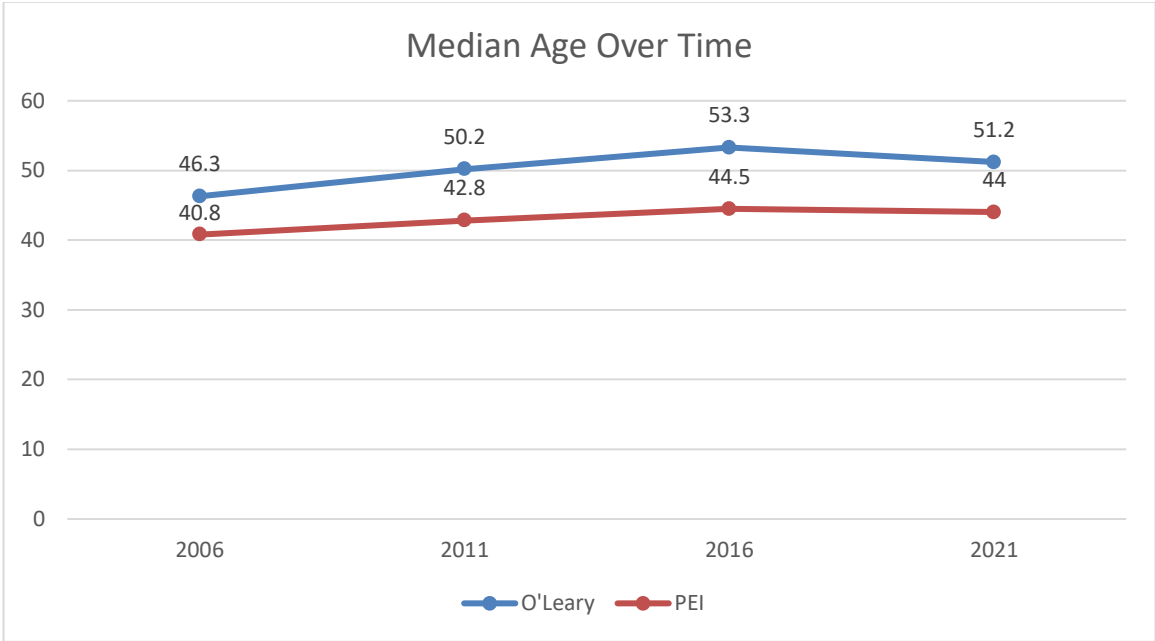


Figure 2 - O'Leary population growth over time (Statistics Canada Census data and 2014 O'Leary Official Plan)

O'Leary's population is slowly aging; in the last fifteen years, the median age increased from 46.3 to 51.2 years, while the Province's overall median age increased from 40.8 to 44 years.

Figure 3 - Median Age in O’Leary Over Time (Statistics Canada census data)



In 2021, approximately 52% of O’Leary’s population was over the age of 50 and 31.4% were over 65 years of age. This compares to the provincial figures, where 43% were over the age of 50 and 21.2% were 65 years or older. The aging population in O’Leary’s population brings with it a declining number of younger families with children. Shifts in age breakdowns notwithstanding, the percentage of households with 1-2 persons remained steady at 71% between 2016 and 2021. A projection by the recently launched Housing Assessment Resource Tools site, and based on 2016 census data, suggests that by 2026, O’Leary could be home to as many as 413 households, with the majority of the new households in the 3-person and 5+ household categories, a slight increase in the number single-person households, and a decrease in the number of 2-person households.

Future population trends will be closely tied to the Town’s ability to meet the housing needs and ensure the sustainability of services. Between the 2021 and 2041 census periods, O'Leary’s population could grow by as many as 570 persons, with a net increase of over 260 households.¹

Housing

With a population on average older than in the region or the province as a whole, housing options suitable to young adults and young families will be needed to ensure sufficient choice to ensure the attractiveness of the town to those age groups, especially young adults looking to establish their own households. This is particularly true for the 15 to 24 year cohort, where the 2016-2021 household formation rate was 0%. A lack of housing options for young households will have long-term implications for the ability of the Town to retain young adults and families. Housing for seniors is also critical, meaning that the housing priorities from 2014 have only become more acute. Additional work taking place in West Prince confirms that there is significant pressure on the housing supply to meet the needs of those looking to move or stay in the town and the region as a whole. Census data also indicates that over 23%

¹ Pelletier, Matthew. Understanding Housing Needs in the Town of O'Leary. July 2023. See Appendix A.

of tenant households were in core housing need in 2021 and spending more than 30% of their income on shelter costs, while almost 14% of owner household are also in core housing need, higher than in both the region and the province, meaning that affordability remains a critical need.

The average household size in 2021 was 2.2, compared with 2.3 in Prince County and provincially, and up slightly from 2.1 over the previous two census periods. This is reflective perhaps of the increasing number of newcomers moving to the region, many of whom share accommodations for a variety of reasons, as the development of new dwellings occupied by usual residents and dwellings overall did not keep pace with the population growth. Despite this slight shift, the Town's population continues to age, with approximately 52% of O'Leary's population in 2021 over the age of 50 and 31.4% over 65 years of age. This compares to the provincial figures, where 21.2% were 65 years or older.

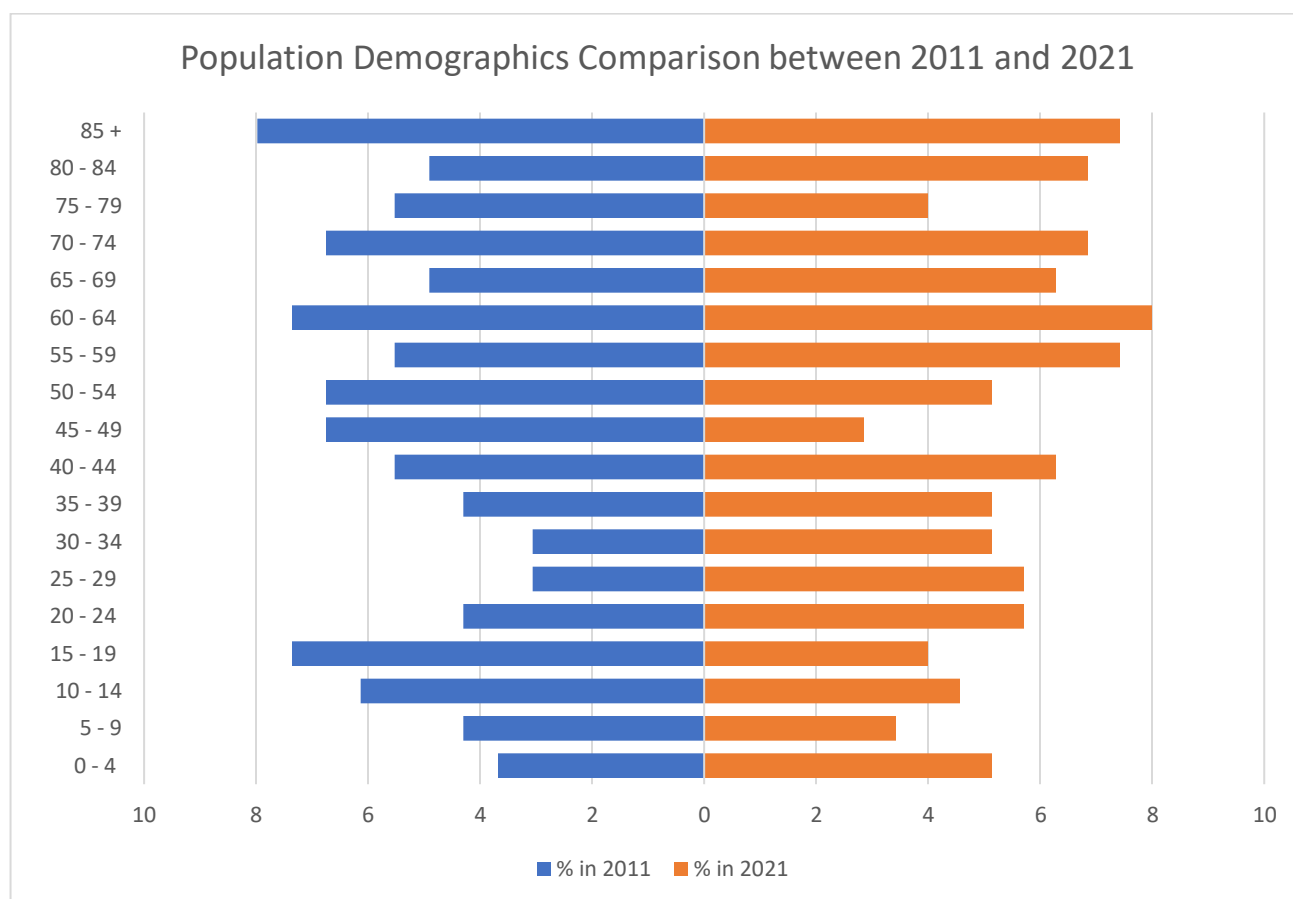


Figure 4 - Town of O’Leary Age Characteristics

Employment opportunities are available in the O’Leary region, but the Town must seek to create a flexible environment that will foster the development of more affordable and varied housing options in order to encourage the needed workers and young families to locate within the boundaries of O’Leary.

In order to keep up with the projected population growth, O’Leary will need to increase housing stock by at least 266 net units by 2041, meaning an increase of 13 units a year to keep pace or 15 units per year to improve overall affordability. The annual rate of unit increase between 2016 and 2021 was 3 new units.

2.3 CURRENT LAND USES

Mapping, updated assessment data, and other resources were used to understand current land uses. A more complete assessment of current land uses and trends is included in the Background Report and Community Profile that accompanies this official plan. While this Plan is focused on existing lands within the Town, a small boundary adjustment initiated by the Town in the spring of 2023 will provide additional opportunities to promote the development needed to support residential, commercial, and other uses in the community.

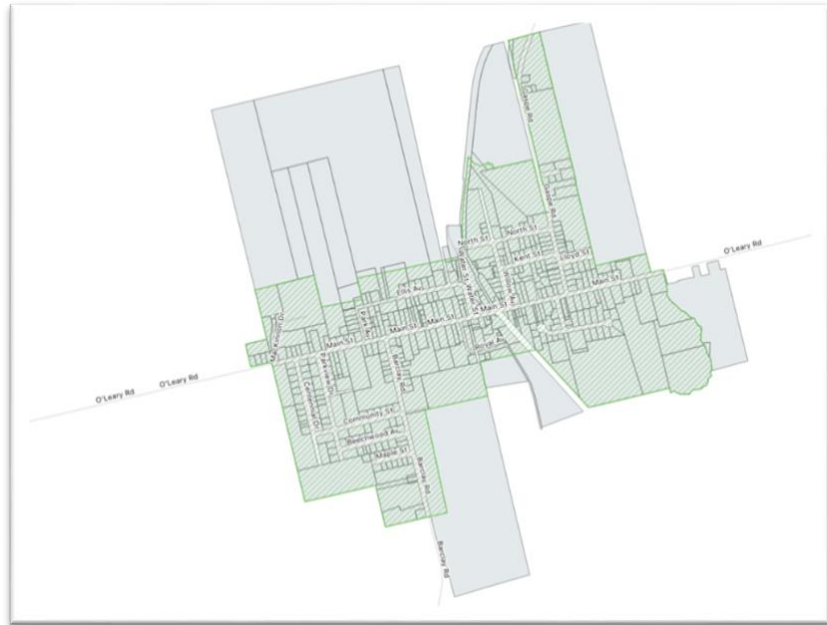


Figure 5 - CURRENT PROPERTIES – November 2022

Residential

Approximately one third of the Town's land base is currently developed for residential use. Over the various versions of the Town's official plan, different approaches were used to direct residential development, beginning with a two-zone approach, shifting in 2014 to a tiered exclusionary approach to zoning.

With the housing availability and affordability pressures being experienced in over the last few years and a shifting focus to complete communities, integration, and sustainability, it is time once again to explore the question of supporting and promoting a flexible approach to mixed densities.

There are a range housing options suitable for seniors in the Town but, as indicated in the population section, demand for affordable seniors housing continues to rise. There are some affordable housing options in the western portion of the Town, and one developed "mobile home" subdivision (mostly filled with mini homes) on Maple Street, as well as the newer clustered townhouse development at the bottom of the Barclay Road.

Rural Resource

There is at least one significant active farm in the Town, as well as other fields that remain in active agricultural production. Very few conflicts were noted between agricultural activities in the Town and adjacent residences. About 16% of the Town's land base is currently agriculture. Of the properties within the Town, there are 64.5 acres with a farm assessment, 45.6 of which are indicated as being bona fide farmland.

Commercial and Industrial

The Town of O'Leary has a reasonably well-defined commercial core area. Most commercial businesses are clustered along Main Street and Willow Street. Quite expectedly, the commercial core of the Town and its industrial facilities tend to be located along or in close proximity to the former rail line. The intersection of the former rail line (now the confederation Trail) and the O'Leary Road (Main Street) remains the focus or hub of economic activity in the Town. Increasing the available commercial space emerged as a key priority during the 2023 plan review.

Institutional

O'Leary is well-supplied with Public Service and Institutional facilities. These facilities tend to be clustered primarily in the western portion of the Town. The two most prominent are the former O'Leary Community Hospital and O'Leary Consolidated Elementary School.

Other facilities, institutions, and services include: the Federal Government office building – Service Canada and Canada Post, Access PEI; post office; the Community Complex and Fire Hall; Chances Childcare; O'Leary Baptist Church; O'Leary United Church; O'Leary Church of Christ; O'Leary Church of the Nazarene; Island EMS; Royal Canadian Legion; and the Canadian Potato Museum.

Independent seniors living options are provided by the Jubilee and Corinthian Homes. The only long-term care available in the Town is available in the Margaret Stewart Ellis Home at the Community Hospital. Community care options will be enhanced once the Willows project is completed.

Parks and Recreation

O'Leary is well supplied with parks and recreation facilities, as well as the Confederation Trail. Based on the 2010 corporate land use inventory, an estimated 2% of the community is in recreation uses. A more complete list of facilities is included in the Background Report.

Building Permit Activity

The majority of permits and subdivision approvals took place before 1993, with a slight uptake over the last 5 years. Perhaps the most encouraging element of the development activity since 2000 has been the number of commercial and multi-family residential units, a trend which has continued since the 2014 review.

The cost of providing roads and central services has no doubt been a major factor in the very low number of new lots being created in recent years; however other factors are at play given the lack of movement on the Pate Subdivision, including, among other things, the cost of materials, the challenge in finding labour in the trades, and in some cases, additional requirements such as covenants on minimum dwelling size.

2.4 ECONOMY

O'Leary and its Service Area

The Town of O'Leary has been known for many years as primarily an agricultural service centre, with a historical focus on potato production and O'Leary has had a long tradition of servicing this local industry, with numerous large produce warehouses remain in the Town providing clear evidence of this historic

relationship. Other key agricultural services include the ADL Dairy, the feed mill, and the Cavendish Farms Fertilizer plant, which sustained some fire damage in May 2023. The large surrounding agricultural region also depends on O’Leary for financial services, government offices, professional services, automotive supplies, gasoline and related services, and a wide array of daily needs such as food, pharmacy, convenience items, hardware, building supplies, etc. O’Leary is also the home of the region’s elementary school, health clinic and extended care health facility.

While this agricultural service role is widely understood and acknowledged, it is important to realize that O’Leary is also the centre of a significant tourism region and also provides key services to the local fishery. There is also a significant and growing manufacturing and processing sector in close proximity to O’Leary.

Local Services

Retail and other commercial services are well supplied in O’Leary. There are also a number of commercial operations located just outside the municipal boundaries. O’Leary has a long tradition of industrial activity focused primarily on the agricultural sector. For obvious reasons these facilities have tended to cluster along the former rail line and remain there today. Several large potato and produce warehouses dominate the northern core area of the Town. Other potato warehouses related to the Town’s largest farm are located along the rail line in the southern core area of the Town. Other prominent industrial facilities include the feed mill, the ADL dairy; and cabinet shop.

One pressure noted during the review was the availability of commercial space for new businesses – the existing stock of commercial buildings are felt to be at capacity, with little room for additional construction.

An important key to O’Leary’s community growth is the spirit of co-operation by which people work together for the betterment of the community. This co-operative spirit has extended to the new community care facility. It is expected that such co-operation will continue, not only among O’Leary residents, but also between the Town and its surrounding service area. The Official Plan for O’Leary will seek to build on the positive aspects of co-operation among people and communities.

2.5 INFRASTRUCTURE & SERVICES

Transportation

The primary transportation route through the Town of O’Leary is Route 142 (Main Street) which bisects the Town from east to west. Also known as the O’Leary Rd beyond the Town’s boundaries, this route connects to Route 2 to the east and to West Cape in the west. The other significant route is Route 148, which connects north to Howlan Road as the Gaspé Road, and which south to Buchanan Road as Barclay Road. Outside of the Town’s eastern boundaries, Route 142 is classed as arterial, but is classed as a local 1 within the Town. Gaspé and Buchanan roads are also classed as local 1, while all other streets are classed as residential. All roads in the Town are owned and maintained by the Province and are generally in good condition but, as with many Island municipalities, storm water management systems on some local streets are not well developed.

Pedestrian facilities in the Town of O’Leary are quite well developed, with almost 5 kilometres of paved sidewalks, but are largely confined to the commercial core. The Confederation Trail also bisects the Town, running directly through the core area. It provides an exceptional pedestrian facility for local residents to

enjoy and also provides a pedestrian and bikeway connection to many other points in West Prince and to the balance of the Island.

Sanitary Sewer and Drinking Water

O’Leary is serviced by a two-cell sewage lagoon, one pumping station and approximately 10,800 metres of gravity sanitary sewer mains and 475 metres of forced main. All streets in the Town are serviced with municipal sewer.

All properties in O’Leary are serviced by individual on-site wells. There has been some history of localized water contamination, primarily due to former petroleum facilities, but no wide-spread water supply problems have been noted and no plans are currently in place to provide a central water supply system.

Other Services

Fire protection is provided by the Town of O’Leary’s Volunteer Fire Company, located in the community complex. This fire company also provides fire protection on a fee for service basis to the large O’Leary Fire District surrounding the Town. O’Leary is also home to the regional headquarters of Island EMS.

The Town of O’Leary receives police protection from the RCMP detachment located between Alberton and O’Leary on Route 2. Services are provided through a standard municipal policing contract.

The Town of O’Leary participates in the province-wide waste reduction strategy managed by the Island Waste Management Corporation.

2.6 SOCIAL AND RECREATIONAL

The Town of O’Leary’s major recreational facility is the combined O’Leary Community Sports Centre (Rink). The Town owns and manages Ellis Field with its well-developed ball diamond, bleachers, and leases and maintains Ellsworth Field for softball and baseball, and has been expanding the offerings at Centennial Park. The Town also supports facilities and associated green space and leases and maintains other sports fields throughout the Town. Programming is offered on the soccer fields by the elementary school.

Smaller parks are located adjacent to the railroad station and along Main Street. Library services are available at the Community Complex.

2.7 ENVIRONMENT

Surface Water and Groundwater

There is one relatively small creek running through the Town entering at the northern end adjacent to Ellis Field and running south-east toward the sewage lagoon. Given the area’s relatively flat topography, there are some marshy areas associated with this creek but most lie outside of the municipal boundaries.

The protection of the Town’s groundwater resources is of the utmost importance, including management of the use of abandoned petroleum sites and monitoring of the Town’s sewer system, as well as other possible point sources of ground water contamination.

Climate Resilience

Being inland, the Town is protected from many of the climate change pressures being experienced by coastal municipalities. The community will not be immune, however, to the impacts of climate change.

Climate change may also impact the Town's groundwater supply and private wells as a result of drought conditions over time. As well, property-level storm water management will be needed to deal with increased precipitation and extreme weather events resulting from climate change. Land use policies focused on mitigation and adaptation measures will be important to protect the community.

Climate Change Mitigation

Limitations

There is almost no data available on emissions at the town level, although emissions in the province generally are largely related to transportation and energy usage in buildings. Local travel patterns and modes are heavily dependent on regional economic and servicing environments, particularly as development in unincorporated areas is supported and facilitated outside of a planning policy framework.

Climate change mitigations are human interventions to reduce the sources of (or increase the sinks for) greenhouse gases.

Energy

Increased demand for new renewable energy may occur at different scales, from single-detached dwellings, multi-unit dwellings, or larger commercial applications. There is a need to balance the need for, and facilitation of, renewable energy options and climate change mitigation against the potential resistance to changing technology and their impacts on the landscape in the community.

Transportation

The Town remains heavily dependent on fossil-fuel powered vehicles for transportation. The compact nature of the Town facilitates short trip lengths and ensuring connectivity between residential developments and core area services could help to at minimum limit increases to greenhouse gas (GHG) emissions. Promoting flexibility in working from home also allows for the reduction in vehicular travel.

Carbon Sequestration

The promotion of reforestation and afforestation efforts acts as carbon sinks and promotes ecological health within the watershed offers additional options for mitigation, although again, given the limited footprint of the Town, efforts in this regard at a broader, regional level are more likely to have a measurable impact.

Climate Change Adaptation

Adapting to threats of overland flooding due to climate impacts and more frequent or extreme weather events means it is critical for the Town to regulate the consideration of stormwater in new developments.

The more frequent intense precipitation events associated with climate change will likely impact existing properties and infrastructure, as well as new development. New development projects should address stormwater management by integrating future climate considerations into subdivision design, stormwater management, and other infrastructure and asset management.

Other adaptation efforts will need to focus on health impacts related to increased heat and emergency management efforts from more extreme weather events.

Adaptation is the process of adjustment to actual or expected climate and its effects. In human systems, adaptation seeks to moderate or avoid harm, or to exploit beneficial opportunities.

3. FUTURE DEVELOPMENT CONCEPT AND GOALS

3.1 VISION

The Town of O’Leary has a long history as a residential community, a centre of commerce and industry, and a regional service centre. Of Prince Edward Island’s municipalities, only a handful provide the wide range of services that exist in O’Leary or service such a significant rural service area. Given O’Leary’s very constrained geographic boundaries, it is increasingly the case that Council must not only be concerned about the quality of life for its own residents and businesses, there must be an increasing focus on addressing O’Leary’s relationship with its rural neighbours and the many people and companies outside of its legal boundaries that are dependent on O’Leary for many of their day-to-day needs.

Work toward more regional co-operation and partnerships has largely been left to the individual municipalities in the region, particularly the towns, notwithstanding the small proportions of the towns’ population and area within the region as a whole. The options for a more formal and mutually beneficial relationship are many and will hopefully evolve as the result of an ongoing dialogue between the Town and its rural neighbours. Focus within the Town will remain centered on sustainable local services, the provision of housing to support continued population growth among all age groups, and economic stability for local businesses. The future development concept reflected in this Official Plan provides the following vision for the Town into the future:

O’Leary is a community that provides a range of attractive and affordable housing opportunities together with an exceptional quality of life and a positive environment for local commercial and industrial growth.

3.2 GOALS

The Goals presented below are broad statements indicating the overall shared vision of O’Leary’s Council, residents, and property owners in terms of the future evolution or development of the Town. These Goals provide the framework and general direction for the subsequent, more detailed, statements which follow.

Social

- To provide for a range of housing opportunities which meet varied socio-economic needs
- To foster social interaction and healthy lifestyles for all residents of the Town
- To foster a civic environment which provides a sense of safety and stability while offering opportunities for human enrichment and economic growth

Economic

- To foster a healthy and vital local economy with economic resilience for community members and organizations
- To accommodate and encourage suitable industrial operations and expansion
- To protect the long-term viability of farming and related resource-based activities

Physical

- To preserve and enhance O'Leary's unique identity and small-town character
- To encourage the maintenance of safe and efficient infrastructure and transportation systems in the town and to protect the safety of the travelling public

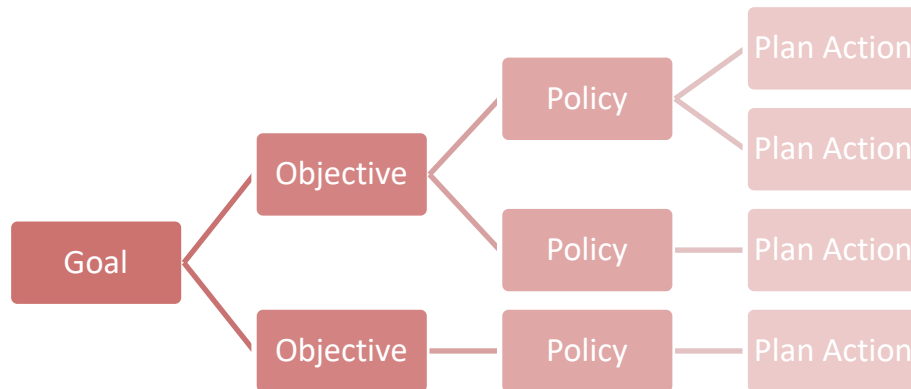
Environmental

- To protect and enhance water resources
- To protect and enhance natural habitat areas and systems
- To integrate climate resilience into planning decisions

4. OBJECTIVES, POLICIES AND PLAN ACTIONS

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

Policies and plan actions outline the proposed course of action to achieve the outcomes described in the objectives. Policies indicate with some precision the approach the Council will take in pursuing its objectives. Plan actions are concrete measures which implement that approach.



4.1 SOCIAL OBJECTIVES AND POLICIES

Residential

The Town of O’Leary has a somewhat unique residential mix, as noted earlier, due primarily to the residential zoning in place in the early 2000s. A more traditional tiered residential zoning system was implemented in 2014 to segregate residential densities, protect the interests of single detached homeowners, and target different forms of residential development to specific areas within the Town, although a significant change has not been identified as having resulted from this shift.

The population analysis indicates that the current need for seniors housing is likely to continue to grow, although it has been offset slightly by the development of the new community care facility. While seniors housing already exists in the Town and the community care facility is under construction at the time of this plan review, more affordable housing options will be needed in the future.

More flexible housing options are also a priority in order to encourage young adults and families to move or return to the community, to accommodate workers coming to the region in response to labour needs and economic growth, and to respond to the housing affordability and supply challenge being faced across the province. Residential expansion would also support the local school, community groups, places of worship, and commercial sectors. While there are adequate employment opportunities in O’Leary’s service area to support significant new housing growth – and indeed, the availability of housing is reportedly a significant barrier to business expansion – the cost of servicing new lots has been identified as a significant hurdle for developers. Council responded to that challenge by proactively developing its own subdivision, although it has had limited success in stimulating the development of more housing in that area. New funding programs being explored between the Province and the Federation of PEI

Municipalities may help with new subdivisions, but the challenge in filling the existing residential development means that a more creative or flexible mix of solutions may be needed. Infilling opportunities (development of existing vacant serviced lots) are very limited in O’Leary outside of the Town’s Pate Subdivision. The lands in the south-western-most corner of the Town, in the vicinity of Centennial Dr, Parkview Dr., and Maple St. offer an opportunity for residential expansion, as does the area south of the Pate subdivision.

It will be necessary to encourage new serviced residential subdivisions in order to create new housing opportunities and/or promote more innovative housing options and a range of choice in housing form in order to entice additional young families into the Town. Clustered housing and mini home options such as the existing sites on Maple St and off the Barclay Road are very attractive and might be a model for some future residential development to make housing affordability more attainable, as are emerging housing forms such as tiny homes. The Town’s ability to maintain the current rate of population growth, moreover, will be dependent on the availability of a significant number of additional dwelling units.

Housing supply and affordability can be further supported through the option to develop accessory apartments in single-detached dwellings or as garden suites on single-detached lots, offering gentle density and facilitating additional housing for seniors or individuals seeking to establish new households while providing rental income to support homeowners.

OBJECTIVES:

1. To encourage a range of affordable and appropriate housing options, particularly for seniors and young families.
2. To support flexible approaches to housing to meet the needs of a changing community.

RESIDENTIAL POLICIES:

Policy SOC-1 Designation & Zoning

It shall be the policy of Council to designate residential lands and establish a residential zoning approach based on low, medium, and mixed densities sufficient to meet the current and anticipated housing needs over the period of this Official Plan.

Plan Actions

- a. Land sufficient to meet the residential needs of a growing population shall be designated as Residential on the Future Land Use Map.
- b. The Land Use Bylaw (the Bylaw) shall establish a Low Density Residential (R1) Zone, a Medium Density Residential (R2) Zone and a Mixed Density Residential (R3) Zone within the Residential designation.
- c. Existing designations and zonings in several locations in the Town shall be changed to reflect current and future housing priorities:

- (i.) The current Mini Home Residential (RM) Zone shall be removed and the existing areas zoned as RM will be changed to reflect adjacent or appropriate future land uses; the properties on Maple St shall be zoned as Low Density Residential (R1), while the area at the northern end of the Town, (being PIDs: 734517 (portion); 501676; 718320; 501676; and 666719) shall be zoned as Mixed Density Residential (R3).
- (ii.) The existing agricultural lands at the southern end of the town shall be redesignated as residential on the Future Land Use Map and zoned as Medium Density Residential (R2), although the existing resource uses shall be supported and encouraged until such time as a transition to residential uses is appropriate.
- (iii.) The zoning of the Pate Subdivision area shall be changed to a mixture of residential zones to reflect the subdivision design and size of existing lots, while leaving open options for additional density as the subdivision builds out over time.
- (iv.) The Town-owned 'Gospel Hall' lands (PID 41160) to the south-west of Centennial Drive shall be zoned Mixed Density Residential (R3), while PID 41293 to the west of Maple Street shall be zoned as Low Density Residential (R1).

Policy SOC-2 Housing Options

It shall be the policy of Council to promote the development of a range of housing forms and densities in order to meet the housing needs of residents of different ages, stages, and incomes, while ensuring the compatibility of dwelling types within and adjacent to existing neighbourhoods by ensuring their placement on foundations.

Plan Actions

- a. The Bylaw shall permit single-detached, duplex, and semi-detached dwellings in all residential zones and shall include prefabricated modular houses as single-detached dwellings.
- b. The Bylaw shall permit townhouse dwellings up to a maximum of 4 units per parcel in the Medium Density Residential (R2) Zone, while any number of units shall be permitted in the Mixed Density Residential (R3) Zone, subject to meeting minimum site requirements.
- c. The Bylaw shall permit a greater mix of residential densities in the Mixed Density Residential (R3) Zone, with the number of units permitted to be determined by the site's ability to meet minimum site requirements.
- d. The Bylaw shall permit clustered housing developments (developments with more than one residential building on a parcel) in the Mixed Density Residential (R3) Zone and shall establish site development standards and density limits appropriate to the zone. These developments may include any mix of residential dwelling types and forms, including but not limited to duplex and semi-detached dwellings, multiple attached dwelling buildings, mini homes and tiny homes, with a minimum number of units required to ensure appropriate massing.

- e. The Bylaw shall permit tiny homes and mini homes as permitted uses in the Low Density Residential (R1) Zone and as accessory uses in the Agricultural Zone and shall establish requirements in relation to building standards, placement on site, and requirements to be affixed to the ground, which may include being placed on foundations or on blocks concealed with skirting, as well as other methods for permanently securing such structures.
- f. Traditional mobile homes having a distinct style and character and transportable on their own wheeled chassis shall not be permitted in the Town.

Policy SOC-3 Accessory Dwelling Units

It shall be the policy of Council to permit the addition of accessory dwelling units, also known as accessory apartments, to any single detached dwelling lot in the form of a secondary suite within the main building and/or in an accessory structure as a garden suite, subject to meeting standards regarding the size and nature of the development and the ability to be suitably serviced.

Plan Actions

- a. The Bylaw shall permit the addition of a secondary suite to any single-detached dwelling and a garden suite in a structure accessory to the single-detached dwelling on single-detached residential lots, to a maximum of two accessory apartments per lot.
- b. The Bylaw shall establish standards for the accessory apartments regarding size, location and siting, parking, fire safety, and the capacity of the lot to sustain the additional water and wastewater treatment demand.
- c. The Bylaw shall require the exterior of any residence with a secondary suite to retain the appearance of a single-detached dwelling.

Policy SOC-4 Special Residential Uses

It shall be the policy of Council to support and encourage special residential uses and supportive housing such as group homes, dormitories, rooming houses, and community care facilities, nursing homes, and senior citizen homes within the Town. Those uses will be identified as ‘shared housing’ and will be directed to higher density residential areas as either a permitted use or a special permit use and, in the case of ‘shared housing with special care’ such as community care, nursing homes and senior citizen homes, to the Public Service and Institutional Zone as a permitted use as well.

Plan Actions

- a. The Bylaw shall establish ‘shared housing’ and ‘shared housing with special care’ as categories of use and shall distinguish them from both short-term rentals, B&Bs, and other tourism establishments, and from multiple attached dwelling uses.

- b. The Bylaw shall include ‘shared housing’ as a category of residential use, based on uses that contains 4 or more bedrooms, that meet one or more of the following: (i) that are rented for remuneration as separate rooms for residential accommodation; or (ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use.
- c. The Bylaw shall include ‘shared housing with special care’ as a subcategory of ‘shared housing’ use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, including options for individual dwelling units for occupants; ‘shared housing with special care’ uses must meet the definition criteria of a ‘shared housing’ use.
- d. The Bylaw shall permit ‘shared housing’ in the appropriate zones as follows:
 - (i.) Mixed Density Residential (R3) Zone, permitted use, up to 8 bedrooms per building;
 - (ii.) Public Service Institutional (PSI) Zone, permitted use; and
 - (iii.) General Commercial (C1), permitted use.
- e. The Bylaw shall permit ‘shared housing with special care’ in the appropriate zones as follows:
 - (i.) Medium Density Residential (R2) Zone, permitted use;
 - (ii.) Mixed Density Residential (R3) Zone, permitted use;
 - (iii.) Public Service and Institutional (PSI) Zone, permitted use; and
 - (iv.) General Commercial (C1) Zone, permitted use under the category of ‘institutional uses’.
- f. The Bylaw shall establish standards and criteria for shared housing uses.

Policy SOC-5 Housing Development & Promotion

It shall be the policy of Council to work with the private and community sector, with other municipalities in the region, and with other levels of government to increase residential subdivision and development in the Town.

Plan Actions

- a. The Town shall seek to work co-operatively with landowners and developers to appropriately cost-share servicing of vacant residential land in the Town.
- b. The Town shall seek to pursue all available cost-shared funding programs in order to subsidize the cost of development and limit public expenditures.
- c. Council shall identify and assess the appropriateness of policies and programs to support the development of housing of different types, such as maintaining existing property tax rebate programs and offering permit fee rebates and expedited approval processes for developments supported through provincial and/or federal funding programs.

- d. The Town shall review its existing residential subdivision to identify strategies to promote its build-out while encouraging affordability.
- e. Where appropriate private sector partners cannot be found, the Town may continue to pursue the option of purchasing land directly and developing land for residential uses.

Social and Institutional

The social and institutional fabric is an important aspect of community life and the Town is host to a range of institutional uses for the region. While many municipal strategies regarding social programming and supporting institutional uses fall outside of the land use context, it is important that the Official Plan reflects these priorities to ensure they can be upheld and supported to their fullest extent. Fostering institutional activities will also allow the Town to strengthen its relationship with its rural service area.

Objectives

- 1. Encourage social engagement that is supportive and inclusive.
- 2. Support existing and future institutional uses within the Town boundaries.
- 3. Maintain and support recreation programs and facilities in the Town.

SOCIAL & INSTITUTIONAL POLICIES:

Policy SOC-6 Inclusivity

It shall be the policy of Council to integrate the consideration of equity, diversity, and inclusion into decisions about land uses and programming and to place an increased emphasis on the special needs of seniors, youth, and those with mental and physical challenges.

Plan Actions

- a. The Town shall apply an accessibility and inclusion lens to the development of municipal facilities and infrastructure and in the assessment of new developments.
- b. The Town shall place a priority on meeting the needs of all age groups and abilities within the town when making decisions about municipal facilities, programs, and infrastructure.

Policy SOC-7 Institutional Designation and Zoning

It shall be the policy of Council to protect and designate existing public service and institutional uses in the community.

Plan Actions

- a. Existing public services and institutional uses shall be designated as Institutional on the Future Land Use Map and zoned as Public Service and Institutional (PSI) in the Bylaw.

- b. The Bylaw shall identify a range of institutional and compatible uses as permitted uses in the PSI zone and may include certain institutional uses as permitted or special permit uses in other zones.

Policy SOC-8 Recreation Facilities and Infrastructure

It shall be the policy of Council to continue to meet the social, and healthy living needs through municipal facilities and programming.

Plan Actions

- a. Open spaces and properties used for parkland or recreational uses shall be designated as Parks and Open Space on the Future Land Use Map and zoned as Recreation and Open Space (O1) in the Land Use Bylaw.
- b. The Town shall continue to maintain and operate existing municipal facilities, parks, and gathering spaces, and shall engage with the community regarding the need or potential for future or expanded recreational services and facilities, such as dog parks.
- c. The Town shall support the efforts of community groups and the private sector to develop and maintain recreational facilities and collaborate with neighbouring communities where appropriate to achieve the economies of scale sometimes needed to pursue the development of regional recreational opportunities.
- d. The Town shall include new and emerging forms of recreation in the assessment of recreation and facility needs in order to meet the needs of different age groups and of both new and long-term residents, such as cricket.
- e. The Town shall encourage and support efforts to establish additional childcare and after-school care facilities in the Town, including exploring the option of assuming an active role in providing those services should it be deemed necessary.

Policy SOC-9 Parkland Dedications

It shall be the policy of Council to meet the recreation needs of the Town's residents and preserve open space as the remaining areas of the town are developed over time by requiring the dedication of parkland in association with the subdivision of land.

Plan Actions

- a. The Bylaw shall establish parkland decision requirements, including options for cash-in-lieu where appropriate.
- b. The Bylaw shall establish a range of considerations when considering proposals for parkland dedication, including the preservation of natural areas, connectivity with other open space and recreation networks and facilities, community recreation priorities and active transportation priorities.

Community Safety

The Town has, for its size and population, a high level of local services. While many services, such as roads and solid waste disposal are provided by the Province, the Town carries responsibility for activities such as fire protection and emergency management. Land use decisions shall be made with community safety and resilience in mind.

Objectives

1. To provide cost-effective emergency and first responder services
2. To plan and prepare for human and natural disasters, including risk reduction

COMMUNITY SAFETY POLICIES:

Policy SOC-10 Protective Services

It shall be the policy of Council to maintain the current arrangement of utilizing the services of the R.C.M.P., under the provisions of the Provincial Policing Contract and to continue to provide municipal and regional fire services through the O'Leary Fire Department.

Plan Action:

- a. Council shall continue to contract additional police protection through the Province's contract with the R.C.M.P.
- b. Council shall work closely with the R.C.M.P. to monitor security issues in the Town and to ensure adequate levels of policing.
- c. Council shall continue to provide fire protection to the town and surrounding fire district through the municipally-owned O'Leary Fire Department and to supply funding as necessary for equipment, facilities and training.

Policy SOC-11 Emergency Response

It shall be the policy of Council continue to develop, upgrade, and exercise its emergency management planning, procedures, and policies. It shall further be the policy of Council to integrate risk mitigation factors into land use decisions.

Plan Actions

- a. Council shall work with the Town's fire department, emergency measures committee, and other first responder organizations to pre-emptively identify safety hazards associated with larger developments and new subdivisions.
- b. Council shall continue to develop, update, and revise the Municipality's Emergency Measures Plan and bylaw and maintain the overall Emergency Measures Organization program as required under the Municipal Government Act and the Emergency Measures Act.

- c. The consideration of hazards and emergency management risks shall be included in the assessment of applications for new subdivisions or larger developments or when developing or expanding municipal facilities or infrastructure, as well as responses to the increasing impacts of climate change in identifying emergency centres, such as the potential use of emergency shelters as cooling shelters.
- d. The Bylaw will include future emergency hazard considerations in design and development standards for new subdivisions and development projects.

4.2 ECONOMIC OBJECTIVES & POLICIES

Healthy Local Economy

O’Leary is fortunate to have a relatively vibrant commercial core area with a wide range of services. Over the years, pedestrian-friendly development, a wider array of retail options, and the definition and expansion of the core area and commercial spaces have been priorities. While targeted efforts have not been placed on pedestrian and bicycle traffic on the Confederation Trail, growing interest in active transportation and cycling activities offer a potential sector to draw into the Town’s commercial area.

The lack of available retail storefronts had been identified as a major limitation to future retail and commercial growth and the designation of additional commercial lands must be carefully considered in terms of location in order to retain and protect the commercial core area. While the priority remains a concentrated core that is walkable and compact, redesignating the entire length of Main Street as commercial, while encouraging mixed commercial/residential buildings and ensuring residential uses are included as permitted uses, will provide longer-term flexibility and options for the type of mixed-use core associated with compact towns and villages while at the same time limiting the expansion of commercial activities into existing residential neighbourhoods.

Earlier local economic development organizations such as the O’Leary and Area Development Association and the O’Leary and Area Business Association, formed as part of the 2014 review, had varied levels of impact and have largely folded. Community and private sector partners, however, represent options to assist Council in pursuing additional commercial development and upgrading. The recent creation of Develop West Prince as a regional non-profit development corporation is a current example of a potential partner in the promotion of expanded economic growth.

The Town will continue to pursue opportunities to invigorate and sustain the local economy, which lobbying against the loss of commercial and government services.

Economic resilience will also remain a priority. With rising costs in almost all areas, economic resilience for individuals and families is becoming more and more important. The COVID experience has reinforced the value and potential of flexible approaches to zoning that allow activities such as remote work and home-based businesses. Energy efficiency is another means of reducing household costs, in addition to helping with climate change mitigation. Council can encourage energy conservation by enabling the installation of wind turbines in appropriate locations within the Town, providing standards that facilitate the installation of solar energy systems, and providing leadership in pursuing and promoting other energy conservation options.

OBJECTIVES:

1. To protect and support the viability of businesses and commercial activities in the Town
2. To target the continued upgrading of the Town's commercial core area
3. To facilitate the establishment of new retail and other commercial services in the Town
4. To foster an affordable community and flexible economy where residents are able to meet their needs
5. To encourage the use of alternate energy systems.

COMMERCIAL POLICIES:

Policy ECON-1 Designation & Zoning

It shall be the policy of Council to designate and zone existing commercial areas, as well as additional land immediately adjacent to the core area along Main Street where appropriate as commercial in order to enable commercial expansion and infilling.

Plan Actions

- a. Existing commercial properties shall be designated as commercial on the Future Land Use Map and zoned as General Commercial (C1) in the Bylaw.
- b. Additional land adjacent to the core area along the extent of Main Street and in the area behind Main St. and Royal Ave. (PIDs 591529 and 41558) sufficient to support commercial expansion and/or residential uses shall be designated and zoned for commercial uses, although future applications to change the designation and zoning may be considered through the standard amendment process.
- c. The Town shall include considerations such as potential land use conflicts and the loss of residential land when assessing applications to designate and zone land as commercial in other areas of the Town.
- d. The Bylaw shall include a mix of uses, including institutional and residential uses, in the General Commercial (C1) Zone.

Policy ECON-2 Commercial Expansion

It shall be the policy of Council to pursue opportunities and strategies to support the expansion of commercial facilities and operations, including, where appropriate, core area development strategies relating to items such as pedestrian circulation; signage and way-finding; park upgrading; landscaping; parking; integration with the Confederation Trail; development of a central design theme; and the development of spaces that encourage and facilitate social interaction.

Plan Actions

- a. The Town shall work with local business operators, land owners, senior levels of government, regional development agencies and organisations, and all other interested parties to identify opportunities to upgrade and enhance the commercial core area on a priority basis.
- b. The Town shall encourage side or rear parking when working with developers of new commercial operations in order to maintain the integrity and ambiance of the Main Street and core area.
- c. The Town shall work with senior levels of government, regional development agencies and organisations, local landowners and local developers to retain existing businesses and services and to promote the development of new retail and other commercial services in the Town.
- d. The Town shall explore opportunities to promote the Town's business sector to local and regional residents and to visitors to the region.
- e. The Town shall promote dialogue between the region's business operators and between these operators and the Town, aimed at addressing issues of mutual concern.

Policy ECON-3 Tourism Development

It shall be the policy of Council to seek to encourage additional tourism facilities in the Town and to develop a strategy for better promoting the Town's various services to the tourism market.

Plan Actions

- a. The Town shall work with Tourism PEI and the North Cape Coastal Drive to better promote the services and attractions in the Town to users of the Confederation Trail and visitors to the region.
- b. The Town may explore actions to establish an efficient and attractive way-finding system in the Town which will facilitate better access to all services and attractions in the Town by Confederation Trail users and all other visitors to the Town.
- c. The Town shall work with the Board of the Canadian Potato Museum and other regional tourism facilities to better promote tourism visitation to the area.
- d. The Town shall support the development of bed and breakfasts, inns, and other tourism accommodation facilities within the Town.

Policy ECON-4 Bed & Breakfasts & Short-Term Rentals

It shall be the policy of Council to permit and encourage the operation of small scale "bed and breakfast" establishments and short-term rental uses on single-detached dwelling lots in all residential zones.

Plan Actions

- a. The Bylaw shall permit the operation of bed and breakfast establishments and short-term rental uses on singled-detached dwelling lots in all residential zones and shall establish standards regarding size, parking, and the overall visual appearance of the building.

Industrial

Most of O’Leary’s current industrial facilities are directly related to the agricultural sector and as such have been a part of the community for many years. Given the Town’s very limited vacant land base, it is unlikely that major new industrial development will occur without a boundary extension. Seasonal heavy truck traffic is a source of concern in the Town and efforts to minimize land use and traffic conflicts in the future would be desirable.

OBJECTIVES:

1. To actively support and strengthen existing local industries.
2. To encourage a limited amount of future industrial development where it is compatible with existing and future residential development.
3. To limit the transition of lands within the town to large-scale industrial developments.
4. To minimize land use and traffic conflicts generated by industrial developments.

INDUSTRIAL POLICIES

Policy ECON-5 Designation and Zoning

It shall be the policy of Council to continue the existing industrial designation and zoning. Any expansion shall proceed via an application to amend the Future Land Use Map and Zoning Map.

Plan Actions

- a. Current industrial developments will be designated as Industrial on the Future Land Use Map and zoned as Industrial (M1) in the Bylaw.

Policy ECON-6 Expansion through boundary changes

It shall be the policy of Council to restrict the development of new industrial developments except where their impacts can be mitigated through the provision of central sewer services and an expansion of the Town’s boundary.

Plan Actions:

- a. No new industrial developments shall be permitted within the current boundaries of the Town.

- b. The Bylaw shall require any new large-scale industrial developments, where a boundary extension has been approved and an application for a change in designation and zoning has been approved by Council, to be connected to the Town’s central sewer.

Resource Uses

While O’Leary owes much of its history and its economy to farming, there is only a small portion of two farms located within the municipal boundaries, as well as a number of relatively small farm fields. Most of the produce warehouses within the Town are considered to be “industrial” uses. One group of potato warehouses in the core area, however, is in fact part of a farm and had been classified as an “agricultural” use. One other large farmstead and related farm buildings straddles the Town’s southern boundary along Barclay Road, even though most of the farmland is located outside of the Town. Although it has been the policy to protect the long-term viability of the major farming operations within the Town by limiting the transition of those lands to non-resource uses, the Town’s very confined municipal boundaries and significant pressure to increase the housing supply in the region suggests that it will be increasingly appropriate to ease the path for the development of those properties, especially in light of the extensive resource areas available beyond the Town’s boundaries.

Although this Official Plan will apply residential land use designations and zoning to the existing resource properties to facilitate residential development, the ongoing potential for boundary changes suggests that retaining the option of an agricultural designation and agricultural reserve zone for future application would be appropriate.

OBJECTIVES:

1. To support the long-term viability of farming and other resource-based activities.
2. To retain planning and bylaw tools to protect farming and other resource-based activities in the Town in the event of future boundary adjustments.

RESOURCE POLICIES:

Policy ECON-7 Designation and Zoning

It shall be the policy of Council to designate and zone existing resource lands for future residential and commercial uses, while protecting existing farming and resource use activities.

Plan Actions

- a. Areas currently designated as Agricultural and zoned as Agricultural (A1) Zone shall be designated and zoned as follows, although future applications to change the designation and zoning may be considered through the standard amendment process:
 - (i.) Residential designation and Medium Density Residential (R2) Zone: PID 41426
 - (ii.) Commercial designation and General Commercial (C1) Zone: PIDs 41640, 41657, and 590927.

- b. The Bylaw shall include the protection of resource-related activities on properties previously designated as Agricultural and zoned as Agricultural (A1) Zone.
- c. The Bylaw shall retain the A1 Zone for potential future use in the event that agricultural land is brought into the Town's boundaries and is deemed appropriate to be assigned such zoning.
- d. The Bylaw shall establish standards and requirements for livestock operations and buffering setbacks between existing farm activities and new residential development.

Economic Resilience

OBJECTIVES:

- 1. To foster an affordable community and flexible economy where residents are able to meet their needs.
- 2. To encourage the use of alternate energy systems.

ECONOMIC RESILIENCE POLICIES

Policy ECON-8 Home-Based Businesses

It shall be the policy of Council to permit a range of home-based businesses that are unlikely to cause conflicts with residential uses.

Plan Actions

- a. The Bylaw shall include home-based businesses as a permitted accessory use in residential dwellings and, on single-detached residential lots, in accessory structures.
- b. The Bylaw shall establish standards for home-based businesses which limit potential residential conflicts such as noise, hours of operation, square footage, number of employees, parking, signage, physical changes to the structure and any other factors which may represent an impediment to the safety, convenience or enjoyment of neighbouring residents.

Policy ECON-9 Alternate and Renewable Energy Systems

It shall be the policy of Council to encourage the use of alternate energy systems in the Town and to minimize unnecessary regulatory hurdles.

Plan Actions

- a. The Bylaw shall establish standards and requirements for wind energy systems and shall include options for large wind energy facility uses up to 1 MW in capacity in the Agricultural (A1) zone.
- b. The Bylaw shall establish standards for roof-mounted and ground-mounted solar arrays, including but not limited to their size and placement.

4.3 PHYSICAL OBJECTIVES

Community Character

The Town is fortunate to have maintained a ‘village’ feel over the many years, providing for a compact, and comfortable community supported by a full range of services. Policies surrounding the physical development of the Town will reinforce this character, guiding development in ways that continue to foster welcoming neighbourhoods and a balanced mix of uses.

As a municipality, O’Leary falls under the provisions of the Highway Signage Act and association regulations. Municipalities wishing to establish their own signage standards may request an exemption under the Act and take control over their own local signage. To date, the Town has not sought authority over signage and remains satisfied with the Province’s approach.

OBJECTIVES

1. To foster the creation and maintenance of safe, efficient, stable and visually appealing neighbourhoods.
2. To balance future residential and commercial/industrial development and maintain the established character of the Town.
3. To accommodate and encourage environmentally responsible commercial and industrial expansion in a manner that is compatible with adjacent established land uses.

COMMUNITY CHARACTER POLICIES

Policy PHY-1 Future Land Use Map

It shall be the policy of Council to establish a plan for the proper distribution of various land uses through the Future Land Use Map.

Plan Actions

- a. This Official Plan shall include a Future Land Use Map to lay the framework for future development of different land uses in the Town over the life of the Plan.
- b. The Bylaw shall include a Zoning Map that is more specific and detailed, but at all times consistent with, the Future Land Use Map.

Policy PHY-2 Land Use Conflicts & Mixed Uses

It shall be the policy of Council to support the integration of uses where appropriate to support the continued evolution of the Town as a complete and walkable community, balanced with standards to buffer areas adjacent to any new or expanded commercial developments.

Plan Actions

- a. The Bylaw may, where appropriate, include secondary uses different from, but often associated with, the primary permitted uses as accessory and/or ancillary uses.
- b. The Bylaw shall establish minimum buffer area requirements, such as setbacks and screening for any new or expanded commercial developments in order to mitigate negative impacts on adjoining properties.

Policy PHY-3 Development Standards

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

Plan Actions

- a. The Bylaw shall establish development standards for each zone and type of uses relating to lot sizes, setbacks, servicing, open space, parking, buffering and other related matters.
- b. The Town shall encourage properties to be developed and maintained at a high standard.
- c. The Bylaw shall establish height limits for structures based on type, as well as provisions for circumstances where buildings may be permitted to exceed those limits subject to consideration of their impacts on surrounding land uses, traffic generation, and fire safety.

Transportation

The Town of O’Leary is a major transportation hub. Even though the railway has long been abandoned, automobile, truck, pedestrian, and bicycle traffic volumes remain significant through the Town. The Town does not own any roads and the Province is responsible for all local and regional road maintenance and for maintenance of the Confederation Trail. The Town does, however, own and maintain all local sidewalks. There are currently 4.5 kilometres of sidewalks in the Town. It is recognized that sidewalks and other forms of active transportation infrastructure are key tools in reducing the dependence on vehicular traffic, promoting accessibility, and reducing a number of chronic health challenges through active lifestyles.

OBJECTIVES:

- 1. To enhance the safety of pedestrians.
- 2. Foster and enhance active transportation options.
- 3. To encourage the maintenance of a safe and efficient vehicular circulation system in the Town.

TRANSPORTATION POLICIES:

Policy PHY-4 Access & Design

It shall be the policy of Council to require all new subdivisions and developments involving the creation of new roads to meet the provincial requirements for new public roads and for new roads be deeded to the Province to be owned and maintained.

Plan Actions

- a. The Bylaw shall not permit the development of new private roads except within developments featuring multiple main buildings on a single parcel, in which the private roads shall be treated as 'internal drives.' The Bylaw may establish minimum standards or requirements for the design and construction of internal drives.
- b. The Bylaw shall require that all new streets be built to the Province's standards and deeded to the Province as public rights-of-way.
- c. Developers shall be responsible for the full cost of the design and construction of streets associated with new developments in accordance with the standards established and administered by the Province's department responsible for transportation, except where funding programs or grants have been identified or established to offset the infrastructure costs of new developments.
- d. The Bylaw shall prohibit the approval of new lots or developments and new accesses except where those developments and accesses comply with the standards for access under the Highway Access Regulations established under the Roads Act.
- e. The Bylaw shall establish a requirement for new lots to have frontage on a public road.
- f. The Bylaw shall permit the subdivision of a limited number of panhandle lots where full frontage on a public road is not feasible to facilitate infill development.

Policy PHY-5 Maintenance

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

Plan Actions

- a. Municipal representatives shall meet with officials from the Province on a regular basis to discuss road maintenance priorities in the Town.
- b. The Town shall ensure a high level of maintenance on all sidewalks in the Town.

Policy PHY-6 Pedestrian and Active Transportation

It shall be the policy of Council to integrate the principles of active transportation into Town actions and decision-making in order to develop a strong, inter-connected active transportation system over time.

Plan Action:

- a. The Town shall work with residents, business owners, landowners, and other interested parties to identify options to expand the existing system and develop linkages over time.

Policy PHY-7 Stormwater Management

It shall be the policy of Council to work closely with the Province's department responsible for transportation to ensure that stormwater run-off is managed in a manner which is cost-effective and environmentally sensitive, and which minimizes risks to public health, safety and private property.

Plan Action:

- a. The Town shall work with the Province's department responsible for transportation to ensure that stormwater systems are properly installed and maintained in the Town.
- b. The Bylaw shall establish requirements relating to stormwater and draining and all new subdivisions shall be required to include a stormwater management plan as part of the application process, subject to standards imposed by the Province's department responsible for transportation.
- c. The Town shall, wherever possible, protect and enhance the existing surface water drainage system(s) in the Town and their capacity to handle increasing amounts of stormwater run-off.
- d. Any assessment of proposed physical changes or infilling of any stream, wetland or water course shall include, in addition to all appropriate environmental protection considerations, a detailed assessment of any stormwater run-off implications.

4.4 ENVIRONMENT

Clean Water

Given the fact that all properties in O'Leary are dependent on individual on-site wells, it is critically important for the Town to protect both the quality and quantity of both surface and ground water both within the Town and in its watershed. Since well installation is the jurisdiction of the Province and most of O'Leary's watershed lies outside of the municipal boundaries, Council's actions are somewhat restricted. Council can, however, act to restrict high risk land uses, ensure that the central sewer system is well maintained and work with the Province and our rural neighbours to ensure that the watershed is well managed.

OBJECTIVES:

1. To encourage action to protect the quality and quantity of drinking water in the Town.

2. To protect the quality and quantity of ground and surface water resources.

CLEAN WATER POLICIES:

Policy ENV-1 Groundwater

It shall be the policy of Council to work with the Province to protect both the quantity and quality of groundwater resources in the town and to identify and control potential point sources of groundwater and surface water pollution.

Plan Actions:

- a. The Town shall work with the Province to help identify and restrict potential point sources of pollution such as underground and above ground petroleum storage, pesticide and fertilizer storage, other chemical storage, manure storage, etc.
- b. The Bylaw may establish processes, standards and criteria regarding land uses which would pose serious groundwater contamination risks, such as chemical plants or storage depots, and, where appropriate, prohibit such uses in the Town.
- c. Council shall prioritize the maintenance and protection of features which contribute to groundwater re-charging such as wetlands, stormwater retention areas, trees and other dense vegetation.
- d. The Town shall encourage site plans that minimize the use of impervious surfaces.

Policy ENV-2 Surface Water

It shall be the policy of Council to protect and enhance the quality of streams, ponds, and wetlands within the Town and to work with our neighbours, watershed groups and volunteers, and the Province to protect the local watershed in accordance with the Province's regulations.

Plan Actions:

- a. The Bylaw shall establish a conservation setback or buffer area adjacent to all streams, drainage courses, ponds and wetlands and shall apply an overlay zone to these areas, to be called the Environmental Reserve (Overlay) (ER) Zone.
- b. The ER Zone shall establish provisions limiting the impacts of construction activities and restricting the disturbance of natural vegetation in areas abutting watercourses, protecting significant or sensitive habitat and vegetation from encroachment by structures and land use activities. Such provisions shall be no less stringent than those established under the *Environmental Protection Act's* Watercourse and Wetlands Protection Regulations.

- c. The Bylaw shall require construction activities to implement erosion and siltation control measures to ensure the protection of adjacent streams and wetlands and prevent run-off on to adjacent properties.
- d. The Town may partner with the Province, private landowners, watershed and environmental organisations, and other interested parties to encourage the protection of stream systems and wetlands in the Town and in the broader watershed area.
- e. Site plans shall be required to identify adjacent surface water features and existing vegetation and demonstrate how these features have been protected.

Policy ENV-3 Central Sewage Collection and Treatment

It shall be the policy of Council to provide sustainable, high-quality, cost-effective wastewater collection and treatment services for the present and future built-up areas of the Town, as well as to routinely monitor the condition of the sewer system and perform regular upgrading in order to maintain the system's integrity and prevent groundwater contamination.

Plan Action:

- a. The Bylaw shall require new developments to connect to the Town's sewage treatment system.
- b. The Town shall continue to regularly monitor the condition of the sewage treatment system and perform regular upgrades on a priority basis as budgets permit.

Policy ENV-4 Drinking Water

It shall be the policy of Council to work with the Province to ensure that all wells in the community are installed at a high standard and are appropriately maintained.

Plan Actions

- a. The Bylaw shall require that all new wells are installed in accordance with the Province's requirements.
- b. The Bylaw shall require that all new lots are assessed in accordance with the soil classification requirements of the *Planning Act Province-wide Minimum Development Standards Regulations* and shall establish lot size standards that are no less stringent than those of the regulations.

Clean Environment

The level of industrial activity in the Town is one factor likely to influence the health of the area's environment. Although there are limited instances currently, by controlling the development of activities associated with certain obnoxious land uses, Council can assist in reducing air pollution.

OBJECTIVES

To build environmental consideration into the planning process.

1. To protect air quality.

CLEAN ENVIRONMENT POLICIES

Policy ENV-5 Partnerships & Standards

It shall be the policy of Council to work with the Province and others to identify and control potential sources of pollutants likely to affect air quality and the health of natural systems.

Plan Actions

- a. Council shall engage with the community and private sectors on measures and programs to increase the overall health of the region's eco-systems.
- b. The environmental impacts of proposed Industrial uses shall form part of Council consideration when making decisions regarding proposals to permit new developments of that nature in association with boundary expansions.

Climate Resilience

As noted earlier in this Plan, the Town is protected from many of the potential impacts of climate change affecting the Island's coastal communities. Mitigation and adaptation efforts will still be required, however, to minimize the community's impacts in terms of contributions to greenhouse gas emissions and protect residents, particularly the most vulnerable members of the community, from the health and other impacts of climate change.

Objectives

1. To encourage land use planning decisions that limit GHG emissions.
2. To integrate climate adaptation measures into development standards.

Climate Policies

Policy ENV-6 Complete Community Approach

It shall be the policy of Council to take a 'complete community' approach when considering land use decisions.

Plan Actions:

- a. Council shall give consideration to the positive benefits of complete and walkable communities when evaluating proposals for subdivisions and larger developments in terms of supporting mixed uses, transportation connectivity, and compact development.

- b. The Town shall explore and support initiatives to encourage and enable ride-sharing and other measures to minimize single-occupancy vehicle use and support access to services and recreation through active transportation and other non-vehicular means.

Policy ENV-7 Adapting to a changing climate

It shall be the policy of Council to integrate climate adaptation into land use planning and public infrastructure decision-making.

Plan Actions:

- a. The Town shall establish a climate-resilient decision tree with which to process actions and decisions on municipal infrastructure and facilities.
- b. The Town may investigate the broad range of impacts of climate change on the community, including but not limited to, health, food security, and air quality and identify areas in which the Town may take or encourage action.
- c. The Town shall prioritize the protection of existing treed areas or the introduction of new trees in the design of new developments and designation of parkland or municipal facilities.

5. FUTURE LAND USE MAP

The Future Land Use Map (Schedule A) is a generalized conceptual representation of the direction Council envisions land use patterns taking over the next fifteen years. It lays the foundation and establishes the direction for the Zoning Map in the Bylaw, which is normally more precise in terms of land use zones within the broad use designations. The Zoning Map must, however, conform to the Future Land Use Map. The Future Land Use Map shall contain the following land use designations:

- Residential
- Commercial
- Industrial
- Parks and Open Space
- Institutional

Those designations shall lay the framework for land use zones under the Bylaw as follows:

Land Use Designation	Zone	Symbol
Residential	Low Density Residential	R1
	Medium Density Residential	R2
	Mixed Density Residential	R3
Commercial	General Commercial	C1
Industrial	Industrial	M1
Institutional	Public Service and Institutional	PSI
Parks and Open Space	Recreation and Open Space	O1
	Environmental Reserve (Overlay)	ER
Agriculture	Agricultural Reserve	A1

In formulating the Future Land Use Map, Council has applied the following criteria:

- Mixed uses shall be encouraged except where land use conflicts might be created.
- Commercial development shall be directed toward the Town's core and along Main Street.
- Established commercial and industrial developments shall be protected.
- Existing institutional developments shall be protected.
- New residential development will be encouraged.
- All other relevant policies and principles included in this Plan shall be implemented.
- The Agricultural designation shall be maintained in reserve for future use.

Council may, on application, amend the Official Plan's generalized Future Land Use Map and the Bylaw's Zoning Map to designate additional land for specific uses, subject to Plan policies outlined in Part 4.

6. IMPLEMENTATION

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

6.1 LAND USE BYLAW

Concurrently with the adoption of this Official Plan, Council shall adopt a new Land Use Bylaw to update and replace the existing Zoning and Subdivision Control (Development) Bylaw to conform with the policies and provisions of this Official Plan, in accordance with the provisions of the *Planning Act*. Both documents take effect upon approval by the minister responsible for the *Planning Act*.

The Bylaw shall set out specific land use zones, permitted, accessory, and secondary uses for each zone, standards and procedures for development and land use, and standards and procedures for the subdivision and consolidation of land in the Town. The Bylaw may also provide for a limited number of special permit uses that represent exceptions to the permitted uses in each zone and may be approved at the sole discretion of Council, subject to criteria laid out in the Bylaw.

Approval of Developments, Changes of Use, and Subdivisions

The Bylaw shall set out processes and requirements for:

- any person undertaking any development, change of use of land or premises or subdivision/consolidation of land to apply for a permit or approval, including any exceptions;
- the processing and making of decisions by Council or the development officer of such applications based on the provisions of the Bylaw and this Plan;
- the identification and inclusion of such conditions as Council deems appropriate to development permits and subdivision approvals to ensure conformance with this Official Plan and the Bylaw;
- the submission of a construction plan for the development, including such details as construction phasing, stockpiling of soil, screening or fencing, erosion or run-off control measures, heavy truck access, and any other item that could present a nuisance or hazard during construction;
- the submission of a site plan, footing plan, stormwater management or drainage plan, and/or landscape plan to assist the Development Officer or Council in determining if the proposed development meets the requirements set out in the Land Use Bylaw; and
- requirements for approved permits to be displayed at the site.

The receipt of a development permit or exemption from the requirement to acquire a development permit shall not excuse the applicant from complying with any provincial or federal laws in force, relating to matters such as the National Building Code, fire protection, health and safety, sewage disposal, signage, plumbing and electrical installations, environmental protection, road access, and others. The Town will liaise with provincial officials during the application review process as appropriate.

Subdivision and Development Agreements

The Bylaw shall allow Council to, at its discretion, require the developer of a subdivision or a development to enter into a Subdivision or Development Agreement. This agreement shall contain all conditions attached to the development permit or subdivision approval, including financial performance bonds, which are deemed necessary by Council to ensure conformance with the provisions of the Bylaw and this Official Plan, and shall be legally binding on both parties.

Administration

The Bylaw shall establish the delegation of decision-making on certain applications or other aspects of the implementation of this Official Plan and the Bylaw, including decision-making related to certain types of development, types of subdivisions, and variances to a development officer.

Variances

The Bylaw shall establish procedures for the granting of variances to the provisions of the Bylaw in circumstances where a proposed development may not be able to meet the requirements of the Bylaw where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the zoning requirement would result in unnecessary and undue hardship, and where the general intent of this Official Plan is upheld and such variance will not be contrary to the public interest.

6.2 BUDGETING

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

Budget Policies

Council shall strive to offset the cost of programs and services through the use of user fees, while remaining sensitive to the needs of all socio-economic groups. Council has established the following fiscal policies as a framework to guide decisions on municipal revenues and expenditures, in addition to the requirements of the *Municipal Government Act*:

- The Bylaw shall include a schedule of fees for applications under the Official Plan and Bylaw, and Council may amend the schedule from time to time by resolution in accordance with section 135 of the *Municipal Government Act*.
- Council may enact new, or maintain or revise existing, bylaws establishing user fees for other municipal programs and services.
- Council shall continue the arrangement with the Province to have the National Building Code and building permits administered provincially until such time as Council determines it is in the interest of the Town to administer the National Building Code directly.
- Council shall generally apply a "user pay" approach for programs and services, while accounting

for socio-economic inequities.

- Council shall consider establishing reserve funds to cover the professional and legal expenses relating to the administration, enforcement, and review of this Official Plan and the Bylaw over time, and set aside funds on an annual basis where municipal revenues permit.

Capital Priorities

Capital priorities are established by Council through the Town's financial plan. Current identified capital priorities include:

- sidewalk repairs and maintenance
- equipment for the fire department equipment
- the development of the 'Gospel Hall' lands, including the identification of funding opportunities.
- Main Street banners and planters
- tractor
- long-term maintenance and upgrades in accordance with the principles and standards for asset management

6.3 REVIEW

Council shall on a regular basis review its activities in terms of successful implementation of this this Official Plan and shall undertake a review of the Official Plan and Bylaw in accordance with the provisions of the *Planning Act*.

6.4 AMENDMENTS

Council may amend the Official Plan and Bylaw concurrently as circumstances change in the Town or in response to requests from the public, provided that all provisions of the *Planning Act*, this Plan, and the Bylaw are met. Notwithstanding that specific zoning have been identified for certain parcels in this Official Plan, future applications to change the designation and/or zoning of such parcels may be considered through the standard amendment process.

6.5 POSTING OF DECISIONS

The Development Officer shall post all decisions made in respect of an application under the Bylaw for:

- a development permit;
- an occupancy permit, in relation to a matter under the *Planning Act*, regulations made pursuant to the *Planning Act*, or the Bylaw;
- a preliminary approval of a subdivision;
- a final approval of a subdivision;
- an amendment to a bylaw, including an amendment to the zoning map established in the Bylaw; or
- an amendment to the text of the Bylaw,

or any other decision for which notice is required under the *Planning Act*, in accordance with the requirements of section 23.1 of the *Planning Act*.

6.6 APPEAL PROCEDURE

Any person who is dissatisfied with a decision of the Development Officer or Council in the administration of the Bylaw, as enumerated in Section 28 of the *Planning Act*, may, within 21 days of the decision, appeal that decision in accordance with the *Act*.

Schedule A – Future Land Use Map



Town of O'Leary

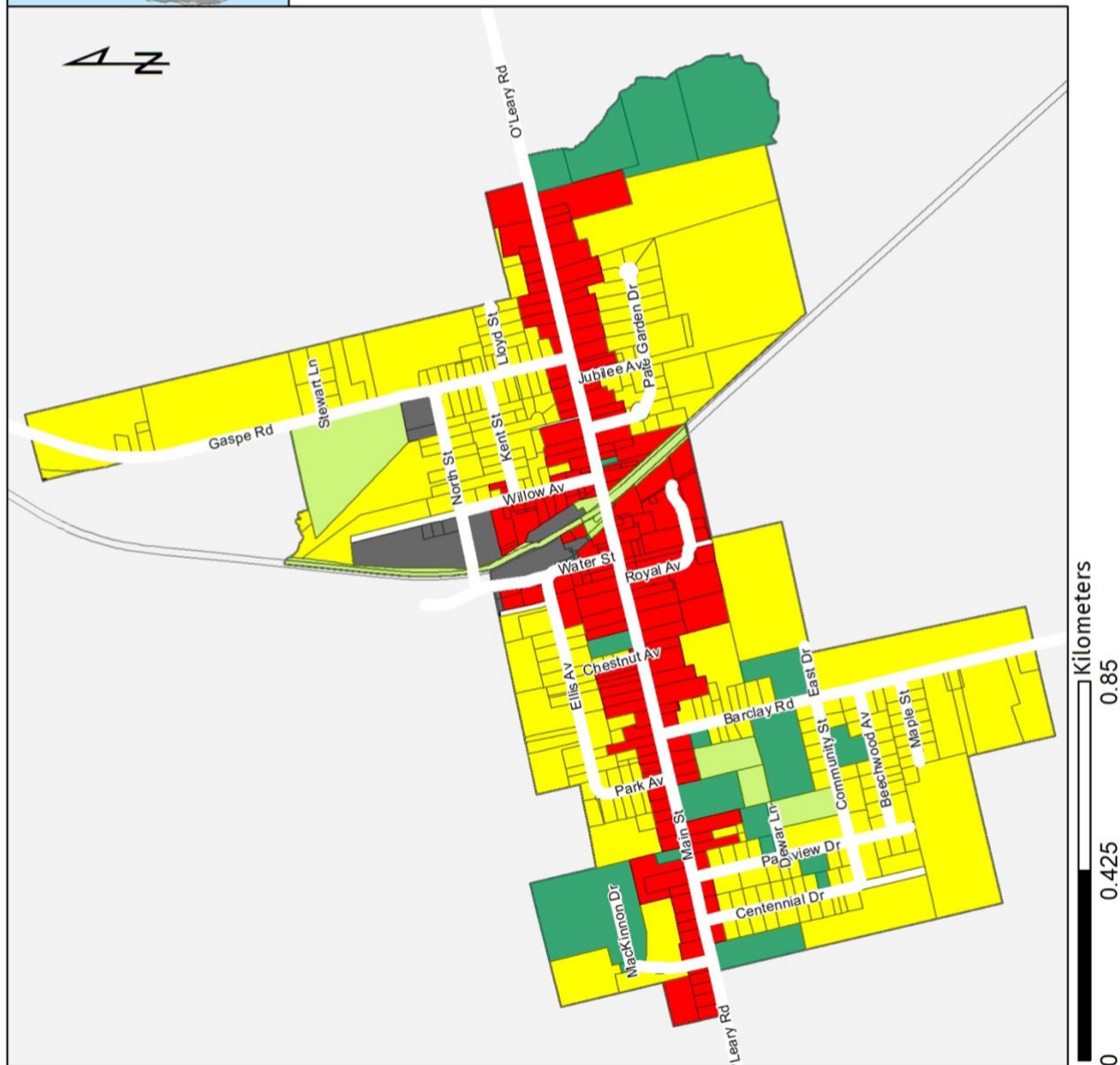
2023 09 27

Proposed Land Use - Sept 27, 2023

Generalized Future Land Use

- Commercial
- Industrial
- PSI
- Park and Open Space
- Residential

Drawn by Mitch Underhay Date: 12/10/2023
 Coordinate System: NAD 1983 CSRS Prince Edward Island
 Projection: Double Stereographic
 Datum: North American 1983 CSRS
 Data Sources:
 Government of Prince Edward Island, Free online GIS data portal,
 Esri DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
 DS, USDA, AeroGRID, IGN, and the GIS User Community



Schedule B – Road Network



Figure 6 - Road Network (source: PEI Government arcgis mapping – December 2022)