

October 14, 2021

CONSULTATION DRAFT

AN ACT TO AMEND THE PLANNING ACT (NO. 2)

BILL NO.

2021

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. Section 2 of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, is repealed and the following substituted:

2. Purposes

The purposes of this Act are

- (a) to provide for efficient planning at the provincial and municipal level;
- (b) to promote sustainable and planned development;
- (c) to protect the natural and built environment of the province;
- (d) to encourage co-operation and co-ordination among stakeholders;
- (e) to address potential conflicts regarding land use;
- (f) to provide the opportunity for public participation in the planning process; and
- (g) to ensure compatibility between land uses.

2. The Act is amended by the addition of the following after section 2:

2.1 Provincial interests

- (1) The Minister in carrying out the Minister's responsibilities in relation to the administration of this Act shall have regard but not be limited to matters of provincial interest such as
- (a) the protection, conservation and management of resource lands;
 - (b) the protection, conservation and management of coastal areas;
 - (c) the protection, conservation and management of ecological systems;
 - (d) the prevention of fragmentation of land and of loss of natural habitat connectivity and biodiversity;
 - (e) the supply, efficient use and conservation of water;
 - (f) the supply, efficient use and conservation of energy;
 - (g) the adequate provision and efficient use of communication, transportation, sewage and water services, storm water management systems and waste management systems in relation to planning development;
 - (h) the effect of proposed planning development on, and measures for the protection of, public health and safety;
 - (i) the protection of features of significant archaeological, cultural, architectural, historical or scientific interest;

- (j) the protection of viewsapes that contribute to the unique character of Prince Edward Island;
- (k) the direction of development to areas designed to support servicing;
- (l) the orderly and sustainable development of safe and healthy communities;
- (m) the adequate provision of a full range of housing options;
- (n) the promotion of a built environment that supports public transit and active transportation;
- (o) the promotion of a built environment that incorporates the principles of conservation design;
- (p) the adaptation of the built and natural environment to address the effects of climate change;
- (q) the mitigation of greenhouse gas emissions; and
- (r) adaptation to a changing climate.

Regulations

- (2) The Lieutenant Governor in Council may make regulations to establish additional matters of provincial interest for the purposes of subsection (1).

EXPLANATORY NOTES

SECTION 1 repeals section 2 of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, and substitutes a new section 2 to clarify the purposes of the Act.

SECTION 2 amends the Act by the addition of a new section 2.1 to require the Minister, in carrying out the Minister's responsibilities in relation to planning matters under the Act, to have regard to matters of provincial interest such as, but not limited to, those listed. Additional matters of provincial interest may be added by regulation.