

Land Use Issues on Prince Edward Island

Harry Baglole

It's a great pleasure to be with you today, here in historic Mount Stewart, one of the Island's oldest communities, at the Semi-Annual Meeting of the Federation of Prince Edward Island Municipalities.

On the program, you'll see that my talk is entitled "Land Use Issues on Prince Edward Island." And, yes, I shall indeed be talking about land use on the Island. But I'll also be discussing another major theme -- that of the need to strengthen our local democracy. And I'll be attempting to make a strong link between the two.

Land use is a familiar issue to us Islanders. For the past 30 years, since the landmark *Report of the Royal Commission on Land Ownership and Use* in 1973, we've experienced a succession of commissions, round tables, studies, and strategies on the issue of land -- its ownership and, increasingly, its use. There was, for example, the amazingly comprehensive Report of the *Royal Commission on the Land* in 1990 -- a full 604 pages, plus 371 pages of Appendices. The 232 recommendations began with two which essentially called for the "adoption of a comprehensive set of land use plans for the entire province." More recently, we've had the 1997 *Report of the Round Table on Resource Land Use and Stewardship*. Its ambitions, and its recommendations, tended to be both more specific and more modest than those of its immediate predecessor. We all remember well, however, the furor caused by the suggestions that cattle should be kept out of streams and that we should have buffer zones around our watercourses. Our Institute (of Island Studies) got in the act in 2000, when we produced, at the behest of the Provincial Government, the Population Strategy -- entitled *A Place to Stay?* The thrust of the Population Strategy was more toward examining the Island's demographic profile and coming up with a strategy to maintain a strong and balanced population base. There were, however, recommendations calling for the strengthening of local government, and urging that further population growth take place within municipal boundaries and serviced areas.

A stranger to our shores might deduce from this rash of studies and strategies that we Islanders are especially fond of land use -- that we take particular delight in the politics and bureaucracy of organizing and controlling our territory through such collective means. Nothing could be further from the truth. Indeed, it may be the particular antipathy of Islanders to land use which keeps it so much in the foreground as a perennial topic for public discussion. On the one hand, we recognize the necessity for action to govern our land base in the public interest -- to protect our wonderful landscape, to maintain our land base for agriculture, to minimize urban sprawl, to curtail unsightly and inefficient ribbon development along our highways, to preserve the scenic vistas of our shorelines. But, on the other hand, as individuals and landowners, we fiercely resist the right of the public -- in the guise of any form of government, be it national, provincial or municipal -- to tell us what to do with our land.

I sometimes think that this intense antipathy to land control is a legacy of our particular Island history. You are all familiar with the story of how, 150 years ago, the Island was owned primarily by large proprietors, and most farmers were tenants on their own land. We Islanders

had to fight hard to gain control of our land, of our farms; and we tend still to be especially protective of our rights as landowners.

I could draw a parallel here with our neighbours to the south of the border -- and say that promoting land use measures in Prince Edward Island is just about as popular -- and requires just as much political courage -- as pushing for gun control in the United States!

I would also insist that it is just as necessary.

And more so today than ever....

In my work with the Institute of Island Studies, I get to study and, on occasion, to visit small islands in other parts of the world. And people from other islands visit us here. I distinctly remember one particular occasion, when I was driving to Summerside with a friend from the Isle of Man. I took him along Highway 225, through North Wiltshire and Kinkora, precisely because it is relatively uncluttered by ribbon development. But all the same, he was amazed by the number of houses lining sections of the road -- especially on the outskirts of urban and suburban areas. A few years later, I visited the Isle of Man, and found that rural landscape and land use are managed much more vigilantly there. This is the case with virtually all small, off-shore islands in northern Europe, whether in England or Scotland, or in Scandinavia, or in the Baltic. Like Prince Edward Island, these islands are relatively small; they feel the need to manage their limited land base efficiently and to protect their landscape -- in part out of consideration for the growing tourism industry.

I will outline three main reasons why I think we should be addressing, once again in this province, the whole issue of land use:

1. We are in the middle of a population boom in Prince Edward Island. You'll no doubt be surprised to hear me say this. But consider that during the 100 years between 1850 and 1950 our population remained largely static, at about 100,000; while in the past 50 years we've seen it increase by almost half that total, to about 140,000. This growth is continuing. It means that the Island is becoming more crowded. At the same time, the settlement patterns are changing, with stronger growth in urban areas and loss of population in some rural parts of the province. This population increase has brought growing pains.
2. For the past few years, our Provincial Government has generally taken a "hands off" approach to land use control. There is no question that this is in accord with the popular will -- that the Government is respecting the wishes of most Islanders, at least when it comes to suggesting what should be done with their own particular property. But at the same time, some chronic problems have become worse; and other problematic trends -- like ribbon development -- have continued. (I wish to make an exception here, and laud the Government for its foresight and courage in implementing most of the salient recommendations of the *Round Table on Resource Land Use and Stewardship*.)
3. Recently, some particular issues have emerged, which I think should be addressed. These have to do with the siting of major provincial facilities outside municipalities. Your Federation has protested recently to the Provincial Government about its initiative in

locating two new Business Parks, at Bloomfield and Poole's Corner, in unincorporated areas. It has been argued that this weakens the adjacent municipalities, by undermining their potential tax base; at the same time, it contributes to the sense of unplanned rural development, taking land out of agriculture, cluttering the rural landscape, and so on. I think it also worthy of note -- and also of concern -- that the new provincial waste management facility, in Brookfield, is being located in an unincorporated area.

This brings me to the second major theme in today's talk. As I already stated, I think that the Island has largely outgrown its present set of land use policies and regulations. But similarly, I maintain that the same can be said for its municipal government structure. In fact, I think that our local government structure is even more in need of an overhaul.

A few years back, our Institute -- with support from your Federation and the Department of Community Affairs -- produced a report examining the state of local governance in the Province. It was entitled *The Geography of Governance: An Overview of Boundaries, Powers and Responsibilities on Prince Edward Island* -- and was published in March of 1999. The report was intended to be descriptive rather than prescriptive -- to state the case, rather than to suggest any particular course of action. What the Report found could be characterized as a mish-mash of local governments, agencies, boards, commissions, most often with overlapping geographic boundaries -- or different boundaries for each service; some were acting on the authority of local community electorates, others were acting as agents of the provincial or federal governments, or of particular government departments or agencies. As you well know, many -- perhaps most -- of our Island municipalities are very small, and the majority are not members of your Federation; as well, most of the Island's land base remains outside unincorporated areas. As of 1997, a mere 6-9% of the Island's land area fell under a planning or zoning bylaw.

While our report did not make a set of recommendations, the Preface contained some suggestive comments. I quote:

The findings reveal the hydra-headed nature of local governance on the Island, the profusion of administrative structures in place here. They also underscore the present incapacity of many local governing authorities -- in terms of both human and fiscal resources -- to provide any significant level of services to their communities. Put another way, 'local' government is in most cases not strong enough to generate a critical mass of 'local' authority, the necessary prerequisite for bringing an assortment of services and functions more closely under 'local' control. This has obvious implications for local democracy on Prince Edward Island. Of course, the current incapacity masks a very real potential for providing effective government at a local level.

As previously indicated, there have been various attempts to study and reform land use on the Island. But I'm not aware of similar efforts to examine and restructure local governance -- certainly not outside the main urban areas. The 1990 Royal Commission on the Land did include some relevant recommendations: it was suggested that a comprehensive land use plan for the province include municipal reform, that community improvement committees be abolished, that a provincial architect/planner be hired, and "That the boundaries of municipalities be reviewed for the annexation or amalgamation of adjacent land in order to encompass growth

settlements...." As you know, little action has been taken on these recommendations.

I have two main reasons for calling for a comprehensive process of local government reform. One has to do with land use and general administrative efficiency, as discussed earlier. The second is perhaps even more basic. At this point in Prince Edward Island's history, we need to be asking the question whether we want two main levels of government on the Island, or just one. The longer we delay addressing this matter directly and coherently, the more we are opting -- by default really, and the continuation of present trends -- for the latter, for just one. I maintain that our province is not so small that we can dispense with the local order of government; in fact, I think that the local government should be considerably strengthened.

At this point, I'll refer to another initiative of our Institute of Island Studies. Over the past decade, we've maintained a strong association with the small island nation of Iceland. One of our colleagues there is Sigfus Jonsson, Iceland's leading authority in local government reform. In 1999 we invited Sigfus to the Island, to give a talk to a small group of local bureaucrats and planners. We asked him to advise us about some of the main points to consider, if we were to undertake a reform process in Prince Edward Island. Here are some of his observations:

1. There should be no unincorporated areas.
2. Membership in the Federation of Municipalities should be compulsory.
3. The municipal order of government should have an independent tax base.
4. Any process of amalgamation should proceed along democratic lines; that is, people would need to be convinced of the advantages of change and to vote accordingly in special elections.
5. The rule-of-thumb in Scandinavia is that a population base of 5,000 is needed to provide a critical mass for taking on substantial local autonomy; in some parts of PEI, this figure might be somewhat smaller.
6. Experimental or pilot projects could be carried out as part of the reform process.

Sigfus provided much more detail than this. But the foregoing is sufficient to give a sense of where this line of thought might lead. If such a process were carried through to its logical conclusion, we'd see the whole of Prince Edward Island represented by some 15-25 strong local government units. Most Islanders would have much more opportunity and authority to control development -- including land use -- at the local level than they do at present. And the health of our democracy on the Island would be much invigorated.

Such a reform scenario would, of course, have major implications for the Federation of PEI Municipalities. I would argue that your organization needs to be strengthened considerably if it is to carry out its responsibilities as the collective voice and active agent for overseeing a process of local governance empowerment. I don't think it unreasonable that you should have a staff of 6-10 people, including several land use planners. You might also want to consider providing additional research, information, and educational services to your members.

I realize that what I am suggesting may seem to be rather radical, perhaps well beyond what most of you have been considering. Yet, I am convinced that substantial change may be called for --

both by the press of ongoing events and a backlog of lingering problems from the past. To be effective in the long-run, one needs a coherent vision for the future. And even if progress is sometimes very slow, if you proceed with tenacity and commitment, you may arrive at your destination sooner than you ever thought possible.

I'll conclude with some general remarks about land use reform. Many Islanders are still very protective of individual property rights — and so they should be! But they are also appreciative of the need to protect the wonder of our Island landscape, for surely we live in one of the most beautiful places on God's green earth. And they recognize that we'll need to manage our land base and urban sprawl more efficiently than in the past — especially as our population continues to increase and the Island becomes more crowded.

I'm convinced that one of the reasons that Islanders have been so resistant to land use regulations in the past is that such initiatives have been perceived to come from the Provincial Government, from "Charlottetown," from the centre. I think it high time that more responsibility for thought and action come from communities themselves, from the local level.

And this points to the pressing need for a broad partnership between the Provincial Government, on the one hand, and newly empowered local communities on the other. Working together, they have the capacity to perform wonders.

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