

TOWN OF UPPER ISLAND COVE

MUNICIPAL PLAN 2011-2021



DEVELOPMENT REGULATIONS AMENDMENT No. 14, 2023

“Residential II” to “Commercial-Industrial C-I”

**“Add Condition to the Commercial-Industrial Land Use Zone
Table, Schedule C”**

North off Crane’s Road, Route 70-17

FEBRUARY, 2023

PLAN-TECH



ENVIRONMENT

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
TOWN OF UPPER ISLAND COVE
DEVELOPMENT REGULATIONS AMENDMENT No. 14, 2023

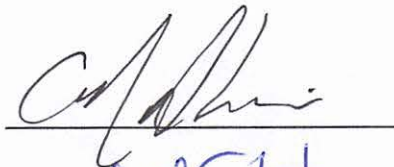
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Upper Island Cove.

- a) Adopted the Upper Island Cove Development Regulations Amendment 14, 2023, on the 17th day of April, 2023.
- b) Gave notice of the adoption of the Town of Upper Island Cove Development Regulations Amendment No. 14, 2023 by advertisement posted at the Town Hall, Jay's Mini Mart, Clarke's Floral Design and Clarke's Country Corner. The Notice was also posted on the Town's Webpage and Twitter Account.
- c) Set the 10th day of May, 2023, at 7:30 p.m. at the Town Hall, Upper Island Cove for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Upper Island Cove approved the Town of Upper Island Cove Development Regulations Amendment No. 14, 2023, as adopted (or as amended).


SIGNED AND SEALED this 16 day of May, 2023

Mayor:



(Council Seal)

Clerk:





CHIEF:

DEPUTY:



SIGNED AND SENTED THE 15th day of May 2003

Resolutions Amendment No. 14, 2003, as adopted (in its entirety)

Council of Upper Merion Code approved the Town of Upper Merion Code Development
Map under section 23 of the Urban and Rural Planning Act 2000, the Town

ordinances

Code of the Borough of a public hearing to consider Ordinance and

(c) Section 10, day of May 2003, at 1:30 PM at the Town Hall Upper Merion

Merion and Upper Merion

Since's Council Code, the Code was also posted on the Town's

located at the Town Hall 2003, with Merion Code, Ordinance and

Development Resolutions Amendment No. 14, 2003, of development

(d) Code of the section of the Town of Upper Merion Code

in 2003, on the 15th day of May 2003

(e) Section of the Upper Merion Code Development Resolutions Amendment

under the authority of section 14, section 15 and section 16 of the Urban and

have been and will remain the Town Council of Upper Merion Code

DEVELOPMENT RESOLUTIONS AMENDMENT NO. 14, 2003

TOWN OF UPPER MERION CODE

RESOLUTION TO ADOPT

UPPER MERION AND UPPER MERION

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF UPPER ISLAND COVE
DEVELOPMENT REGULATIONS AMENDMENT No. 14, 2023

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Upper Island Cove adopts the Town of Upper Island Cove Development Regulations Amendment No. 14, 2023.

Adopted by the Town Council of Upper Island Cove on the 17th day of April, 2023.

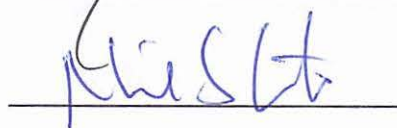
Signed and sealed this 16 day of May, 2023.

Mayor:



(Council Seal)

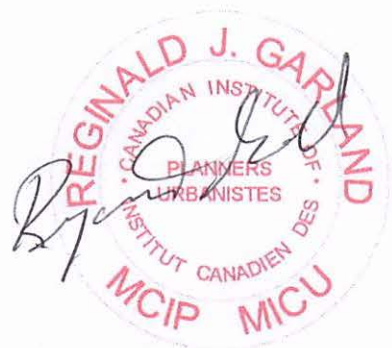
Clerk:



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Upper Island Cove Development Regulations Amendment No. 14, 2023, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

Development Regulations/Amendment	
REGISTERED	
Number	<u>5215-2023-011</u>
Date	<u>16 JUNE 2023</u>
Signature	<u>[Handwritten Signature]</u>



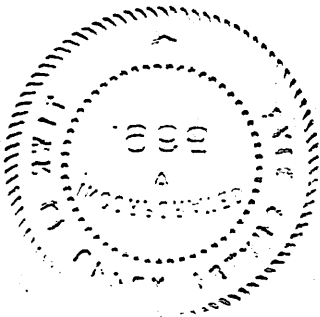
TOWN AND RURAL PLANNING ACT, 2000
 RESOLUTION TO ADOPT
 TOWN OF UPPER ISLAND COVE
 DEVELOPMENT REGULATIONS AMENDMENT NO. 14, 2023

Under the authority of Section 16 of the Urban and Rural Planning Act, 2000, the Town Council of Upper Island Cove adopts the Town of Upper Island Cove Development Regulations Amendment No. 14, 2023.

Adopted by the Town Council of Upper Island Cove on the 17th day of April,

2023.

Witness and sealed this _____ day of _____, 2023.



(Council Seal)

[Handwritten signature]

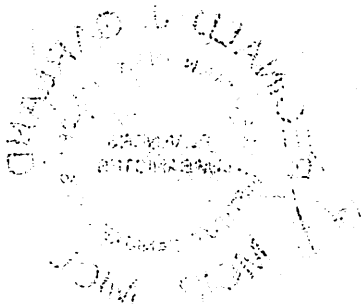
[Handwritten signature]

Mayor

Chair

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Upper Island Cove Development Regulations Amendment No. 14, 2023, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



Development Regulations Amendment	
REGISTERED	
_____	_____
_____	_____
_____	_____

TOWN OF UPPER ISLAND COVE

DEVELOPMENT REGULATIONS AMENDMENT No. 14, 2023

BACKGROUND

The Town of Upper Island Cove proposes to amend its Development Regulations. The Chalet Lounge is located on the north side of Crane's Road, Route 70-17, close to the western boundary with the Town of Spaniard's Bay. The owner has made an application to add an extension to the existing building.

The present building measures 9.75m x 9.75m for an area of 95.13m². The proposed extension will measure 9.75m x 9.14m for an area of 84.91m². The building with the proposed extension will have a combined area of 180.04m².

ANALYSIS

The Chalet Lounge is located in the Residential-II (R-II) Land Use Zone. Schedule B, Classification of Uses of Land and Buildings, lists lounges, bars, restaurants, etc. as an Assembly use under catering. The Residential-II (R-II) Land Use Zone Table does not list catering as a permitted or a discretionary use. At the coming into effect of this Municipal Plan on August 24, 2012, the building was in existence and is now considered a legal non-conforming use. The Upper Island Cove Development Regulations, General Regulation 49(3)(e), Non-Conforming Use, allows an extension of not more than 50% of the existing non-conforming building. The combined area of the existing building with a 50% extension will only allow an area of 142.6 m², short of the desired 180.04m². Therefore, General Regulation 49 cannot be used in this case. To accommodate a 9.75m x 9.14m extension to the Chalet Lounge will require an Amendment to the Town's Development Regulations.

The Commercial-Industrial Land Use Zone Table lists catering as a permitted use. The purpose of this Amendment is to spot zone the land parcel for the Chalet Lounge from **"Residential-II (R-II)"** to **Commercial-Industrial (C-I)**. Secondly, so as to be more compatible with surrounding land uses, the newly created Commercial-Industrial Zone for the site of Chalet Lounge shall be restricted to catering uses only.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Municipal Plan Amendment. The Town Council of Upper Island Cove placed a Public Consultation Notice on its webpage, on its Facebook page, on its Twitter Account, on display at the Town Office and public notice boards which stated that the amendments would be on display from February 20 to March 6, 2023, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. No verbal or written comments were received.

AMENDMENT No. 14, 2023

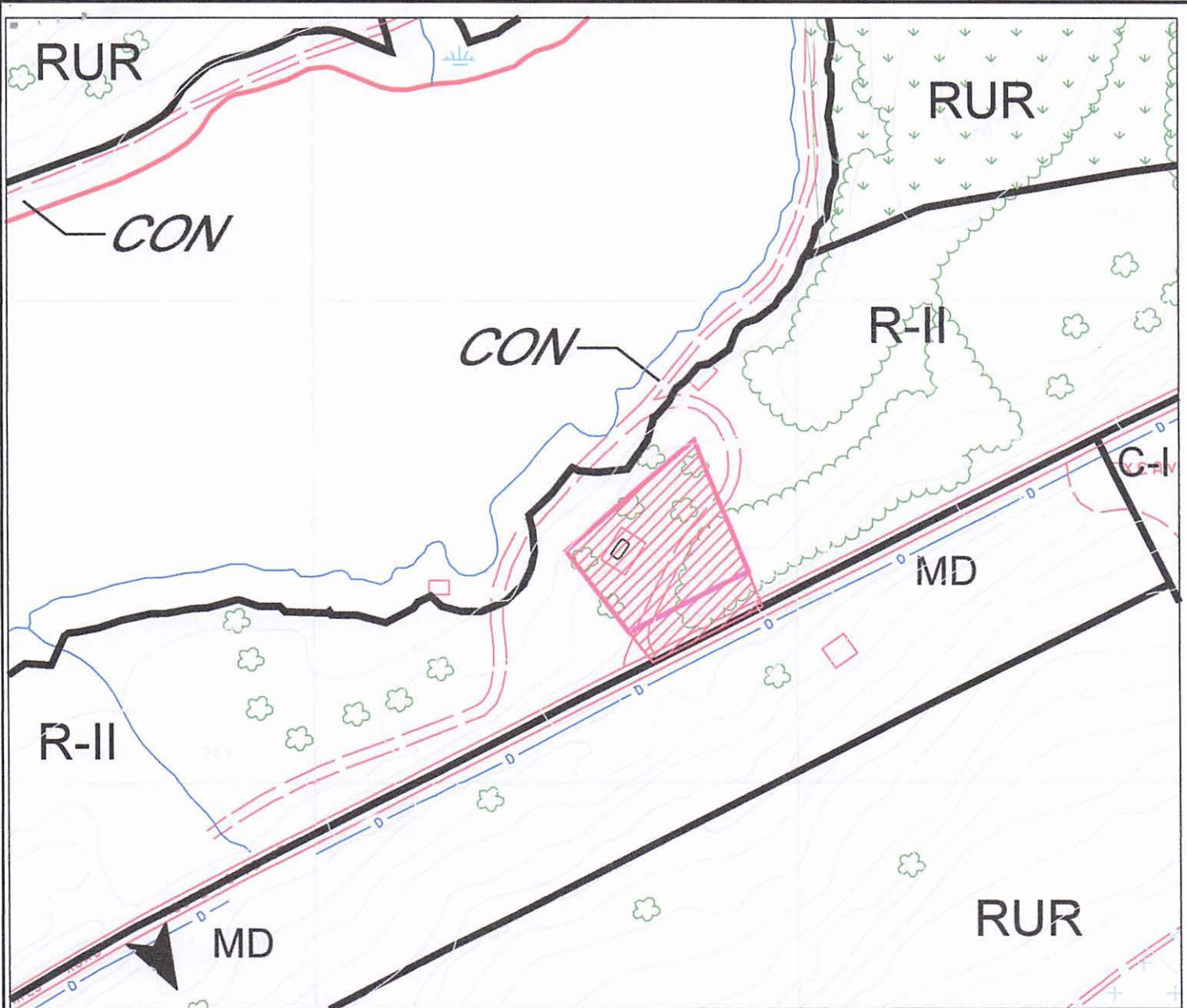
The Town of Upper Island Cove Development Regulations are amended by:

A) *Adding* the following condition 11 to the end of conditions for the Commercial-Industrial Land Use Zone Table:

11. Catering Uses Only

The site of the Chalet Lounge located on the north side of Crane's Road is spot zoned as Commercial-Industrial. So as to prohibit land uses that may have an adverse effect on the adjoining residential properties, Council shall restrict the use of this building to catering uses only.

B) *Changing* an area of land from "**Residential-II (R-II)**" to "**Commercial-Industrial (C-I)**" as shown on the attached copy of the Town of Upper Island Cove Land Use Zone Map as shown below:



TOWN OF UPPER ISLAND COVE
MUNICIPAL PLAN 2011-2021
LAND USE ZONE MAP

DEVELOPMENT REGULATIONS
AMENDMENT No. 14, 2023

Development Regulations/Amendment

REGISTERED

Number 5215 - 2023 - 011

Date 16 JUNE 2023

Signature [Signature]

Dated at Upper Island Cove

This 16 Day of May, 2023

[Signature] Mayor

[Signature] Clerk

Seal



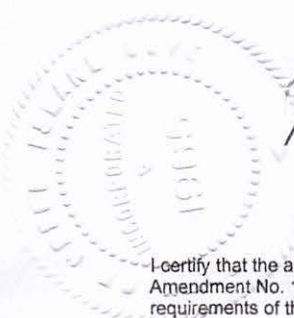
Area to be changed from: "Residential II (R-II)" to "Commercial - Industrial (CI)"

PLAN-TECH



ENVIRONMENT

Scale: 1:2500



I certify that the attached Town of Upper Island Cove Development Regulations Amendment No. 14, 2023 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.



THE FOLLOWING IS A SUMMARY OF THE INFORMATION RECEIVED FROM THE
OFFICE OF THE SECRETARY OF THE ARMY, WASHINGTON, D.C., ON
JANUARY 1, 1902, CONCERNING THE PROPOSED
CONSTRUCTION OF A NEW FORT AT THE MOUTH OF THE
RIVER, IN THE TERRITORY OF ARIZONA.

