

**TOWN OF PILLEY'S ISLAND
DEVELOPMENT REGULATIONS 1993 - 2003**

DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2009

**"Residential" to "Mixed Development";
"Recreation" to "Mixed Development";
"Recreation" to "Rural & Resource";
"Commercial" to "Mixed Development";
"Rural & Resource" to "Mixed Development"; and
Deletion of Commercial Land Use Zone Table**

MAY 2009

PLAN-TECH



ENVIRONMENT

URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF PILLEY'S ISLAND
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2009

Under the authority of section 16, section 11 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Pilley's Island.

- a) Adopted the Pilley's Island Development Regulations Amendment No. 2, 2009 on the 11th day of June, 2009.
- b) Gave notice of the adoption of the Town of Pilley's Island Development Regulations Amendment No. 2, 2009 by advertisement inserted on the 9th day and the 16th day of July, 2009 in *The Nor' Wester Telegram* newspaper.
- c) Set the 29th day of July at 7:30 p.m. at the Town Hall, Pilley's Island 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 Pilley's Island approves the Town of Pilley's Island Development Regulations Amendment No. 2, 2009 as adopted (or as amended).

SIGNED AND SEALED this 1st day of September, 2009

Mayor:

Q M J

(Council Seal)

Clerk:

Paulette Callahan

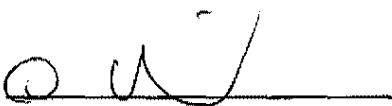
Development Regulations/Amendment REGISTERED	
Number	<u>3785-2009-002</u>
Date	<u>Oct. 19, 2009</u>
Signature	<u>COLLEEN RAE</u>

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PILLEY'S ISLAND
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2009

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Pilley's Island adopts the Town of Pilley's Island Development Regulations Amendment No. 2, 2009.

Adopted by the Town Council of Pilley's Island on the 11th day of June, 2009.

Signed and sealed this 1st day of September, 2009.

Mayor:  (Council Seal)

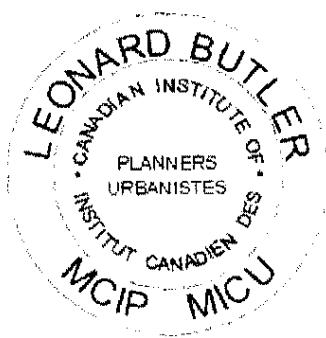
Clerk: 

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Pilley's Island Development Regulations Amendment No. 2, 2009 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:





TOWN OF PILLEY'S ISLAND
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2009

BACKGROUND

The Town of Pilley's Island proposes to amend its Development Regulations. The proposed Municipal Plan Amendment consists of six parts.

Part A

The Town has received proposals for development such as mobile homes and mini homes and minor uses that presently do not fit the Residential Land Use Zone. The Town has considered several options such as amending the Residential Land Use Zone Table to allow this type of development or to re-zone the area to another land use. Part A of this amendment proposes to re-zone an area of land from Residential to Mixed Development.

Part B

The present Development Regulations has zoned a number of areas in Town as Recreation. Recently, there has been little demand for new recreational areas outside of those that are presently developed. Part B of this amendment proposes to re-zone two (2) small areas of land from Recreation to Mixed Development.

Part C

The 1993 Development Regulations zoned a large area of land along the west side of the highway to the Long Island Ferry as Recreation to be used as a swimming/picnicking/hiking area. Further, this present land use zone restricts resource use such as domestic wood harvesting. The Town feels that the area presently zoned as Recreation is too large and Part C of this proposed amendment proposes to reduce the size of this Recreation area and re-zone land from Recreation to Rural and Resource.

Part D

The Land Use Zoning Map has zoned a small site on the road to the Long Island ferry dock to accommodate future commercial uses. The present road passes through this small commercial site which makes the site useless due to lack of depth for a commercial development. It is the intention of Council to rezone this land from Commercial to Mixed Development thereby making the surrounding available for this type of land use zone.

Part E

In conjunction with Part D above, the Land Use Zoning Map has zoned land north of the Commercial Land Use Zone as Rural and Resource. By deleting the Commercial Land Use Zone, it is the intention of Council to re-zone land just north of the Commercial area from Rural and Resource to Mixed Development. This would allow more small scale and greater range of options for mixed development uses.

PART F

The Commercial Land Use Zone Table as identified in Schedule C of the Development Regulations shall also be deleted.

PUBLIC CONSULTATION

During the preparation of this amendment Council undertook the following initiative so that individuals and groups could provide input on the proposed amendment. The Town Council of Pilley's Island published a notice in the May 14, 2009 edition of *The Nor'Wester* newspaper advertising the proposed amendment seeking comments or representations from the public. Residents were invited to view the documents and to provide any comments or concerns in writing to Council. The Town received no written or verbal submissions or objections.

DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2009

The Town of Pilley's Island Development Regulations is amended by:

- A) *Changing* an area of land from "*Residential*" to "*Mixed Development*";
- B) *Changing* an area of land from "*Recreation*" to "*Mixed Development*";
- C) *Changing* an area of land from "*Recreation*" to "*Rural and Resource*";
- D) *Changing* an area of land from "*Commercial*" to "*Mixed Development*";
- E) *Changing* an area of land from "*Rural and Resource*" to "*Mixed Development*"; as shown on the attached copy of the Town of Pilley's Island Land Use Zoning Map; and
- F) *Deleting, by strikeout*, the Commercial Land Use Zone Table as identified in Schedule C of the Pilley's Island Development Regulations as shown below:

USE ZONE TABLE

ZONE TITLE	COMMERCIAL (COMM)	(PILLEY'S ISLAND)
PERMITTED USE CLASSES (see Regulation 85)	Service station, commercial residential, catering, shop, passenger assembly, communications, antenna, convenience store, indoor market, all use classes in the business, professional and personal service use division, (except take out food services.)	
DISCRETIONARY USE CLASSES (see Regulations 22 and 86)	Take out food service, amusement, light industry, recreational open space, outdoor market.	

CONDITIONS

1. Development Standards

Lot area (minimum) Both Services (water & sewer)	450 m ²
One Service (water or sewer)	1400 m ²
Frontage (minimum)	15 m
Building Line Setback (minimum)	6 m
Building Line Setback (maximum)	30 m
Sideyard Width (minimum)	3 m
Rearyard Depth (minimum)	6 m
Height (maximum)	10 m

2. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of the Authority provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

3. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- (i) The size, shape, illumination and material construction of the advertisement shall meet the requirements of the Authority, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (ii) No advertisement shall exceed 5 square metres in area.

4. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) Each advertisement shall not exceed three square metres in area.
- (ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- (iii) The location, siting and illumination of each advertisement shall be to the satisfaction of the Authority, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

5. Access

- (i) The Authority may determine the location and number of accesses for a use.
- (ii) The frontage of each lot shall be on a publicly owned and maintained street and access to the lot must be obtained from this street.

6. Height

"Height" means the height of a building measured as the vertical distance between the ground level and

- (a) the highest point of the roof surface of a flat roof;

- (b) the deck line of a mansard roof;
- (c) the median level between eaves and ridge of a gable, gambrel or hip roof.

~~Where the ground level of a lot occupied by a building varies, the Authority shall determine the ground level for the purpose of determining height.~~

7. Municipal Services

~~Development with plumbing shall be connected to municipal water and sewer services where available.~~

