

**TOWN OF BAULINE
DEVELOPMENT REGULATIONS 2007 - 2017**



**DEVELOPMENT REGULATIONS
AMENDMENT TO ACCESSORY BUILDING CONDITION
ADD "INDUSTRIAL COMMERCIAL" LAND USE ZONE TABLE
TO SCHEDULE C
"RURAL" TO "INDUSTRIAL COMMERCIAL"**

**Bauline Line Extension
JULY, 2020**

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF BAULINE
DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2020**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act*, the Town Council of Bauline.

- a) Adopted the Bauline Development Regulations Amendment No. 6, 2020 on the 7th day of October, 2020.
- b) Gave notice of the adoption of the Town of Bauline Development Regulations Amendment No. 6, 2020, by advertisement inserted on the 24th day and the 31st day of October, 2020 in *The Telegram* newspaper.
- c) Set the 12th day of November, 2020, at 7:00 p.m. at the Bauline Town Hall, Bauline for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act*, the Town Council of Bauline approves the Town of Bauline Development Regulations Amendment No. 6, 2020, as adopted (or as amended).

SIGNED AND SEALED this 19th day of NOVEMBER, 2020

Mayor:



Clerk:



(Council Seal)

Development Regulations/Amendment	
REGISTERED	
Number	<u>240-2020-009</u>
Date	<u>December 15, 2020</u>
Signature	<u>Wally Olney</u>

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF BAULINE
DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Bauline adopts the Town of Bauline Development Regulations Amendment No. 6, 2020.

Adopted by the Town Council of Bauline on the 7th day of October, 2020.

Signed and sealed this 19th day of NOVEMBER, 2020.

Mayor:  (Council Seal)

Clerk: 



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Bauline Development Regulations Amendment No. 6, 2020, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



TOWN OF BAULINE

DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2020

BACKGROUND

Part A

The Town of Bauline proposes to amend its Development Regulations. Development Regulations Amendment No. 1, 2010, increased the minimum floor area for an accessory building from 75m² to 80m². The Town has received requests for larger accessory buildings. This Amendment proposes to increase the minimum floor area for an accessory building from 80m² to 95m². This amendment will rewrite the condition for an accessory building as described in Residential-Community (RC) and Residential-Infill (RI) Land Use Zone Tables.

Part B

The Town has received two proposals to develop industrial sites on the Bauline Line Extension. One proposal is for storage and maintenance of approximately 20 customized trailers that are leased to support industries within the province. The proposal is also for an administration building and a maintenance building to service the trailers.

The second proposed development will provide safety training, consulting and emergency response solutions to varied industries throughout the province. An Administration building will support operations, administration, equipment and training simulators to support various high level emergency response, confined space and work at height programs.

The Land Use Zone Map has the west side of the Bauline Line Extension zoned as Rural. The purpose of this proposed amendment is to introduce a new Industrial Commercial (IC) Land Use Zone Table to Schedule C with development standards and conditions and re-zone an area of land from **Rural (RU)** to **Industrial Commercial (IC)**.

ST. JOHN'S URBAN REGION REGIONAL PLAN

The St. John's Urban Region Regional Plan has the area of the proposed Development Regulations amendment designated as Rural. Industrial development is a permitted use in the Rural designation. It is determined that an amendment to the St. John's Urban Region Regional Plan is not required to bring the proposed Development Regulations Amendment No. 6, 2020, into conformity with the Regional Plan.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Bauline published a notice in *The Telegram* newspaper on August 8, 2020, advertising the proposed amendment seeking comments or representations from the public. The Town Council placed the proposed amendment on display at the Town Council Office from August 10, to August 14, 2020, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. No verbal and written comments were received during the public consultation period.

DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2020

The Town of Bauline Development Regulations are amended by:

- A) *Deleting*** condition 2, Accessory Buildings from the list of conditions found in the Residential-Community (RC) and Residential-Infill (RI) Land Use Zone Tables, Schedule C, and replacing with the following:

Accessory Buildings (see also Regulation 38, Part II – General Development Standards)

- (a) All Accessory shall have a maximum combined floor area of 95m² (1000 sq ft).
- (b) Accessory buildings shall have a maximum height of 6 metres with a minimum of 1m from any property line and 2m from the nearest corner of a residential dwelling
- (c) No accessory building shall be larger in area and height than the main residential dwelling.
- (d) Accessory buildings shall located be on the same lot as the residential dwelling

and shall be clearly incidental and complementary to the main use of the residential dwelling in character, use, style and exterior finish. Accessory buildings shall be located so as to minimize any visual impacts on adjoining properties.

- (e) Accessory buildings (private garages only) may be permitted in the sideyard at Council discretion, but not in the flanking sideyard of a corner lot.
- (f) Residential lots may have more than one accessory building provided that the maximum combined floor area of all buildings shall not be greater than the maximum area set out in the table above.
- (g) An accessory building may be permitted in front of a building line if the lot has physical features that prohibit the development in the rear or side yard of the lot (see also Regulation 38(4), Part II – General Development Standards).
- (h) Where it can be clearly demonstrated that a need exists for a larger accessory building, Council shall have discretion where the proposed accessory building will exceed the maximum floor area and height as indicated in the table above.
- (i) School buses, semi-trailers, ISO sea/shipping/freight containers or other vehicle body types shall be prohibited from being used as accessory buildings.

B) Adding the *Industrial Commercial (IC)* use zone to the list of Use Zone Tables at the beginning of Schedule C, and as shown below:

The schedule contains tables for the following Use Zones:

Residential – Community	RC
Residential – Infill	RI
Industrial Marine	IM
<i>Industrial Commercial</i>	<i>IC</i>
Open Space – Recreation	OSR
Open Space – Conservation	OSC
Watershed	WAT
Rural	RUR

C) **Adding** the Industrial Commercial Land Use Zone Table, as shown below:

USE ZONE TABLE

ZONE TITLE	INDUSTRIAL COMMERCIAL (IC)
PERMITTED USE CLASSES - (see Regulation 89) Catering, office, personal service, shop, convenience store, passenger assembly (all use classes), business and personal service (all use classes), general service, outdoor assembly, mercantile (all use classes), light industry, general industry, education, transportation and antenna.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) catering (lounges and bars), clubs and lodges, amusement, general assembly, taxi stand, police station, funeral home, medical treatment, indoor and outdoor market, and recreation open space.	

CONDITIONS FOR INDUSTRIAL COMMERCIAL ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|-----------------------------------|-----------|
| (a) Minimum Building Line Setback | 10 metres |
| (b) Minimum Sideyard Width | 5 metres |
| (c) Minimum Rearyard Depth | 15 metres |
| (d) Maximum Height | 20 metres |

2. Discretionary Uses Classes

The discretionary use classes listed in the table may be permitted at the discretion of the Council 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. General Industry

General industry is restricted to uses that are non-hazardous, and do not create any negative impacts on adjoining properties.

4. Buffer (around waterways and waterbodies)

No development will be permitted within 15 metres of the high water mark of rivers or streams, or within 15 metres of the shoreline of ponds, with the exception of conservation structures such as those designed to control flooding and erosion as well as bridges, pathways, and public services. Development of marine or water related uses such as wharfs, slipways, boathouse, etc. may be permitted. All development occurring within these limits is subject to the approval of Council and the Department of Environment, Climate Change and Municipalities.

5. Light Industry

Light industry is restricted to use that are nonhazardous, and do not create any negative impacts on adjoining properties.

6. Open Storage

Outdoor storage of materials, goods and machinery shall meet the following conditions, and any other requirement of the Use Zone in which they are located:

- (a) Where it is not the primary use of land, storage areas shall not be located in the front yard.
- (b) Where storage areas are not screened from general view by vegetation or topography, a storage area may be required to be enclosed by an opaque wall or fence not less than 2 metres in height constructed of uniform materials and approved by Council.
- (c) Storage of vehicles or other machinery or equipment, except transport vehicles which may be parked in the open provided their parking area is landscaped and suitably located, shall be prohibited in areas where there is no screening or fencing.
- (d) Buffer areas shall not be used as storage areas.

7. Effects on Surrounding Areas

Any development in this use zone shall be generally acceptable within the context of surrounding development and so shall not create unacceptable amounts of noise, traffic, fumes, dust or other pollution or otherwise present a nuisance, hazard or eyesore, especially with respect to existing or potential residential development.

8. Convenience Stores and Shops

- (a) A convenience store or shop in any Commercial-Industrial zone shall front directly onto a publicly maintained road.
- (b) Convenience stores shall not negatively affect residential amenities of adjoining properties. Outside storage shall be prohibited, except for that incidental and related to the residential use.
- (c) Landscaping and adequate off street parking with clearly defined entrance and exit points shall be provided.

- (e) Convenience stores shall not be located on single access or dead end roads, unless on a corner lot at the intersection with a main road.

9. Landscaping and Surfacing

Buildings lots shall be landscaped. No debris or material left over from site preparation may be allowed to remain in general public view. The surface of the entire building lot must be finished with a stable surface (grass, pavement, gravel) to ensure dusty or muddy surface conditions will not arise.

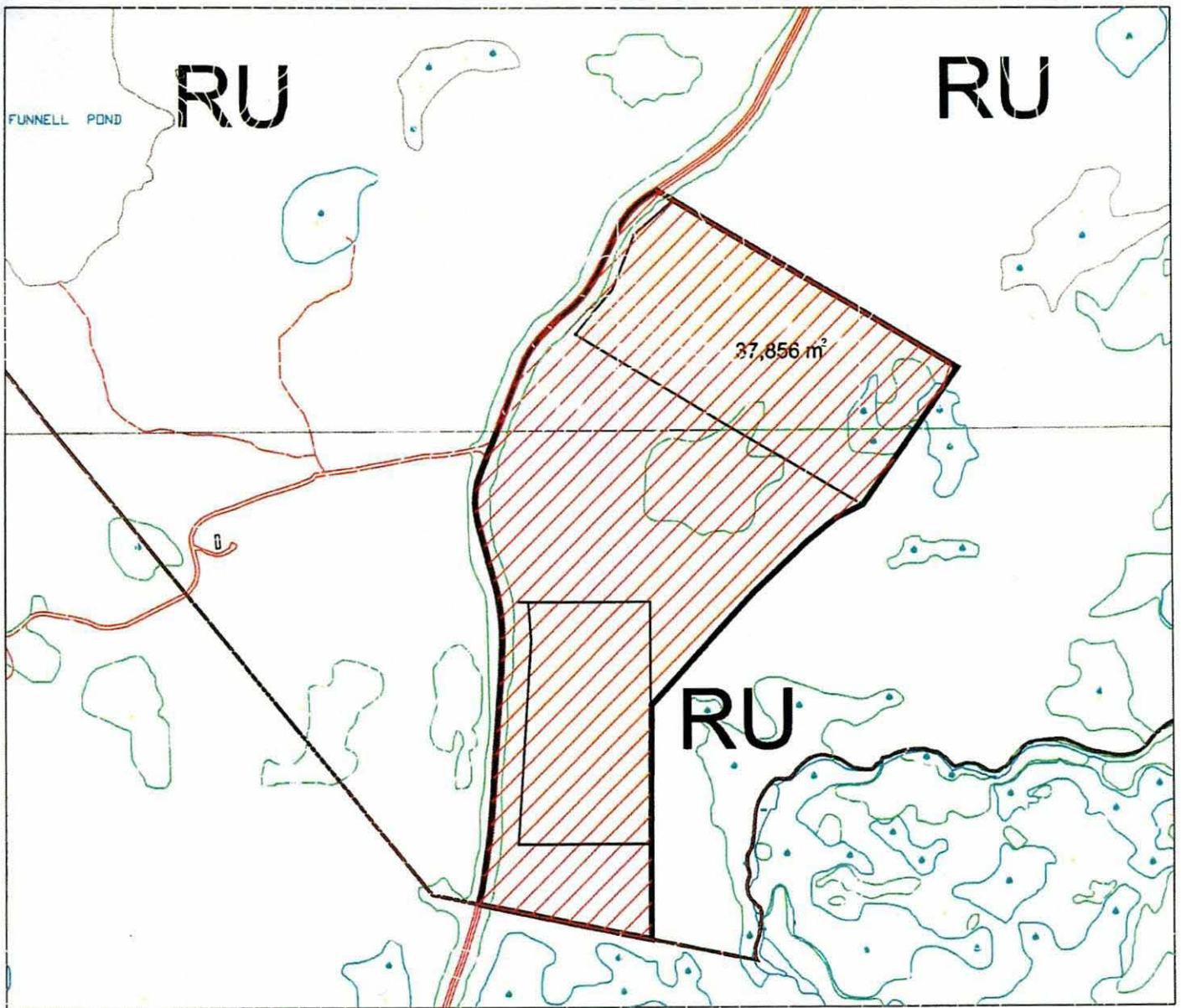
10. Storage of Flammable Liquids

All uses and structures for the bulk storage of flammable liquids shall conform to the requirements of the Provincial Fire Commissioner and shall be surrounded by such buffers and landscaping may be required by Council to prevent damage to adjacent uses by fire, explosion, or spills of flammable liquid.

11. Residential Buffer

In the case of a residential development locating adjacent to an existing or proposed non-residential use or zone, Council may require the developer of the residential use to provide a buffer. Any such buffer shall be made up of hedges, trees, shrubs, earthen berms or structural barriers that will sufficiently mitigate noise, visual unpleasantness and other undesirable effects. Trees and shrubs existing on the site prior to development which could form all or part of a buffer shall not be removed.

D) *Changing* an area of land from “**Rural**” to “**Industrial Commercial**” as shown on the attached copy of the Town of Bauline Land Use Zone Map.



TOWN OF BAULINE
MUNICIPAL PLAN 2007-2017

Dated at Bauline

LAND USE ZONE MAP

This 19th Day of NOVEMBER 2020

DEVELOPMENT REGULATIONS
AMENDMENT No. 6, 2020

[Signature] Mayor
[Signature] Clerk



Area to be changed from: "Rural" to
"Industrial Commercial"

Seal

PLAN-TECH



ENVIRONMENT

Development Regulations/Amendment
REGISTERED
Number 240-2020-009
Date December 15, 2020
Signature *Mary Clay*



I certify that the attached Town of Bauline Development Regulations Amendment No. 6, 2020, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.