

COR/2020/04716

December 15, 2020

Mr. Craig Drover  
Town Clerk  
Town of Bauline  
2 Memorial Park Place  
Bauline, NL A1K 0M5

Dear Mr. Drover:

**BAULINE  
MUNICIPAL PLAN AMENDMENT NO. 6, 2020  
DEVELOPMENT REGULATIONS AMENDMENT NO. 6, 2020**

I am pleased to inform you that the **Town of Bauline Municipal Plan Amendment No. 6, 2020 and Development Regulations Amendment No. 6, 2020**, as adopted by Council on the 7th day of October, 2020, has now been registered.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The Amendments come into effect on the date that this notice appears in the Gazette. The notice must also appear in a local newspaper.

The Newfoundland and Labrador Gazette is published every Friday. **Notices must be submitted a week in advance.** Council can submit the notice by email ([queensprinter@gov.nl.ca](mailto:queensprinter@gov.nl.ca)), by fax (729-1900) or by mail (Queen's Printer, P.O. Box 8700, St. John's, and NL, A1B 4J6).

Council's registered copies of the Amendments are enclosed. As these are legal document, they should be reserved in a safe place.

Yours truly,



**MARY OLEY**  
Director  
Local Governance and Land Use Planning

cc: Reginald Garland, MCIP – Plan Tech Environment

**TOWN OF BAULINE  
MUNICIPAL PLAN 2007 - 2017**



**MUNICIPAL PLAN AMENDMENT No. 6, 2020**

**AMENDMENT TO MUNICIPAL PLAN POLICY 3.2.4  
"RURAL" TO "INDUSTRIAL"  
Bauline Line Extension**

**JULY, 2020**

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF BAULINE  
MUNICIPAL PLAN 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 Municipal Plan Amendment No. 6, 2020 on the 7<sup>th</sup> day of October, 2020.
- b) Gave notice of the adoption of the Town of Bauline Municipal Plan Amendment No. 6, 2020 by advertisement inserted on the 24<sup>th</sup> day and the 31<sup>st</sup> day of October, 2020 in *The Telegram* newspaper.
- c) Set the 12<sup>th</sup> day of November, 2020, at 7:00 p.m. at the 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 2000*, the Town Council of Bauline approves the Town of Bauline Municipal Plan Amendment No. 6, 2020 as adopted (or as amended).

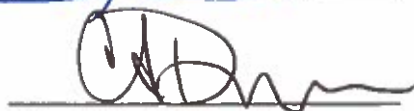
SIGNED AND SEALED this 19<sup>th</sup> day of NOVEMBER, 2020

Mayor:



(Council Seal)

Clerk:



<b>Municipal Plan/Amendment</b>	
<b>REGISTERED</b>	
Number	<u>240-2020-008</u>
Date	<u>December 15, 2020</u>
Signature	<u>Mary O'Leary</u>

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

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

Adopted by the Town Council of Bauline on the 7<sup>th</sup> day of October, 2020.

Signed and sealed this 19<sup>th</sup> day of NOVEMBER, 2020.

Mayor:

(Council Seal)

Clerk:



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

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



**TOWN OF BAULINE**  
**MUNICIPAL PLAN AMENDMENT No. 6, 2020**

**BACKGROUND**

The Town of Bauline wishes to amend its Municipal Plan. 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 industries within the province. The proposal is 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 Future Land Use Map has the west side of the Bauline Line Extension designated as Rural. The purpose of this proposed amendment is to rewrite Municipal Plan Policy 3.2.4 – Industrial to allow for expanded Industrial policies. The Amendment will also re-designate land on the west side of the Bauline Line Extension from Rural to Industrial.

**ST. JOHN'S URBAN REGION REGIONAL PLAN**

The St. John's Urban Region Regional Plan has the area of the proposed Municipal Plan 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 Municipal Plan 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 Municipal Plan 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.

## **AMENDMENT No. 6, 2020**

The Town of Bauline Municipal Plan is amended by:

- A) *Deleting*** Municipal Plan Policy 3.2.4, Industrial, and replacing with the following policy section as shown below:

### **3.2.4 INDUSTRIAL**

#### **Industrial Policies**

##### **1. Land Use**

Land designated for Industrial uses shall be developed primarily for training and education for marine related use and for such uses oriented toward general industry users. Industrial uses shall be general industries, general services and light industries. The permitted uses shall include catering, office, personal service, shop, and convenience store passenger assembly (all use classes), business and personal service (all use classes), general service, outdoor assembly, mercantile (all use classes), light industry and general industry, transportation and antenna.

Other discretionary uses may include catering (lounges and bars), clubs and lodges, amusement, general assembly, taxi stand, police station, funeral home, medical treatment, indoor and outdoor market, temporary workers housing and recreation open space.

##### **2. Location**

Land primarily associated with fishing and marine activities located along the shoreline of Bauline Cove is designated for industrial use. A site along the Bauline Line Extension, close to the shared Municipal boundary with Portugal Cove-St. Philips, has been identified for industrial use.

### **3. Environmental Concerns**

Tanks or apparatus connected with the storage of fuel shall be required to provide adequate containment and dykes. Council shall require that all fuel storage tanks greater than 2500 litres be approved and inspected regularly by Digital Government and Service NL. Council shall require the siting of fuel storage tanks within the industrial designations in a manner that will not adversely affect the amenities or safety of the adjoining properties.

Any fuel storage tanks proposed for removal shall require compliance with the Pollution Prevention Division, Department of Environment, Climate Change and Municipalities and Digital Government and Service NL. Environmental Audits may be required prior to site remediation to determine the presence of hydro-carbons in surrounding soils.

### **4. Restricted Development**

Industrial uses that are determined to be incompatible with the natural environment or nearby development through excessive emissions of noise, smell, chemicals or other pollutants, shall not be permitted.

### **5. Open Storage**

Property owners with unsightly uses shall not store their materials in the front yard. Similar uses will be screened from view of the road by high fences or some other form of buffer as required by Council. Screening and buffering using fences or trees may be required in order to preserve an attractive appearance. Proper site layout and buffering shall be used to prevent or minimize the adverse effects of any proposed development on adjacent residential uses.

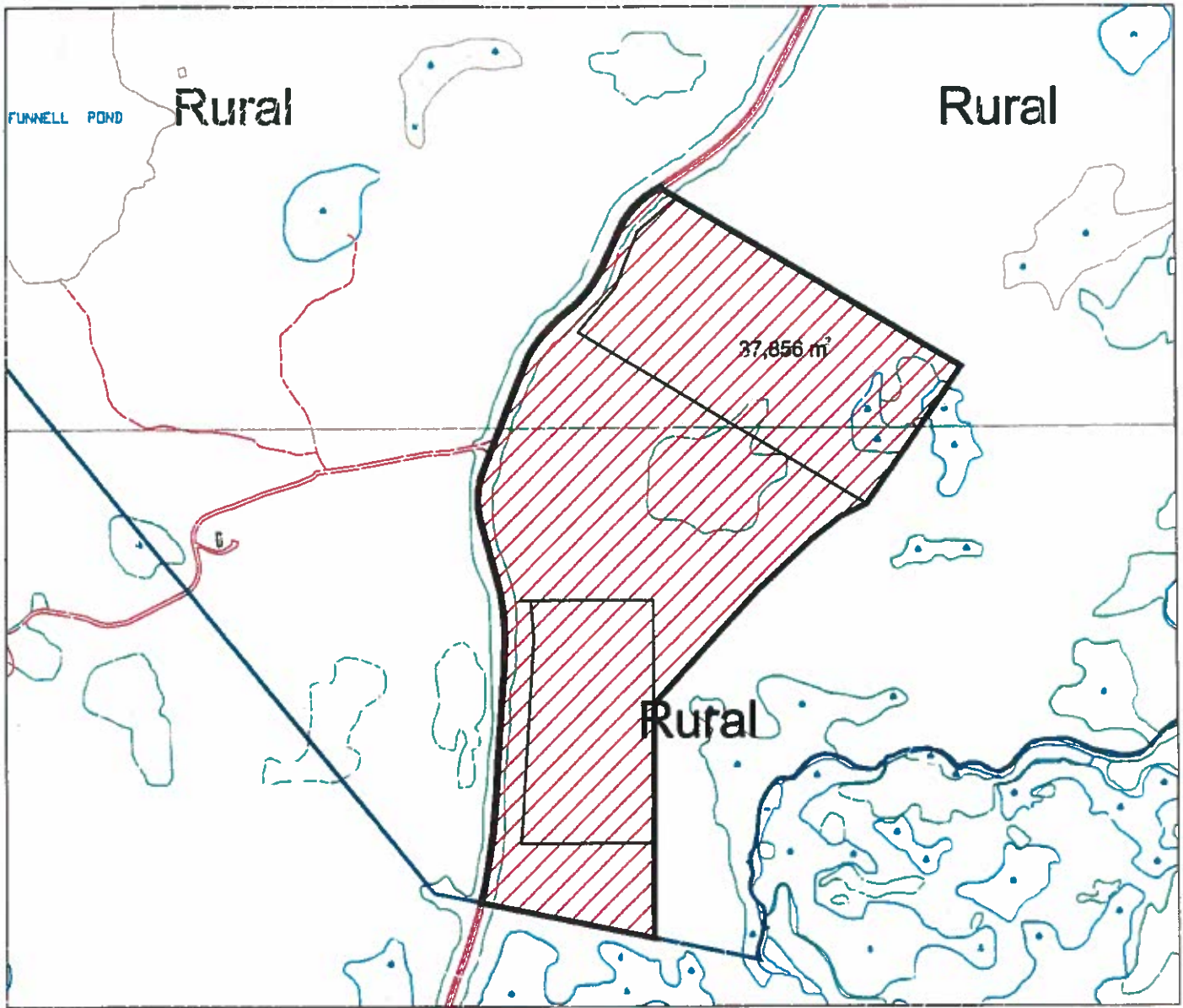
### **6. Parking**

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town's Development Regulations.

### **7. Access to Street**

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

**B) *Changing*** an area of land from "Rural" to "Industrial", as shown on the attached copy of the Town of Bauline Municipal Plan Future Land Use Map.



TOWN OF BAULINE  
MUNICIPAL PLAN 2007-2017

Dated at Bauline

FUTURE LAND USE MAP

This 19 Day of NOVEMBER 2020

MUNICIPAL PLAN  
AMENDMENT No. 6, 2020

 Mayor  
 Clerk




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

Seal

PLAN-TECH



ENVIRONMENT

Municipal Plan/Amendment  
**REGISTERED**  
Number: 240-2020-008  
Scale: 1:5000  
Date: December 15, 2020  
Signature: 



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



**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 7<sup>th</sup> 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 24<sup>th</sup> day and the 31<sup>st</sup> day of October, 2020 in *The Telegram* newspaper.
  
- c) Set the 12<sup>th</sup> 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 19<sup>th</sup> day of NOVEMBER, 2020

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_

(Council Seal)

Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>240-2020-009</u>
Date	<u>December 15, 2020</u>
Signature	<u>Mary Ann</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 7<sup>th</sup> day of October, 2020.

Signed and sealed this 19<sup>th</sup> day of November, 2020.

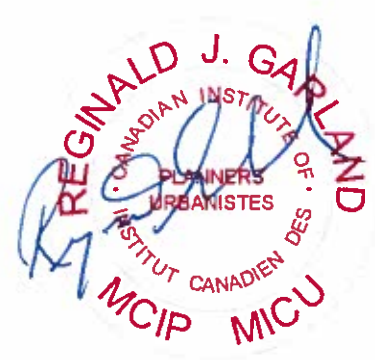
Mayor:  (Council Seal)

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 75m<sup>2</sup> to 80m<sup>2</sup>. The Town has received requests for larger accessory buildings. This Amendment proposes to increase the minimum floor area for an accessory building from 80m<sup>2</sup> to 95m<sup>2</sup>. 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 95m<sup>2</sup> (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
<b><i>Industrial Commercial</i></b>	<b><i>IC</i></b>
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**

<b>ZONE TITLE</b>	<b>INDUSTRIAL COMMERCIAL (IC)</b>
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.

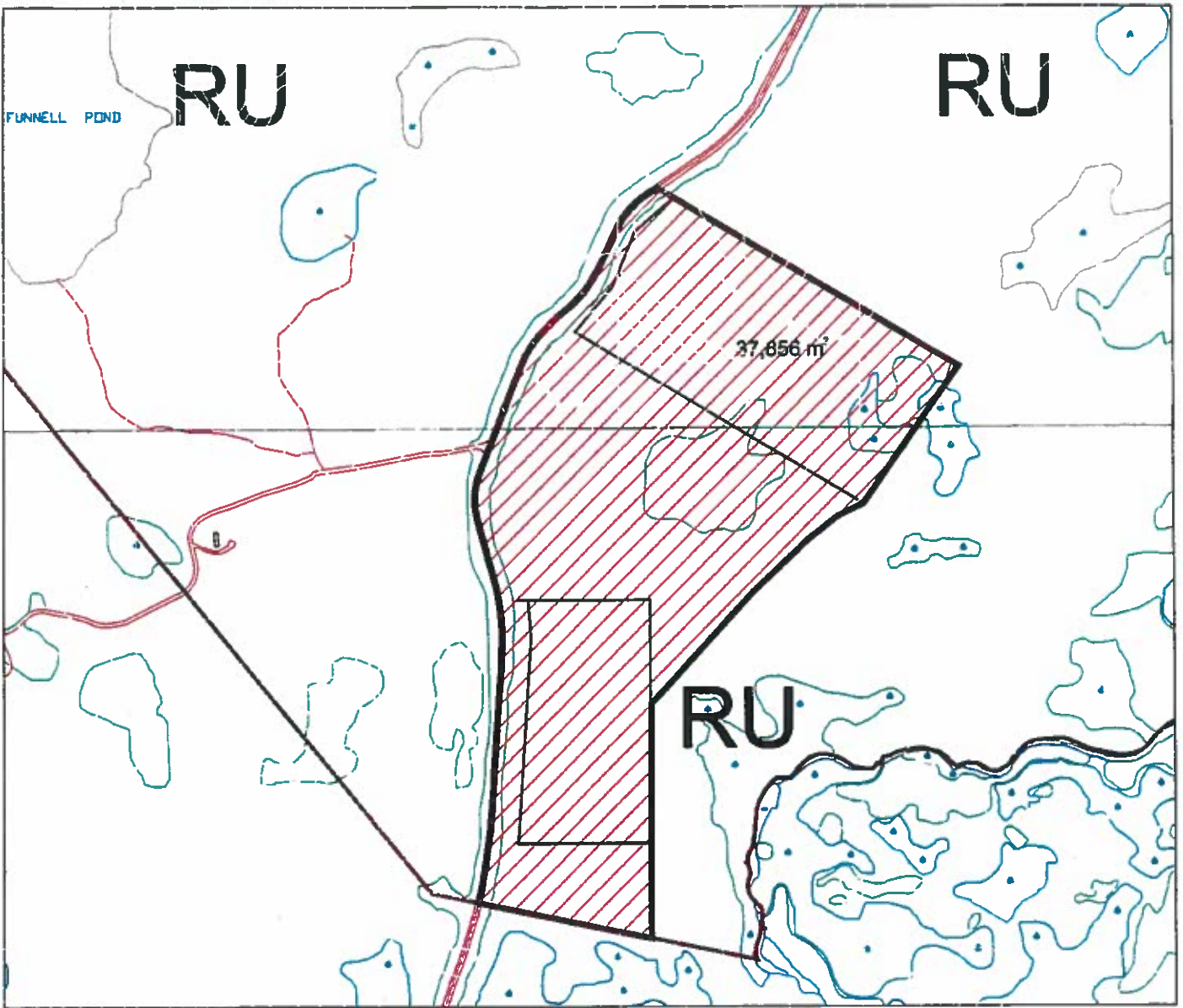
**10. Storage of Flammable Liquids**

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**

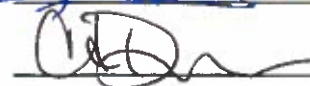
**Dated at Bauline**

**LAND USE ZONE MAP**

This 19<sup>th</sup> Day of NOVEMBER 2020

**DEVELOPMENT REGULATIONS  
AMENDMENT No. 6, 2020**

 Mayor

 Clerk



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

Seal

PLAN-TECH



ENVIRONMENT

Development Regulations/Amendment  
**REGISTERED**  
Number 240-2020-009  
Scale: 1:5000  
Date December 15, 2020  
Signature 



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.