

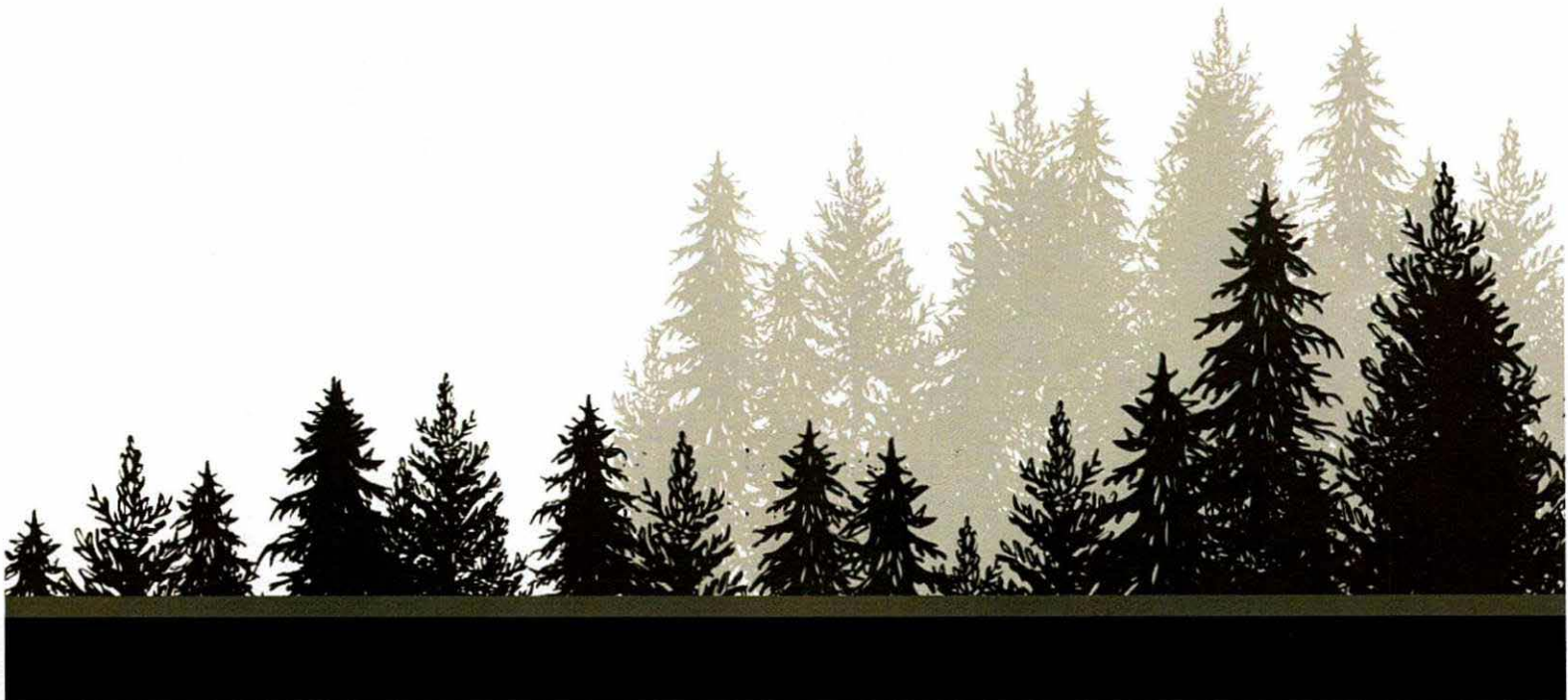


LABRADOR CITY

DEVELOPMENT REGULATIONS, 2018-2028

AMENDMENT No. 02-2020

'Portable Office Trailers'

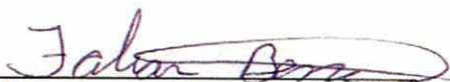


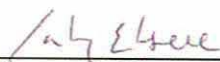
URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF LABRADOR CITY
DEVELOPMENT REGULATION AMENDMENT No. 02-2020

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Labrador City adopts Development Regulation Amendment No. 02-2020.

Adopted by the Town Council of Labrador City on the 15th day of September, 2020.

SIGNED AND SEALED this 21 day of September, 2020.


Fabian Benoit, Mayor


Kim Conway, Town Clerk

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulation Amendment has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



Development Regulations/Amendment	
REGISTERED	
Number	<u>2638-2020-003</u>
Date	<u>October 19, 2020</u>
Signature	<u>Mary Allen</u>

DEVELOPMENT REGULATIONS AMENDMENT No. 02-2020

PURPOSE

The region of Labrador West is an area of heavy-industrial activity and as such, the use of portable office trailers at onsite construction sites is commonplace within the community. When these portable trailers are not deployed onsite, they are regularly stored outdoors in industrial-zoned sites.

The purpose of this Amendment is to determine by means of definition, the description of a 'portable office trailer' and to develop a regulatory framework for their outdoor storage in various zones throughout the community.

This Amendment proposes to introduce a definition for 'Portable Office Trailer', amend the existing definition for 'Outdoor Storage' to facilitate the unoccupied storage of portable office trailers and to detail acceptable zones where storage is permitted.

In addition to the foregoing, this Amendment includes general document reformatting to develop consistent language for the application of outdoor storage.

PUBLIC CONSULTATION

In accordance with s.14 of the *Urban & Rural Planning Act, 2000*, notices seeking feedback on the proposed amendment were posted on the Town's website and social media outlets on July 18th, 2020 until July 2nd, 2020. The Town also provided notice on public access television, which ran from June 22nd, 2020 to July 3rd, 2020.

Due to the onset of the Covid-19 global pandemic, circulation of the notice in the local newspaper, *The Labrador Voice*, was not possible.

As a result of the Town's consultation efforts, no written submissions were received.

DEVELOPMENT REGULATION AMENDMENT No. 02-2020

The Town of Labrador City Development Regulations shall be amended as follows:

1. In **Section 2.0 DEFINITIONS**, the following definition shall be added in alphabetical sequence of the existing list of definitions:

'PORTABLE OFFICE TRAILER means a single, self-contained mobile unit that is pre-manufactured and provides temporary office and/or storage space commonly associated with construction or disaster response sites. Portable Office Trailers are situated wholly above-ground and are not permanently affixed to real property.'

2. In **Section 2.0 DEFINITIONS – OUTDOOR STORAGE**, shall be amended to include provisions for the unoccupied onsite storage of portable office trailers such that is now reads:

'OUTDOOR STORAGE means the storage of merchandise, goods, inventory, material, or equipment which are not intended for immediate sale, by locating them on a lot exterior to a building ***and may include unoccupied onsite storage of a 'Portable Office Trailer', provided that the trailer is not in use, connected to services, utilized for storage or occupied in any manner.'***

3. In **Section 6.10.4.6 Open Storage**, the word 'open' shall be deleted from the section title and first sentence of the paragraph and replaced with the word '***outdoor***'.

4. In **Section 6.10.4.6 Open Storage**, the sentence '*Outdoor storage in commercial zones shall not include unoccupied storage of a portable office trailer.*' shall be added immediately following the text of the section so that the clause now reads:

'6.10.4.6 Outdoor Storage

*Outdoor storage of unsightly goods and machinery shall not be in the front yard, storage shall be permitted at either side or rear yard and will be screened from the street and adjoining properties by a screen or fence, no less than 2 metres in height, and constructed to Council's specifications. ***Outdoor storage in commercial zones shall not include unoccupied storage of a portable office trailer.****

5. In **Section 6.11.4.3 Open Storage**, the word 'open' shall be deleted from the section title and replaced with the word '***outdoor***'.

6. In **Section 6.12.4.3 Open Storage**, the word 'open' shall be deleted from the section title and replaced with the word '***outdoor***'.

7. In **Section 6.13.4.5 Open Storage**, the word 'open' shall be deleted from the section title and first sentence of the paragraph and replaced with the word '***outdoor***'.

8. In **Section 6.14.4.10 Open Storage**, the word 'open' shall be deleted from the section title and first sentence of the paragraph and replaced with the word '***outdoor***'.

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

DEFINITIONS

April 19, 2018

MINERAL WORKING means land or buildings used for the working, stockpiling or extraction of rock, mineral, peat or aggregate material, and will include a "quarry".

MINI HOME means a factory produced single dwelling complying with the National Building Code and having the appearance of a mobile home.

MOBILE HOME means a transportable factory-built single family dwelling unit compliant with the specifications of Regulation 4.26.

MOTEL means a building or a group of buildings on a parcel of land designed and operated to provide temporary sleeping accommodation for transient travelers and contains separate sleeping units, each of which is provided with an adjoining or conveniently located parking space.

MOTOR VEHICLE REPAIR GARAGE means a building or structure where the service performed or executed on motor vehicles for compensation shall include the installation, rust proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use.

MUNICIPAL PLAN means a plan adopted by Council as a Municipal Plan pursuant to the *Urban and Rural Planning Act, 2000*.

NON-CONFORMING USE means a legally existing use that is not listed as a permitted or discretionary use for the use zone in which it is located or which does not meet the development standards for that use zone.

OFFICE means a room or rooms where business may be transacted, service performed or a consultation given but shall not include the manufacturing of any product or the retail selling of goods.

OUTDOOR LIVING AREA means an outside space immediately adjacent to and accessible from a dwelling such as a patio, deck, balcony, or roof deck, which shall be available to occupants of such dwelling for leisure activities.

OUTDOOR MARKET means an outside space for sale of goods that may include the sale of produce, crafts, fruits and vegetables.

OUTDOOR STORAGE means the storage of merchandise, goods, inventory, material, or equipment which are not intended for immediate sale, by locating them on a lot exterior to a building and may include unoccupied onsite storage of a 'Portable Office Trailer', provided that the trailer is not in use, connected to services, utilized for storage or occupied in any manner.

(DRA-02-2020)

OWNER means a person or entity owning or having the legal right to use the land under consideration.

PATIO means a level surfaced area which has an average elevation of not more than 30 inches, and without walls or a roof. A patio may be constructed of any materials. Also referred to as a 'Deck'.

(DRA-01-2020)

PERGOLA means an outdoor patio or deck feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that support crossbeams and an open lattice. A pergola is fully detached from a building.



TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

DEFINITIONS

April 19, 2018

(DRA-01-2020)

PERMIT TO DEVELOP means the general term referring to all permits or licenses approved by Council and shall include all conditions, agreements or provisions attached thereto.

PERMITTED USE means a use that is listed within the permitted use classes set out in the use zones.

PERSONAL SERVICE means an establishment providing services for personal care and appearance or for the cleaning, servicing, altering, and maintenance of personal articles and accessories.

PLANNING AREA means a municipal planning area established under section 6 and 11 of the Act.

PORTABLE OFFICE TRAILER means a single, self-contained mobile unit that is pre-manufactured and provides temporary office and/or storage space commonly associated with construction or disaster response sites. Portable Office Trailers are situated wholly above-ground and are not permanently affixed to real property.

(DRA-02-2020)

PRIMARY STREET means the street on which a development fronts and is referenced in the civic address.

PROHIBITED USE means a use that is not listed in a use zone within the permitted use classes or discretionary use classes or a use that Council specifies as not permitted within a use zone.

RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substance, articles, or things are offered for sale directly to the public at retail value.

RESTAURANT means a building where food and beverages are offered for sale to the public for consumption at tables or counters either inside or outside the building on the lot. As an accessory use, take-out service of food and beverages for off-site consumption may be provided.

ROW DWELLING means three or more dwelling units at ground level in one building, each unit separated vertically from the others.

SCREENING means a fence, berm, trees, hedge, wall, or building used to separate areas or functions which detract from the appearance of the streetscape and the view from the surrounding areas.

SEASONAL RESIDENCE means a dwelling, which is designed, or intended for seasonal or recreational use, and is not intended for use as permanent living quarters.

SECONDARY USE means any use, except those uses contained in the prohibited uses section of this Regulation, which is subordinate and incidental to the residential use and does not compromise the residential character of the property.

SERVICE STATION means a building, including gas pumps, used for the sale of petroleum products, and may include general merchandise, minor automotive repairs, and washing of vehicles.

SERVICE STREET means a street constructed parallel to or close to a public street for providing an alternative to direct access to that street.



TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

6.10.4.3 Refuse Collection

Large commercial dumpster containers shall be required to be located to the rear of the building and accessible to collection contractors as described in Regulations 4.17 and 4.18.

6.10.4.4 Child Care

As described in Condition 6.7.4.7 in the Residential Medium Density Zone.

6.10.4.5 Outdoor Market

An outdoor market may, at the discretion of the Town, include a used car lot, provided consideration is given to the size and scale of the development relative to surrounding development and to the site itself. Consideration shall also be given to buffering where appropriate, off-street parking, and to the implications of traffic movement and/or congestion as well as safe access.

6.10.4.6 Open Storage

Outdoor storage of unsightly goods and machinery shall not be in the front yard, storage shall be permitted at either side or rear yard and will be screened from the street and adjoining properties by a screen or fence, no less than 2 metres in height, and constructed to Council's specifications. Outdoor storage in commercial zones shall not include unoccupied storage of a portable office trailer.

(DRA-02-2020)

6.10.4.7 Automotive Sales

An automotive sales use may be permitted as a discretionary use subject to the following conditions:

- a. the automotive sales use shall have a main building on the lot in which the business is conducted. The main building will include washroom facilities; and
- b. the automotive sales use shall be licensed under the *Automotive Dealers Act* prior to the use commencing.

6.10.4.8 Buffer

Council may require buffer or screening between non-compatible development and adjoining land uses.

6.10.4.9 Temporary Worker's Residence

Temporary Worker's Residence shall be at the discretion of Council, and applications shall be limited to a project and the site or building(s) reclaimed to its original condition at the end of the temporary period as approved by Council. The developer shall be required to enter into a legal agreement with Council and to provide financial guarantees with respect to terms relating to temporary occupancy and reinstatement of said land or buildings upon expiration of approved temporary occupancy.

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

6.11.4.3 Outdoor Storage

(DRA-02-2020)

As described in Condition 6.10.4.6 in the Commercial-General Zone.

6.11.4.4 Refuse Collection

As described in Condition 6.10.4.3 in the Commercial-General Zone.

6.11.4.5 Automotive Sales

As described in Condition 6.10.4.7 in the Commercial-General Zone.

6.11.4.6 General and Light Industry

General and Light Industry uses may be permitted within the zone, however, their use shall be non-hazardous and non-intrusive on other permitted uses.

6.11.4.7 Buffer

As described in Condition 6.10.4.8 in the Commercial-General Zone.

6.11.4.8 Agriculture

Agricultural uses shall be limited to Market Gardens and Nurseries.

6.11.4.9 Temporary Worker's Residence

As described in Condition 6.10.4.9 in the Commercial-General Zone.

6.11.4.10 Accessory Buildings - ISO Containers

As described in Condition 6.10.4.10 in the Commercial-General Zone.

6.11.4.11 Apartment Buildings

- a. Apartment buildings shall be limited to the Commercial Highway (CH) Land Use Zone area only, extending from Bartlett Drive, along Circular Road including the Harrie Lake Business District, as shown on the Land Use Zone Map.
- b. Where approved by Council, the development standards for apartment buildings shall be in accordance with the Residential Medium Density Zone.

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

6.12 COMMERCIAL - CORE

6.12.1 Permitted Uses

- Shop
- Convenience Store
- Shopping Centre
- Theatre
- Culture and Civic
- Passenger Assembly
- Office
- Catering (Not Lounges)
- Medical and Professional
- Personal Service
- General Service
- Taxi Stand
- Communications
- Veterinary

6.12.2 Discretionary Uses

- Funeral Home
- Child care
- Apartment Building
- Commercial Residential
- Indoor Market
- Outdoor Market
- Amusement
- Recreation Open Space
- Light Industry
- Clubs and Lodges
- Catering (Lounges)
- Antenna

6.12.3 Development Standards

Building Line Setback (min)**	4 m
Side Yard (min)	4 m
Rear Yard (min)	6 m
Height (max)*	15 m
* Refer to Regulation 4.4 Building Height.	
** Refer to Regulation 4.5 Building Line Setback.	

6.12.4 Conditions

6.12.4.1 Parking and Access

As described in Regulations 4.14 and 4.15.

6.12.4.2 Landscaping

Council shall specify landscaping of the lot.

6.12.4.3 Outdoor Storage

(DRA-02-2020)

As described in Condition 6.10.4.6 in the Commercial-General Zone.

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

6.13.4.4 Separation from Adjacent Uses

A minimum separation distance shall be maintained between any General Industry zone and residential, commercial and public use zones as follows:

Residential Zones	400 m
Commercial Zones	300 m
Public Use Zones	300 m

6.13.4.5 Outdoor Storage

Outdoor storage of unsightly goods and machinery shall not be in the front yard, storage shall be permitted at either side or rear yard and will be screened from the street and adjoining properties by a screen or fence, no less than 2 metres in height, and constructed to Council's specifications.

(DRA-02-2020)

6.13.4.6 Storage of Flammable Materials

All uses and structures for the storage of bulk and flammable materials shall conform to the requirements of the provincial Fire Commissioner, and shall be surrounded by such buffers and landscaping as Council may require in order to prevent damage to adjacent uses by fire, explosion, or spillage.

6.13.4.7 Temporary Worker's Residence

Temporary Worker's Residence shall be at the discretion of Council, and applications shall be limited to a project and the site or building(s) reclaimed to its original condition at the end of the temporary period as approved by Council. The developer shall be required to enter into a legal agreement with Council and to provide financial guarantees with respect to terms relating to temporary occupancy and reinstatement of said land or buildings upon expiration of approved temporary occupancy.

6.13.4.8 Accessory Buildings - ISO Containers

As described in Condition 6.10.4.10 in the Commercial-General Zone.

6.13.4.9 Maximum Height in General Industrial

The maximum height for a building in the General Industrial zone shall be 22 metres. There may be instances where, in the opinion of Council, a building may require a height greater than the maximum building height. In conformity with Regulation 4.4 (Building Height), Council may, at its discretion, permit the erection of buildings in this land use zone to exceed the maximum building height provided it can be demonstrated that an excessive height is required.

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

6.14.4.4 Temporary Worker's Residence

Temporary Worker's Residence shall be at the discretion of Council, and applications shall be limited to a project and the site or building(s) reclaimed to its original condition at the end of the temporary period as approved by Council. The developer shall be required to enter into a legal agreement with Council and to provide financial guarantees with respect to terms relating to temporary occupancy and reinstatement of said land or buildings upon expiration of approved temporary occupancy.

6.14.4.5 Outdoor Markets

Outdoor markets shall be limited to vehicle sales and automotive sales lots. Other commercial activity shall be subject to the discretionary authority of Council which shall take into consideration the intensity of use, traffic flow and parking.

6.14.4.6 Landscaping

Council shall specify landscaping of the lot.

6.14.4.7 Refuse Collection

As described in Condition 6.10.4.3 in the Commercial-General Zone.

6.14.4.8 Development Criteria

Any development in this zone will be subject to the following:

- a. development shall be designed and maintained to a high standard regarding safety and appearance;
- b. access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles; and
- c. where necessary, screening shall be required through the provision of trees, shrubs, berms, landscaping or fencing between uses that are non-compatible.

6.14.4.9 Storage of Flammable Materials

All uses and structures for the storage of bulk and flammable materials shall conform to the requirements of the provincial Fire and Emergency Services, and shall be surrounded by such buffers and landscaping as Council may require to prevent damage to adjacent uses by fire, explosion, or spillage.

6.14.4.10 Outdoor Storage

Outdoor storage of unsightly goods and machinery shall not be located in the front yard, storage shall be permitted at either side or rear yard and will be screened from the street and adjoining properties by a screen or fence, no less than 2 metres in height, and constructed to Council's specifications.

(DRA-02-2020)



LABRADORCITY

PUBLIC CONSULTATION Development Regulations Amendment #02-2020

The general public is invited to view a draft copy of the Town of Labrador City Development Regulations Amendment #02-2020. In general terms, this Amendment proposes to introduce a definition for 'Portable Office Trailer', amend the existing definition for 'Outdoor Storage' in order to facilitate the unoccupied storage of portable office trailers and to detail acceptable zones where storage is permitted.

In addition to the foregoing, this Amendment includes general document reformatting to develop consistent language for the application of outdoor storage.

The public may provide any comments or concerns on the proposed change to the Town in writing before Council proceeds with adopting the proposed amendment.

The Town of Labrador City Development Regulations Amendment #02-2020, shall be on display June 18th to July 2nd, 2020 on the Town of Labrador City's website – www.labradorwest.com.

The deadline for written comments shall be 4:00 pm., July 2nd, 2020.

More information may be obtained by contacting:

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