

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



**DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2012**

**"CHANGES TO GENERAL DEVELOPMENT REGULATIONS 38,  
RESIDENTIAL COMMUNITY (RC), and RESIDENTIAL INFILL (RI) LAND  
USE ZONE TABLE, SCHEDULE C"**

**SEPTEMBER, 2012**

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF BAULINE  
DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2012**

Under the authority of section 16, section 11 and section 18 of the *Urban and Rural Planning Act*, the Town Council of Bauline.

- a) Adopted the Bauline Development Regulations Amendment No. 1, 2012 on the 10<sup>th</sup> day of October, 2012.
  
- b) Gave notice of the adoption of the Town of Bauline Development Regulations Amendment No. 1, 2012, by advertisement inserted on the 20<sup>th</sup> day and the 28<sup>th</sup> day of October, 2012, in *The Telegram* newspaper.
  
- c) Set the 6<sup>th</sup> day of November at 7:30 p.m. at the Bauline United Church, 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. 1, 2012, as adopted (or as amended).

Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>240.2012.004</u>
Date	<u>December 11, 2012</u>
Signature	<u>[Signature]</u>

SIGNED AND SEALED this 19 day of NOVEMBER 2012

Mayor:

[Signature]

(Council Seal)

Clerk:

[Signature]

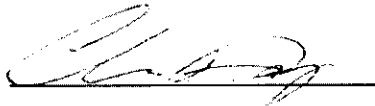
**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF BAULINE  
DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2012**

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. 1, 2012.

Adopted by the Town Council of Bauline on the 10<sup>th</sup> day of October, 2012.

Signed and sealed this 19 day of NOVEMBER, 2012.

Mayor:



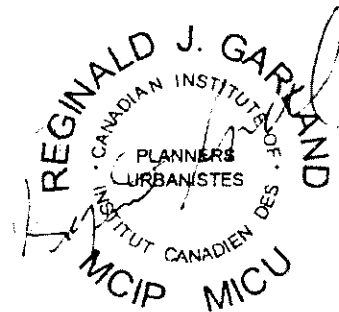
(Council Seal)

Clerk:



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Bauline Development Regulations Amendment No. 1, 2012 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



**TOWN OF BAULINE**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2012**

**BACKGROUND**

The Town of Bauline proposes to amend its Development Regulations. The Town is proposing amendments to the Development Regulations to address land use conditions that were not known or were unclear during the Municipal Plan review process.

This Amendment proposes to make changes to the General Development Regulations 38 and Residential Community (RC) and Residential Infill (RI) Land Use Zone Tables, Schedule C.

**PUBLIC CONSULTATION**

During the preparation of this amendment, Council undertook the following initiatives 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 January 7, 2012, advertising the development proposal seeking comments or representations from the public. The Town placed the proposal on display at the Town Office. Verbal and written comments were received during the time period.

As a result of the Public Consultation, the Town of Bauline Development Regulations Amendment No. 1, 2012, has been amended to delete a proposal to re-zone land from "Open Space-Recreation" to Residential Infill".

## DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2012

The Town of Bauline Development Regulations is amended by:

- A) Adding** the following condition to the list of conditions found in the **Residential Community and Residential Infill** Land Use Zone Tables, Schedule C.

### **Backlot Development**

Where vacant parcels of land exist which have access to a public street and are of sufficient size for a building lot, but which do not have the required frontage on a publicly maintained street, they may be considered on a discretionary basis provided the following conditions are met:

- a) the maximum setback for front lot line or side lot line (depending on lot orientation) from a public street shall be a minimum of 32 metres and a maximum of 100 metres from a public street. The minimum lot area and all other development standards shall be the same as for other residential development in this zone;
- b) only single dwellings may be permitted;
- c) lots must have direct access to, and street line frontage on, a publicly maintained street;
- d) the development of the lot would not prevent the use of adjoining lands for future development. Where there is potential for additional development in the area, the lot and access shall be developed in a manner which will accommodate future development. As such, the access to the public street to which the owner must have clear title, shall be a minimum width of 15 m to accommodate future public use;
- e) where there is no potential for future development, the access to the public street shall be a minimum of 6 m in width and shall be treated as a private driveway; which the owner must have clear title.
- f) the dwelling is separated from, and oriented, in a manner that does not adversely affect the privacy and enjoyment of adjoining properties. Separation distances may be required by the Council as a condition for development, considering such things as slope, drainage, tree cover and soil conditions.
- g) the development of the backlot does not affect the legal conformity of the primary lot that has frontage on to a public street.

- B) *deleting*** condition 2, Accessory Buildings, with ~~strikeout~~, from the list of conditions found in the Residential-Community and Residential-Infill Land Use Zone Table, and , Schedule C as shown below:

~~Accessory buildings shall have a lot coverage no greater than 7%, or a maximum floor area of 75 m<sup>2</sup>, whichever is less, and a height of no more than 5 metres. Accessory buildings with a height of more than 3 metres shall be set back from the rear lot line a distance equal to or greater than the sideyard requirement of this zone.~~

And *replacing* with:

**2. *Accessory Buildings***

- (a) Accessory buildings shall have a combined maximum lot coverage not exceeding 7%, up to a maximum floor area of 80 m<sup>2</sup>, whichever is less. Accessory buildings shall be located a minimum of 3 metres from the nearest part of the main building and a minimum of 1 metre from a side and rear lot line.*
- (b) The maximum height of an accessory building shall be 5 metres.*
- (c) Council shall have discretion where the proposed accessory building will exceed the 7% maximum lot coverage, the maximum floor area of 80 m<sup>2</sup>, and the maximum height of 5 metres.*

- B) *adding condition 2 (b)*** to the Bauline Development Regulations, Part II General Development Standards, Condition 38 as follows:

**38. *Accessory Buildings***

- (1) Accessory buildings shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
- (2) (a) No accessory building or part thereof shall project in front of any building, and/or building line. No accessory building shall be located closer to the street line than the main residential dwelling.
- (b) *In the case of a legal backlot development, Council shall exercise discretion when considering an accessory building projecting in front of a building line as established on the backlot.*
- (3) The sideyard requirements set out in the use zone tables in these Regulations shall apply to accessory buildings wherever they are located on the lot but accessory buildings on two (2) adjoining properties may be built to property boundaries provided they shall be of fire resistant construction and have a common firewall.