

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



DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2012

**“ADD NEW RESIDENTIAL RURAL LAND USE ZONE TABLE”
“OPEN SPACE CONSERVATION” TO “RESIDENTIAL INFILL”
Bauline Line, Route 21**

MAY, 2012

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF BAULINE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 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. 3, 2012 on the 23rd day of July, 2013.
- b) Gave notice of the adoption of the Town of Bauline Development Regulations Amendment No. 3, 2012, by advertisement inserted on the 14th day and the 21st day of September, 2013 in *The Telegram* newspaper.
- c) Set the 2nd day of October at 7:30 p.m. at the Bauline United Church, 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. 3, 2012, as adopted (or as amended).

**Development Regulations/Amendment
REGISTERED**
Number 240-2014-005
Date March 24, 2014
Signature [Signature]

SIGNED AND SEALED this 22 day of OCTOBER, 2013

Mayor: [Signature] (Council Seal)

Clerk: [Signature]


**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF BAULINE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 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. 3, 2012.

Adopted by the Town Council of Bauline on the 23rd day of July, 2013.

Signed and sealed this 22 day of OCTOBER, 2013.

Mayor:



(Council Seal)

Clerk:



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Bauline Development Regulations Amendment No. 3, 2012, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



TOWN OF BAULINE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2012

BACKGROUND

The Town of Bauline proposes to amend its Development Regulations. The Town has received an application for Crown land to extend onto existing private land on the Bauline Line. The total land area will create three (3) unserviced residential lots and will not require approval under the Ground Water Assessment Guidelines as administered by the Water Resources Management Division.

The land is located on the southside of the Bauline Line and will extend the existing Residential-Infill Land Use Zone to the west by approximately 150 metres. There will be no encroachment into any wetland area immediately to the west. The Land Use Zone Map has the north side of the Bauline Line zoned as Residential Infill. The Land Use Zone Map has the area on the southside of the Bauline Line zoned Open Space Conservation. The proposed amendment will re-zone this area of land from Open Space Conservation to Residential Infill.

The Town of Bauline is recommending that future significant residential subdivision development to have lot areas large enough where services may be located on-site. The present Development Regulations do not have a land use zone for large lot residential development. This amendment will add a new land use zone and land use zone table to the Development Regulations to allow for large lot residential development.

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. It is determined that an amendment to the St. John's Urban Region Regional Plan is required to coincide with this Development Regulations Amendment.

DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2012

A) Adding the following Residential – Rural Land Use Zone table to Schedule C.

USE ZONE TABLE

| ZONE TITLE | RESIDENTIAL - RURAL (RR) |
|--|---------------------------------|
| PERMITTED USES CLASSES – see Regulation 90. Single dwelling and recreational open space. | |
| DISCRETIONARY USES CLASSES – see Regulation 34 and 91. Boarding house residential (bed and breakfast only), convenience store, child care, place of worship, medical (includes medical treatment, special care and personal care home) and professional, personal service, office; antenna. | |

CONDITIONS

1. Development Standards

The development standards for this zone shall be as follows:

| | |
|----------------------------------|---------------------|
| a) Minimum Lot Size | 3035 m ² |
| b) Minimum Frontage | 38 m |
| c) Minimum Floor Area | 100 m ² |
| d) Minimum Building Line Setback | 15 metres |
| e) Maximum Building Line setback | 32 metres |
| f) Minimum Sideyard Width | 3 metres |
| g) Minimum Rearyard Depth | 15 metres |
| h) Maximum Height | 8 metres |
| i) Maximum Lot Coverage | 33 % |

2. Discretionary Uses Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are compatible or 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. Dwelling Frontage

The front wall of a dwelling shall be parallel to the street on which it is fronting and has a civic number.

4. Accessory Buildings

- (a) Accessory buildings shall have a combined maximum lot coverage not exceeding 7%, up to a maximum floor area of 80 m², 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 m², and the maximum height of 5 metres.

5. Convenience Stores

Convenience stores will only be permitted as a discretionary use under the following conditions:

- (a) The store shall form part of, or be attached to a dwelling unit.
- (b) The retail use shall be subsidiary to the residential character of the area, and shall not affect residential amenities of adjoining properties.

6. Boarding House Residential

A boarding or lodging house is permitted in any dwelling that can adequately accommodate the specified number of persons. The total number of boarders or lodgers shall not exceed (5) persons.

A "bed and breakfast" use in a dwelling may be permitted as a discretionary use to provide room and board for tourists or the travelling public, under the following conditions:

- (a) the use does not detract from the residential character of the neighbourhood;
- (b) the use is carried out by a resident/owner of the dwelling unit;
- (c) the dwelling in which the Bed and Breakfast use is carried out is similar in exterior finish, design, height, and scale to a private residential dwelling;
- (d) one parking space shall be provided for each guest room on the lot;

- (e) Council may require the parking area to be screened by a fence, or hedge;
- (f) the maximum number of guest rooms shall be five (5); and
- (g) the establishment shall be licensed under the Tourist Establishment Regulations, as amended from time to time.

7. Home Businesses - Office, Medical and Professional Service, Personal Service, and Light Industry Uses as Home Occupations

A Home Business is defined as an accessory use of a residential dwelling consisting of an occupation or profession which generates revenue for the resident.

Office, medical and professional service, personal service, and light industry uses may be permitted provided they are carried out as home occupations, businesses operated in the dwelling, or in a building subsidiary to the dwelling on the same lot, by the occupants of the dwelling, and meet the following requirements.

- (a) Office uses shall be limited to small business services and professional offices;
- (b) Light Industry uses shall be limited to fabrication for the production of handmade articles such as clothing, arts and crafts objects, and workshops;
- (c) The use is clearly subsidiary to the residential use, does not alter the residential character of the dwelling unit, and does not detract from the residential character of the neighbourhood.
- (d) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, no repairs to vehicles or heavy equipment are carried out.
- (e) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or inconvenience to occupants of adjoining residences.
- (f) Activities associated with the use shall be carried on inside the dwelling or in a building separate from the dwelling.
- (g) One building only, separate from the dwelling, may be used in connection with a light industrial use and service use and shall conform to the Accessory Buildings condition height and floor area limit for this zone; child care use shall be carried out in the dwelling unit or be attached to the dwelling unit.
- (h) Except for child care, no more than 30% of the total floor area of the dwelling is devoted to the use.
- (i) The use shall not generate traffic, parking, sewage or water use in excess of what is normal in the residential area.

- (j) Activities associated with the use are not hazardous and do not cause a noticeable increase in noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (k) The residential lot has sufficient area to accommodate the parking requirements of the dwelling unit and the home occupation.
- (l) No regular parking of commercial vehicles except for one vehicle with a gross weight of no greater than one tonne will be permitted on the lot or on the road reservation adjacent to the lot.

8. 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 Water Resources Management Division, Department of Environment and Conservation.

9. Child Care

A day care or day nursery (i.e.: a child care operation in which services are regularly provided to seven or more children), is subject to the following conditions:

- (a) The operation is in accordance with all applicable provincial laws and regulations.
- (b) A limit of one day care or day nursery will be permitted on any street.
- (c) The use will not occupy more than 70 m² or 40% of the floor area, whichever is less.
- (d) Provision for off-street parking will be required as per the off-street parking requirements of these Regulations.
- (e) The drop-off and pick-up of children will not interfere with the free flow of vehicular traffic.
- (f) The use is not located adjacent to or near hazardous, dangerous, or incompatible uses. These include, but are not limited to, heavy industrial uses, service stations, garages, taverns, night clubs, and amusement uses.

10. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.
- (c) Free standing portable illuminated signs ("yellow" or "Light Up Portable Signs") will not be allowed in the residential area.

11. Advertisements Relating to Offsite Uses

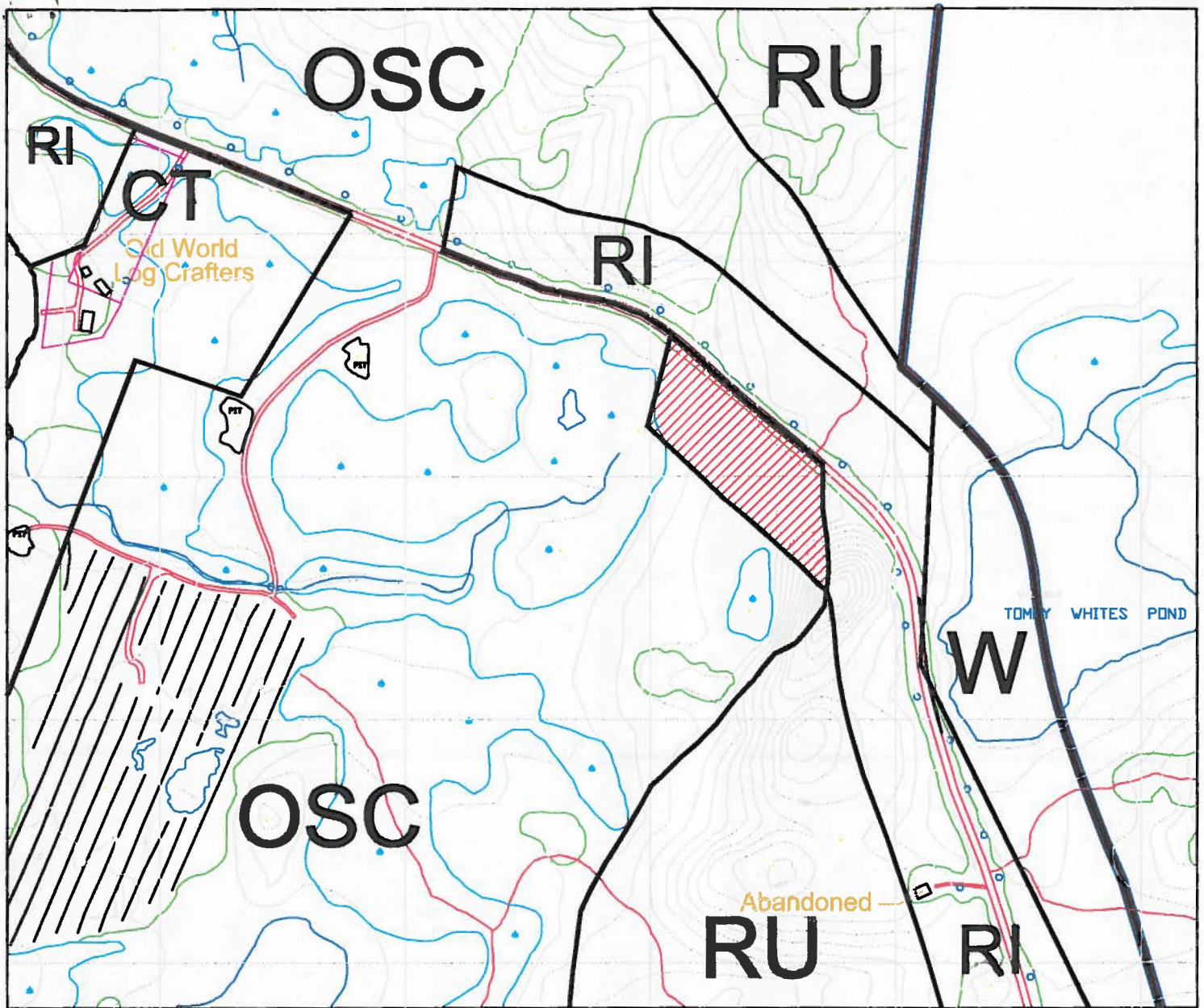
The conditions for the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (a) No advertisement shall exceed 5 m² in area.
- (b) 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.
- (c) Free standing portable illuminated signs ("yellow" or "Light Up Portable Signs") will not be allowed in the residential area.
- (d) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions and nearby buildings, and amenities of the surrounding area.

12. Place of Worship and Education Use

Where permitted as a discretionary use, a place of worship and an educational use shall conform to the frontage, building line setback, sideyard, rearyard, lot coverage and height requirements specified for a single dwelling.

B) *changing* the Bauline Land Use Zoning Map, from “**Open Space Conservation**” to “**Residential Infill**” as shown on the attached copy of the Map.



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

LAND USE ZONE MAP

**DEVELOPMENT REGULATIONS
AMENDMENT No. 3, 2012**

Development Regulations/Amendment

REGISTERED

Dated at Bauline

Number 240-2014.005
 Date March 24, 2014 This 22 Day of OCTOBER 2013
 Signature [Signature]

[Signature] Mayor
[Signature] Clerk



Area to be changed from: "Open Space Conservation" to "Residential Infill"

Seal

PLAN-TECH



ENVIRONMENT

Scale: 1: 5000



I certify that the attached Town of Bauline Development Regulations Amendment No. 3, 2012, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.