

# TOWN OF BAULINE

## SCHEDULE “C”

### USE ZONE TABLES

**NOTE:** This schedule contains tables showing the use classes which may be permitted or which may be treated as discretionary use classes for the purpose of these Regulations. The tables also indicate the required standards of development and may also include conditions affecting some or all of the use classes.

The schedule contains tables for the following Use Zones:

Residential - Community	RC
Residential - Infill	RI
Commercial - Tourist	CT
Industrial Marine	IM
Open Space - Recreation	OSR
Open Space - Conservation	OSC
Watershed	WAT
Rural	RUR



**USE ZONE TABLE**

<b>ZONE TITLE</b>	<b>RESIDENTIAL- COMMUNITY</b>	<b>(RC)</b>
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling, double dwelling, general assembly, recreational open space and antenna.		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Row dwelling, apartment building, medical and professional, place of worship, convenience store, personal services, medical treatment and special care, boarding house residential (condition 3), shop, child care, light industry, general industry, and antenna.		

STANDARDS	WHERE PERMITTED	
	Single Dwelling	Double Dwelling
Lot area m <sup>2</sup> (minimum)	470	390
Floor area m <sup>2</sup> (minimum)	80	80
Frontage m (minimum)	15	26
Building line setback m	6 minimum 32 maximum	6 minimum 32 maximum
Sideyard width m (minimum)	2	2
Rearyard Depth m (minimum)	9	9
Lot Coverage (%) (maximum)	33	33
Height m (maximum)	8	8
(See Conditions)		

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## CONDITIONS

### 1. Discretionary Uses - Site Standards

Where permitted, 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.

### 2. Accessory Buildings

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.

### 3. Boarding House Residential

- i) The Boarding House Residential use class shall be a Hospitality Home/B & B.
- ii) A hospitality home or bed and breakfast may be permitted provided:
  - (a) the use does not detract from the residential character of the neighbourhood;
  - (b) the use is carried out by a resident of the single or double dwelling;
  - (c) the dwelling in which the Hospitality Home/B & B use is carried out is similar in exterior finish, design, height, and scale to a private residential building;
  - (d) one parking space shall be provided for each guest room on the lot;
  - (e) a parking area shall be screened by a fence, or hedge;
  - (f) the maximum number of guest rooms shall be five (5).

#### **4. Convenience Stores**

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

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

#### **5. Medical, Professional and Personal Service Uses**

Medical, professional and personal service uses may be permitted as a discretionary use in a dwelling unit in the form of doctors' consulting rooms, personal services, small business services, small appliance repair and sporting goods repair service and similar uses provided that:

- i) The use is clearly a subsidiary use to the residential use and does not detract from the residential character of the neighbourhood.
- ii) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use and that no repairs to vehicle or heavy equipment are carried out.
- iii) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust or fumes, or inconvenience and are not a nuisance to the occupants of adjoining residences.
- iv) Not more than 25% of the total floor area of the dwelling up to a maximum of 45 m<sup>2</sup> is devoted to the use.

#### **6. Advertisements Relating to Onsite Uses**

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- i) 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.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

## **7. Advertisements Relating to Offsite Uses**

The conditions to be applied to 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:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) 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.
- iii) 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, the location of nearby buildings and the preservation of the amenities of the surrounding area.

## **8. Roads**

All development must have direct access to a public street.

**USE ZONE TABLE**

<b>ZONE TITLE</b>	<b>RESIDENTIAL INFILL</b>	<b>(RI)</b>
<b>PERMITTED USE CLASSES</b> - (see Regulation 89)		
Single dwelling, double dwelling, and recreational open space		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90)		
Row dwelling, apartment building, medical and professional, place of worship, convenience store, personal services, medical treatment and special care, boarding house residential (condition 3), shop, child care, light industry, general industry, and antenna.		

STANDARDS	WHERE PERMITTED						
	Single Dwelling	Double Dwelling	Row Dwelling	APARTMENT BUILDING			
				1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot area (m <sup>2</sup> ) minimum	1860	1860 *	350 * (average)	200 *	250 *	280 *	300 *
Floor area (m <sup>2</sup> ) minimum	80	80 *	65 *	40 *	50 *	60 *	70 *
Frontage (m) minimum	30	30		36			
Building Line Setback (m) (minimum)	8 min 32 max	8 min 32 max		8 min 32 max			
Sideyard Width (m) (minimum)	3	3		3			
Rearyard Depth (m) (minimum)	10	15		14			
Lot Coverage (%) (minimum)	33	33		33			
Height (m)	8	8		10			
(See Conditions)							
* Per dwelling unit							

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## CONDITIONS

### 1. Discretionary Uses - Site Standards

Where permitted, 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.

### 2. Accessory Buildings

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.

### 3. Boarding House Residential

- i) The Boarding House Residential use class shall be a Hospitality Home/B & B.
- ii) A hospitality home or bed and breakfast may be permitted provided:
  - (a) the use does not detract from the residential character of the neighbourhood;
  - (b) the use is carried out by a resident of the single or double dwelling;
  - (c) the dwelling in which the Hospitality Home/B & B use is carried out is similar in exterior finish, design, height, and scale to a private residential building;
  - (d) one parking space shall be provided for each guest room on the lot;
  - (e) a parking area shall be screened by a fence, or hedge;
  - (f) the maximum number of guest rooms shall be five (5).



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#### **4. Convenience Stores**

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

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

#### **5. Medical, Professional and Personal Service Uses**

Medical, professional and personal service uses may be permitted as a discretionary use in a dwelling unit in the form of doctors' consulting rooms, personal services, small business services, small appliance repair and sporting goods repair service and similar uses provided that:

- i) The use is clearly a subsidiary use to the residential use and does not detract from the residential character of the neighbourhood.
- ii) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use and that no repairs to vehicle or heavy equipment are carried out.
- iii) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust or fumes, or inconvenience and are not a nuisance to the occupants of adjoining residences.
- iv) Not more than 25% of the total floor area of the dwelling up to a maximum of 45 m<sup>2</sup> is devoted to the use.

#### **6. Advertisements Relating to Onsite Uses**

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

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- i) 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.
  - ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

## **7. Advertisements Relating to Offsite Uses**

The conditions to be applied to 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:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) 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.
- iii) 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, the location of nearby buildings and the preservation of the amenities of the surrounding area.

## **8. Roads**

All development must have direct access to a public street.

### USE ZONE TABLE

<b>ZONE TITLE</b>	<b>COMMERCIAL - TOURIST</b>	<b>(CT)</b>
<b>PERMITTED USE CLASSES</b> - (see Regulation 85)		
Outdoor Assembly, commercial residential, catering, restaurant, lounge, boarding house residential, tourist/craft shop, recreational open space.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 22 and 86)		
Personal service, take-out, single dwelling, outdoor market, light industry, convenience store, antenna.		

### CONDITIONS

#### 1. Development Standards

The development standards for this zone shall be as follows:

Minimum Building Line Setback	9 metres
Minimum Sideyards	5 metres
Minimum Rearyards	10 metres
Maximum Height	10 metres

#### 2. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of the Authority 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. Advertisements Relating to Onsite Uses**

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- i) 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.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

### **4. Advertisements Relating to Offsite Uses**

The conditions to be applied to 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:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) 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.
- iii) 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, the location of nearby buildings and the preservation of the amenities of the surrounding area.

### **5. Access**

The Authority may determine the location and number of accesses for a use. The lot frontage shall be on a publicly owned and maintained street and access to the lot must be obtained from this street.

## **6. Buffer for Residential Uses**

Where an tourist related development abuts a residential use or proposed residential area or is separated from it by a road only, the developer shall provide a buffer strip not less than 5 metres wide between any residential activity or area and the tourist related use. The buffer shall include a natural or structural barrier, as deemed necessary by Council, and shall be maintained by the owner or occupier to the satisfaction of Council.

## **7. Convenience Stores**

Convenience stores may be permitted at the discretion of Council if they are accessory to an tourist related use.

## **8. Light Industry-Commercial**

Light industry commercial uses may be permitted at the discretion of Council and shall be limited to the manufacture, display and demonstration of log home construction and furniture making. Uses shall be related with the demonstration of log home construction for the tourist industry. Log homes construction shall be temporary in nature and shall not remain permanently onsite.

## USE ZONE TABLE

ZONE TITLE	INDUSTRIAL - MARINE	(IM)
<b>PERMITTED USE CLASSES</b> - - (see Regulation 89)		
Fishery and ocean related general and light industry, and transportation		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90)		
Fishery and ocean related hazardous industry, antenna.		
DEVELOPMENT STANDARDS		
Building Line Setback (m)	8	
Sideyard Width (m)	5	
Rearyard Depth (m) (min)	15	
Height (m) (max)	14	

## CONDITIONS

### 1. Of Street Parking

All marine industrial uses must be provided with streets and municipal water designed for industrial use. Any industrial establishment must provide adequate off-street parking facilities for all employees.

### 2. Services

Industrial development shall not be permitted in this zone unless adequate services to meet the needs of the particular industrial uses permitted, are available.

### 3. Buffer Strips

No marine industrial building or site activity shall be permitted closer than 20 metres to the limits of an existing street.

4. No side or rear yard shall be required where a lot abuts navigable water, but all development occurring in, on, over or under navigable water must have the approval of Transport Canada under the Navigable Waters Protection Act, and, where the development would occupy Crown land covered by water, an appropriate lease or grant from the Crown must first be obtained.

**5. Advertisements Relating to Onsite Uses**

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- i) 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.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

**6. Advertisements Relating to Offsite Uses**

The conditions to be applied to 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:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) 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.
- iii) 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, the location of nearby buildings and the preservation of the amenities of the surrounding area.

## USE ZONE TABLE

<b>ZONE TITLE</b>	<b>OPEN SPACE - RECREATION</b>	<b>(OSR)</b>
<b>PERMITTED USE CLASSES</b> - (see Regulation 89) Recreational open space and outdoor assembly.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90) Indoor cultural, civic and general assembly, catering, take-out food service, and antenna.		

## CONDITIONS

### 1. Development Standards

The development standards for this zone shall be as follows:

- |      |                               |           |
|------|-------------------------------|-----------|
| i)   | Minimum Building Line Setback | 10 metres |
| ii)  | Minimum Sideyard Width        | 5 metres  |
| iii) | Minimum Rearyard Depth        | 15 metres |
| iv)  | Maximum Height                | 15 metres |

### 2. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of the Authority 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. Further provisions to the discretionary use classes are as follows:

- (i) Buildings clearly accessory to the Recreational open space use may be permitted;
- (ii) Catering and take-out food service may be permitted only as an accessory to a permitted or an approved discretionary use.



### **3. Buildings and Indoor Uses**

Indoor cultural, civic or general assembly uses shall be permitted only in conjunction with, or as complements to outdoor recreational activities. No buildings or structures shall be permitted on land within this zone unless they are in conformity with the policies specified in this Municipal Plan.

### **4. Land Unsuitable for Development**

Land immediately adjacent to any shoreline or stream which is unsuitable for development due to steep slope, poor drainage, potential for erosion, or potential for flooding shall be retained in its natural state of topography, soil and vegetation.

### **5. Accessory Buildings**

Accessory buildings must be subsidiary to the permitted use and shall not exceed 50 m<sup>2</sup>.

### **6. East Cost Trail**

The Town of Bauline supports the work and efforts of the East Coast Trail Association to preserve and enhance the rugged beauty of the coastlines of the Town by developing a natural walking/hiking trail within the Town along the coastline of Conception Bay and the Atlantic Ocean as part of a larger coastal trail system.

Council shall impose a 50 metre wide conservation buffer measured inland from the top of the cliff edge in areas having a slope greater than 25%. Where the slope is less than 25% over a continuous area, not less than 30 metre buffer shall be maintained. Development shall be prohibited in this buffer area except for those designed for control of flooding and erosion, bridges, and trail maintenance and development. Protection of the natural landscape and views from the trail is ensured so that future development does not negatively impact the trail.

## USE ZONE TABLE

ZONE TITLE	OPEN SPACE - CONSERVATION	(OSC)
<b>PERMITTED USE CLASSES</b> - (see Regulation 89) Recreational open space and conservation.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90) Outdoor assembly, forestry, agriculture, antenna, mineral working, and cemetery.		

## CONDITIONS

### 1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of the Authority 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.

### 2. Permanent Structures

No permanent buildings or structures shall be permitted on lands within this zone except for those necessary for conservation of the natural environment.

### 3. Public Access

Public access will be preserved, where possible, to Open Space - Conservation areas.

### 4. Accessory Buildings

Accessory buildings must be subsidiary to the permitted use and shall not exceed 50 m<sup>2</sup>.

**5. Mineral Workings**

Mineral Workings shall be related to exploration activities only.

**6. East Cost Trail**

The Town of Bauline supports the work and efforts of the East Coast Trail Association to preserve and enhance the rugged beauty of the coastlines of the Town by developing a natural walking/hiking trail within the Town along the coastline of Conception Bay and the Atlantic Ocean as part of a larger coastal trail system.

Council shall impose a 50 metre wide conservation buffer measured inland from the top of the cliff edge in areas having a slope greater than 25%. Where the slope is less than 25% over a continuous area, not less than 30 metre buffer shall be maintained. Development shall be prohibited in this buffer area except for those designed for control of flooding and erosion, bridges, and trail maintenance and development. Protection of the natural landscape and views from the trail is ensured so that future development does not negatively impact the trail.

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## USE ZONE TABLE

ZONE TITLE	WATERSHED	(WAT)
<b>PERMITTED USE CLASSES</b> - (see Regulation 89) Conservation.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90) Antenna, forestry, agriculture, recreational open space and mineral working.		

## CONDITIONS

### 1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of the Authority provided that they are complimentary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

### 2. Forestry, Agriculture, and Existing Areas

Selective forestry activities, agriculture, and the maintenance, continuation and limited extension of existing uses may be permitted provided they cause no detrimental effect on water quality.

### 3. Mineral Workings

Mineral Workings shall be related to exploration activities only.

## USE ZONE TABLE

ZONE TITLE	RURAL	(RUR)
<b>PERMITTED USE CLASSES</b> - (see Regulation 89) Agriculture and forestry.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90) Outdoor assembly, single dwelling (condition 4), veterinary, outdoor market, general industry, service station, mineral working, recreational open space, animal, antenna, and cemetery.		

## CONDITIONS

### 1. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- i) 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.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

### 2. Advertisements Relating to Offsite Uses

The conditions to be applied to 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:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) 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.
- iii) 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, the location of nearby buildings and the preservation of the amenities of the surrounding area.

### **3. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of the Authority 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.

### **4. Discretionary Use - Dwelling (Agriculture)**

Residential dwellings may be permitted at the discretion of Council provided they are in conjunction with an agricultural use and are necessary to the successful operation of that use and shall be subject to the following conditions:

- (i) that the agricultural use is a full-time commercial operation as described by the Department of Natural Resources, and that the occupier of the proposed residence is actively engaged in the agricultural activity on the same parcel of land for which the residence is proposed;
- (ii) that, in the case of root crop or sod farm production, a minimum of six (6) hectares has been cultivated and in production for at least two (2) years; and/or
- (iv) that, in the case of greenhouse production, a minimum of 400 m<sup>2</sup> of greenhouse space has been constructed, and earth within prepared for cultivation.

### **4. East Cost Trail**

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Council shall impose a 50 metre wide conservation buffer measured inland from the top of the cliff edge in areas having a slope greater than 25%. Where the slope is less than 25% over a continuous area, not less than 30 metre buffer shall be maintained. Development shall be prohibited in this buffer area except for those designed for control of flooding and erosion, bridges, and trail maintenance and development. Protection of the natural landscape and views from the trail is ensured so that future development does not negatively impact the trail.