

TOWN OF BAY BULLS

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:

Land Use Zone	Abbreviation	Page
Residential	Res	1
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Residential Subdivision Area	RSA	18
Mixed Development	MD	20
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USE ZONE TABLE

ZONE TITLE		RESIDENTIAL (Res)					
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling.							
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Double dwelling, boarding house residential (includes tourist home, and bed and breakfast), row dwelling, apartment building, collective residential, convenience store, professional and personal service, child care, light industry as a home business, recreational open space, office, office (for home business), shop, catering, place of worship, educational, medical treatment and special care institutional uses (see condition), agriculture (see condition) and antenna.							
STANDARDS	Single Dwelling	Double Dwelling	Row Dwelling	APARTMENT BUILDING			
				1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot area (m ²) minimum	1860	1500*	1200* (average)	800*	850*	900*	950*
Floor area (m ²) minimum	80	80*	65*	40*	50*	60*	70*
Frontage (m) minimum	30	20	15* (av)	50			
Building Line Setback (m) (minimum)	8	8	8	15			
Building Line Setback (m) (maximum)	32	32	32	32			
Sidyard Width (m)(min.)	3	3	3	5			
Rearyard Depth (m)(min.)	9	9	9	14			
Lot Coverage %(max.)	33	33	33	33			
Height (max.)	8	8	15	15			
* Per dwelling unit							

CONDITIONS FOR RESIDENTIAL MEDIUM DENSITY ZONE

1. Subsidiary Apartments

- (a) One subsidiary apartment may be permitted in a single dwelling.
- (b) For the purpose of calculating lot area and yard requirements, the apartment shall be considered part of the single dwelling.
- (c) Two off street parking spaces shall be required for the apartment.

- (d) The minimum floor area required is 40 m² for a one bedroom subsidiary apartment, plus ten square metres for each additional bedroom.
- (e) For lots without municipal water and sewer services, the Government Service Centre shall determine water and sewerage disposal requirements and a permit will be issued subject to its approval.

2. Lot Sizes and Frontages

Subject to the requirements of the Government Service Centre, the lot size and frontage requirements per single dwelling shall be determined in accordance with the water and sewage services available, as follows:

	Minimum Size	Minimum Frontage
(a) With a well water supply & sewage disposal by septic tank & tilefield.	1860 m ²	30 m
(b) With a municipal piped water supply & sewage disposal by septic tank & tilefield.	1400 m ²	30 m

3. 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.

4. Dwelling Frontage

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

5. Medical and Special Care Institutional Uses

- (a) Special Care Institutional Uses shall only be permitted at the discretion of Council.

- (b) Special Care Institutional Uses shall be limited to apartment style residence for seniors and homes for the aged.
- (c) One off street parking space shall be provided for every four (4) dwelling units.

6. Accessory Buildings

- (a) Accessory buildings shall have a combined maximum lot coverage not exceeding 7%, up to a maximum floor area of 75 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 4 metres.
- (c) Council shall have discretion where the proposed accessory building will exceed the 7% maximum lot coverage, the maximum floor area of 75 m², and the maximum height of 4 metres.

7. 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) Council shall determine the size and area of any sign.
- (c) Free standing portable illuminated signs (“yellow” or “Light Up Portable Signs”) will not be allowed in the residential area.

8. Off-Site Directional/Advertisement Sign

Off-site directional/advertisement signs, which direct traffic to and advertise a commercial or industrial development or use, shall not be permitted. Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility may be permitted as determined by the Council provided only one sign is

erected per street frontage, the sign is erected for the duration of the event, and the location, size, and construction of the sign conforms to the requirements of the Council.

9. Place of Worship and Educational Use

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. The only educational uses that may be permitted on a discretionary basis are elementary and junior high schools.

10. Convenience Store

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

- (a) Convenience Store may form part of the residential dwelling or be a stand alone building.
- (b) The retail use shall be subsidiary to the residential character of the area, and shall not affect residential amenities of adjoining properties.
- (c) Adequate provision for on site parking, loading, buffering and landscaping.

11. 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.

12. 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.

13. 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.

14. 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 and Conservation.

15. Soil Removal, Soil Deposit and Site Grading

- (a) No development permit for removal or deposit of soil, or the excavation and removal of excavated material or grading is required if it is part of an approved development project or affects less than 125 m³ of soil, sand, gravel, rock or other substance down to and including bedrock. All other cut or fill work, excavation and removal and deposit of material or grading requires a development permit under these Regulations.
- (b) Removal or deposit of soil, or the excavation and removal of excavated material or grading which requires a development permit provided the work is based on a grading plan, will result in an improved site for use classes permitted in the Zone where it is located, and meets the following conditions:
 - (i) land intended for the activity or grading has a slope of less than 25%;
 - (ii) resulting slopes are stable and without hazards;
 - (iii) when the work is completed, the area affected shall be covered with topsoil and other necessary material for vigorous plant growth and planted with appropriate vegetation;
 - (iv) The use is clearly a subsidiary use to the residential use, and
 - (iv) drainage must be provided to the satisfaction of Council, and will be designed so as not to impair existing surface drainage nor to create erosion either on the site or on adjacent sites.
- (c) A development permit for the activities described in (b) above shall not be issued unless a cash deposit of \$500.00 has been made to Council. The deposit shall be returned when the work has been completed in accordance with the development permit and to the satisfaction of Council.

16. Livestock Operations and Buffers

The Bay Bulls Land Use Zoning maps identify a 610 metre buffer around existing livestock operations. Due to the possible adverse effects of unpleasant odours on new residences, no development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, Land Stewardship Division and the Department of Environment and Conservation. Residential development within the 610 metre buffer shall be limited to infilling on existing publicly-maintained roads.

17. Agriculture

- (a) Agriculture shall be limited to home gardens and similar activities that Council deems to be compatible with surrounding residential areas.
- (b) The cultivation of ground and the erection of greenhouses, root cellars, and other accessory buildings for agricultural use will be limited to small-scale developments as determined by Council.
- (c) The keeping of livestock, including horses, sheep, etc, shall be prohibited.

18. 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.

19. Catering

Catering use shall be permitted as a discretionary use to a permitted use within the Residential land use zone. The Catering uses shall be a minor use and be located within the permitted use building.

20. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	RESIDENTIAL RURAL (RR)
PERMITTED USES CLASSESS – see Regulation 90. Single dwelling.	
DISCRETIONARY USES CLASSES – see Regulation 34 and 91. Boarding house residential (bed and breakfast only), agriculture, convenience store, child care, medical and professional, personal service, office (home based business); utilities, recreation open space, light industry, and antenna.	

CONDITIONS

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|-----------------------------------|---------------------|
| (a) Minimum Lot Size | 4050 m ² |
| (b) Minimum Frontage | 45 m |
| (c) Minimum Floor Area | 100 m ² |
| (d) Minimum Building Line Setback | 10 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. Subsidiary Apartments

- (a) One subsidiary apartment may be permitted in a single dwelling.
- (b) For the purpose of calculating lot area and yard requirements, the apartment shall be considered part of the single dwelling.
- (c) Two off street parking spaces shall be required for the apartment.
- (d) The minimum floor area required is 40 m² for a one bedroom subsidiary apartment, plus ten square metres for each additional bedroom.
- (f) For lots without municipal water and sewer services, the Government Service Centre shall determine water and sewerage disposal requirements and a permit will be issued subject to its approval.

4. Accessory Buildings

- (a) Accessory buildings shall have a combined maximum lot coverage not exceeding 7%, up to a maximum floor area of 75 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 4 metres.
- (c) Council shall have discretion where the proposed accessory building will exceed the 7% maximum lot coverage, the maximum floor area of 75 m², and the maximum height of 4 metres.

5. Convenience Stores

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

- (a) Convenience Store may for part of the residential dwelling or be a stand alone building.
- (b) The retail use shall be subsidiary to the residential character of the area, and shall not affect residential amenities of adjoining properties.
- (c) Adequate provision for on site parking, loading, buffering and landscaping.

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; and
- (f) the maximum number of guest rooms shall be five (5).
- (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 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) Council shall determine the size and area of any sign.
- (c) Free standing portable illuminated signs (“yellow” or “Light Up Portable Signs”) will not be allowed in the residential area.

11. Off-Site Directional/Advertisement Sign

Off-site directional/advertisement signs, which direct traffic to and advertise a commercial or industrial development or use, shall not be permitted. Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility may be permitted as

determined by the Council provided only one sign is erected per street frontage, the sign is erected for the duration of the event, and the location, size, and construction of the sign conforms to the requirements of the Council.

12. Agriculture

Home based hobby farming agriculture uses may be permitted at the discretion of Council. Home based agriculture, including the keeping of livestock, at a minor scale, may only take place on residential property where the size and general location of the lot is sufficient to allow such activity to take place in a manner that will be safe and nuisance free, with respect to other areas. Such activity shall not in any way present a nuisance or disturbance to surrounding property owners. Approval of the Departments of Natural Resources and Environment and Conservation shall be required with regard to keeping of livestock and waste disposal in conjunction with a residential use.

13. Light Industry

Light industrial uses shall be discretionary and restricted to small-scale, home-based occupations in conjunction with a residential use without any unwanted effects on surrounding properties or residents. The use may be located in or attached to a dwelling unit in which the operator of the use resides or within an accessory building located in the rearyard of the residential property.

14. Livestock Operations and Buffers

The Bay Bulls Land Use Zoning maps identify a 610 metre buffer around existing livestock operations. Due to the possible adverse effects of unpleasant odours on new residences, no development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, Land Stewardship Division and the Department of Environment and Conservation. Residential development within the 610 metre buffer shall be limited to infilling on existing publicly-maintained roads.

15. Agriculture

- (a) Agriculture shall be limited to home gardens and similar activities that Council deems to be compatible with surrounding residential areas.
- (b) The cultivation of ground and the erection of greenhouses, root cellars, and other accessory buildings for agricultural use will be limited to small-scale developments as determined by Council.
- (c) The keeping of livestock, including horses, sheep, etc, shall be prohibited.

16. 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.

USE ZONE TABLE

ZONE TITLE	RESIDENTIAL SUBDIVISION AREA (RSA)
PERMITTED USE CLASSES - (see Regulation 89) None except maintenance and operation of existing uses.	

CONDITIONS FOR RESIDENTIAL SUBDIVISION AREA ZONE

1. Purpose of the Residential Subdivision Area Zone

Lands zoned Residential Subdivision Area may be suitable for large-scale residential development. The Residential Subdivision Area zoning prevents development until comprehensive planning has been carried out as specified in the Bay Bulls Municipal Plan.

2. Subdivision Development Plan

An Subdivision Development Plan shall be developed for a proposed subdivision development and shall include adjacent lands within the area defined on the zoning map as a Residential Subdivision Area. The requirements for a Subdivision Development Plan are outlined in the Municipal Plan policy section 3.2.1.12. The Subdivision Development Plan shall be advertised within a local newspaper and shall be placed on public display for five business (5) days at the Town Hall, during regular hours, for public viewing so that residents may be provided comments on the proposed development to Council in writing. Council shall review all written submissions which shall be taken into consideration prior to approving the Subdivision Development Plan and any Development Regulations Amendment for rezoning the Residential Subdivision Area to the appropriate land use zone on the Land Use Zoning Map. Once the Subdivision Development Plan and Development Regulations Amendment have been approved by Council, the amendment shall be forwarded to the Department of Municipal Affairs for registration and a notice published in the Newfoundland and Labrador Gazette as well as a local newspaper. Note, under the *Urban and Rural Plan Act*, a public hearing is not required for a Development Regulations Amendment.

4. Discretionary Use

Discretionary uses permitted in this zone prior to the preparation and approval of an Subdivision Development Plan shall not include the development of any permanent structure.

5. Onsite Water Supply and Sewage

All unserviced developments shall have an approved water and sewage service design and approved by the Government Service Centre prior to Development Permit issued by Council.

6. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	MIXED DEVELOPMENT (MD)
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling; double dwelling, recreation open space and open space conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Row dwelling, apartment building, boarding house residential, commercial residential, cultural and civic, general assembly, passenger assembly, club and lodge, catering, funeral home, child care, indoor assembly, medical & professional, office, personal service, general service, communications, taxi stand, medical treatment and special care (home for the aged only), shop, convenience store, light industry, place of worship and antenna.	

CONDITIONS FOR MIXED DEVELOPMENT ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- (a) Minimum Building Line Setback 8 metres*
- (b) Minimum sideyards 5 metres
- (c) Minimum Rearyard 10 metres
- (d) Maximum Height 10 metres

* Residential development shall conform to the standards of the Residential Land Use Zone.

2. Accessory Buildings for Residential Use

- (a) Accessory buildings shall have a combined maximum lot coverage not exceeding 7%, up to a maximum floor area of 75 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 4 metres.
- (c) Council shall have discretion where the proposed accessory building will

exceed the 7% maximum lot coverage, the maximum floor area of 75 m², and the maximum height of 4 metres.

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. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council, provided that they are complementary to permitted uses and will not inhibit or prejudice the existence or development of permitted uses.

5. Buffer for Residential Uses

Where a non-residential use abuts a residential use, Council may require a screen or barrier such as a fence, landscaped embankment, or trees to be erected on the non-residential site along the lot lines, consistent with the visibility requirements for traffic safety. Alternatively, Council may increase the sideyard and rearyard requirements on the non-residential site to provide additional separation from the abutting residential use.

6. 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) Council shall determine the size and area of any sign.
- (c) Free standing portable illuminated signs (“yellow” or “Light Up Portable Signs”) will not be allowed in the residential area.

7. Off-Site Directional/Advertisement Sign

Off-site directional/advertisement signs, which direct traffic to and advertise a commercial or industrial development or use, shall not be permitted. Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility may be permitted as determined by the Council provided only one sign is erected per street frontage, the sign is erected for the duration of the event, and the location, size, and construction of the sign conforms to the requirements of the Council.

8. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care 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.

9. Place of Worship

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.

10. Convenience Store

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

- (a) Convenience Store may form part of the residential dwelling or be a stand alone building.
- (b) The retail use shall be subsidiary to the residential character of the area, and shall not affect residential amenities of adjoining properties.
- (c) Adequate provision for on site parking, loading, buffering and landscaping.

11. 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.
- (g) 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;

12. 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 is licensed under the Tourist Establishment Regulations, 1994, as amended from time to time.

13. Outdoor Storage

Outdoor storage will not be permitted in frontyards. It may be permitted in sideyards and rearyards. Council may require fencing or other forms of screening to prevent an unsightly appearance.

14. Outdoor Market

An outdoor market may include a used car lot, provided due consideration is given to the size and scale of the development relative to the site and to surrounding uses. Due consideration shall also be given to buffering, off-street parking, traffic movement, congestion, and safe access.

15. General and Light Industrial Uses

General industrial uses shall be small scale light industrial uses such as small workshops and warehouses, and autobody repair shops shall be permitted provided that;

- (a) The use shall constitute entirely or partly the livelihood of a person living in the specified dwelling;
- (b) Activities associated with the use shall be carried on in building separate from the residential dwelling;
- (c) One building only, separate from the dwelling, and located in the rear or side yard a minimum of 2 m from any lot line, and having a maximum floor area of 75 m² and a height of no more than 6 m, may be used in connection with the general or light industrial use;
- (d) Activities associated with the use are not hazardous and do not create a nuisance by reason of noticeable noise, odour, dust or flames, or result in electrical interference;
- (e) Retail sales are incidental and subsidiary to the approved use and there is no outdoor storage of equipment or materials.
- (f) No change is made in the type, class or extent of the use without a permit.
- (g) Adequate on-site parking, loading, buffering and landscaping is provided.

16. 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 and Conservation.

17. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	INDUSTRIAL - GENERAL (IG)
PERMITTED USE CLASSES - (see Regulation 89) General Industry, general service, light industry.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Passenger assembly, service station, all use classes in the professional and personal service uses group, shop, hazardous industry, communications, transportation, office and antenna.	

CONDITIONS FOR INDUSTRIAL-GENERAL ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- (a) Minimum Building Line Setback 10 metres
- (b) Minimum Sideyards 5 metres
- (c) Minimum Rearyard 15 metres
- (d) Maximum Height 15 metres

2. Outdoor Storage

Outdoor storage shall not be permitted in front yards, but may be permitted in side yards and rear yards. Council may require fencing or other forms of screening or buffers to prevent an unsightly appearance.

3. 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 as Council may require preventing damage to adjacent uses by fire, explosion, or spills of flammable liquid.

4. Buffer for Residential Uses

Where an industrial 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 10 metres wide between any residential activity or area and the industrial 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.

5. Shops

Retail shops may be permitted at the discretion of Council if they are accessory to an industrial use or if they directly service the industrial uses or the industrial employees.

6. Discretionary Use Classes

With the exception of Passenger Assembly and Service Stations, the discretionary use classes listed in this table may be permitted at the discretion of Council provided they are accessory to uses within the permitted use classes.

7. 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) Council shall determine the size and area of any sign.
- (c) Free standing portable illuminated signs (“yellow” or “Light Up Portable Signs”) will not be allowed in the residential area.

8. Off-Site Directional/Advertisement Sign

Off-site directional/advertisement signs, which direct traffic to and advertise a commercial or industrial development or use, shall not be permitted. Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility may be permitted as determined by the Council provided only one sign is erected per street frontage, the sign is erected for the duration of the event, and the location, size, and construction of the sign conforms to the requirements of the Council.

9. Accessory Buildings

Accessory buildings, when abutting a residential property or residential zone, shall be located no closer than 5 metres from the abutting residential property or zone.

10. Hazardous Industry

Hazardous industry uses shall be limited to those uses associated with offshore base at Bay Bulls Harbour and for a construction and storage yard located at the south end of Town.

11. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	PUBLIC BUILDINGS (PB)
PERMITTED USE CLASSES - (see Regulation 89) Educational, cultural and civic uses, general assembly, medical treatment and special care, government or public offices, place of worship, recreational open space, conservation and child care.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Indoor assembly, outdoor assembly, club and lodge, catering, general assembly, passenger assembly, taxi stand, and antenna.	

CONDITIONS FOR PUBLIC BUILDINGS ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- (a) Minimum Building Line Setback 10 metres
- (b) Minimum Sideyards 5 metres
- (c) Minimum Rearyard 15 metres
- (d) Maximum Height 15 metres

2. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to permitted uses and will not inhibit or prejudice the existence or development of permitted uses.

3. Offices

Government offices, banks, and other offices of a public nature shall be permitted in this zone. Commercial offices or offices associated with a business operation shall not be permitted.

4. Catering

Catering may be permitted in associations with a permitted use such as church functions, weddings, parties, etc. Catering use will only be permitted as a temporary use by Council.

5. 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) Council shall determine the size and area of any sign.
- (c) Free standing portable illuminated signs (“yellow” or “Light Up Portable Signs”) will not be allowed in the residential area.

6. Off-Site Directional/Advertisement Sign

Off-site directional/advertisement signs, which direct traffic to and advertise a commercial or industrial development or use, shall not be permitted. Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility may be permitted as determined by the Council provided only one sign is erected per street frontage, the sign is erected for the duration of the event, and the location, size, and construction of the sign conforms to the requirements of the Council.

7. 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.

8. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	OPEN SPACE/RECREATION (OS/R)
PERMITTED USE CLASSES - (see Regulation 89) Recreational open space; conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Indoor assembly, outdoor assembly, office, cultural and civic, catering (take-out food service only) and antenna.	

CONDITIONS FOR OPEN SPACE/RECREATION ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- (a) Minimum Building Line Setback 5 metres
- (b) Minimum Sideyards 5 metres
- (c) Minimum Rearyard 10 metres
- (d) Maximum Height 15 metres

2. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to permitted uses and will not inhibit or prejudice the existence or development of permitted uses.

3. Take-Out Food Service

A take-out food service use may be considered on a discretionary basis provided it serves recreational activities only.

4. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	OPEN SPACE/CONSERVATION (OS/C)
PERMITTED USE CLASSES - (see Regulation 89) Conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Agriculture, forestry, cemetery, transportation, recreational open space and antenna.	

CONDITIONS FOR OPEN SPACE/CONSERVATION ZONE

1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to permitted uses and will not inhibit or prejudice the existence or development of permitted uses.

2. Agricultural Use

Traditional small scale hobby and subsistence agricultural uses may be permitted such as vegetable gardens. Areas of steep slope where soil erosion may occur shall not be developed for agriculture uses, unless a soil erosion program can be developed and implemented.

3. Cemetery

Cemeteries which are located separately from a church may be permitted in the Open Space Conservation zone.

4. Accessory Building

An accessory building may be permitted in association with a cemetery and shall have a maximum floor area of 20 m². 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 and a maximum height of an accessory building shall be 4 metres.

5. East Coast Trail

The East Coast Trail is a natural walking/hiking trail along Bay Bulls Harbour and along the coastline of Atlantic Ocean which forms part of a much larger coastal trail system. Council will encourage the maintenance of the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

6. Docks and Wharves

Council may consider transportation uses as those associated with wharves, docks, boathouses, fishing stages and other uses which may be located along the seashore or which may form part of the fishing industry.

USE ZONE TABLE

ZONE TITLE	RURAL (RUR)
PERMITTED USE CLASSES - (see Regulation 89) Agriculture, forestry, recreational open space, and conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Single dwelling, veterinary, outdoor market, service station, general industrial, mineral working, cemetery, animal, utilities, transportation (see condition), antenna.	

CONDITIONS FOR RURAL ZONE

1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to permitted uses and will not inhibit or prejudice the existence or development of permitted uses.

2. Development Standards

The development standards for uses in this zone shall be determined case-by-case and shall conform to the standards for the same uses in other zones.

3. Single Dwellings

Single residential dwellings may be permitted in conjunction with a permitted use such as agriculture. The agricultural uses shall be a commercial business and the full time farmer shall obtain a minimum of 50 % of his or her gross income from the farm operation. The commercial operation shall be in operation for a minimum of two years before Council will approve any residential development.

4. General Industry

General Industrial uses and associated accessory uses may be permitted by Council provided that:

- (a) The use is restricted to maintenance and repair of equipment, processing and storage related to agriculture or forestry uses,
- (b) The site is unsuitable for location in the General Industrial zone,
- (c) Municipal services, such as town water and sewer will not be required,
- (d) The proposed use will not have an adverse visual impact on the built-up areas of the Town and Council may require that the site be screened or not visible from public roads and the built-up area,
- (e) The proposed use will not generate an increase in traffic on roads in the built-up areas of the Town,
- (f) The proposed site can be developed without negative impact on the natural environment and amenities of the Town, including watercourses and ponds.

5. Mineral Working

Council may permit mineral working subject to the following conditions:

- (a) Effective tree screens shall be maintained around the periphery of any mineral working. Where trees are not present to create an effective screen, Council may require the installation of a landscaped embankment or fence.
- (b) Topsoil removed for mineral working shall be retained for restoration of the site.
- (c) No mineral working shall be conducted which causes danger or nuisance to the public.
- (d) No mineral working shall be permitted within the view of a designated scenic road.
- (e) Proposed mineral working operations will be evaluated carefully by Council in conjunction with the Department of Natural Resources.

- (f) No mineral working shall unacceptably reduce the quality of water in a watercourse or waterbody. Any access road which crosses a watercourse shall have a bridge or culvert according to the regulations of the Department of Environment and Conservation.
- (g) No mineral working shall result in the excavation of land below the level of the water table nor cause the ponding of water. However, settling ponds may be permitted with the approval of the Department of Environment and Conservation.
- (h) No mineral working shall be carried out in a manner which causes the erosion of adjacent land.
- (i) The mineral working shall be kept clean of refuse, abandoned vehicles and equipment, and derelict buildings.
- (j) Upon completion of mineral working, and when there is no intention to re-open such operations, all buildings and machinery shall be removed from the site and the site restored so as not to constitute a danger to the public or present an unsightly appearance.

7. 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) Council shall determine the size and area of any sign.
- (c) Free standing portable illuminated signs (“yellow” or “Light Up Portable Signs”) will not be allowed in the residential area.

8. Off-Site Directional/Advertisement Sign

Off-site directional/advertisement signs, which direct traffic to and advertise a commercial or industrial development or use, shall not be permitted. Off-site directional signs related to a charitable, non-profit or municipally sponsored event, which direct traffic to a community facility may be permitted as determined by the Council provided only one sign is erected per street frontage, the sign is erected for the duration of the event, and the location, size, and construction of the sign conforms to the requirements of the Council.

9. Seasonal Residential

Seasonal residential use and recreation cottage use shall not be permitted within the Rural land use zone.

10. East Coast Trail

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11. Agriculture

- (a) Agriculture shall be limited to root crops and similar activities that Council deems to be compatible with surrounding areas.
- (b) The cultivation of ground and the erection of greenhouses, root cellars, and other accessory buildings for agricultural use will be limited to developments as determined by Council.
- (c) The keeping of livestock, including horses, sheep, etc, shall be permitted.
- (d) Council shall define the number of animal units based on area and location.

12. Docks and Wharves

Council may consider transportation uses as those associated with wharves, docks, boathouses, fishing stages and other uses which may be located along the seashore or which may form part of the fishing industry.