

Gander Bay Loop/Bonavista North

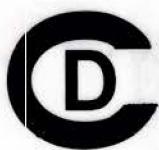
Highway Zoning Plan



DEVELOPMENT CONTROL DIVISION
DEPT. OF MUNICIPAL AFFAIRS 1987

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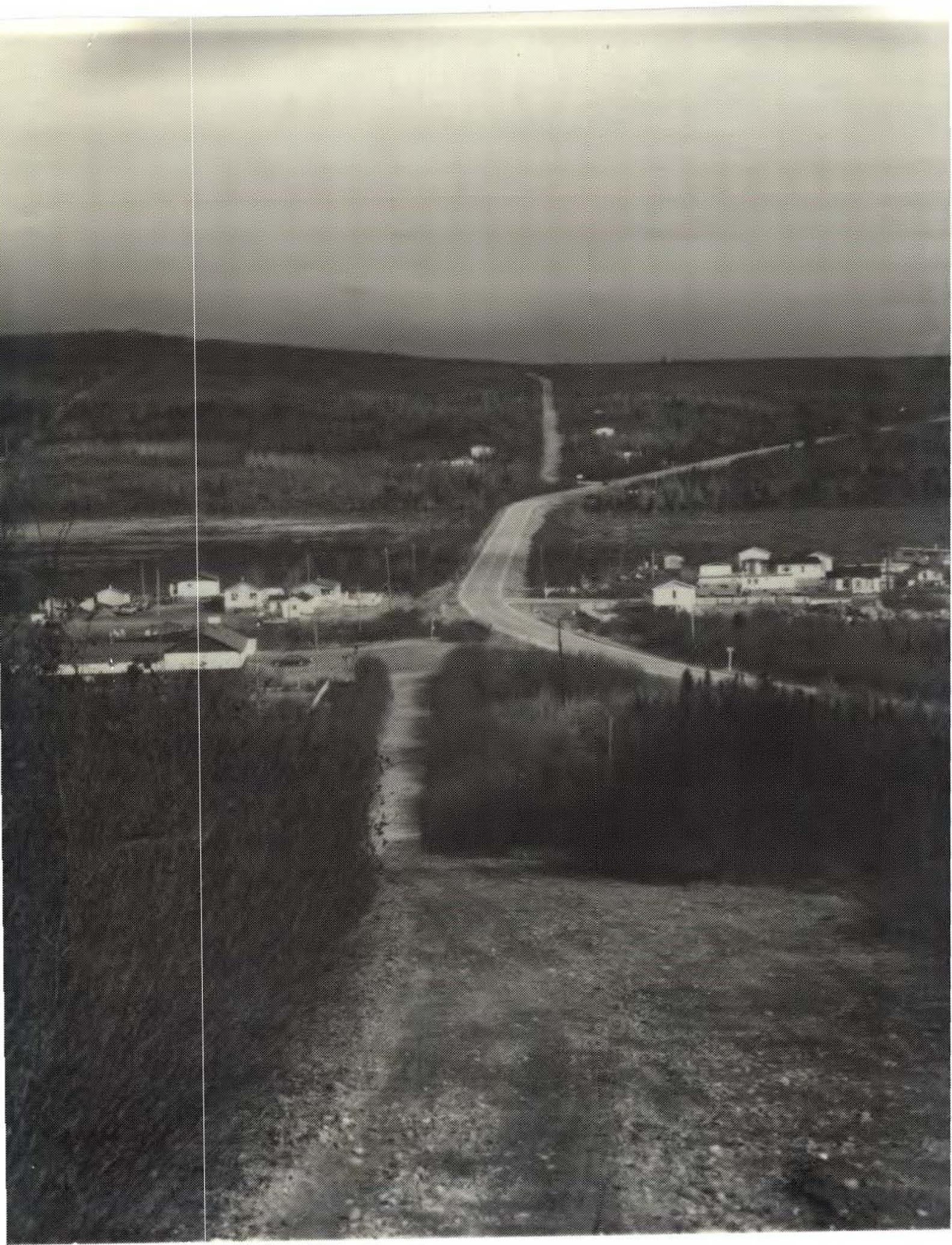


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PREFACE

1. DIVISIONAL RESPONSIBILITIES

In 1959 the Protected Road Zoning Regulations were adopted in order to protect critical highways in this province and maintain them as pleasing, safe, and convenient conveyances of traffic. In attempting to achieve these objectives, it is necessary to impose control over those factors which present a threat to highway safety and amenity including: the location, density, and visual characteristics of structural development; the location of highway service functions; and the location and alignment of accesses. Associated with these responsibilities, this Division is required to preserve the interests of the public and any concerned governments, departments, and authorities and as an integral component of the Department of Municipal Affairs, enforce any applicable codes, regulations and policies.

In view of the above requirements, nine (9) specific objectives have been identified as this Division's responsibility with respect to Protected Roads:

1. To restrict sporadic ribbon development along the highway.
2. To restrict the number of accesses along the highway, thus reducing the number of potential hazards and expediting the free flow of traffic.
3. To ensure that development along the highway is constructed and located in such a manner as not to detract from the amenities of the roadside.
4. To control the location of advertisements on the highway and to ensure that those permitted do not present an eyesore or pose a hazard to traffic by virtue of their lettering and design.
5. To ensure that new development will not create a sanitation hazard in itself or to adjoining property, or in any way have an injurious effect on the property of others.
6. To ensure that highway service areas are developed along the highway in

locations that will provide assistance to the travelling public in a safe and convenient manner.

7. To ensure that the standards of construction conform to the minimum requirements of the National Building Code of Canada.

8. To assist in the orderly development of the community where that ability lies within this Division's terms of reference.

9. To generally ensure that the amenity of the roadside is kept in a pleasing condition.

2. DIVISIONAL POLICIES

Over the past several years, and in view of the previously discussed responsibilities and objectives, this Division has evolved several policies with regard to development control on Protected Roads. In general terms, these policies are:

1. To identify urban and quasi-urban areas and provide reasonable limits to their growth adjacent to highways. Where these areas are not presently regulated by land use controls, this Division provides interim zoning.

2. To prohibit the erection of private advance - warning advertisements along the highway and in lieu of these erect standardized advance - warning signs for highway services which are of interest to the motoring public.

3. To allocate areas for highway commercial development in appropriate and viable rural and urban areas, and to cause this development to locate in clusters so as to minimize disruption of highway safety and utility.

4. To identify desirable areas for the location of summer cottage development.

3. ESTABLISHMENT OF CONTROL AREAS

The Protected Road Zoning Regulations stipulate that when a highway is designated as a Protected Road by an Order in Council, an area of development

control is created by establishing Building Control Lines according to the following schedule:

1. Within a Municipality, the Building Control Line shall extend one hundred (100) m either side of the centreline of a Protected Road.
2. Outside a Municipal Boundary but within a designated Municipal Planning Area, the Building Control Line shall extend one hundred and fifty (150) m either side of the centreline of a Protected Road.
3. Within an established unincorporated community, the Building Control Line shall be as designated by an existing or proposed Highway Zoning Plan.
4. On a Protected Road, other than as described above, the Building Control Line shall extend four hundred (400) m either side of the highway centreline.

Under the jurisdiction of these Regulations, this Division now controls 25 major trunk roads containing slightly more than 2,940 km., of road and literally hundreds of communities.

4. CONTROL PROCEDURE

The established procedure for controlling development on Protected Roads consists of a dualistic system of pre-zoning the highway and a complex system of referrals. A zoning scheme consisting of up to eight separate zones, each with prescribed permitted uses and specific conditions regarding uses, is applied to each highway. Applications occurring in the control area are then referred to appropriate governments, government departments, and authorities with regard to the suitability of the site applied for. Should the site be approved, there is further review and referral of detailed plans to determine the suitability of the proposed development (refer to Appendix for further details on the procedure for processing applications).

PART I -INTRODUCTION

1. THE PROTECTED ROAD (FIGURE 1)

Protected Road Order (No. 1) 1969 declared the Gander Bay Road to be a Protected Road, from its intersection with the Trans Canada Highway to the bridge over Barry's Brook. This order was amended and rescinded a number of times and is now defined to be:

1. The Gander Bay/Bonavista North Loop Roads (Route 320), as existing or proposed, from a point where the northern planning area boundary of Gander crosses the highway, to a point on the highway 2.25 km. north of the northern abutment of the bridge over Middle Brook, excluding these sections of highway conjoint with the Towns of Lumsden, Centreville, Trinity and Hare Bay as per the following descriptions:
 - a) Lumsden - commencing at a point 50 m west of Atlantic Drive to a point 560 m east of Main Street.
 - b) Centreville - commencing at a point on Route 320 a distance of 300 m north of its intersection with the northeastern approach of Pickett Avenue, and extending to a point on the highway 975 metres southwest of its intersection with Smallwood Drive.
 - c) Trinity - commencing at a point on Route 320 a distance of 490 m south of a culvert for Northwest River where it crosses the highway, and extending to the northern abutment of the bridge over Southwest Pond Brook where it crosses the highway.
 - d) Hare Bay - commencing at a point on Route 320 where it intersects with the southern access road to Wellington and extending to a point on the highway 1.1 km. south of its intersection with a local road known as Southwest Road.

2. TRAFFIC FLOW ANALYSIS

Figure II is a graphic representative of the Department of Transportation's data regarding average annual daily traffic volumes. The graph plainly shows that traffic concentration in the Gambo end can be related to the densely populated areas between the Trans Canada Highway and Hare Bay. At the Gander end, the high concentration between Gander and Gander Bay can be attributed to the seasonal use of Jonathan's Pond Provincial Park, and the fact that Gander acts as a regional centre for the communities to its north. Between Gander Bay and Hare Bay the flow is fairly consistent.

3. POPULATION ANALYSIS (FIGURE III)

Population projections were made using the linear regression method. For Musgrave Harbour and Wesleyville no projections were done because of their amalgamation with other areas during the early and mid seventies, thereby making population forecasting quite unreliable.

Generally speaking, the communities bordering the protected road are experiencing increases in population with Gander Bay showing the highest. This seems to be an exception to the provincial scene where during the 1st census period the province had a population decline due to thousands of its residents immigrating to the mainland.

FIGURE 1

The Protected Road

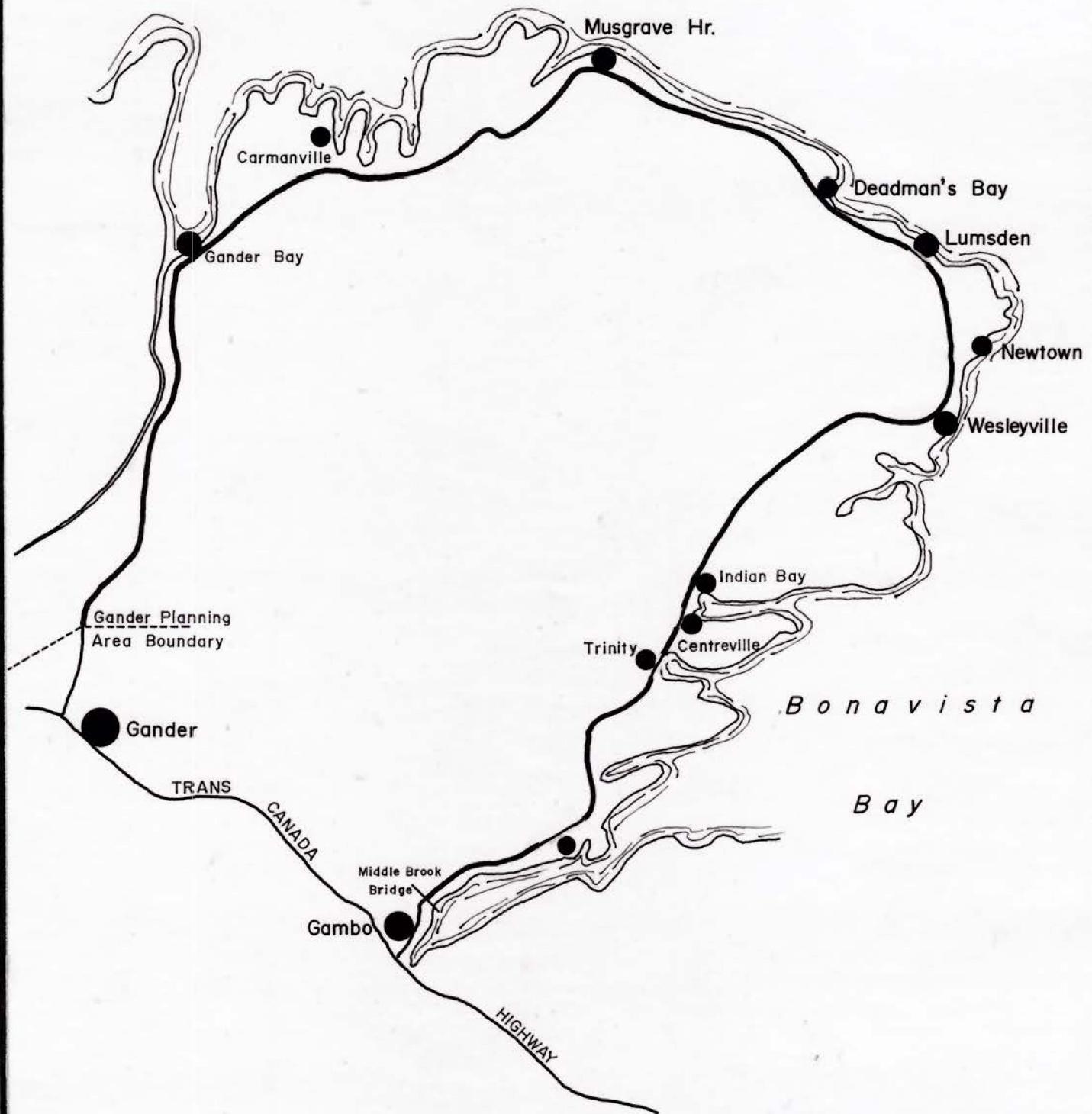


Figure II



FIGURE III
POPULATION PROJECTIONS

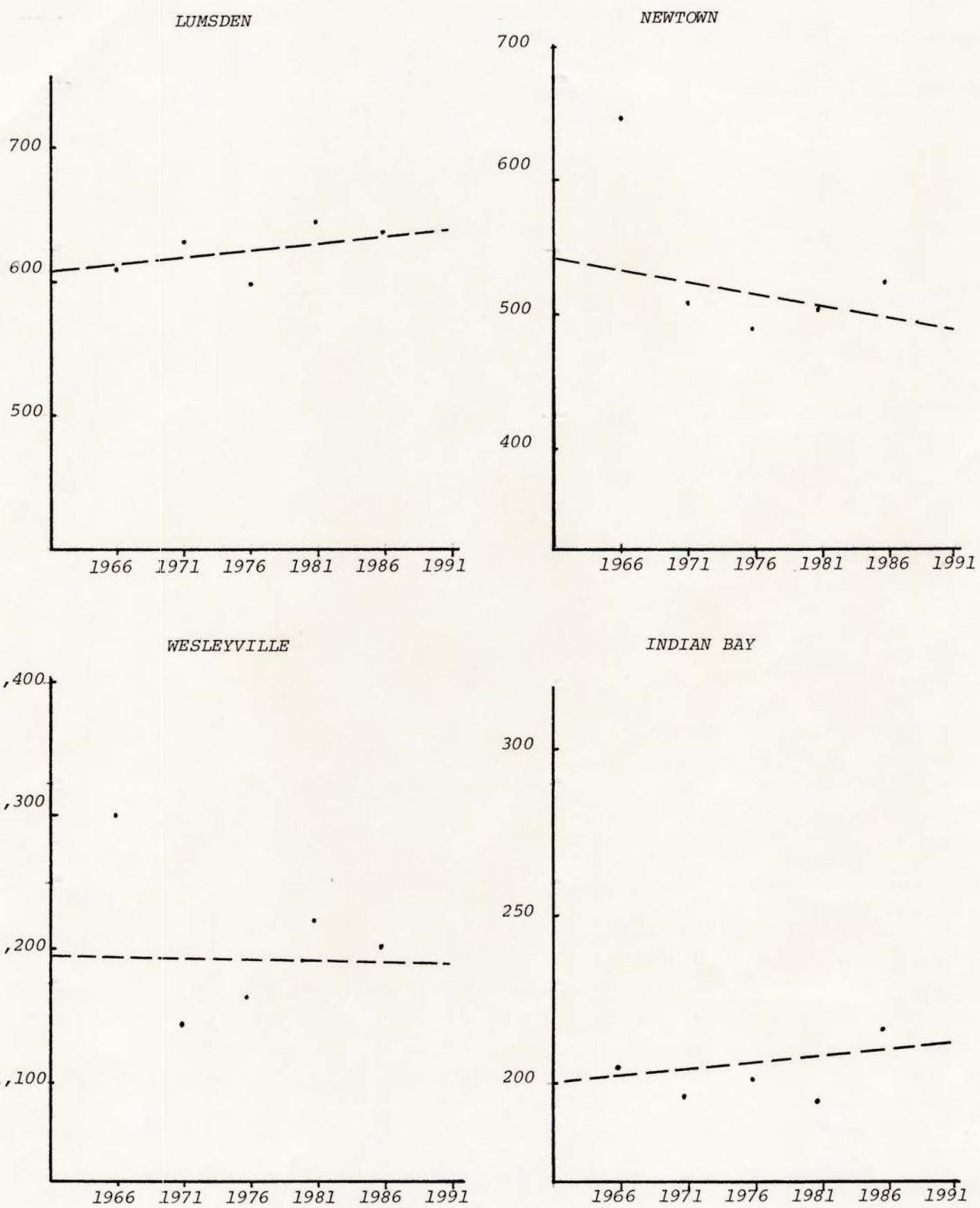
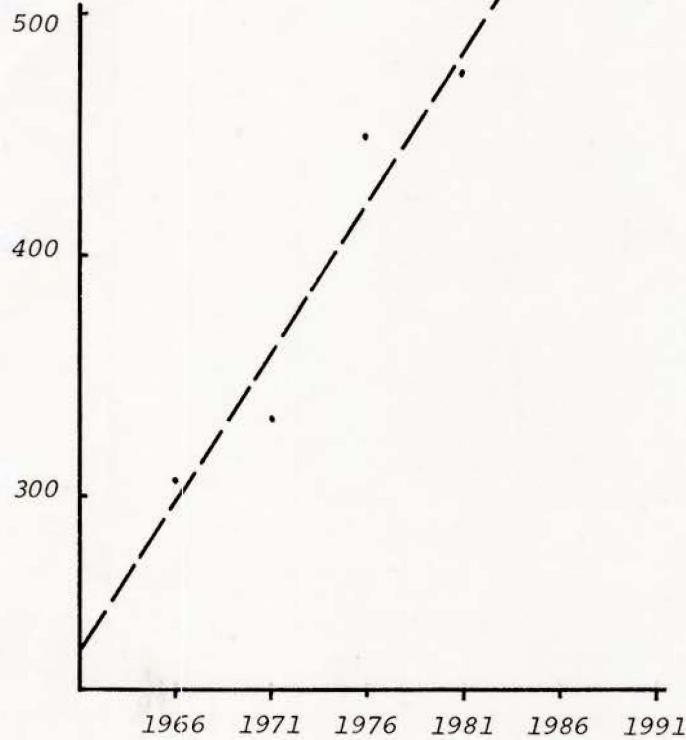


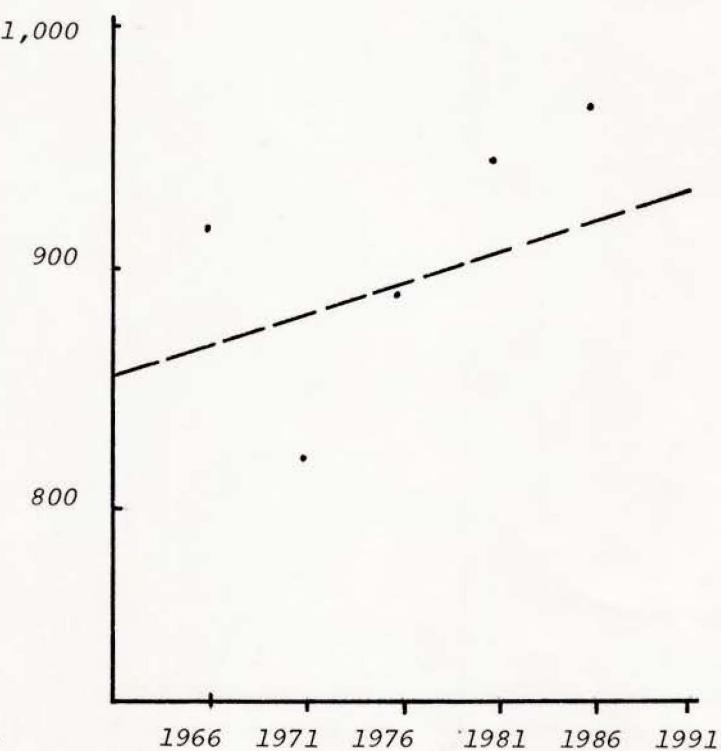
FIGURE III

POPULATION PROJECTIONS

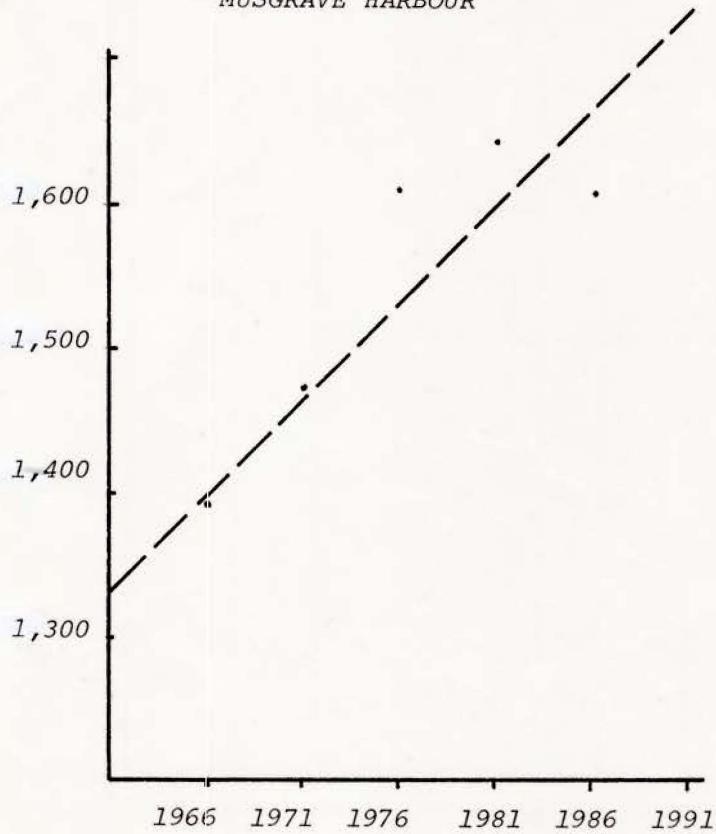
GANDER BAY SOUTH



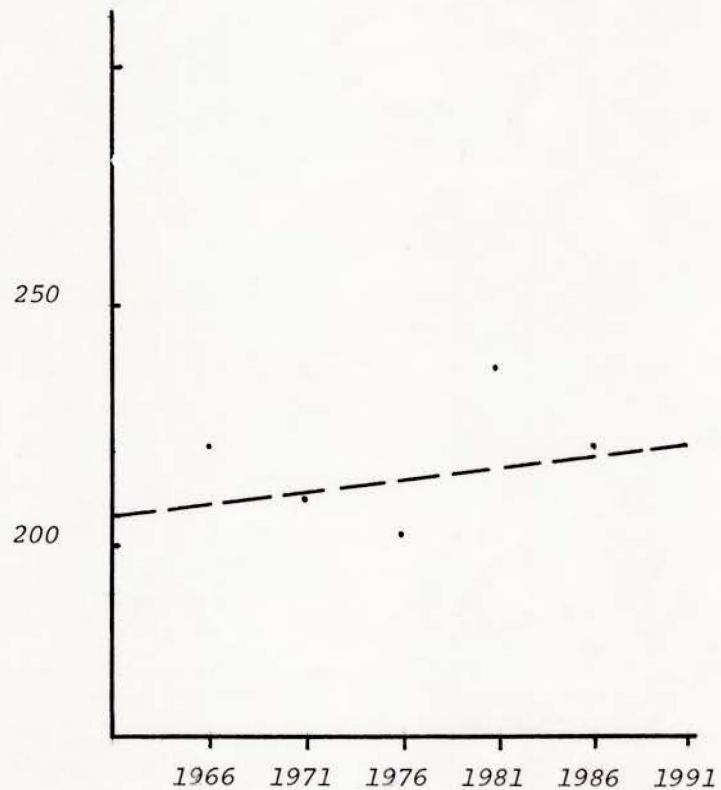
CARMANVILLE



MUSGRAVE HARBOUR



DEADMAN'S BAY



PART II - LAND USE AND NATURAL RESOURCES

The following land information was derived mainly from the Provincial Land Use Atlas, in house records and field investigations. The Interdepartmental Land Use Committee showed little interest in the area.

From the data collected, there appears to be no major resource conflicts. It appears the major demand for land comes from the forestry sector - harvest operations for the local sawmill and domestic wood cutting for firewood. Agriculture is not currently a high priority resource, consisting of several Blueberry Management Areas and some garden plots off the highway. The fish and wildlife resources are significant and are offered protection through the referral process. The only mineral occurrences identified by the Department of Mines are in the form of aggregate pits and aggregate potential resources. Archaeological sites are protected by law and must not be disturbed. None are currently known to exist within the controlled area, although several are recorded in adjacent coastal areas.

Although some departments have requested that development be restricted in certain areas, it is not the policy of this Division to refuse to accept an application for an area designated by another department as restricted or reserved. Rather, the prospective developer will be informed of the restriction and if the application is made, it will be referred to the appropriate department/agency responsible (Department of Environment for applications within 1.6 km. buffer of a waste disposal site, the Department of Mines for applications within an aggregate potential resource area).

SUMMER COTTAGES

There are five (5) areas of summer cottage activity along the Protected Road. For detailed description and zoning see the section on summer cottage zoning on page 18.

PARKS/CAMPGROUNDS

The municipal park at Musgravetown Harbour, and the provincial parks at Windmill Bight and Jonathan's Pond are all equipped with day use and camping facilities. The provincial park at Deadman's Bay Beach is a Natural Attraction Park and is equipped for day use only.

SPORTS FISHERY

The highway crosses at least six (6) scheduled salmon rivers. The Department of Fisheries and Oceans has made the following comments with respect to development of these rivers.

1. The Department of Fisheries and Oceans will scrutinize applications for development on licenced salmon rivers on an individual basis. Any applications which constitute encroachment upon sensitive fish habitat, i.e. spawning areas, salmon pools, falls, etc., may be grounds for rejection of a particular application.

2. Should a development be approved on scheduled rivers, a conditional recommendation of a 30 m buffer zone of undisturbed vegetation between the water body and the development would be attached.

3. On any development that is approved, the proponent would be required to install a sewage system that is in compliance with Provincial Health Standards. Under no circumstances should raw sewage enter a watercourse.

While scheduled rivers are obviously the most sensitive areas, the Department of Fisheries is also concerned about any works affecting fish habitat. Therefore, all applications affecting any fish habitat is subject to the same authorization system.

WASTE DISPOSAL SITES

There are seven (7) waste disposal sites located in the 800 m corridor. These are found at Deadman's Bay, Musgrave Harbour, and Carmanville. Each site has a 1.6 km buffer. Applications within these buffers must be referred to the Department of Environment.

DOMESTIC WATER SUPPLIES

There are nine domestic water supply areas in the Plan. The watersheds for Gander Bay, Newtown, Templeman/Pound Cove, Wesleyville, Davidsville/Main Point,

and Carmanville are protected under legislation. The remaining three (3) are for the communities of Musgrave Harbour, Deadman's Bay and Lumsden.

AGGREGATE RESOURCES

The Department of Mines has produced a series of Aggregate Potential Zone Maps showing areas of Potential aggregate resources and active and abandoned quarry areas. Applications for development within the aggregate resource areas or within 300 m of a quarry must be referred to that Department. These maps are available at the Department of Mines or the Central Regional Development Control office at Grand Falls.

AGRICULTURE

The Agriculture Branch, Department of Rural, Agriculture and Northern Development, identified a number of Blueberry Management Units in the Bonavista North area. These are now being reviewed with the intention of having these areas officially designated. The units adjacent to the Protected Road are shown on the Land Use Map.

SALMON ENHANCEMENT PROGRAM

The Salmon Enhancement Program at Barry's Brook, Gander Bay, is a joint venture by the Department of Fisheries and Oceans and the Glenwood Indian Band Council. All applications within 45 m of Barry's Brook are to be referred to the Department of Fisheries and Oceans.

PEAT QUARANTINE AREA

In 1982, a reserve for a Peat Quarantine was established on the Gander Bay Road, north of Jonathan's Pond Provincial Park. This was an experimental project to determine the viability of peat as an agricultural product outside Newfoundland. Although research has ended and the site is no longer used, the Department of Rural, Agriculture and Northern Development wishes to see the area remain as a peat reserve for the next five (5) year period. At this time it will be reviewed

again to determine if continued protection is necessary.

PROTECTED AREA PLAN - GANDER RIVER

As can be seen from the Land Use Map, the proposed Gander River Protected Area borders the Protected Road, from its beginning with the municipal planning area boundary of Gander to the community of Gander Bay South. The Plan is in response to the growing concern about the future of the Lower Gander River regarding its development and potential conflicting land use. The draft copy of the plan is completed and should be approved in the very near future.

WILDLIFE

The Wildlife Division, Department of Culture, Recreation and Youth, states that the beaches between Musgrave Harbour and Cape Freels are feeding and nesting grounds for the endangered Piping Plover, and would like to see these beaches excluded from development. However, rather than exclude development, all applications for sites on either side of the highway within these areas will be referred to the Wildlife Division for comments.

FORESTRY

The Forestry Branch, Department of Forest Resources and Lands, expressed no interest in the highway. The Forest Reserves shown on the Land Use Map were taken from the Provincial Land Use Atlas. Applications for development within or adjacent to these reserves, must be referred to the appropriate Unit Forester.

Also, wood cutting for domestic and commercial purposes is a predominant use throughout the highway corridor.

MUNICIPAL BOUNDARIES

There are nine (9) urbanized areas on the Protected Road (refer to the Land Use Map for location of municipal and planning area boundaries). All except Gander Bay South, Harris Point, and Deadman's Bay are incorporated. Only Centreville has an official plan. In 1983 a Draft Plan was submitted to the Town of Carmanville on

behalf of the Provincial Planning Office, but no further action has been taken.

Should any of the municipalities adopt an official plan during the life of the Highway Zoning Plan, then the provisions contained will be automatically applied to this Plan, as per section 7 of the Protected Road Zoning Regulations - "where a Protected Road passes through an area controlled by an approved plan made under the provisions of Parts II, III, IV, V and VI of the Act, the land included shall be used only in accordance with these Regulations and the approved land use plan."

PART III - ZONING

The following zoning is a result of several field investigations, review of development applications during the last five (5) years, meetings with the town councils, and feedback from provincial and federal departments and agencies.

While some communities will have minor or no zoning changes since the 1981 plan, others will have some major changes. Also, several new summer cottage zones are added.

The urban and rural zoning is described in the following pages with the exact location of all zones and building control lines defined by the attached plans. In order to facilitate the establishment and recognition of zoning boundaries and building control lines, the following common guidelines are used.

- a) All measurements from the highway centreline or local road unless otherwise stated or depicted refer to a measurement from the highway centreline.
- b) All references to points and distances from the highway shall unless stated to the contrary, be taken to be perpendicular distances from the highway centreline.
- c) All zones and lines running in the direction of the highway dealing with zoning boundaries shall, unless otherwise stated, refer to lines running parallel to the centreline of the highway.

The individual plans in this Plan are prepared in accordance with Part VII of the Urban and Rural Planning Act, and relate solely to the strip of land along the Protected Road over which the Development Control Division has been given jurisdiction under Part VII of the Act. This control is more specifically defined under section 3 of the Protected Road Zoning Regulations, 1979.

1. URBAN ZONING

The application of Urban Zones attempts to achieve the most effective

compromise between realizing the purpose of this Division while considering the particular problems of the highway and those communities concerned. Although ribbon development is generally discouraged a certain amount of leeway has been built into the plans so as to accommodate the immediate growth requirements of the communities.

Centreville is the only community on the Protected Road having an official plan. A draft plan was prepared for Carmanville in 1983, but has not been adopted.

XXXXXXXXXXXXXXXXXXXX

Perhaps the major reason for communities wishing to develop on the highway is lack of space in the community, and quite often this is directly attributable to the unwillingness of landowners to sell. This Division does not see this as justification to allow extensive urban development on a main provincial transportation route. The incorporated community has a number of steps it can follow to minimize the problem. First, it can educate the town's residents regarding the issue and hope their sense of community well being will prevail. Secondly, it can institute a land tax on unused land, and thirdly, it can avail of its authority to expropriate and recover the expenses through the sale of lots.

GANDER BAY SOUTH/HARRIS POINT

The unincorporated communities of Gander Bay South and Harris Point are contiguous and are therefore treated as one for the purpose of this Plan.

Pockets of high density development and the probable tendency of the community to develop haphazardly, as it did prior to controls, deemed it necessary to maintain the Building Control Line at 400 m.

The community has a good supply of suitable land for building purposes. There remains ample infilling lots and when the demand for lots surpasses the availability of land on the highway, a subdivision could be developed on land east of the highway and behind the existing development (as indicated on the zoning plan).

Pressure to develop on the southside of Barry's Brook and on the bypass north of the community has so far been resisted. Although two residences are located on the bypass, one was there prior to controls, and the other in defiance of a court order to remove.

Harris Point is now bypassed by the highway. A 60 m buffer is maintained along the seaward side of the highway between the two accesses to the community to prevent encroachment to the community onto the highway. The gas bar and service bay is zoned as Highway Commercial to allow for improvements to the site.

All other land is zoned as Rural Conservation.

CARMANVILLE

In Carmanville, the Building Control Line is reduced to 100 m on both sides of the highway centreline. Provision is made for a Highway Service Zone 300 metres in length at the western approach to the community. This zone includes a lounge and a restaurant. On the opposite side of the road, a 125 metre strip is set aside for commercial (M3) development. Although this site was zoned in the 1981 Plan, the prospective developer did not carry through with the project and consequently the site remains undeveloped. The site remains as a Mixed (3) Zone in this plan because of a request from council.

A 50 metre Buffer Zone, is imposed between the Mixed (3) Zone and the highway.

The light industrial zone (M5) was once the site of an Ultramar bulk fuel storage site. While the storage tank and associated equipment have been removed from the site, the land still belongs to Ultramar. Therefore it was felt by Council and this Division to have the site remain as a light industrial zone for at least the next five year period.

All other lands within the Building Control Lines are zoned Rural Conservation.

RAGGED HARBOUR (TOWN OF MUSGRAVE HARBOUR)

Ragged Harbour is part of the Town of Musgrave Harbour. For the most part, development is off the highway, except for the intersection of the Ragged Harbour access and the highway.

The Building Control Line is reduced to 100 metres on both sides of the highway centreline. Zoning consists of a Mixed Zone on the seaward side of the highway, and a Mixed and Highway Commercial Zone on the opposite side of the highway.

All other lands within the Building Control Line are zoned as Rural Conservation.

MUSGRAVE HARBOUR AND DOTING COVE (TOWN OF MUSGRAVE HARBOUR)

The highway bypasses much of Old Musgrave Harbour. However, people became aware of the new route in time to develop on granted land adjacent to the new highway before controls were in place. The result is a cluster of ribbon development along the west of a hill in the north east end of the community.

The Building Control line is reduced to 100 m on both sides of the highway centreline. There is a Highway Commercial Zone on the west end of the community, and a Mixed Zone on both sides of the road, allowing for substantial infilling.

The remainder of the land is zoned as Rural Conservation.

DEADMAN'S BAY

Control is maintained at 400 metres on both sides of the highway centreline. The area is largely devoid of development except for a single house located in the Mixed Zone, and a number of cottages in two (2) small pockets of land. These cottages are identified as Summer Cottage Zones and further development is prohibited. (See section on Summer Cottages - Page 18).

All remaining lands are zoned as Rural Conservation.

LUMSDEN

Within the municipal boundary of Lumsden, and outside the built up portion of the town, the Building Control Line extends 100 metres on both sides of the highway centreline. Since the urbanized section of the highway has water and sewer services, and most of the land is developed with few infilling lots remaining, control is dropped in the built-up area from a point 50 metres west of Atlantic Drive to a point 560 metres east of Main Street.

Outside the built-up area the Mixed Zone and Highway Commercial Zone are used to accommodate the existing uses and allow for new growth. A 30 metre Buffer Zone is maintained to prevent development from encroaching on the highway. No development will be permitted to front or access onto the highway in this area.

TEMPELMAN (TOWN OF NEWTOWN)

Templeman is part of the incorporated Town of Newtown. Although the highway bypasses the community of Newtown, it goes through Templeman's core.

The Building Control Line is reduced to 100 metres on both sides of the highway. The Mixed Zone incorporates all the existing development and allows for a number of infilling lots. The land south of the highway, at the eastern limits to the community is zoned "Restricted" because of rock outcrop and bog conditions. Development can proceed here providing the land is rendered physically suitable and development conforms to those types allowed in the Mixed Zone. Towards the

Newtown access, a 30 metre buffer is maintained.

In 1978, the Council obtained a Crown Grant for a parcel of land west of the Newtown/Bonavista North Highway intersection. This land was to be used for a residential subdivision. Since then studies by the Town revealed that the cost of servicing the land (water and sewer) is beyond the Town's financial resources, and development of the site does not seem imminent. However, Council's desire is to have the land remain reserved for residential purposes and therefore the area will remain zoned as Residential.

POUND COVE

The highway bypasses much of the built-up portion of Wesleyville except for Pound Cove. The Building Control Line is reduced to 100 metres on both sides of the highway centreline throughout Wesleyville.

On the seaward side of the highway, provision is made for Mixed Zones interspersed by Buffer Zones where there is need to keep development away from the highway.

Toward the Templeman end of Pound Cove a Mixed Zone (M3 and M5) 300 metres long is designated on the landward side of the highway. Although this site was designated some years ago and remains undeveloped, the Council wishes to have it reserved in the event a commercial developer(s) expresses the desire to locate in Wesleyville. This zone is to be separated from the highway by a 30 m buffer zone (i.e. 50 m from the highway centreline).

Access would be by a sideroad 20 m wide directly opposite the first access to Pound Cove as one drives from Templeman.

Some spot zoning is in place on the landward side of the highway as well. The building supply store is zoned as Mixed (3), the church is Mixed (2), and the gas bar is zoned as Highway Commercial.

INDIAN BAY

Indian Bay lies on the north bank of Indian Bay Brook where it enters Northwest Arm of Indian Bay. The development is very dense and occupies all the available frontage on the roadway going through the community. Because of the very boggy nature of the surrounding land, there is very little room for expansion of the community and building lots are scarce. An attempt was made to develop a residential subdivision on the old highway north of the community, but the Department of Health refused the proposal because of subsurface soil conditions.

Control is reduced to 100 m on both sides of the highway centreline throughout Indian Bay. The mixed zoning is used along the river and the two local roads servicing the community. A Mixed 4 Zone (Commercial) is established immediately south of the river where a motel/lounge was recently destroyed by fire. Approximately 100 m north of the bridge a Mixed 2 Zone (Public) is set up to accomodate a proposed church. The existing highway service activity opposite the junction of the highway and its old route is zoned as Highway Commercial. There is also a small Mixed Zone on the old highway, but further development is prohibited due to poor soil conditions for adequate sewage disposal.

2. RURAL ZONING

All three rural zones are incorporated into the Plan - Summer Cottage, Highway Service, and Rural Conservation.

Summer Cottage Zones

Deadman's Bay (Zone I):

East of Deadman's Bay/Gander Bay North intersection, and between two branches of Deadman's Bay Brook, are seven cottages. Expansion of the zone would only

create further ribbon development and therefore is prohibited.

Deadman's Bay (Zone II):

Zone II is located on the access road to Deadman's Bay Provincial Park.

Development here has taken place on private land, between the highway and the park boundary. Further development toward the highway is prohibited.

Anchor Brook

Anchor Brook is located 4 km north of Deadman's Bay intersection. The cabins were originally used as fishing huts, but now are being used on a more permanent basis as summer cabins. In the past, these were considered as non-conforming uses in a Rural Conservation Zone. This placed limits on the amount of upgrading an owner could do and generally acted as a negative factor in promoting improvements to the site. Therefore, the existing cabins are zoned as Summer Cottage, with no allowance made for new development.

Windmill Bight (Zone 1):

This zone has the highest concentration of cottages in the Plan, with approximately 30 cottages fronting on both sides of the highway. Several infilling lots remain undeveloped.

Windmill Bight (Zone II):

Zone II is located one kilometre southeast of Zone 1, immediately adjacent the Department of Transportation depot. The zone is accessed by the old highway and already has six cottages. The zone allows for two extra sites. Further development is restricted due to bog and wet soil conditions. Bog and wet soil conditions pose definite hazards to development, but development may be permitted subject to Health approval (see zoning map).

Locker's Bay:

Approximately 2 km north of Dover intersection in Locker's Bay are two small cottage zones. Zone I is on peninsula jutting into Locker's Bay, and has two

cabins. Expansion is not possible due to insufficient area.

Zone II is located 400 m south of Zone I. Two leases and one grant have already been issued for three of the five sites. The road between L62834 and proposed lot number 2 is used by the local fishermen and leads to a number of fishing huts. This road will not be alienated. Lots 1 and 2 will not have access to the main highway, but will take access from this local road. Expansion of the zone is not practical because of a steep gradient to the south, and insufficient area to the north.

Highway Service Zoning

There are two Highway Service Zones on the Protected Road. One at Carmanville and one near Dover. The Carmanville site is 300 m in length and consists of a lounge and restaurant. There is ample room for new development and expansion of existing services. The site at Dover was originally approved for a motel-restaurant development, but only the lounge was constructed. The zone is 120 m in length and allows for new development.

While there are no other Highway Service Zones on the highway, gasoline and vehicle repair service facilities can be found in the many communities adjacent the highway. Accommodations and restaurant facilities are scarce. The proposals for motel-restaurant developments submitted in the early eighties at Locker's Bay, Dover, and Carmanville have not materialized.

PART IV - RECOMMENDATIONS AND CONCLUSIONS

1. RECOMMENDATIONS

- (1) The unprotected water supplies for Musgrave Harbour, Deadman's Bay and Lumsden be protected under legislation.
- (2) The Department of Environment encourage communities to select sites for waste disposal other than adjacent to the Protected Road, or sites that would require long distance hauling over the Protected Road.
- (3) The Gambo bypass (Middle Brook to the Trans Canada Highway at Square Pond) be added to the Protected Road as an extension to Highway 320, and that the Protected Road Zoning Regulations be applied immediately after construction of the bypass.
- (4) The Town of Carmanville be encouraged to have its 1983 Draft Plan updated and adopted.
- (5) No land within the Building Control Line be subdivided without a permit from this Division. A permit will only be issued after a development plan has been submitted by the developer.
- (6) Access to all quarries be closed when operations are abandoned. This will help alleviate the problem of illegal roadside camping.

2. CONCLUSION

The Gander Bay Road/Bonavista North Highway had its first Highway Zoning Plan completed in 1981. This five year review updated the existing land uses and amended the zoning to allow for changes in the rural areas and in community structure and growth.

The Plan also gave the municipal authorities and other government departments and agencies an opportunity to review the Plan's past performance and recommend changes and offer input respecting ensuing problems or issues.

It is realized that a Plan of this nature must be flexible and adaptable to changing conditions. Therefore, it is subject to review every five years. Any desired amendments within this time period must be channelled through the planning section of the Development Control Division.

APPENDIX A

LAND USES PERMITTED IN THE USE ZONES
AND MINIMUM STANDARDS FOR DEVELOPMENT

RESIDENTIAL ZONE, CODE (R)

PERMITTED USES		AVAILABLE OFF-LOT SERVICES	MINIMUM LOT AREA/UNIT	MINIMUM LOT FRONTAGE/UNIT	MINIMUM SIDEYARD	
					MINOR	MAJOR
(a) Single family detached	Both services	370 m ²		15 m	1.2 m	3 m
	One service	1400 m ²		23 m	1.2 m	3 m
	Neither service	1860 m ²		30 m	1.2 m	3 m
(b) Duplex or single family semi- detached	Both services	280 m ²		9 m	3 m	-
	One service	1400 m ²		14 m	3 m	-
	Neither service	1860 m ²		27 m	3 m	-
(c) Row Housing	Both services	185 m ²		6 m	3 m	-
	One service	Not Permitted		-	-	-
	Neither service	Not Permitted		-	-	-
(d) Apartment Buildings	Both services	185 m ²	15 m (Per Complex)		3 m	-
	One service	Not Permitted		-	-	-
	Neither service	Not Permitted		-	-	-
(e) Offices (3) Work spaces and Shops	-	As Required	As Required		As Required	

RESIDENTIAL ZONE, CODE (R)
(CONTINUED)

PERMITTED USES	AVAILABLE OFF-LOT SERVICES	MINIMUM LOT AREA/UNIT	MINIMUM LOT FRONTAGE/UNIT	MINIMUM SIDEYARD MINOR MAJOR
(f) Accessory (4) Buildings	-	As Required	As Required	As Required
(g) Public or Private Open Space	-	-	-	-

REMARKS

1. Water and sewerage services refer to off-lot services approved by the Department of Health, the Department of Environment, and/or the Department of Municipal Affairs.
2. The minimum lot area of a single family detached house where neither service is available may be reduced to 1400 m^2 in the case of infilling.
3. Offices, work spaces, and shops may conditionally be permitted in conjunction with the subordinates to a residential use.
4. Accessory buildings may be permitted in conjunction with a dwelling unit except in the case of apartment buildings; however, they shall not exceed a single storey in height.
5. Minimum lot frontage in the case of irregular-shaped lots shall apply at the building line.
6. Where the rear wall of a dwelling faces the flank wall of another dwelling (as at a corner lot), the distance between the two dwellings shall be at least 12 metres.
7. The singular location of mobile homes shall not be permitted in a Residential Zone. Mobile homes which are designed to form a comprehensive mobile home layout may be permitted subject to those conditions prescribed by the Authority in accordance with the "Mobile Home Development Regulations, 1976".
8. In all cases, the minimum rearyard distance shall be 7.5 metres, or as specified by the Department of Health or the Authority.
9. Access to the highway shall not be permitted within 50 metres of any intersection or bridge abutment.

MIXED ZONE, CODE (M)

PERMITTED USES	MINIMUM LOT FRONTAGE PER UNIT	MINIMUM SIDEYARD	
		MINOR	MAJOR
(a) Residential (3) Code (M1)	As per Residential Zone	As per Residential Zone	
(b) Public Code (M2) Church Public Hall School Hospital Institution	30 m	3 m	4.5 m
Other Public Buildings	15 m	3 m	4.5 m
(c) Commercial Code (M3) Motel or Tavern	30 m	3 m	4.5 m
Shop Office Place of Amusement	15 m	3 m	-
15 m	3 m	-	-
(d) Highway Commercial Code (M4) Motel Service Station Restaurant	45 m 30 m 15 m	3 m 3 m 3 m	4.5 m 4.5 m -
(e) Other tourist establishment	30 m	As Required	
(f) Light Industrial Code (M5)	As Required	As Required	

REMARKS

1. The minimum lot frontage in the case of an irregular-shaped lot shall apply to the lot width at the building line.
2. A sideyard distance of not less than 7.5 metres shall be provided where a Public, Commercial, Highway Commercial, or Light Industrial development abuts on a Residential Zone. Sideyard widths shall be clear of projections, except eaves and chimney stacks not greater than 60 cm in extent.
3. The minimum lot requirements for a residential development in this zone are identical to those in a Residential Zone.
4. Minimum lot requirements refer to developments located on a fully serviced lot. Where full services are unavailable, lot requirements will be as specified by the appropriate authority.
5. In all cases the minimum rearyard shall be 7.5 metres, or as specified by the Authority or the Department of Health.
6. In each case, lot requirements will be as specified by the Authority, the Department of Transportation, Department of Environment, and any other Authority deemed appropriate. All Light Industrial developments will conform to an approved aesthetic and safety standard, all materials will be stored within buildings and materials processed will be non-volatile either initially or at any stage of production. No storage shall be permitted in front of the building line and tree screens are to be provided when this development abuts on a Residential Zone.
7. Accessory structures may conditionally be permitted but shall not exceed a single story in height.

8. At the discretion of the Authority, the singular location of a mobile home may be permitted in a Mixed Zone; however, siting requirements will be the same as those for detached dwelling units in a Residential Zone. If a Mobile Home Subdivision is located within the community concerned, the location of the mobile home will be restricted to that Subdivision.

9. Access to the highway shall not be permitted within 50 metres of any intersection or bridge abutment.

NOTE: The Mixed Zone may be applied in part or in whole. That is to say, the use of development within an area may be restricted to any one or more of the five permitted uses in a Mixed Zone.

HIGHWAY COMMERCIAL ZONE, CODE (HC)

PERMITTED USES	MINIMUM LOT FRONTAGE	MINIMUM BUILDING LINE	MINIMUM (1) SIDEYARD	MINIMUM (3) REARYARD
(a) MOTEL	60 m	See (4)	3 m	7.5 m
(b) RESTAURANT	30 m	See (4)	3 m	7.5 m
(c) SERVICE STATION	45 m	See (4)	7.5 m	7.5 m
(d) TOURIST CHALET	30 m	See (4)	3 m	7.5 m
(e) TRAVEL TRAILER PARK (2)	-	90 m	-	-
(f) TOURIST LODGE	60 m	See (4)	3 m	7.5 m
(g) TOURIST CABINS	60 m	90 m	6 m	7.5 m
(h) CAMPING PARK (2)	-	90 m	-	-
(i) REST PARK (2)	-	90 m	-	-
(j) MARINA	-	90 m	-	-

REMARKS

1. When a development in a Highway Commercial Zone is adjacent to a Residential Zone, the sideyard distance to the highway commercial development on the adjacent side shall be increased to 12 metres.
2. Parks and marinas shall be suitably screened from a use which generates excessive noise and movement.
3. The minimum rearyard will be increased to a distance as prescribed by the Authority or the Department of Health or the Department of Environment if the rear of the development lies opposite a residential development.
4. The minimum building line shall be in accordance with Regulation 11 of "The Protected Road Zoning Regulations, 1979".
5. Minimum lot requirements refer to sites provided with complete off-lot services approved by an Authority. Where the sites are only partially serviced or unserviced, minimum lot requirements will be as specified by the Department of Health or the Department of Environment.
6. Lounges will only be permitted in conjunction with motels, hotels, and tourist lodges operating year round and having a minimum of 6 sleeping units.
7. Snack bars will only be permitted in conjunction with a principle use.
8. Retail stores will only be permitted in conjunction with a motel, restaurant, service station, tourist lodge or cabins, or the main office of a travel trailer or camping park. However, in all cases their function will be subordinate to the main use.

9. Accessory building may be permitted subject to the approval of the Authority. If permitted, they shall be sited and located so as to preserve the amenities of the area and form an integral part of the development.

10. Service stations located within a Highway Commercial Zone shall be in conformance with Regulation 19 of the "Protected Road Zoning Regulations, 1979".

BUFFER ZONE, CODE (B)

PERMITTED USES

Only an agricultural use, an open space, or playground will be permitted in a Buffer Zone.

REMARKS

1. Only agricultural structures designed for the storage of equipment or produce with a floor area of less than 45 m^2 , fencing, and accesses may be permitted in conjunction with an agricultural use in a Buffer Zone. These developments, if permitted, must conform to such aesthetic requirements as prescribed by the Authority.
2. An open space or children's playground may be permitted in a Buffer Zone if such use is restricted to in excess of 45 metres from the centre line of the Trans Canada Highway, and in excess of 30 metres from the centre line of other Protected Roads. In either case, access to such use shall be via other means than the highway, and playgrounds shall be suitably fenced adjacent to the highway to prevent pedestrian access and egress.
3. Direct access from a highway to a proposed development in a Buffer Zone will only be permitted if no alternate route exists and if such use presents no inconvenience or hazard to highway traffic. All accesses will meet with those conditions imposed by the Authority and the Department of Transportation.

RESTRICTED DEVELOPMENT ZONE, CODE (RD)

PERMITTED USES

Any development may be permitted in a Restricted Development Zone which in the opinion of the Authority is compatible with the hazard or where site preparation renders the hazard ineffectual and where the proposed development poses no threat or inconvenience to the highway or any adjacent property and is compatible with the adjacent land use.

REMARKS

All developments must conform with these regulations and the applicable land use standards prescribed in the Mixed Zone as well as any additional conditions deemed necessary by the Authority.

RURAL CONSERVATION ZONE, CODE (RC)

PERMITTED USES AND REQUIREMENTS

Agriculture Use

Any agricultural operation may be permitted in a Rural Conservation Zone, subject to the approval and any conditions imposed by the Department of Rural, Agricultural and Northern Development, the Department of Transportation, the Department of Environment, and the Development Control Division.

Developments shall, where possible, be screened from highway view to the satisfaction of the Authority. The erection of residential units in conjunction with an agricultural use shall be subject to the following conditions:

(a) A residential unit may only be erected in conjunction with an agricultural use in a Rural Conservation Zone if the use is a full-time commercial operation as described by the Department of Rural, Agricultural and Northern Development, and if the occupier of that proposed residence is actively engaged in agricultural activity upon the same parcel of land upon which the residence is proposed.

(b) A residential unit may be permitted in association with livestock or poultry farming only if suitable structures designed to accommodate the livestock or poultry have been completed.

(c) A residential unit may be permitted in conjunction with a root crop production only if a minimum of four (4) hectares have been cultivated.

(d) A residential unit may be permitted in association with green house production only if green house frames encompassing a minimum of three hundred and seventy (370) square metres have been constructed, and the earth within prepared for cultivation. In any case, agricultural buildings shall be restricted to in excess of ninety (90) metres from the Highway Centre Line.

Forestry Use

Any use directly associated with harvesting of timber may be permitted in a Rural Conservation Zone. Residences ancillary to the main use may conditionally be permitted in accordance with the requirements of Regulation 11 of the Protected Road Zoning Regulations, while all other uses will be restricted to in excess of ninety (90) metres of the Highway Centre Line.

Development shall, where possible, be screened from highway view to the satisfaction of the Authority; and where excessive noise is generated, it shall be located a minimum of ninety (90) metres from any other development.

Fisheries Use

Any development associated directly with the harvesting of fish may be permitted in a Rural Conservation Zone. Structures shall not be located within forty-five (45) metres of the Highway Centre Line.

Mining and Quarrying Use

Any development associated with mineral extraction may be permitted in a Rural Conservation Zone. All mining and quarrying activities require

a permit from the Department of Mines and Energy. All developments of this nature shall be maintained at a distance of ninety (90) metres from the Highway Centre Line, and shall be screened from highway view to the satisfaction of the Authority. Upon conclusion of the operations, all refuse shall be removed and rough landscaping carried out.

Recreation Use

The following developments may be permitted in a Rural Conservation Zone:

(a) Provincial and Municipal Parks--these may contain rest and camping parks, marinas, public conveniences and accessory buildings.

(b) Recreation Clubs--including golf courses, boating swimming, and those structures associated directly therewith. Where essential, dwelling units and accessory buildings may be permitted.

(c) Public Rest Parks--may include natural reserves, historical sites and monuments, scenic routes, viewpoints, picnic tables, fireplaces, and public conveniences.

(d) Natural Reserves--may only have scenic routes and viewpoints.

Structures located in these areas shall be so designed and located as to preserve the natural amenities of the area. If dwelling units are permitted, they shall be occupied only by persons whose continuous presence is essential to the operation of the development. Where necessary, adequate parking, as prescribed by the Authority shall be provided. All buildings shall be set back a minimum of sixty (60) metres from the Highway Centre Line.

HIGHWAY SERVICE CENTRE, CODE (HS)

PERMITTED USES	MINIMUM LOT FRONTAGE/UNIT	MINIMUM	MINIMUM
		BUILDING LINE	SIDEYARD
(a) MOTEL	90 m	See (1)	6 m
(b) RESTAURANT	60 m	See (1)	6 m
(c) SERVICE STATION	60 m	See (1)	6 m
(d) TOURIST CHALET	45 m	See (1)	6 m
(e) TRAVEL TRAILER PARK (2)	As Required	90 m	As Required
(f) TOURIST LODGE	90 m	See (1)	6 m
(g) TOURIST CABINS	60 m	As Required	6 m
(h) CAMPING PARK (2)	As Required	90 m	As Required
(i) REST PARK (2)	As Required	90 m	As Required
(j) MARINA (2)	As Required	90 m	As Required

REMARKS

1. The minimum building line shall be in accordance with Regulation 11.
2. Parks and marinas shall be located to the rear of the Highway Service Centre. Tree screens shall be erected and maintained, to the satisfaction of the Authority, between the Highway Service Centre and these parks and marinas.
3. The siting and layout of a Highway Service Centre will be subject to a plan prepared by the Authority.
4. It is the intent of these Regulations that each Highway Service Centre shall have a maximum of two points of access to a Protected Road.
5. Lounges shall only be permitted in conjunction with motels, hotels, tourist lodges, having a minimum of 6 sleeping units.
6. Snack bars shall only be permitted in conjunction with a principle use. Where permitted they shall be subordinate to while forming an integral part of a principle use.
7. A retail shop shall only be permitted in conjunction with a motel, restaurant, service station, tourist lodge or cabin, or the main office of a travel trailer or camping park. These shops shall be designed to form an integral yet subordinate part of any use they are associated with.
8. Living quarters may be permitted in a Highway Service Centre, subject to approval by the Authority. If permitted, living quarters shall be attached to the development of which they are ancillary and shall only be occupied by a person and his family where continuous residence on the premises is essential. They shall be architecturally similar and take a subordinate role to the main structure. At the discretion of the Authority,

a mobile home may be permitted instead of attached living quarters, provided it is adequately screened from the highway and its occupation is only intended to be of a temporary duration.

9. Accessory buildings ancillary to the principle use may be permitted. However, they shall be sited so as to preserve the amenities of the area and form an integral and architecturally compatible part of the overall development.

10. Service stations shall be in conformance with Regulation 19 of the "Protected Road Zoning Regulations, 1979".

COTTAGE ZONE, CODE (C)

PERMITTED USES AND LOT REQUIREMENTS	REMARKS
<p>1. COTTAGES</p> <p>(a) Minimum Lot Area; 3000 m²</p> <p>(b) Maximum Lot Area; 4000 m²</p> <p>(c) Minimum Lot Frontage; 30 m</p> <p>(d) Minimum Sideyard Distance; 7.5 m</p> <p>(e) Minimum Setback; 15 m</p> <p>(f) Minimum Rearyard; 15 m</p> <p>(g) Minimum Floor Area; 20 m²</p> <p>2. ACCESSORY STRUCTURES</p> <p>Minimum Setback 7.5 m</p>	<p>1. In the case of irregular shaped lots, the minimum lot frontage shall apply at the building line.</p> <p>2. Setbacks refer to the distance from the front lot line.</p>

APPENDIX B
APPLICATION PROCEDURE

DESCRIPTION OF REQUIRED PLANS AND SPECIFICATIONS

LOCATION PLAN--Four copies--(1:2500 Approximate)

The purpose of this plan is to enable the site to be found. In addition to this plan--which should give as much information as possible to aid inspectors in finding the site--the applicant should mark the site with a flag or a placard with his name on it, fastened to a tree, a post or a fence in such a way as to be readily seen from the road.

SITE PLAN--Four Copies--(1:2500 Approximate)

The purpose of this plan is to show how the proposed development is to be placed on the site. It should be a contoured plan (vertical intervals not to exceed 5 feet). It must show exactly the dimensions of the lot, the location of all buildings, with dimensions, and the distances from side boundaries and road centre. It must show the location of the well and sewage disposal facilities, and storm drainage and lighting poles, if any. It must show the proposed access to the lot and driveways and car parking areas. It must show natural features of the land (eg. streams, wooded areas, rock outcrop, etc.).

BUILDING PLANS AND SPECIFICATIONS--(1:50 Approximate)

The purpose of these plans is to determine whether the design, appearance, structural soundness, safety, and use of the buildings and ancillary works, are in accordance with the regulations and standards set up under them. When approved, they are the working drawings and

DESCRIPTION OF REQUIRED PLANS AND SPECIFICATIONS

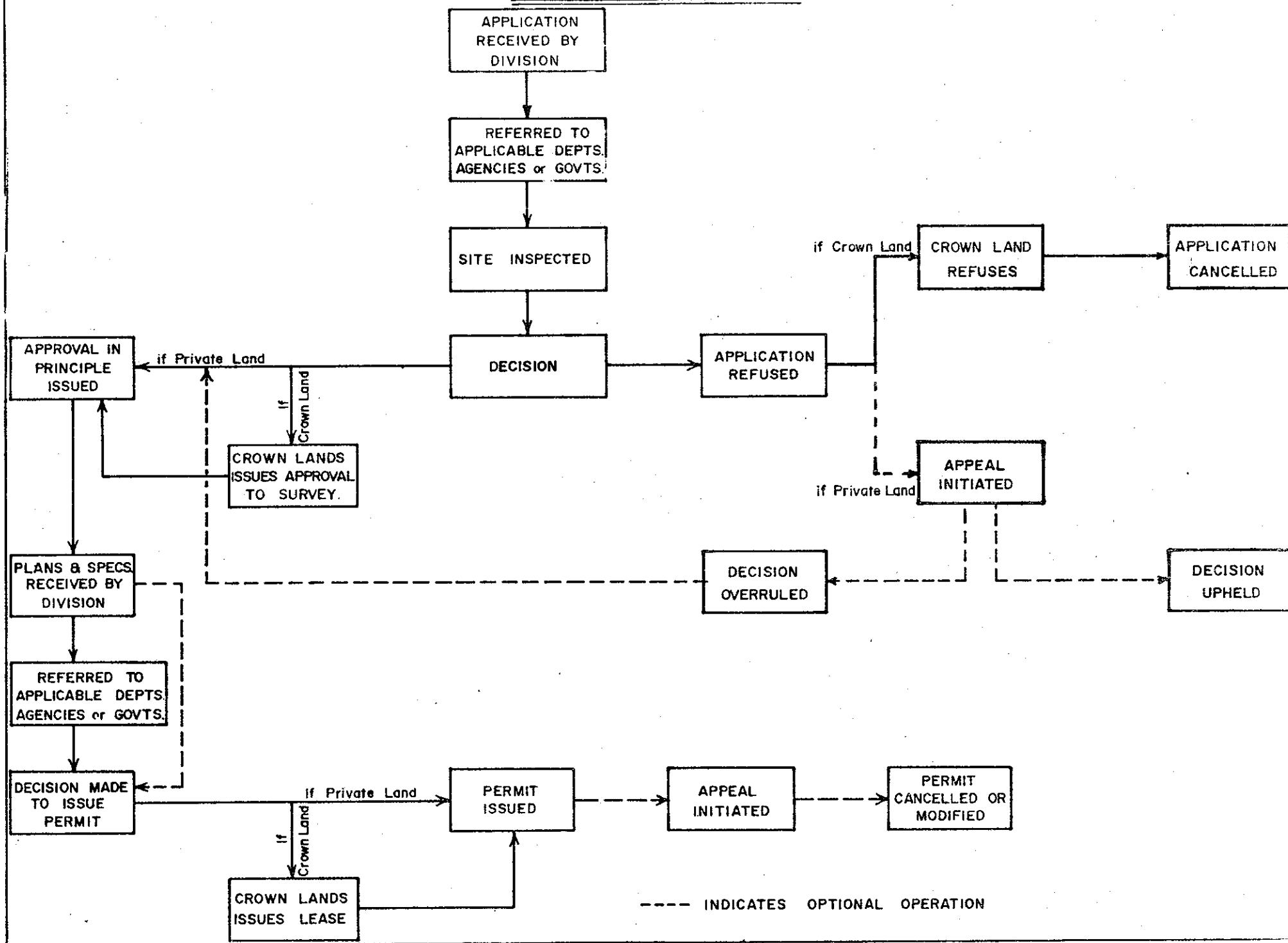
Page 4B

and specifications for construction guidance. They must therefore show the appearance; layout; and use, dimensions, and kind and sizes of material and construction details of all buildings and ancillary works including the method of water supply and sewage disposal.

APPENDIX C

FLOW CHART

FLOW CHART



APPLICATION PROCEDURES

In order to construct any development, erect a sign, or provide direct access to or from the Protected Road known as the Gander Bay Loop/Bonavista North Highway, a permit is required from the Development Control Division, Department of Municipal Affairs. To receive a permit, the developer must obtain a preliminary application from the regional office of the Development Control Division*, or from the Town Council Office. This preliminary application is designed to provide basic information on the proposed development and the site on which it is proposed. When this form is completed it should be sent to the Regional Development Control Division office with a Location Plan.

When the preliminary application is received by this Division, referrals are made to the appropriate Government Departments and Agencies (see Flow Chart). Upon receipt of these referrals, and after a site inspection, a decision is made to either issue an approval in principle or a refusal. In the case of an approval in principle being issued, the applicant must submit a Site Plan, Building Plan, and Specifications of the development he purposes. The application will then be further processed, and should the siting and structural specifications meet with the approval of this Division, a permit with or without conditions will be issued (pending the issuance of a lease if Crown land is involved).

* Development Control Division
Department of Municipal Affairs
Provincial Building, Cromer Avenue
Grand Falls, Newfoundland
A2A 1W9

or Phone: 292-4206