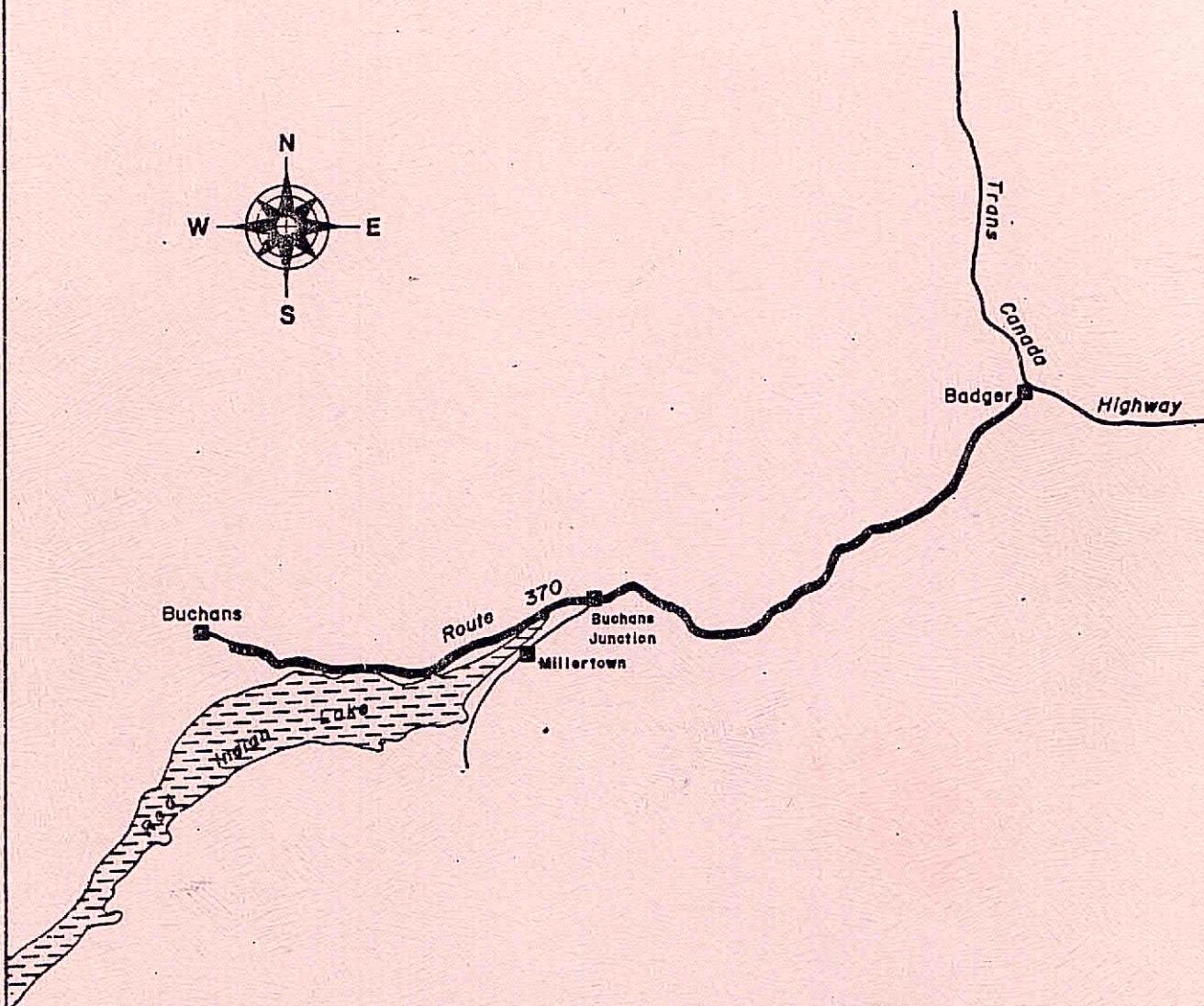
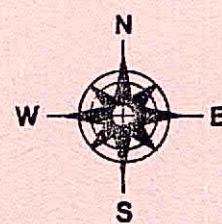
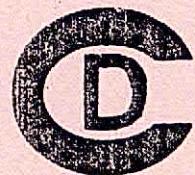


HIGHWAY ZONING PLAN

BUCHANS HIGHWAY



DEVELOPMENT CONTROL DIVISION
DEPT. OF MUNICIPAL AFFAIRS



1984

BUCHANS HIGHWAY

ZONING PLAN

Development Control Division
1984

Donald J. Ryan
Director of Development Control

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INTRODUCTION

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 conveyors 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 designed 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) metres either side of the centre line 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) metres either side of the centre line 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) metres.

Under the jurisdiction of these Regulations, this Division now controls 25 major trunk roads containing slightly more than 1,840 miles, or 2,940 kilometres, 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: THE BUCHANS HIGHWAY

1. THE PROTECTED ROAD

The protected portion of the Buchans Highway was gazetted on March 25, 1969, and is described as "The Buchans Highway, Route 370, from its intersection with the Trans Canada Highway, Route 1, to the eastern boundary of the Town of Buchans."

2. THE NEED OF PROTECTION

Since 1981 the Department of Transportation spent \$1,025,855 on bridge repairs, chipseal, and general upgrading of the highway. This was done to maintain and expedite the free flow of traffic; however, if uncontrolled roadside development is allowed, the very purpose of this highway upgrading will be defeated.

Coupled with this is the prospect of the linking of the Burgeo and Buchans Highways. Using the 1975 AADT's (Average Annual Daily Traffic) counts, the Buchans Task Force of 1976 estimated such a link-up would mean the addition of 604 vehicles to the AADT's by the year 2000.* Therefore, the need for protection is not after this link-up but now before a demand for land or the pressure on the highway usage even gets established.

3. THE HIGHWAY DESCRIBED

The highway begins at Badger and travels the Exploits Valley to Newfoundland's most inland settlement, Buchans. The first part of the

* The Buchans Task Force Subcommittee on Transportation, Highway Study, R. J. Noah and Associates, Limited, 1976, p. 28.

highway parallels the Exploits River to within 25 kilometres of its mouth at Red Indian Lake. From there it moves inland to the shores of Red Indian Lake, terminating at Buchans.

For the most part, the highway remains in its rural state. The only two communities having right of way occupation are Badger (1.2 kilometres) and Buchans Junction (2.0 kilometres). Isolated pockets of cabins are found scattered along the route corridor with the heaviest concentration approximately 13.5 kilometres from Buchans (see section on summer cottage zoning).

4. TRAFFIC FLOW

Figure I is a graphic representation of the Department of Transportation data regarding average annual daily flow of traffic (AADT's).

With the exception of the Buchans Highway-Trans Canada Highway intersection, the figure shows the highway as having a fairly uniform flow of traffic. The heavy volume in the Badger area reflects the traffic movements within the town and is not relevant to highway usage.

5. POPULATION PROFILE

Badger seems to be the only community having a stable population profile between the two census periods--1971 and 1981. The remaining communities are showing a general decline for the same period that can perhaps be attributed to the down-phasing of the mining operations in Buchans. Unless the region receives some sort of economic boost, there

FIGURE 1

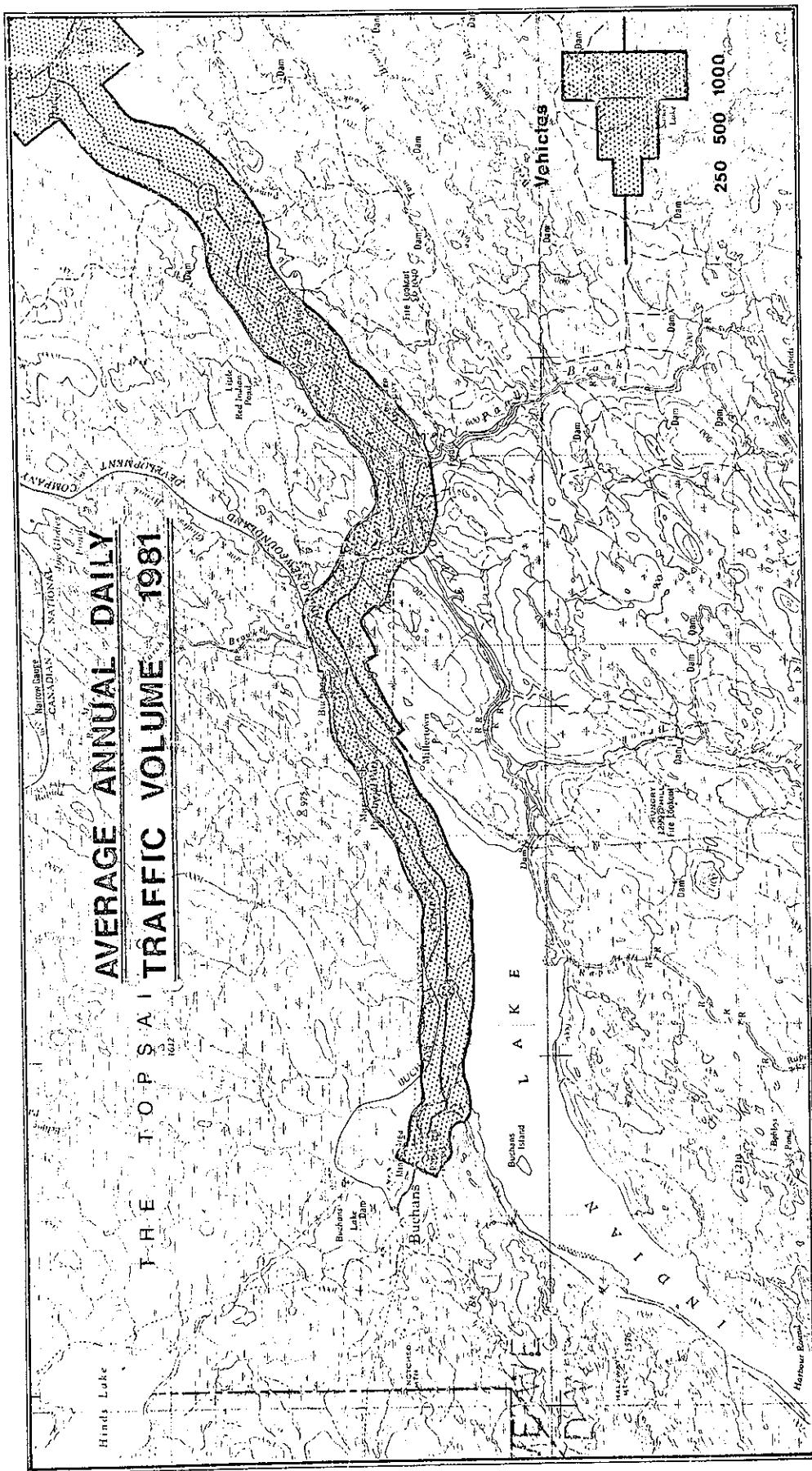
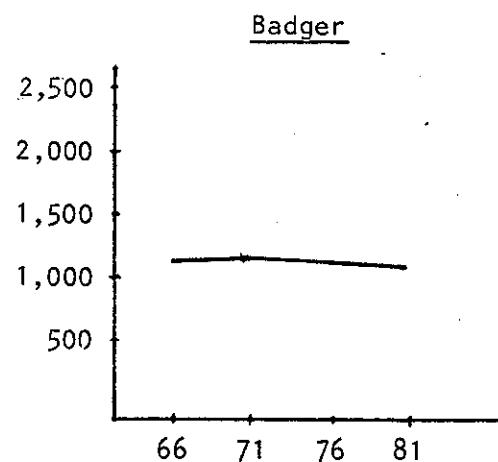
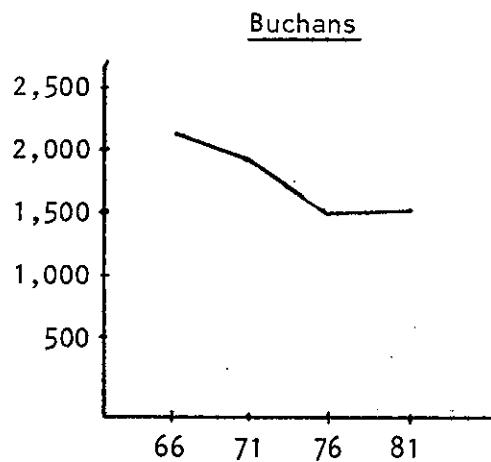
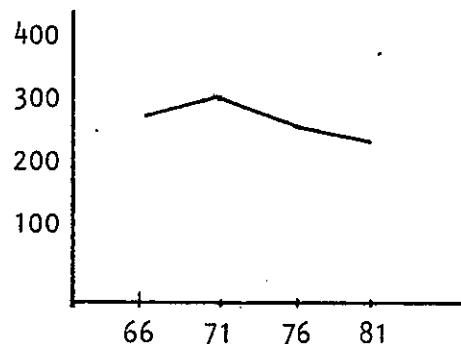


FIGURE 11

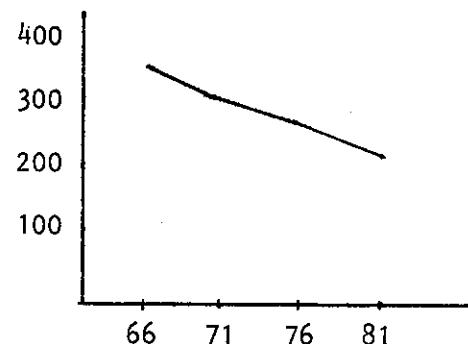
POPULATION PROFILES



Buchans Junction



Millertown



is no great likelihood for an immediate phase of rapid growth in the region. Therefore, pressure from these communities for development on the protected road should be minimal.

6. RIBBON DEVELOPMENT

The problem of ribbon development on the Buchans Highway is confined only to Buchans Junction and Badger. It may be described from two points of view: firstly, in terms of the problems imposed upon the vehicle operator as he approaches and proceeds through this development; and secondly, in terms of the impact of ribbon development upon the community. The problems imposed upon the vehicle operator may be briefly described as follows:

1. Speed limits are, of necessity, reduced through communities resulting in a loss of time and an increase in fuel consumption.
2. Access to and from the highway is largely unsafe due to inadequate site distance and, in many cases, the poor location and alignment of accesses.
3. Roadside development tends to be cluttered and haphazard creating visual confusion.
4. Vehicle parking is unsafe because of the lack of suitable space off the highway carriageway.
5. Local public and commercial developments are dispersed along the highway throughout the community, and no space is provided for pedestrian movement off the highway carriageway.

6. Due to the orientation of the community to the highway, development lies as close as possible to the highway centre line, which increases the cost of highway improvement.

Ribbon development, it is suggested, has a far greater impact upon the community than it has on traffic flow. The situation may be alleviated for the vehicle operator simply, although expensively, by the Department of Transportation providing a highway diversion around the community. The community on the other hand may never rid itself of the largely irreversible consequences of ribbon development as:

1. Ribbon development has a tendency to consist of an uncontrolled mix of commercial-service function and residential development, which may render the residential development undesirable.

2. Comprehensive and uncontrolled ribbon development consumes all available highway frontage, without provision for access to the rear for further development.

3. Areas subject to ribbon development tend to be "accident prone locations" due to the mix of vehicle and pedestrian movement and to the vast amount of information vehicle operators are required to absorb and react to over a short period of time.

4. Linear ribbon development along the highway is costly both to the provincial government and the municipal authority. Often, the community relies upon the province to provide or heavily subsidize water and sewer projects. Naturally, services are more cheaply rendered to communities that are compact than those that are spread out in a linear fashion. Other services such as

street lighting and school bus transportation are less expensively obtained in a compact community than a community that has linear-type ribbon development along the highway. Understandably, linear ribbon development areas, especially in nonincorporated areas, tend to be prone to blight.

This ribbon development has not only resulted in an increase in hazard and decrease in efficiency, but also in a massive expenditure of public revenues. The Department of Transportation, in an effort to resolve the problems associated with ribbon development, has endeavored to provide by-passes away from the developed areas of many communities. Even so, prior to these highways being declared Protected Roads, these by-passes and diversions have acted as prime areas for community expansion, and the pressure for further development still exists. It is logical and indeed essential that sections of highways presently undeveloped, and especially by-passes and highway realignments, be preserved from comprehensive development so as to prevent the further allocation of public funds and preserve expensive essential infrastructure from massive deterioration. Otherwise, the very purpose of upgrading the highways would be defeated.

PART II: NATURAL RESOURCES/LAND USE

The Exploits Valley is rich in natural resources. These resources have environmental, recreational, and economic values and will not be jeopardized by this plan. This section deals with the resources and various land uses and how the Protected Road Zoning Regulations (1979) will aid in the protection of those resources/uses falling within this Division's control.

1. RECREATION

Summer Cottages

The only concentration of cottages is found 13.5 kilometres east of Buchans between the shores of Red Indian Lake and the highway. Here development has taken place on private land (Abitibi-Price) without permission from this Division. Generally speaking, the cottages are undersized and do not meet standard lot requirements. The situation will be closely monitored by the regional staff to ensure extension, renovations, etc., will conform to the Protected Road Zoning Regulations (1979). New development is prohibited.

Parks

Mary March Provincial Park is the only campground/park on the highway. The Parks Division, Department of Culture, Recreation and Youth, has requested a reserve of 1 kilometre be maintained along the south side of the highway adjacent and west of the park's boundary. This reserve is to accommodate further expansion that may be required when the highway is linked to the Burgeo Highway. The Parks Division also requests to see all development proposals between the Exploits River and the highway.

Canoeing

The Department of Culture, Recreation and Youth identified the Exploits River as being significantly high in recreation value, especially for canoeing. In light of this, the Department has recommended a careful evaluation be carried out of any proposed development between the highway and the river.

2. ARCHAEOLOGICAL SITES

The Historic Resources Division of the Department of Culture, Recreation and Youth identified 5 known Beothuck Indian sites (see Land Use Map). Applications within 1 kilometre of these archaeological sites, or any major development proposals along the entire road (eg. summer cottage subdivision), are to be referred to:

Curator of Archaeology/Ethnology
Historic Resources Division
Newfoundland Museum
285 Duckworth Street
St. John's, NF A1C 1G9

3. AGRICULTURE

The Canada Land Inventory soil capability for agriculture ranks the whole area from Class 5 to 7 and 0 (organic). Soils in this range have a very low potential for soil cultivation. This is reflected in the low number of farms along the route corridor. Agricultural activity is limited to 2 vegetable producing farms (4 ha combined) and 1 livestock operation (95% layers, 5% beef).

In the Highway Study for the Buchan's Task Force*, the Agriculture Branch identified another 2 areas between the highway and Red Indian Lake having suitable conditions for developing cropland and pasture. Excessive stoniness and adverse climate conditions are limiting factors here as well (for location of farms see Land Use Map).

Of course, other reasons can be offered for such a low agricultural profile. One factor is the pattern of ownership with much of the land in the study area being controlled or owned by Abitibi-Price Incorporated or the Reid family. Other factors such as transportation time to markets and the low level of year-round population can also be considered as constraints to farming.

4. AGGREGATE RESOURCES

In the Appendix is the 1:250,000 map identifying the aggregate potential zones along the highway. The Department of Mines and Energy would like to see these areas protected. All applications falling within these zones, or within 300 metres of any quarry pit (abandoned or existing), are to be referred to:

Manager
Quarry Materials Administration
Department of Mines and Energy
Eastern Canada Building
95 Bonaventure Avenue
St. John's, NF A1C 5T7

*R. J. Noah and Associates, Limited, Highway Study, Buchans Task Force (Preliminary), 1976, p. 82.

5. WASTE DISPOSAL SITES

Three waste disposal sites are found here. One each for Buchans, Buchans Junction, and Badger. A 1.6 kilometre buffer will be maintained around these sites as per the Department of Environment's recommendation. All applications within these buffers are to be referred to:

Department of Environment
Provincial Building
Cromer Avenue
Grand Falls, NF A2A 1W9

6. WATERSHEDS

Each of the communities has its own form of water supply. Buchans Junction has a surface water supply (protected under legislation), and Badger has a system of dug wells (unprotected). While the Department of Environment did not request a specific buffer or management zone be maintained around the latter, it is recommended that all applications within 1 kilometre of Badger water supply be referred to:

Department of Environment
Provincial Building
Cromer Avenue
Grand Falls, NF A2A 1W9

The Buchans water supply is a designated watershed (gazetted) but falls well outside the jurisdiction of the Protected Road Zoning Regulations.

7. MUNICIPAL BOUNDARIES

The Town of Badger is the only community exerting control on the Protected Road. Within its boundaries a system of dual control exists. The Town is responsible for development within its boundaries, and hence all applications for development must be referred to that Town.

On the other end of the highway, the protected portion of the road stops at the eastern boundary of the Town of Buchans.

8. FORESTRY

The Forestry Division of the Department of Forest Resources and Lands identified two areas of concern on the Buchans Highway--productive forest and wooded areas. Within these areas applications for singular development (small farms, houses, summer cottages, etc.) are to be referred to the Unit Forester in Bishop's Falls. Applications for subdivisions or other types of major land use developments must be referred to:

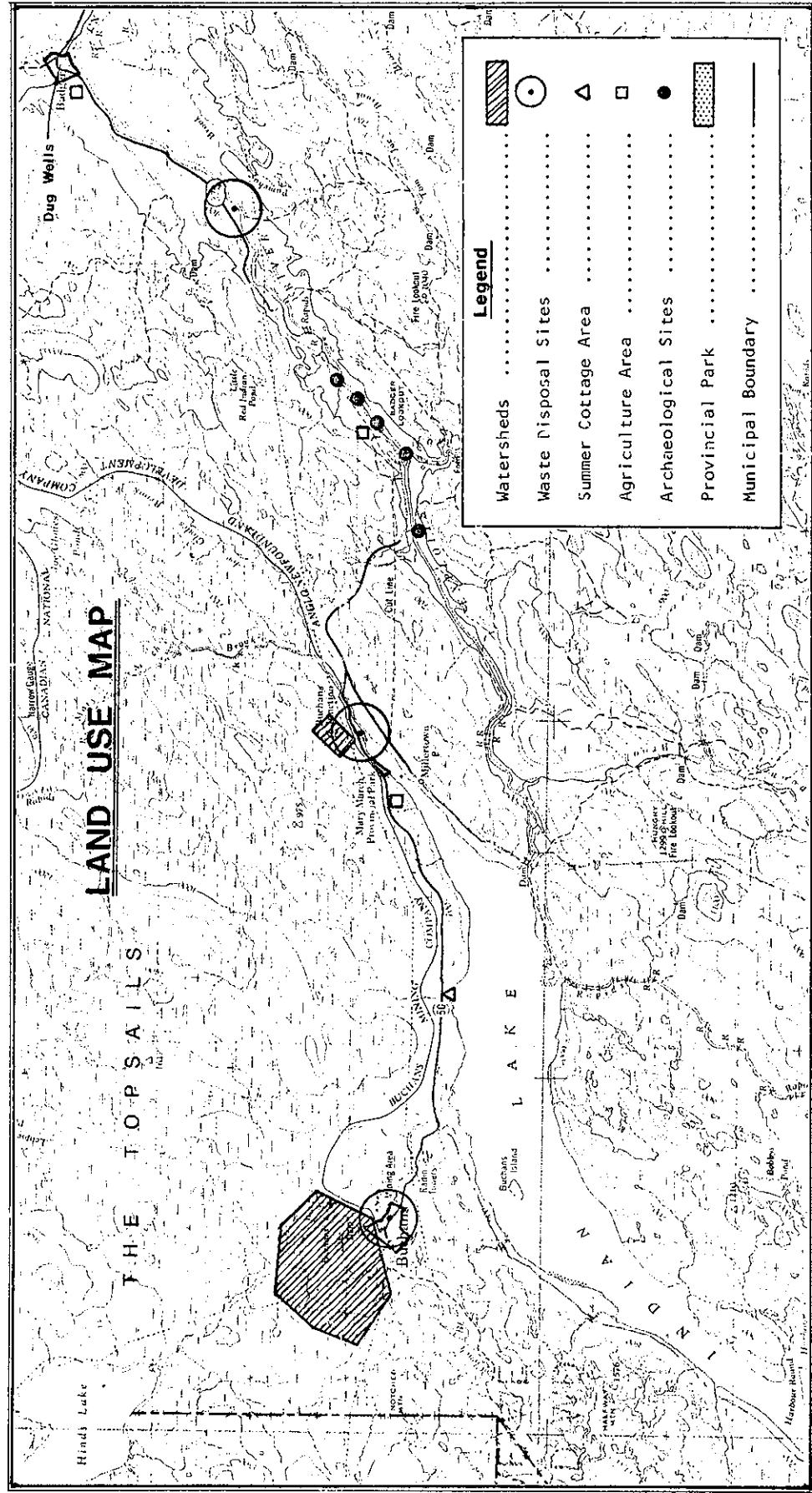
Management Forester
Forestry Division
Department of Forest Resources and Lands
P.O. Box 2006
Corner Brook, NF A2H 6J3

All applications referring to company private, lease, or licence must be referred to the company as well as the Unit Forester.

Maps showing the productive forest and wooded areas are available from the Forestry and Development Control Divisions.

LAND USE MAP

THE TOWNSAILS



PART III: ZONING

The sole purpose of this study is to produce a suitable frame of reference within which development may occur in a controlled and desirable manner in accordance with the objectives of this Division. In keeping with this purpose, a regulatory system of zoning has been devised to assist in the administration of the Protected Road Zoning Regulations. It is suggested that by precisely applying a comprehensive zoning structure in a sensitive manner, existing highway amenities may be preserved and developed in a rational way.

1. URBAN ZONING

In all, there are five Urban Zones. They are as follows.

Residential Zone

Application:

This zone shall apply to areas within or immediately adjacent to communities either having a high percentage of residential development with the capability of residential infilling or areas presently void of development and capable of supporting comprehensive residential development. In either case, this zone will be applicable to communities where a considerable demand has been demonstrated for areas to locate additional residential structures. Conceptually, this zone would apply to those areas within or adjacent to a community having the capability of acquiring off-lot water and sewage facilities in the future.

Purpose:

The purpose of this zone is to designate areas within communities strictly for residential infilling or as a reservation for future residential development and to protect these areas from the encroachment of conflicting uses.

Permitted Uses:

A wide variety of residential types would be permitted including detached and attached dwellings, row-housing, apartment buildings, and accessory buildings ancillary to the main use. The minimum lot area and specific lot requirements are variable pending the amount of services available, the type of proposed development, and the site.

Mixed Zone**Application:**

This zone will normally apply to areas within or adjacent to communities which either exhibit a substantial mix of development types with adequate room for infilling or areas generally void of development which are able to support additional mixed development. In either case, this zone will be applicable in communities where a demand for sites for development of this general nature has been demonstrated.

A Mixed Zone may be applied in whole or in part or in any combination of its parts.

Purpose:

The purpose of this zone is to designate areas within or adjacent to communities strictly for the infilling of mixed development types or as a reservation for future mixed development types.

Permitted Uses:

A wide variety of Residential, Public, Commercial, Highway Commercial, and Light Industrial Uses may be permitted in a Mixed Zone. The minimum lot area and specific lot requirements are variable pending the amount of services and the type of development proposed at the site.

Highway Commercial Zone**Application:**

This zone will apply to an area within or adjacent to a community possessing highway commercial development with adequate land for infilling or an area capable of supporting initial highway commercial development in a community where a demand for sites for such development is evident.

Purpose:

The purpose of this zone is to, where possible, restrict highway commercial developments to specified areas so as to increase highway convenience, amenity, and safety and reduce the unsightly and hazardous effects of the sporadic siting of highway commercial uses.

Permitted Uses:

Those uses permitted in a Highway Commercial Zone will be: restaurants; snack bars in conjunction with restaurants; service stations; motels, hotels and tourist lodges; lounges in conjunction with motels, hotels, and tourist lodges; retail shops in conjunction with other uses; rest, camping, and travel trailer parks; tourist lodges and cabins; tourist chalets; marinas, and accessory buildings.

Buffer Zone

Application:

This zone would apply to areas lying between the highway and community presently undeveloped or partially undeveloped, which shall not be utilized for immediate community expansion. Conceptually, it is perceived to be a natural buffer between a community and the highway and shall be maintained as such generally free of development.

Purpose:

The purpose of this zone is to establish a "green belt effect" where possible between a highway and existing community development so as to preserve some of the basic amenities of both.

Permitted Uses:

Only limited agricultural and recreational activity may be permitted on this zone. Dwellings and major structures shall not be permitted; and where permitted, access to this zone shall be via the community.

Restricted Development Zone

Application:

This zone will apply to lands within or adjacent to Urban Zones which would, due to their physical characteristics or location, require special management or regulation because of hazard or special conditions. These areas would include flood plains, water sheds, areas with unstable soil, sections of hazardous highway, etc.

Purpose:

The purpose of this zone is to restrict development in those areas requiring special controls to uses designated as compatible by appropriate Authorities.

Permitted Uses:

Any development which by way of location in this zone does not pose a hazard to public health or safety and in effect is compatible with the hazard will be permitted subject to approval and any conditions specified by the Authority.

2. RURAL ZONING

Rural Zones were developed to assist in the implementation of this Division's objectives in sparsely developed or undeveloped areas. This is achieved by the application of blanket performance standards on rural areas and the designation of specified lots of land for comprehensive summer cottage and highway commercial activities.

There are three Rural Zones as follows.

Rural Conservation**Application:**

Rural Conservation Zones apply to any rural open space lying within a Protected Road Zoning Area which is essentially void of development and located outside of the core area of a community.

Purpose:

The purpose of a Rural Conservation Zone is to provide a medium for the conservation or managed production of natural resources while preserving the rural character of the highway right of way in undeveloped areas. In general terms, open space is to be preserved by access control, general siting requirements, and any standards generated through this Division's referral system.

Permitted Uses:

Those uses which may be permitted in a Rural Conservation Zone would be those related to the conservation or exploitation of natural resources. These in general would be agriculture, forestry, fishing, mining, and recreation.

Highway Service Centres**Application:**

Highway Service Centres apply to specified lots of land identified for their potential of supporting highway commercial development in viable rural areas on Protected Roads.

Purpose:

The objective of establishing Highway Service Centres is to allocate areas for grouped highway commercial activity in required and appropriate locations. Areas reserved for development will be made available as demand dictates in a controlled manner according to a prescribed plan.

Permitted Uses:

Those uses permitted in a Highway Service Centre shall be: rest and camping parks; tourist lodges and cabins; tourist chalets and information plazas; hotels and motels; restaurants, snack bars, service stations, retail shops, travel trailer parks.

Summer Cottage Zone**Application:**

This zone is applied to relatively small parcels of land in close proximity to bodies of water, which have been selected for their potential

for comprehensive summer cottage development. These zones are to be located in areas where a substantial demand for summer cottage development is evident.

Purpose:

The purpose of this zone is to preserve amenity while satisfying a demand for summer cottage development by allocating areas where this form of development may occur in a planned and desirable manner.

Permitted Uses:

Summer cottages and any ancillary use such as storage sheds, private garages, boat houses, greenhouses, and pet shelter may be permitted in a Summer Cottage Zone. Other uses such as marinas and accesses, etc., designed for joint use may be permitted subject to an approved plan.

PART IV: ZONING APPLIED

1. URBAN ZONING

Badger

Badger is the only incorporated community on the Protected Road. Within the municipal boundary, which is conjoint with the planning area boundary, the building control line is reduced to 100 metres on both sides of the highway centre line. Zoning is as per the Badger Concept Plan, 1976.

Buchans Junction

The unincorporated community of Buchans Junction lies approximately 30 kilometres east of Buchans. Although the community is without an elected body to run its affairs, it does have two working committees-- a water and sewer committee and a waste disposal committee. The water and sewer committee was successful in getting both water and sewer facilities for the central part of the community (junction of the two abandoned railway lines) and water for the remainder. The waste disposal committee is responsible for regular collection of the community waste and the upkeep of its waste disposal site.

Building Control Line:

The Building Control Line is maintained at 400 metres on both sides of the highway centre line throughout the community except on the south side of the highway and west of the bridge, where Mary March Brook serves as the Building Control Line.

Mixed Zone:

Activities found within the mixed zones are residential, commercial, public, and light industrial, with the former being the predominant use. The community's focal point is around the junction of the abandoned railway lines, with residential development spreading in both directions on the Buchans Highway and along the Millertown Highway.

Fortunately, the mixed zone allows for ample development on both Crown and private land. West of the Mary March Brook Bridge, the zone provides for at least 8 to 10 infilling sites. Although ASARCO has current plans for the removal of the track, it will still own the right of way; therefore, applications requiring access across this right of way must be referred to ASARCO Incorporated, Buchans.

The remainder of the mixed zone (east of the bridge) can easily accommodate another 15 to 20 lots.

Residential Zone:

The only residential zone is found on the Millertown Highway. Here, five sites have been identified on what appears to be Crown land. The area is already serviced by the community water supply thus allowing the frontage to be reduced from 30 metres to 23 metres. Applications for these sites must be referred to the Department of Forest Resources and Lands.

Restricted Zone:

The restricted zones are applied in the vicinity of the Mary March Brook Bridge and between the ASARCO railway line and the highway. A combination of bog, slope, insufficient area, and traffic hazard makes

the zone unsuitable for development. Should any of the limiting factors be overcome (eg., filling in of bog), the allowable uses shall conform to those of the Mixed Zone.

Rural Conservation Zone:

All other land is zoned rural conservation, and only such uses compatible with this designation will be allowed.

2. RURAL ZONING

Building Control Line

Within the town boundaries of Badger, the Building Control Line is maintained at 100 metres on both sides of the highway centre line. For the remainder of the highway, it is set at 400 metres from the highway centre line or at the Exploits River--whichever is the lesser.

Rural Conservation

All land between the western municipal boundary of Badger and the eastern municipal boundary of Buchans, excluding Buchans Junction and the Highway Service Centre to its east, is zoned Rural Conservation.

The waste disposal sites, water supply areas, quarry operations, agricultural activity, wood-cutting operations, and the provincial park are all allowable uses in this zone.

Summer Cottage Zoning

There are no summer cottage zones on the Buchans Highway. The concentration of cottages between Red Indian Lake and the highway, along with the scattered cottages along the route, are to remain as nonconforming uses.

The Lands Branch identified an 8 kilometre piece of land between the highway and the Exploits River as a potential summer cottage zone; however, there are a number of potential conflicts that must be overcome before this area receives the designation of a Summer Cottage Zone. First, the Wildlife Division, Department of Culture, Recreation and Youth recommended:

"..... no proposals for development should be approved along the Badger-Buchans Highway if such developments would be highly visible from the Exploits River. The Exploits has significant recreational value, especially for canoeists, and therefore should not be subjected to the further degradation that development between the highway and the river bank might cause."

The Department recommends a 250 m buffer between the Buchans Highway and the banks of the Exploits River and the shore of Red Indian Lake.

Secondly, the Forestry Branch, Department of Forest Resources and Lands, designated much of this land as Productive Forest, and dedicated it to long-term timber production and management. Thirdly, the rights to the timber have been conveyed over to Abitibi-Price for a period of 99 years. Fourthly, the Department of Fisheries and Oceans expressed concern over the effect shoreline degradation would have on the quality of fish habitat on this well-known salmon river. The Department recommended a minimum of a 30 metre conservation zone between the high-water mark of the river and the survey line.

These conflicts/constraints may not necessarily mean the total exclusion of summer cottage development. Negotiations and trade-offs among the various interested parties may arrive at a suitable compromise allowing a

limited number of cottages without endangering the fishery, forestry resources, or the aesthetic value of the river valley. Therefore, until a demand is realized and the Lands Branch submits a proposal compatible with the surrounding environment, the Rural Conservation status will be maintained.

Highway Service Zoning

Vehicle service facilities can be found in Buchans, Badger, and to a lesser extent (gasoline pumps) in Buchans Junction.

In 1972 a highway service centre was established 0.5 kilometre east of Buchans Junction; however, its intended use as a highway service centre (motel/restaurant) never materialized. The lounge on the site is considered as a nonconforming use.

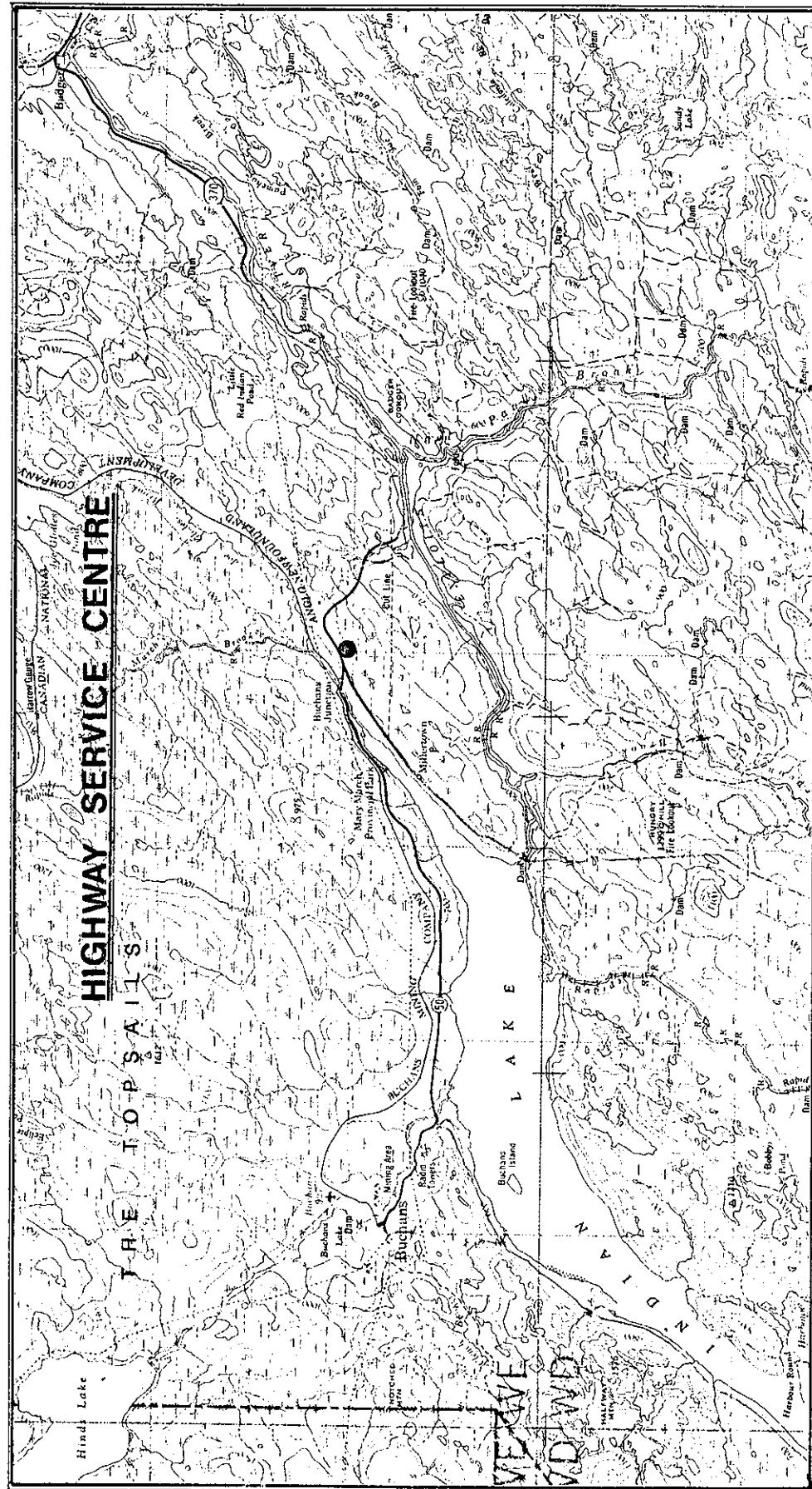
Overnight accommodations and dining facilities are available in Millertown (during the tourist season) and Badger. As a supplement to the accommodation aspect, Mary March Provincial Park has camping facilities for 26 campers.

COTTAGE AREAS

TOP SPOTS

THE

HIGHWAY SERVICE CENTRE



PART V: RECOMMENDATIONS AND CONCLUSION

1. RECOMMENDATIONS

1. The Department of Environment encourage Badger to have its water supply area protected under legislation.
2. The access to all quarries should be closed when operations are abandoned.
3. No summer cottage application is to be approved unless accompanied by a summer cottage subdivision proposal. Such a proposal must meet with the requirements of this Division.
4. Any development proposal between the highway and the Exploits River must be forwarded to, but not limited to:
 - a) Department of Fisheries and Oceans;
 - b) Historic Resources Division, Department of Culture, Recreation and Youth;
 - c) Wildlife Division, Department of Culture, Recreation and Youth; and
 - d) In most instances, to Abitibi-Price Incorporated and the Forestry Branch, Department of Forest Resources and Lands;
 - e) Parks Division, Department of Culture, Recreation, and Youth.

2. CONCLUSION

From reviewing the low number of applications processed during the last decade and the population profile, the zoning imposed should take care of the building needs within the highway corridor for at least the next 10 years.

The residential and mixed zones in Buchans Junction can easily accommodate 25 to 30 lots. The Rural Conservation Zone for the remainder of the highway (outside the Planning Area Boundary of Badger) should adequately meet the highway's rural needs such as forestry, agriculture, and recreation.

It is hoped that the plan will serve as a valuable tool to:

1. Those administering land control on the Buchans Highway (the Development Control Division, Department of Municipal Affairs, and the Lands Branch, Department of Forest Resources and Lands); and
2. Those wishing to develop land along the protected road.

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	MINOR	MINIMUM SIDEYARD 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	As Required	

RESIDENTIAL ZONE, CODE (R)
(CONTINUED)

PERMITTED USES	AVAILABLE OFF-LOT SERVICES	MINIMUM LOT AREA/UNIT	MINIMUM LOT FRONTAGE/UNIT	MINOR	MINIMUM SIDEYARD MAJOR
(f) Accessory (4) Buildings	-	As Required	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 m² 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.

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

PERMITTED USES	HIGHWAY COMMERCIAL ZONE, CODE (HC)			MINIMUM (3) REARYARD
	MINIMUM LOT FRONTAGE	MINIMUM BUILDING LINE	MINIMUM (1) SIDEYARD	
(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.

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(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.

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

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>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>
<p>2. ACCESSORY STRUCTURES</p> <p>Minimum Setback 7.5 m</p>	

APPENDIX B
APPLICATION PROCEDURE

APPLICATION PROCEDURES

In order to construct any development, erect a sign, or provide direct access to or from the Protected Road known as the Buchans 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 proposes. 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.)

Should an application be refused, except where refused by another Department or Agency such as Health or Transportation and Communications, the developer has the right to appeal. This appeal is conducted by the Regional Appeal Board, which makes a judgement as to whether to accept or overrule the decision of the Director of Development Control.

The applicant should be aware that the control of this Authority may not be the only one to which he must conform. If the land is within an incorporated municipality, the Authority's control runs parallel with that of the municipality. In order for any development to proceed, the developer needs the consent of council. He should therefore apply to council at the same time as he does to the Development Control Division (even though there is to be cross referrals built into the system), so that he may obtain the necessary permit from council.

Developers should also be aware that issuance of permits does not ensure final consent, since anyone likely to be affected has the right to appeal to the Regional Appeal Board for further ruling on the matter.

All appeals must be made within thirty (30) days of any decision.

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)

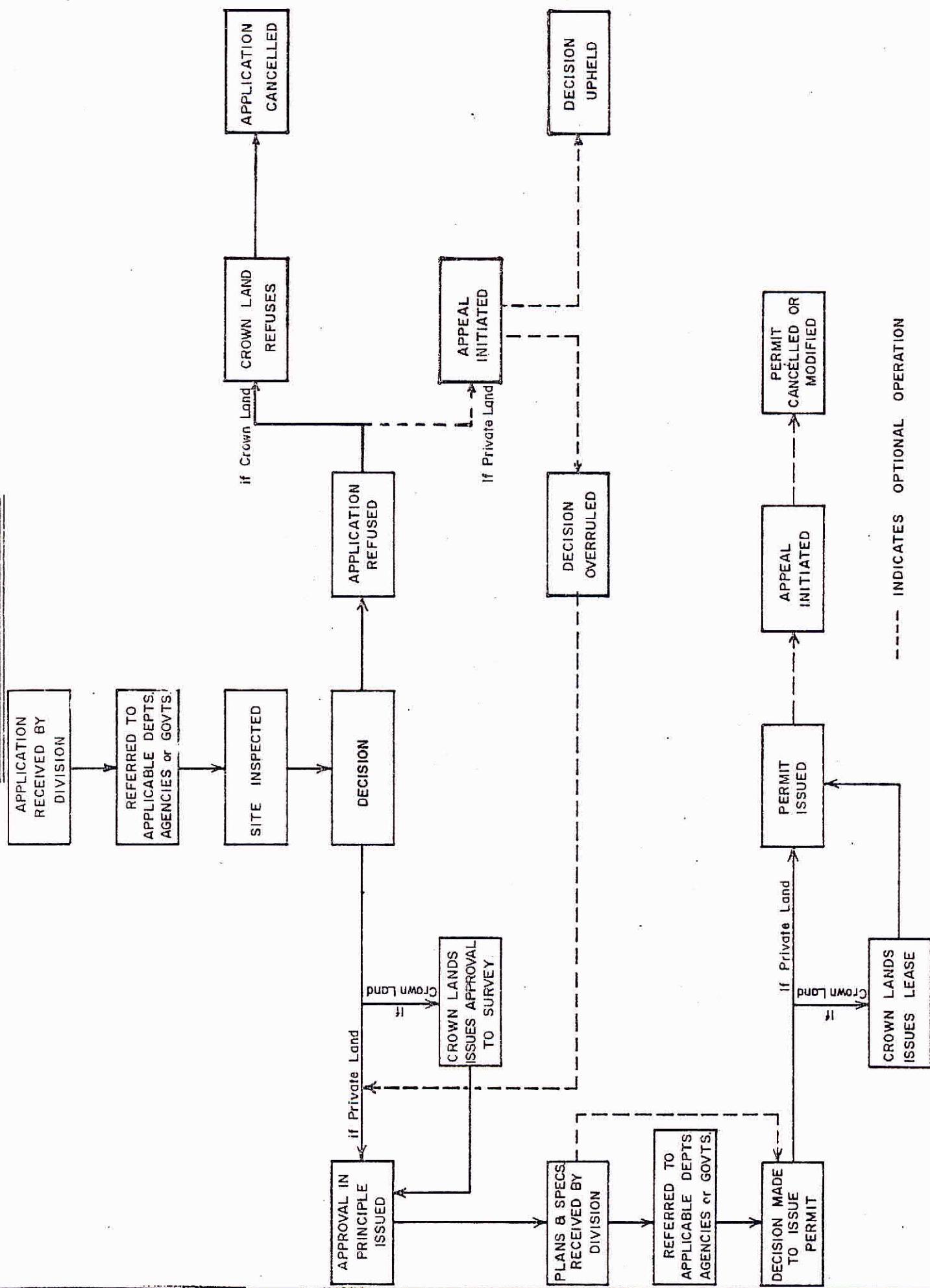
The purpose of these plans is to determine whether the design, appearance, structural soundness, safety, and use of the buildings and ancillary works, are in accordance with the regulations and standards set up under them. When approved, they are the working drawings and

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



APPENDIX D

MAPS