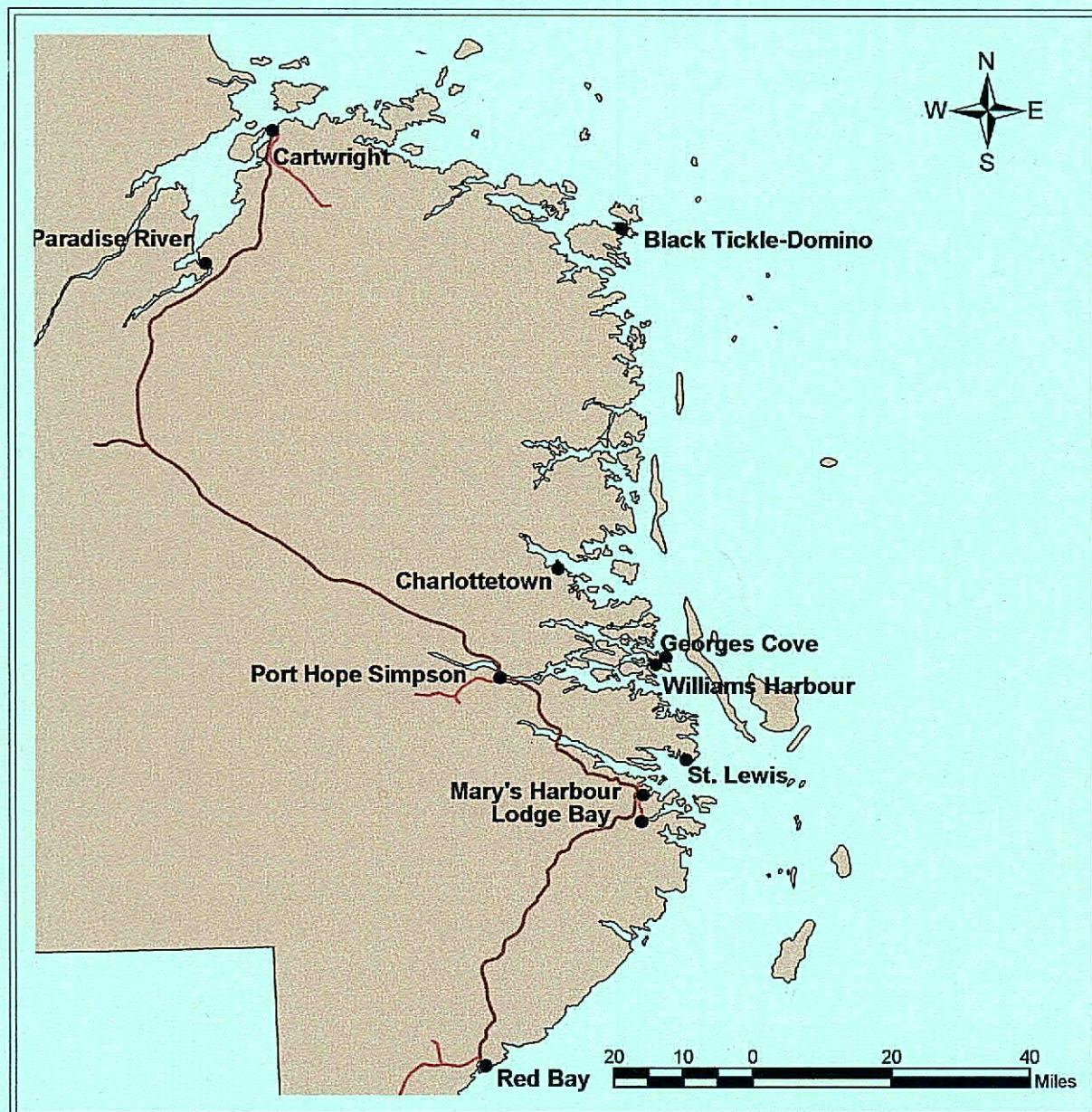


Trans Labrador Highway Protected Road Zoning Plan Coastal Route 2004 - 2014



Department of Municipal & Provincial Affairs
Urban & Rural Planning Division

URBAN AND RURAL PLANNING ACT

NOTICE OF APPROVAL

TRANS LABRADOR HIGHWAY RED BAY - CARTWRIGHT PROTECTED ROAD ZONING PLAN

2004- 2014

I, Jack Byrne, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by the Urban and Rural Planning Act, do hereby approve the Trans Labrador Highway (Red Bay - Cartwright) (Route 510) Protected Road Zoning Plan, 2004-2014.

Dated at St. John's this 10th day of February, 2006.



JACK BYRNE
Minister

Municipal Plan/Amendment

Municipal and Provincial Affairs

REGISTERED

Number PR510(512+514)-2006-001
Date 13 Feb 06
Signature John Byrne

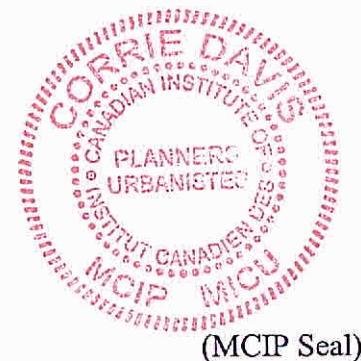
URBAN AND RURAL PLANNING ACT
TRANS LABRADOR HIGHWAY
PROTECTED ROAD ZONING PLAN
COASTAL ROUTE 2004-2014

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Protected Road Zoning Plan has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

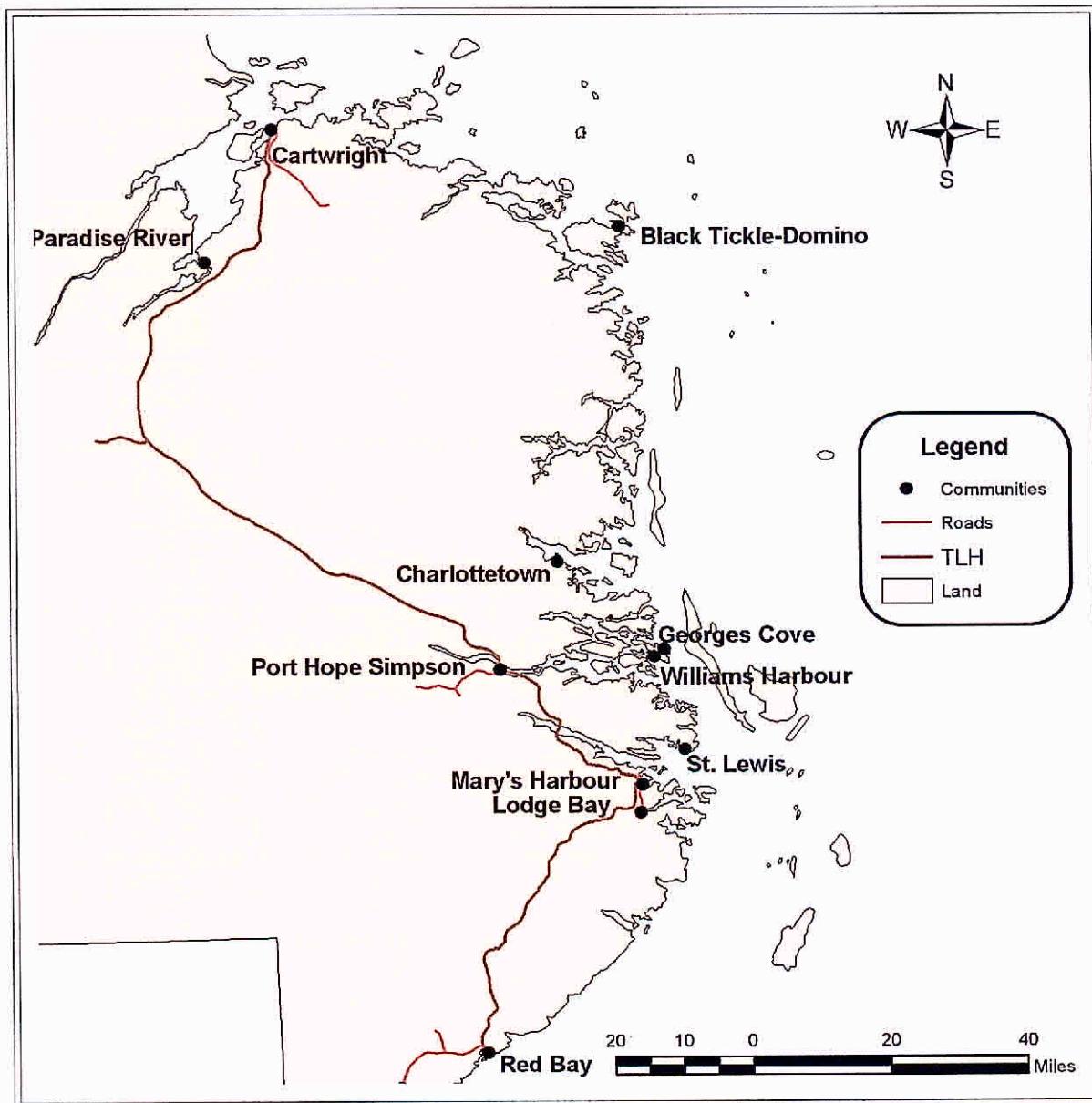
MCIP:

Corrie Davis



(MCIP Seal)

Trans Labrador Highway Protected Road Zoning Plan Coastal Route 2004 - 2014



Department of Municipal & Provincial Affairs
Urban & Rural Planning Division

TABLE OF CONTENTS

	<u>Page</u>
PART I - INTRODUCTION	1
1. FOREWORD	1
2. DEPARTMENTAL POLICIES	2
3. ESTABLISHMENT OF CONTROL AREAS	2
4. CONTROL PROCEDURE	3
PART II - PUBLIC CONSULTATION	4
PART III - THE HIGHWAY DESCRIBED	5
PART IV - ZONING	6
1. URBAN ZONING	6
2. RURAL ZONING	6
2.1 Summer Cottage Zoning	6
2.2 Highway Service Centres	6
2.3 Rural Conservation Zoning	7

APPENDICES

Schedule 'A' - Permitted Uses, Lot Dimensions and Sitting Requirements within the Designated Land Use Zones (Zoning Tables)

Schedule 'B' - Maps - Planning Areas and Municipal Boundaries

Schedule 'C' - Zoning Maps

TRANS LABRADOR HIGHWAY
COASTAL ROUTE - RED BAY TO CARTWRIGHT

1. FOREWORD

The Protected Road Zoning Regulations were established 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 of alignment of accesses.

In view of the above requirements, nine (9) specific objectives have been identified as this Department's responsibilities 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 ensure that a 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.
5. To ensure that highway service areas are developed along the highway in locations that will provide assistance to the traveling public in a safe and convenient manner.
6. To ensure that the standards of construction conform to the minimum requirements of the National Building Code of Canada.
7. To assist in the orderly development of the communities adjacent to the highway.
8. To generally ensure that the amenity of the roadside is kept in a pleasing condition.

2. DEPARTMENTAL POLICIES

Over the past several years and in view of the previously discussed responsibilities and objectives, the Department of Municipal and Provincial Affairs has developed several policies with regard to development control on Protected Roads. In general terms, these policies are:

1. To identify 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, the Department provides interim zoning.
2. 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.
3. 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) meters either side of the centreline of a Protected Road.
2. Outside a Municipal Boundary but within a 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.

4. **CONTROL PROCEDURE**

A zoning scheme consisting of up to nine (9) separate zones, each with prescribed permitted uses and specific conditions regarding uses, can be applied to each highway. Applications occurring in the control area are referred to appropriate Government Departments, and Authorities for comment and concurrence where necessary, prior to the issuance of a decision.

Should a site be approved, there may be further review and referral of detailed plans prior to final approval.

PART TWO - PUBLIC CONSULTATION

The consultation process included referrals to the stakeholder departments within the Federal and Provincial governments. This was followed by written notice to the Municipal Councils and zonal boards in the region. Public Notices were also published in the Telegram, the Aurora, the Labradorian, and the Northern Pen.

Subsequent to these notices, staff of the Department of Municipal and Provincial Affairs, the Government Service Centre, and the Department of Labrador and Aboriginal Affairs met with the Councils of Red Bay, Mary's Harbour, St. Lewis, Port Hope Simpson, Charlottetown, and Cartwright, and the Local Service District of Lodge Bay. The purpose of these meetings was to brief the various authorities on the implications of the highway being designated a Protected Road, to gather information for the preparation of the Protected Road Zoning Plan, and receive feedback from the public.

PART THREE - THE HIGHWAY DESCRIBED

On March 6, 2001, the Trans Labrador Highway from Red Bay to Cartwright, including the access roads to St. Lewis and Charlottetown, were designated as Protected Roads. The roads are described as:

The Red Bay to Cartwright Road (Route 510), as existing or proposed, from its intersection with the Red Bay local road in the Town of Red Bay to its intersection with the airstrip road in Cartwright.

The Charlottetown Access Road (Route 514) from its intersection with the Red Bay to Cartwright Coastal Road (Route 510) to its intersection with the airstrip road in the Town of Charlottetown.

The St. Lewis Access Road (Route 512) from its intersection with the Red Bay to Cartwright Coastal Road (Route 510) to a point where it crosses the west boundary of the St. Lewis Municipal Planning Area.

PART FOUR - ZONING

1. URBAN ZONING

Section 10 of the Protected Zoning Regulations states “That where a protected road passes through an area covered by an approved plan made under provisions of Part II, III, IV, V, or VI of the Act, the land included shall be used only in accordance with the approved plan and associated regulations. The protected road passes through the planning areas of the Towns of Red Bay, St. Mary’s, Port Hope Simpson, Charlottetown, St Lewis and Cartwright. These have approved Municipal Plans and therefore the provisions of those Municipal Plans are automatically applied.

The Protected Road also passes through the Local Service District of Lodge Bay. The Mixed Zone is applied to both sides of the road to accommodate the existing development.

2. RURAL ZONING

Rural Zones were developed to assist in the implementation of the Department’s objectives in sparsely developed 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 developments, highway service activities, and rural residential uses. The Protected Road Zoning Regulations allow for the implementation of four rural zones- Highway Service, Summer Cottage, Rural Residential, and Rural Conservation.

Three of these zones are applied on the Protected Road, the Summer Cottage Zone, the Highway Service Zone, and the Rural Conservation Zone. For a description of the uses permitted within these zones, the standards and conditions that apply, refer to the Zone Tables in Schedule ‘A’.

2.1 Summer Cottage Zoning

Right of way occupation by summer cottages is almost non-existent. Several isolated cottages are found along the St. Lewis Inlet, otherwise the roads are void of summer cottage development.

Only one area has been identified for future summer cottage development. This is located

between the Route 510 and St. Lewis Inlet. Within this zone, cottages may be permitted but individual accesses to the highway are prohibited. New accesses to the highway will only be permitted in this zone with the provision that it will serve a minimum of four cottage lots.

Existing cottages located outside this zone are considered as non-conforming uses having a legal right to exist, but have restrictions in areas of expansion and replacement.

2.2 Highway Service Zoning

The only Highway Service Centre identified in the Plan is located at the junction of the Trans Labrador Highway and the Cartwright intersection. Within this zone, only uses related to catering to the highway user or tourism may be permitted.

2.3 Rural Conservation Zoning

All land not zoned Summer Cottage, Mixed Development or located outside the municipal planning areas is zoned as Rural Conservation. The Rural Conservation Zone allows for uses related to resource extraction, certain tourism uses, and rural industrial developments. A proposal within the Rural Conservation Zone for summer cottage or highway service developments may be permitted provided it meets with the conditions as contained in sections 2.1 and 2.2.

SCHEDULE 'A'

ZONING TABLES

MIXED ZONE CODE (M)

Permitted Uses	Minimum Lot Frontage (1)	Minimum Sideyard (2)		Remarks
(a) Residential (M1)(3)	As per Res. Zone	As per Res. Zone		3. The minimum lot frontage in the case of an irregular shaped lot shall apply to the lot width at the building line.
(b) Public (M2) church, public hall, school, hospital or institution	30 m	3 m -	4.5 m	4. 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 centimetres in extent.
(c) Commercial (M3) motel, tavern, shop, office or place of amusement	30 m 15 m	3 m 3 m	4.5 m -	5. The minimum lot requirements for a residential development in this zone are identical to those in a residential zone.
(d) Highway Commercial (M4) motel service station restaurant	45 m 45 m 30 m	3 m 3 m 3m	4.5 m 4.5 m -	6. 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.
(e) Hospitality home or other tourist establishments (M5)	30 m	3 m	4.5 m	7. In all cases, the minimum rearyard shall be 7.5 metres or as specified by the Authority or the Dept. of Health.
(f) Light Industrial (M6)	As required	As required		Note: The mixed zone may be applied in part or in whole. That is, development within an area may be restricted to any one or more of the 6 permitted uses in a mixed zone.

MIXED ZONE CODE (M).....cont'd

Further requirements:

Light Industrial	<ol style="list-style-type: none">1. (1) In each case for light industrial developments, lot requirements will be as specified by the Authority, the Department of Works, Services and Transportation, Department of Environment, or any other authority considered appropriate.(2) All light industrial developments will conform to an approved aesthetic and safety standard, all material will be stored within buildings and materials processed will be non-volatile either initially or at any stage of production.(3) 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.
Accessory Structures	<ol style="list-style-type: none">2. Accessory structures may conditionally be permitted but shall not exceed a single storey in height, shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
Mobile Homes	<ol style="list-style-type: none">3. (1) 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 as for detached dwelling units in a residential zone.(2) If a mobile home subdivision is located within the community concerned, the location of the mobile home will be restricted to that subdivision.

RURAL CONSERVATION ZONE

Code (RC)

Permitted Uses and Requirements:

Agricultural Use

1. (1) Any agricultural operation may be permitted in a rural conservation zone, subject to the approval and conditions imposed by the Dept. of Forest Resources and Agrifoods, the Dept. of Works, Services and Transportation, the Dept. of Environment, and the Authority.
- (2) Developments shall, where possible, be screened from highway view to the satisfaction of the Authority.
- (3) A residential unit may only be erected in conjunction with an agricultural use in a rural conservation zone if the residence is subsidiary to the agricultural use, which must be a full time commercial operation as described by the Dept. of Forest Resources and Agrifoods, and if the occupier of the residence is actively engaged in agricultural activity on the same parcel of land upon which the residence is proposed.
- (4) Notwithstanding the above, a residential unit will only be permitted provided the farm development shows a demonstrated market to the satisfaction of the Dept. of Forest Resources and Agrifoods and has one or more of the following minimum operations:
 1. greenhouse production, permanent greenhouse structures of a minimum of 370 metres squared in operation with adequate land base for subsidiary cropping;
 2. root crops, 8 hectares of land with 4 hectares in production plus required ancillary buildings, adequate storage and cropping, washing and packaging equipment;
 3. strawberries, raspberries, 8 hectares of land with 3 hectares in production plus required ancillary buildings and cropping and handling equipment.
 4. livestock or poultry operations, provided the development is operational, the number of animal units is to a standard required by the Dept. of Forest Resources and Agrifoods, and suitable structures designed to accommodate the livestock or poultry have been completed and the required land base is in production; and
 5. an equivalent combination of the above or other types of agriculture as approved by the Dept. of Forest Resources and Agrifoods.
- (5) With the exception of **residences and fruit and vegetable stands**, which must conform to Section 21, agricultural buildings shall be restricted to in excess of 90 metres from the highway centre line, unless mitigating factors require a somewhat lesser setback, in which case the discretion of the authority can be utilized.

RURAL CONSERVATION ZONE - CODE (RC).....cont'd

Forestry Use

2. (1) Any use directly associated with the harvesting of timber may be permitted in a rural conservation zone.

(2) Residences ancillary to the main use may conditionally be permitted in accordance with the requirements of Section 21, while all other uses will be restricted to in excess of 90 metres from the highway centreline.

(3) 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 minimumm of 90 metres from any other development.

Fisheries Use

3. (1) Any development associated directly with the harvesting of fish may be permitted in a rural conservation zone.

(2) Structures shall not be located within 45 metres of the highway centre line.

Mining and Quarrying Use

4. (1) Any development associated with mineral extraction may be permitted in a rural conservation zone.

(2) All developments of this nature shall be maintained at a distance of 90 metres from the highway centre line, and shall be screened from highway view to the satisfaction of the authority.

(3) Upon conclusion of operations, all refuse shall be removed, rough landscaping carried out and all accesses removed.

Public Recreation Use

5. The following developments may be permitted in a rural conservation zone:

(a) provincial and municipal parks may contain rest and camping parks, marinas, public conveniences and accessory buildings;

(b) recreational clubs, including golf courses, ski clubs, boating, swimming and those structures associated directly with recreational clubs and 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; and

(d) natural reserves may only have scenic routes and viewpoints.

RURAL CONSERVATION ZONE - CODE (RC).....cont'd

Commercial Recreational Uses	6. (1) Uses which, because of their nature and large land requirements, would not normally be compatible with urban uses of highway service centre developments may be permitted in this zone, including travel trailer parks, golf courses and driving ranges, ski slopes, recreational resorts, theme parks, including amusement parks, etc.
	(2) Amusement parks must have a minimum of 3 attractions, i.e. bumper boats, go cart tracks, mini golf, etc.
	(3) Developments in these classes shall be set back on a minimum of 55 metres from the centre line of the highway, and adequate parking shall be provided.
Rural Industrial Uses	7. (1) Only industrial developments which, because of their nature, would be considered hazardous and incompatible to urban uses will be permitted in this zone.
	(2) Developments of a rural industrial nature shall be set back a minimum of 100 metres from the centre line of the highway with a tree screen of not less than 50 metres, and shall be separated from adjacent incompatible developments by a minimum of 150 metres with a tree screen of not less than 100 metres.
	(3) Development located in these areas shall be so designed and located as to preserve the natural amenities of the area, and adequate parking, as prescribed by the Authority, shall be provided.
Private Recreational Travel Trailer Parks	8. (1) Only travel trailers as defined in these regulations may be permitted in these areas.
	(2) There shall be a minimum of 10 trailer lots in a park and a maximum of 100 and each trailer owner shall be assigned a specific lot.
	(3) Lots shall be of a size approved by the Department of Health, and not inconsistent with lot sizes associated with commercial travel trailer parks or sites within provincial parks.
	(4) Each park shall have adequate bathroom facilities, suitable children's playgrounds and a road network acceptable to the Authority, and any other concerned departments and waste disposal shall be as per conditions specified by the Dept. of Environment.
	(5) Travel trailer lots shall be set back a minimum of 60 metres from the centre line of the highway, and adequate screening must be provided between the highway and all sites.
Cemeteries	9. Cemeteries

COTTAGE ZONE

Code (C)

Permitted Uses and Lot Requirements		Remarks
1. Cottages	(a) Minimum lot area - 3000 square metres	1. In the case of irregular shaped lots, the minimum lot frontage shall apply at the building line.
	2. Maximum lot area - 4000 square metres	2. Setbacks refer to the distance from the front lot line bordering on the road to the property.
	3. Minimum lot frontage - 30 m (1)	3. Only one retail store shall be permitted for every 50 cottages, or part of them within the cottage zone.
	4. Maximum lot frontage - 45 m	4. In general, retail stores shall be located away from existing or proposed private cottages. However, where they can only be accommodated in close proximity to cottages, the written consent of the affected cottage owners must be obtained prior to a development permit being issued.
	5. Minimum sideyard distance - 7.5 m	5. Retail stores shall cater to the cottage development and not the highway trade. In no circumstances shall they front on a protected road nor shall they be permitted to erect a sign on a protected road.
	6. Minimum setback - 15 m	
	7. Minimum rearyard - 15 m	
	8. Minimum floor area - 20 square metres	
2. Accessory Structures	(a) Minimum setback - 7.5 m (2)	
	2. Minimum rearyard (excluding boathouse) - 15 m	
3. Retail Stores	(a) See remarks (3), (4) and (5)	
	(b) Lot dimensions as per cottage standard	

**Highway Service Centre
Code (HS)**

Permitted Uses	Minimum Lot Frontage	Minimum Building Line	Minimum Sideyard	REMARKS	
(a) Model	90 m	See (1)	6 m	(1)	The minimum building line shall be in accordance with Section 21.
(b) Restaurant	60 m	See (1)	6 m	(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.
(c) Service Station	60 m	See (1)	6 m	(3)	A convenience store and gas pumps must be developed as a joint unit. A convenience store shall not be erected alone nor shall gas pumps be constructed unless in conjunction with another use. Where this type of operation is developed, the convenience store must carry a small line of auto parts, i.e. belts, wiper blades, etc. The building must also contain public washrooms.
(d) Tourist Chalet	60 m	See (1)	6 m	(4)	The siting and layout of a highway service centre will be subject to a plan prepared by the authority.
(e) Craft Shop	60 m	See (1)	6 m	(5)	It is the intent of these regulations that each highway service centre shall have a maximum of 2 points of access to a protected road.
(f) Tourist Cabins	60 m	As Required	6 m		
(g) Travel Trailer Park (2)	As Required	90 m	As Required		
(h) Camping Park (2)	As Required	90 m	As Required		
(i) Marina (2)	As Required	90 m	As Required		

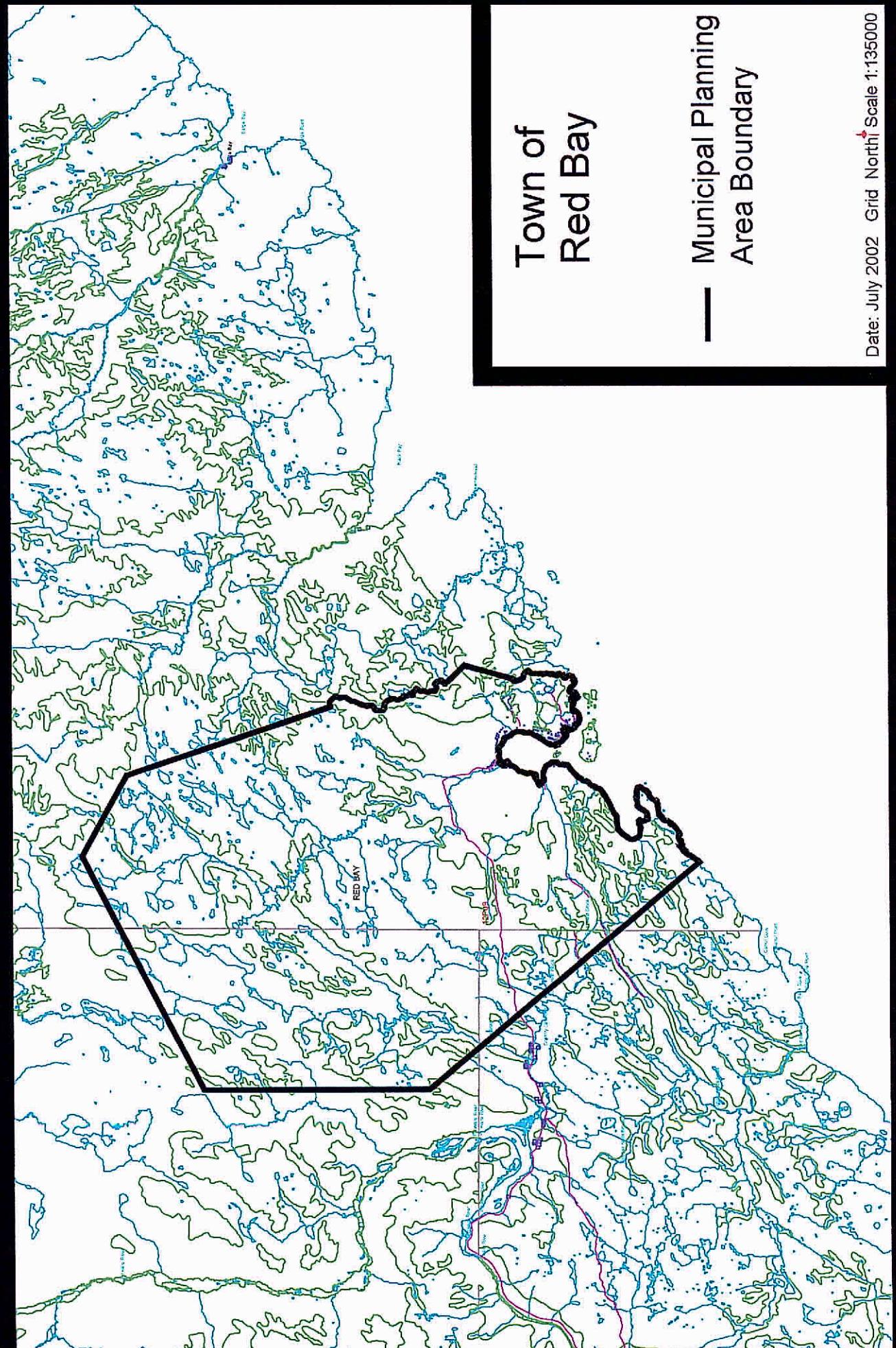
Further Requirements:

Lounges	<p>1. Lounges shall only be permitted in conjunction with motels, hotels and tourist lodges, having a minimum of 6 sleeping units.</p>
Snack bars and other markets	<p>2. (1) Snack bars, convenience stores and farmers/fish markets subject to (3) above will only be permitted in conjunction with a principle use.</p>
Living Quarters	<p>(2) Where permitted, they shall be subordinate to, while forming an integral part of the principle use.</p>
Accessory Buildings	<p>3. (1) Living quarters may be permitted in a highway service centre, subject to approval by the authority.</p> <p>(2) If permitted, living quarters shall only be occupied by a person and his or her family where continuous residence on the premises is essential.</p>
Truck Stops	<p>(3) Where possible, living quarters referred to above shall be architecturally similar, and take a subordinate to the main structure.</p> <p>(4) At the discretion of the authority, a mobile home may be permitted instead of permanent living quarters, provided it is adequately screened from the highway, and its occupation is only intended to be of a temporary duration.</p>
Accessory Buildings	<p>4. Other 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.</p>
Truck Stops	<p>5. (1) Truck stops, being an area of a building set aside for the temporary use of truckers and which may include sleeping units, showers and washrooms and a television room, shall only be permitted in conjunction with a motel, restaurant or service station.</p> <p>(2) The area within the building shall be so located as not to interfere with the normal services of the establishment.</p>

SCHEDULE 'B'

MAPS

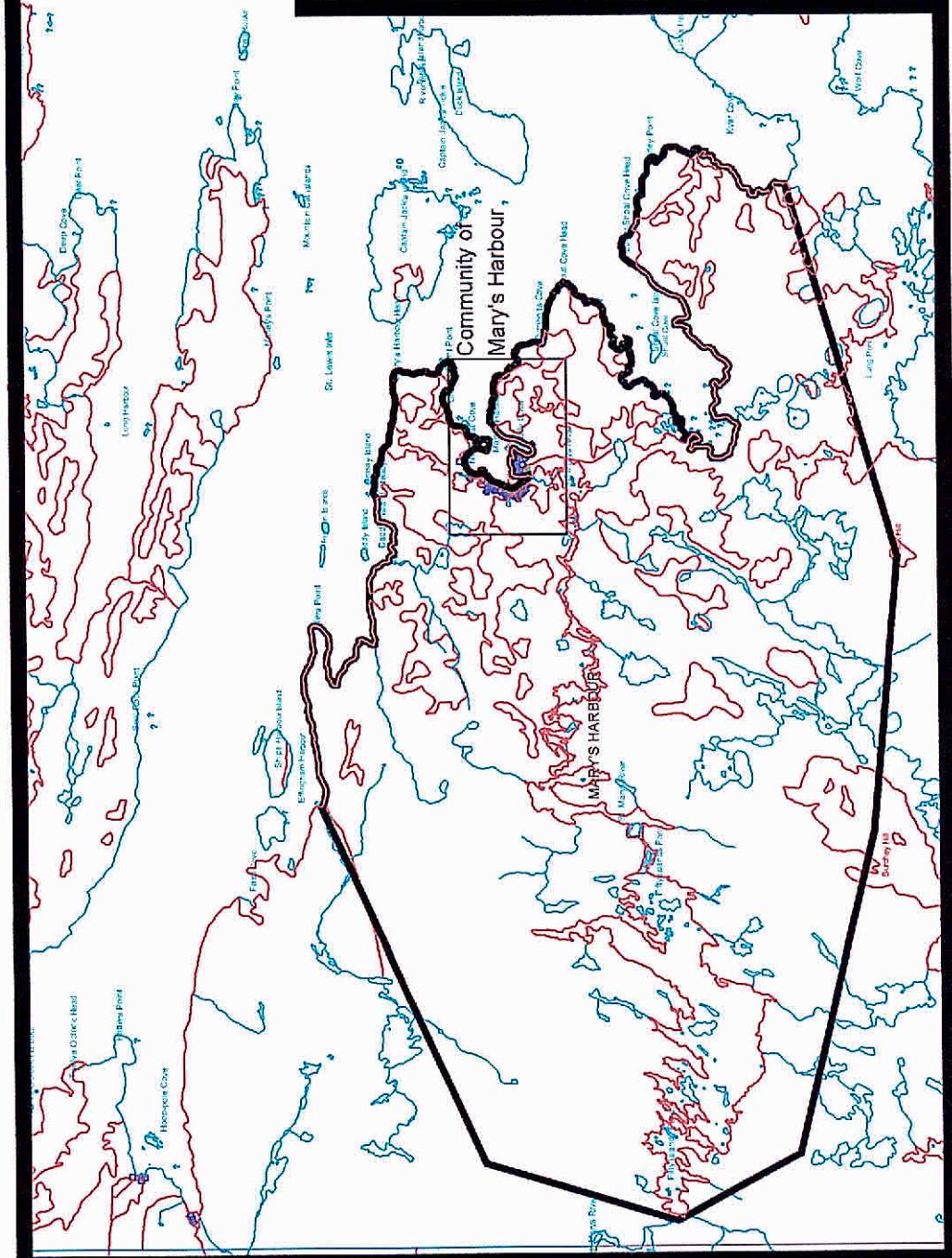
PLANNING AREAS AND MUNICIPAL BOUNDARIES



Town of Mary's Harbour

Municipal and Planning Area Boundaries

Date: June 2002 Grid North Scale 1:100000

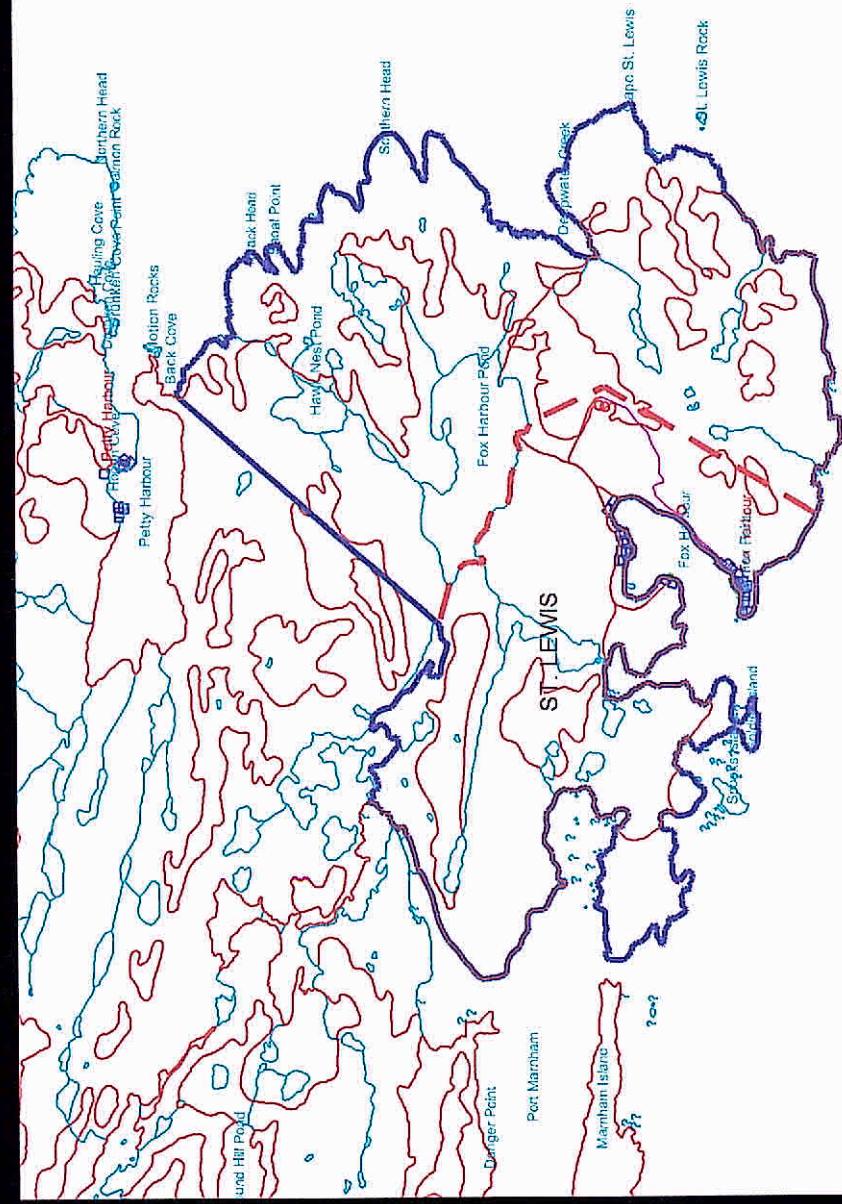


Town of
St. Lewis

Planning Area Boundary

— Municipal Boundary

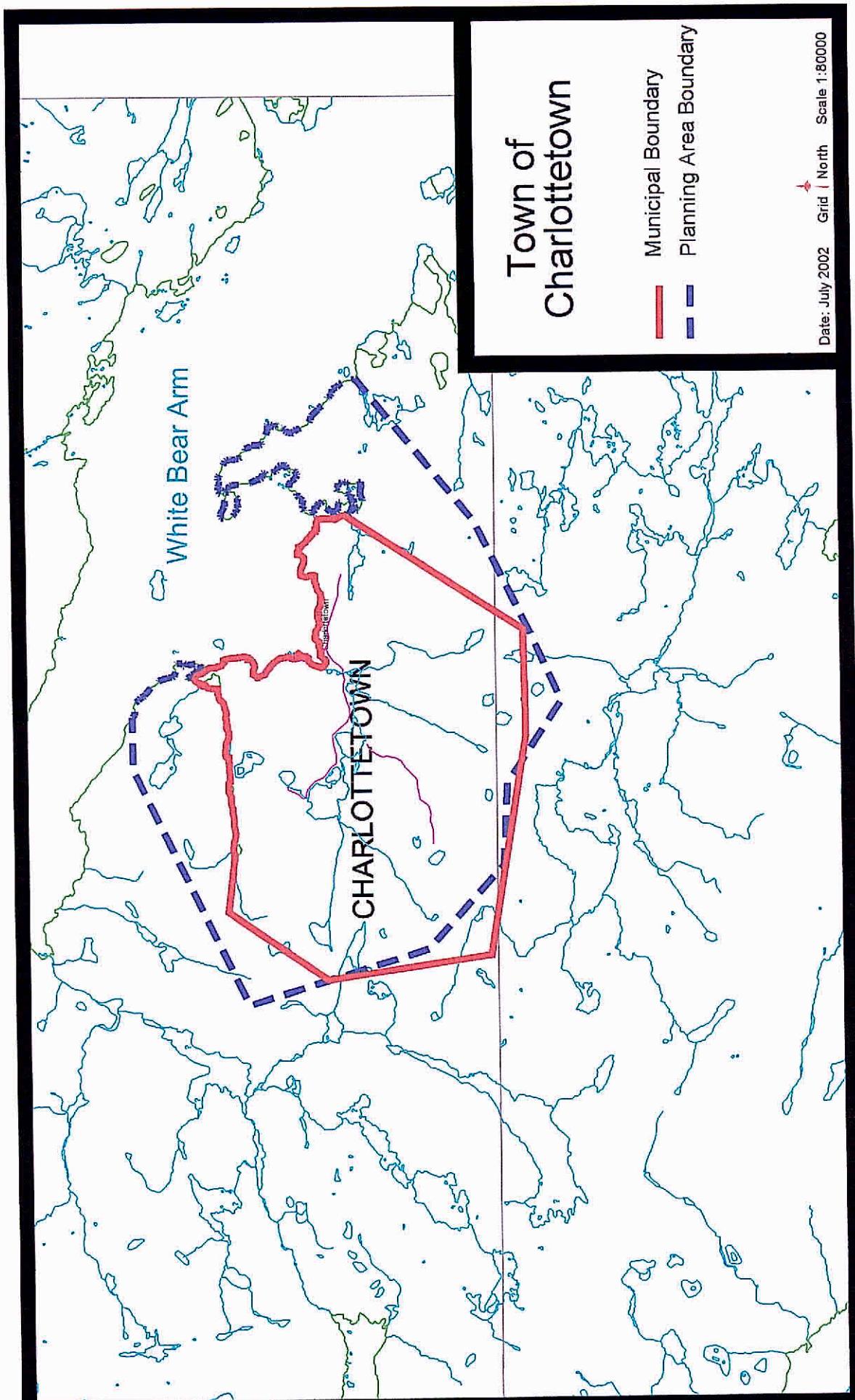
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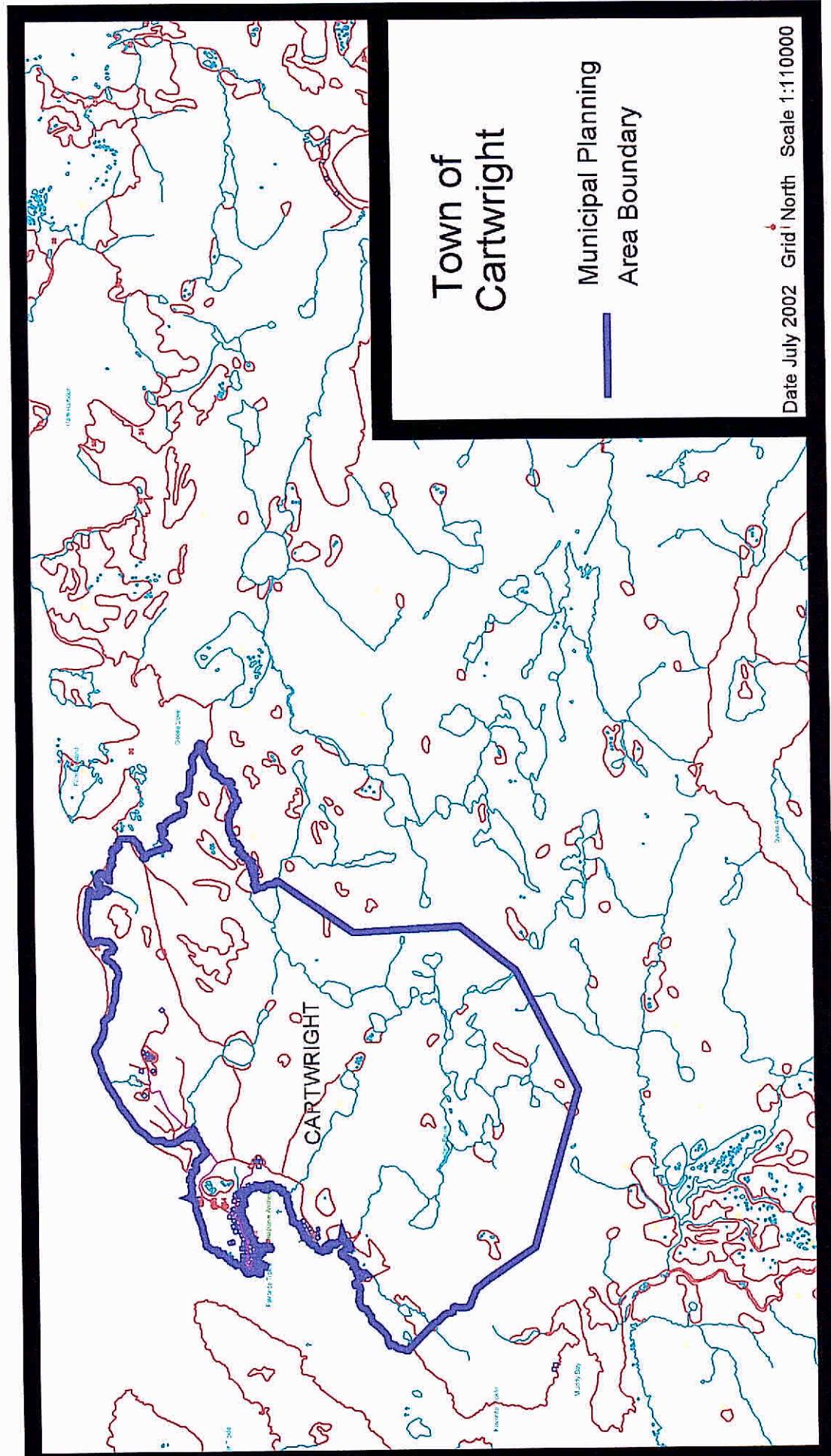


**Town of
Port Hope Simpson**

Municipal Planning Area Boundaries

Date: June 2002 Grid North Scale 1:100000

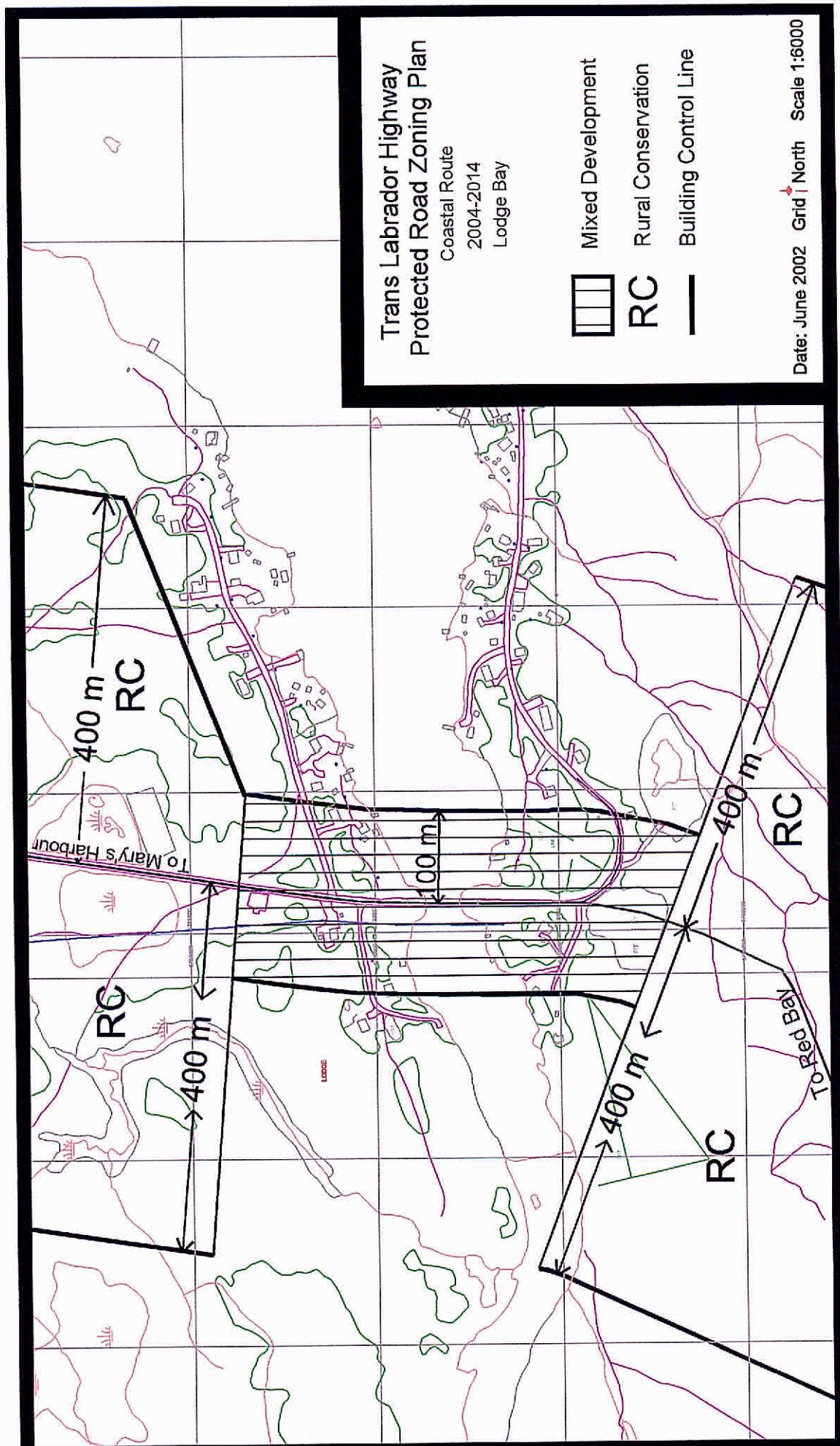




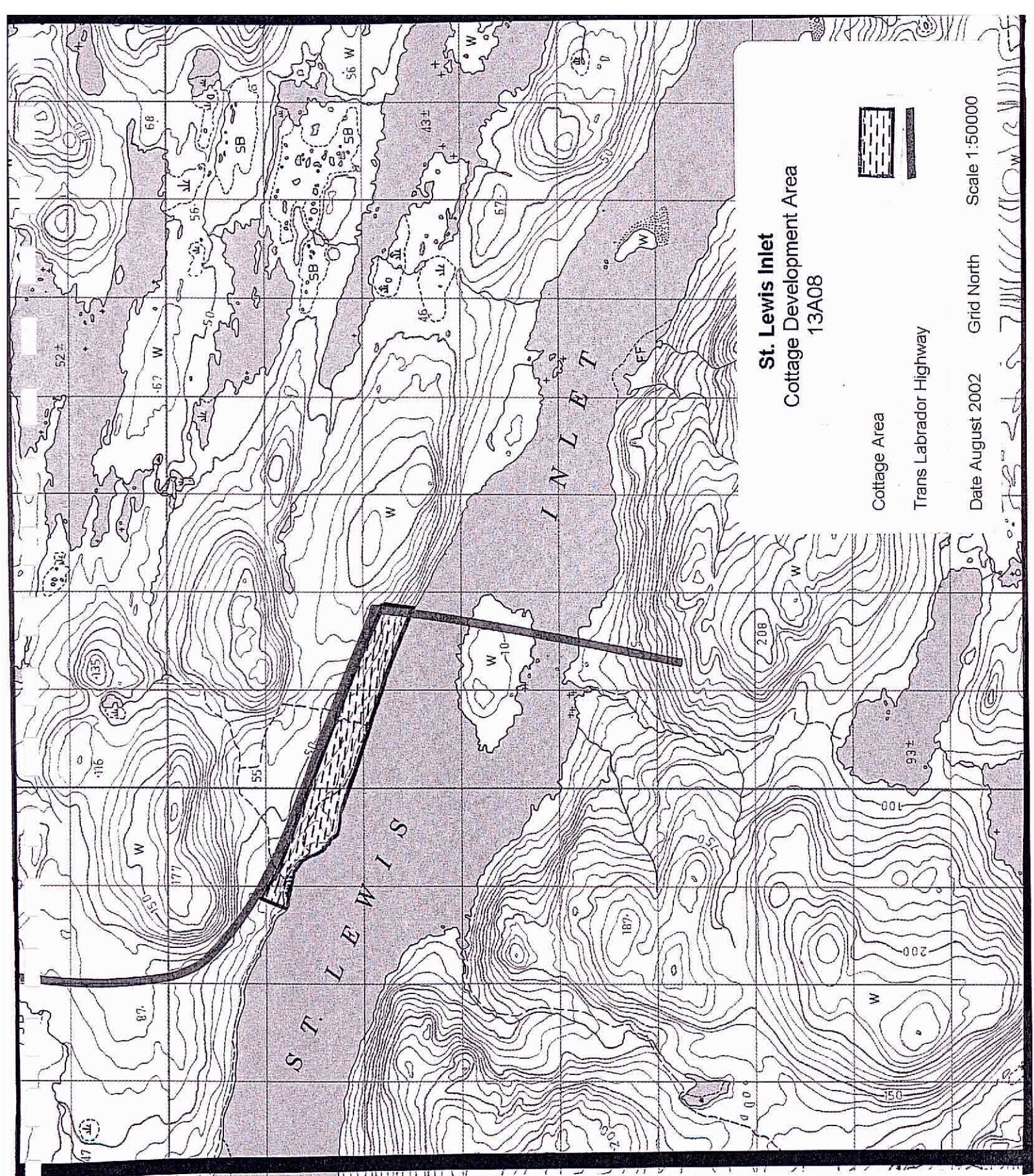
SCHEDULE 'C'

ZONING MAPS

MIXED ZONING



SUMMER COTTAGE ZONING



St. Lewis Inlet
Cottage Development Area
13A08

Cottage Area

Trans Labrador Highway

Date August 2002 Grid North Scale 1:50000

**HIGHWAY SERVICE
ZONING**

