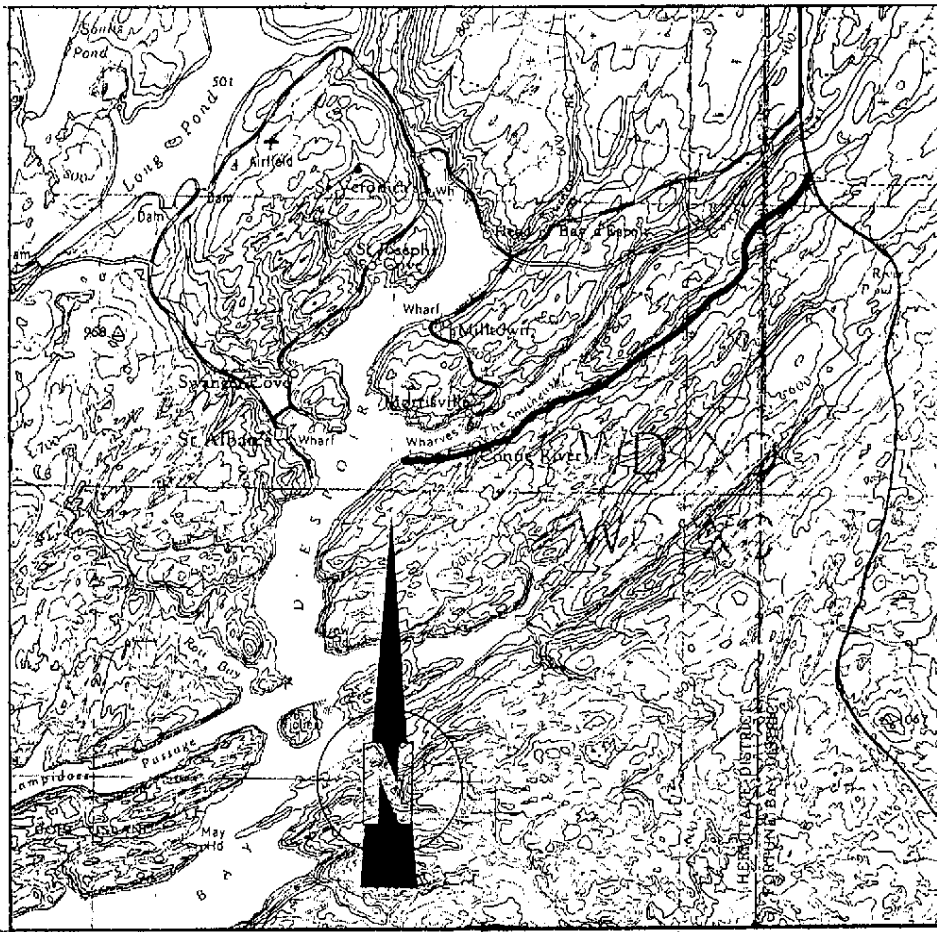


Conne River Road Highway Zoning Plan



**DEVELOPMENT CONTROL DIVISION
DEPARTMENT OF MUNICIPAL AFFAIRS,
1988**

NOTICE OF APPROVAL
CONNE RIVER ROAD HIGHWAY ZONING PLAN

I, R. Charles Brett, Minister of Municipal Affairs, under and by virtue of the powers conferred by the Urban and Rural Planning Act, Chapter 387 of the Revised Statutes of Newfoundland, 1970, and under Regulation 5 of the Protected Road Zoning Regulations, 1979, hereby approve the Conne River Road Highway Zoning Plan.

Dated at St. John's this day of , 198 .

R. CHARLES BRETT
Minister of Municipal Affairs

CONNE RIVER ROAD
HIGHWAY ZONING PLAN

1988

Development Control Division

TABLE OF CONTENTS

Introduction	1
Part I: The Conne River Road	2
Part II: Natural Resource Analysis	3
1. Forestry	3
2. Aggregate Resources	4
3. Waste Disposal Site	4
4. Bay D'Espoir Agriculture Development Area	4
5. Historic Resources	4
6. Conne River Local Area Plan	4
Part III: Zoning	6
Conclusion	7
Appendix	

INTRODUCTION

On June 5, 1987, the Governments of Canada and Newfoundland signed an agreement establishing an Indian Reserve at Conne River, Newfoundland. Part of that agreement (Section 3.d.1) called for Newfoundland "to designate the road leading from what is commonly known as the Bay d'Espoir Highway to Conne River as a protected road pursuant to Part VII of the Urban and Rural Planning Act, R.S.N. 1970, chapter 387, as amended so as to ensure that development is permitted only in accordance with a protected road development plan".

The road was designated a Protected Road on 87-12-15, and is described as "The Conne River Road commencing at its intersection with the Harbour Breton Highway and extending to a point where the northern boundary of the Conne River Indian Reserve, as designated on June 5, 1987, crosses the road."

This Plan will be a document for the control of development within 400 m of the road's centre line.

PART I: THE CONNE RIVER ROAD

The Conne River Road is an improved, Class R.L.U.60 (60 km./hr.) road linking the Community of Conne River with the Bay d'Espoir/Harbour Breton Highway system. Total length of the Protected Road is approximately 11 kilometres. Prior to 1972, the community's only means of access to the remainder of the island was via ferry to the opposite side of the bay.

Most of the road travels the upper ridge of a river that flows into the Southeast (a saltwater inlet leading to Conne River). It is free from urban development and the only rural related activities are forestry and aggregate extraction.

PART II: NATURAL RESOURCE ANALYSIS

This brief analysis will provide an overview of the land uses and natural resources in the area, and will also provide a guideline as to those agencies to whom referrals are necessary. Information contained here was taken from in-house records, Interdepartmental Land Use Committee, Land Use Maps (Department of Environment and Lands), and field recognizance. To date, activity along the roadside has been restricted to the two primary resources - forestry and aggregates.

The Plan provides for the protection and continued use of these resources. Other activities or land parameter designations include the Conne River Waste Disposal Site, the Agriculture Development Area of Bay d'Espoir, and the Conne River Local Area Plan.

1. FORESTRY

The treatment and harvesting of the forest stock is certainly the predominant land use within the highway corridor. Both sides of the road are bordered by Productive Forest. Timber harvesting, both commercial and domestic, are noticeable throughout the highway corridor. Silviculture work carried out along the road between 1979 and 1984 is scheduled to be pre-commercially thinned within the next 10 years. A number of forest reserves have been established to protect these areas (see Land Use Map). For location of the silviculture areas or the productive forest areas, contact the Unit Forestry Office in Bay d'Espoir or the Forest Management Division in Corner Brook.

Proposals within the silviculture areas, productive forests, or forest reserve designations are to be forwarded to the Forest Management Division, Department of Forestry.

2. AGGREGATE RESOURCES

The Department of Mines has identified an Aggregate Zone 2 and four quarries within the area. Applications within the Aggregate Zone, or within 300 m of any quarry, must be referred to the Department of Mines.

3. WASTE DISPOSAL SITE

The only waste disposal site within the 800 m road corridor is for the Community of Conne River. Applications within the 1-6 kilometre buffer of the site must be referred to the Department of Environment and Lands.

4. BAY D'ESPOIR AGRICULTURE DEVELOPMENT AREA

The northern end of the Conne River Road (near the Harbour Breton Highway) travels through a portion of the Bay d'Espoir Agriculture Development Area. Although agriculture activity is non-existent at present, this designation shows there is potential for agriculture production. Therefore, all applications within the Agriculture Development Area are to be referred to the Agriculture Branch, Department of Rural, Agriculture and Northern Development.

5. HISTORIC RESOURCES

The Historic Resources Division have requested a 100 m buffer be established around all streams, rivers and ponds. Rather than impose a buffer zone, all applications for development within these areas will be referred to the Historic Resources Division, Department of Culture, Recreation and Youth. Any artifacts found must be brought to the attention of that Division as well.

6. CONNE RIVER LOCAL AREA PLAN

The Conne River Local Area Plan was prepared by the Provincial Planning Office, Department of Municipal Affairs, in response to the agreement establishing an Indian Reserve at Conne River. The appointed authorized administrator for the Plan is the Director of Development Control, Department of Municipal Affairs. The Plan applies to all lands within 0.8 kms. of the Reserve. For the

most part, land within the Plan is designated as Rural. A copy of the Conne River Local Area Plan can be obtained from the Provincial Planning Office, Department of Municipal Affairs.

PART III: ZONING

The Protected Road Zoning Regulations allow for a total of eight zoning designations - five urban and three rural. On the Conne River Road, only one zone is applied to all land - Rural Conservation.

The purpose of the 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 corridor 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.

The uses which may be permitted in the Rural Conservation Zone will be those related to the conservation or utilization of natural resources. These in general would be agriculture, forestry, fishing, mining, and recreation (Refer to Appendix).

Within the boundary of the Local Area Plan, development must conform to the Conne River Local Area Plan.

Building Control Line

The Building Control Line is set at 400 m on either side of the highway centreline.

CONCLUSION

This Highway Zoning Plan was prepared after consultation with the Interdepartmental Land Use Committee, various government departments, and the Central Regional Development Control Division office. It provides an overview of the existing land uses and establishes zoning to allow for the continued use and protection of the resources in the area.

Since the condition of the highway corridor may change during the Plan period (5 years), plan amendment may be made by the Minister at any time in order to cope with the new conditions. Any such amendment shall be read together with and form part of this Plan.

Furthermore, this Division shall review and, if necessary, revise this Plan on the expiration of every five years from the date on which this Plan comes into effect, in accordance with the developments which can be foreseen during the next ten years.

Amendment and review of this Plan shall be carried out in the same manner as it was brought into effect.

APPENDIX A

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

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.

RURAL CONSERVATION ZONE, CODE (RC)

(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

RURAL CONSERVATION ZONE, CODE (RC)

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.

APPENDIX B

APPLICATION PROCEDURE

APPLICATION PROCEDURES

In order to carry out any development, erect a sign, or provide direct access to or from the Protected Road known as the Conne River Road, 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*. 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).

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

or Phone: 292-4206

APPLICATION PROCEDURES

Should an application be refused, except where refused by another Department or Agency such as Health or Transportation, the developer has the right to appeal. This appeal is conducted by the Regional Appeal Board as established under Section 8 of the Urban and Rural Planning Act, which makes a judgement as to whether to accept or overrule the decision of the Director of Development Control.

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 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

