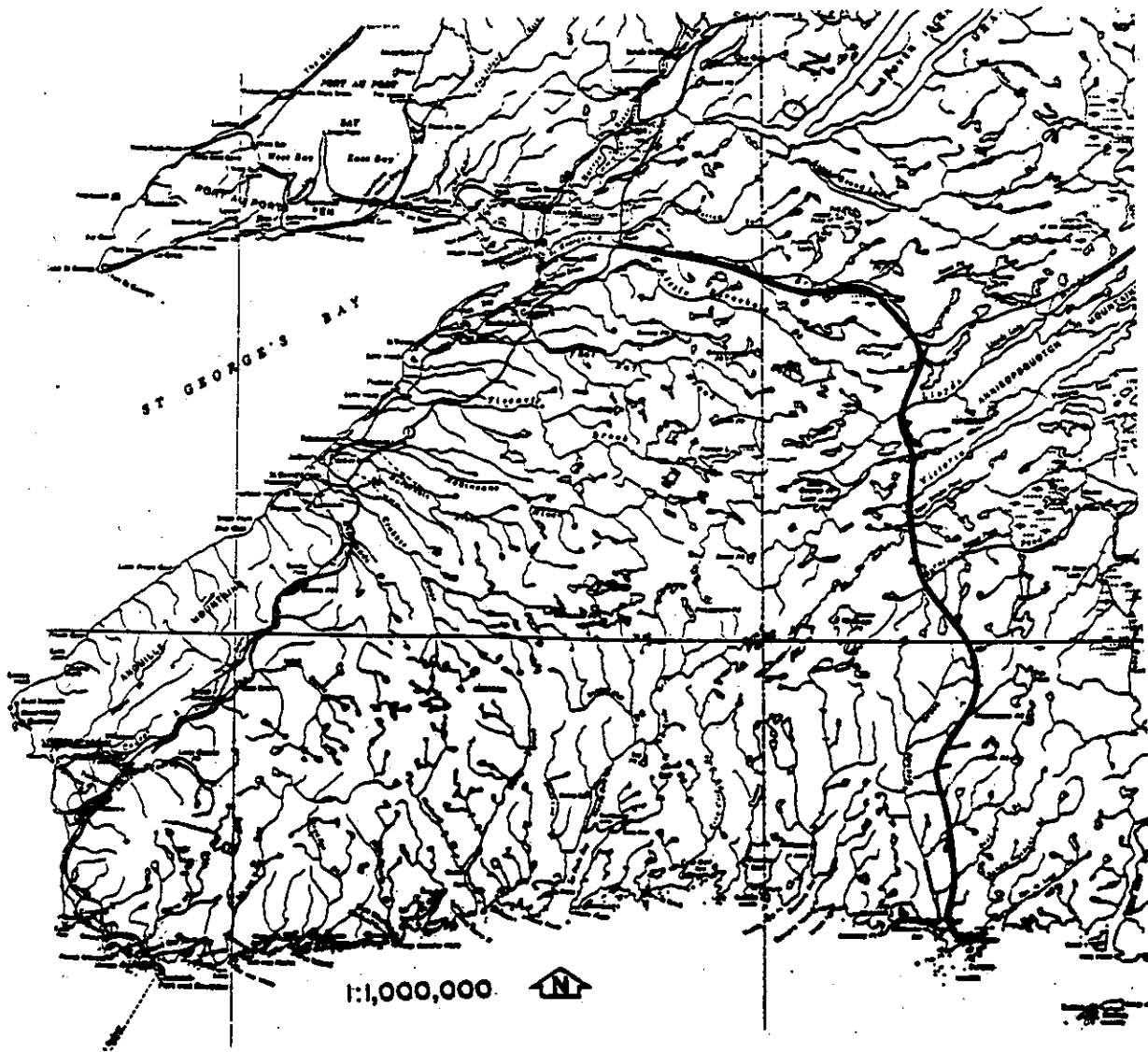


BURGEO HIGHWAY ZONING PLAN 1990



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Urban & Rural Planning
Division
Dept. Municipal & Provincial
Affairs

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PREFACE

1. DEPARTMENTAL 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 Department is required to preserve the interests of the public and any concerned governments, departments, and authorities and 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 Department's terms of reference.
9. 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, this Department 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 Department provides interim zoning.

2. To prohibit the erection of private advance - warning advertisements along the highway and in lieu of these erect standardized advance - warning signs for highway services which are of interest to the motoring public.
3. To allocate areas for highway commercial development in appropriate and viable rural and urban areas, and to cause this development to locate in clusters so as to minimize disruption of highway safety and utility.
4. To identify desirable areas for the location of summer cottage development.

3. ESTABLISHMENT OF CONTROL AREAS

The Protected Road Zoning Regulations stipulate that when a highway is designated as a Protected Road by an Order in Council, an area of development control is created by establishing Building Control Lines according to the following schedule:

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

4. On a Protected Road, other than as described above, the Building Control Line shall extend four hundred (400) m either side of the highway centreline.

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

4. CONTROL PROCEDURE

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

PART I-THE HIGHWAY DESCRIBED

1. THE PROTECTED ROAD

The Burgeo Highway was declared a Protected Road on 79/11/9. The road is described as:

The Burgeo Highway (Route 480), as existing or proposed, commencing at its intersection with the Trans Canada Highway and extending to the southern end of the causeway at Long Beach where it enters Grandy's Island, at the Town of Burgeo.

2. THE HIGHWAY DESCRIBED

Leaving the Trans Canada Highway near Stephenville Crossing, the road follows the southern bank of Southwest Brook and heads due east into the Long Range Mountains and the Annieopsquotch Mountains. As it leaves the mountains, it's direction changes to south, and soon bordered by a much different type of terrain.

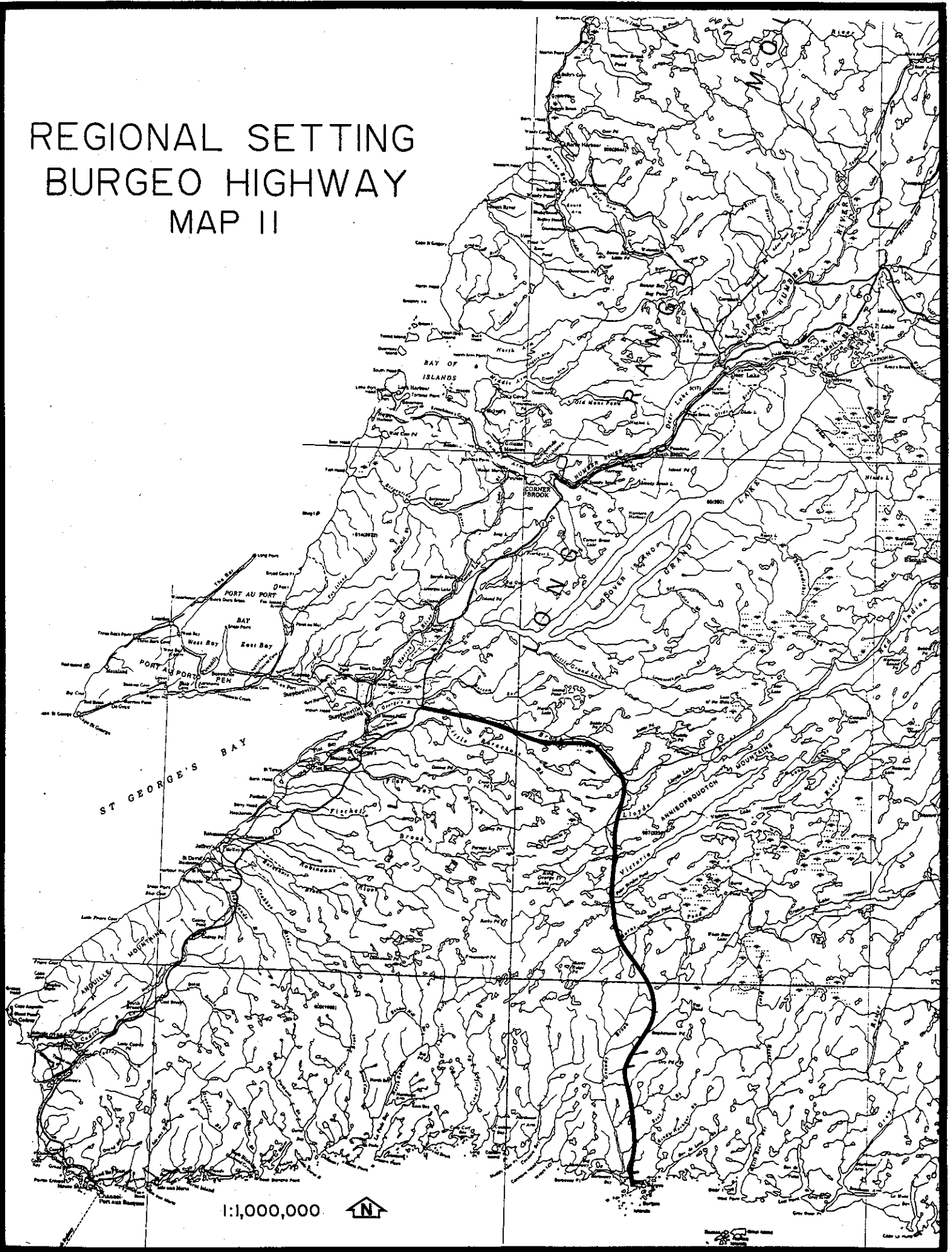
The 90 km stretch of road between the mountains and the south coast is dominated by a barren type landscape. Most of the soils were stripped away from the area during the glacial era, thus leaving a scanty and stunted vegetation cover, which contributed little to the process of soil formation. Bog, heath, tuckamore, and rock outcrop are typical features of this landscape.

3. REGIONAL SETTING

The Burgeo Highway is located in the southwestern section of the island, in the electoral districts of Burgeo-Bay D'Espoir, Windsor - Buchans, and St. George's. The highway, opened in 1979,

provides Burgeo and nearby coastal communities with a road link to the Stephenville - Corner Brook region, thus reducing these southern shore communities dependency on water and air transportation. (See Map II).

REGIONAL SETTING BURGEO HIGHWAY MAP II



PART II-LAND USE/NATURAL RESOURCES

PART III - ZONING

The prevalent rural uses are timber harvesting, especially along Southwest Brook, and aggregate extraction. Most of the commercial timber near the highway has already been harvested by Abitibi-Price and Corner Brook Pulp & Paper. South of the Annieopsquotch Mountains, stands of commercial forest are almost non-existent. There are several areas of high potential aggregate zones and many active and non-active quarries along the route. Maps showing the areas of productive forest can be obtained from the Department of Forestry and Agricultural in Corner Brook. Maps showing the aggregate resources and quarries can be obtained from the Department of Mines and Energy in St. John's.

The sports fishery and wildlife are other important natural resources. The 400m Building Control Line includes the schedule salmon river Southwest Brook and many of its headwaters. Also, there are numerous water bodies that support brook trout populations. The road bisects the LaPoile Caribou herd at a number of places, but primarily just south of Peter Strides River. The area south of Dry Pond Brook represents the wintering area for the herd.

Other uses not of a resource nature are summer cottage developments (see section under "Rural Zoning"), and roadside camping. The only other sign of development, outside the Planning

Area Boundary of Burgeo, is the Department of Works, Services and Transportation's depot at Peter Strides River.

Within the Planning Area Boundary of Burgeo, some commercial activity is found near the causeway to Grandy's Island. Also located within the Planning Area Boundary, is the Long Pond protected water supply and the waste disposal site for the Town of Burgeo.

PART III - ZONING

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

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

3.1 Building Control Line

The Building Control Line is set at 400 m on either side of the highway centre line, except within the Planning Area Boundary of Burgeo where it reduced to 150m, and within its municipal Boundary to 100m.

3.2 Urban

Within the Planning Area Boundary of Burgeo zoning is provided for under section 7 of the Protected Road Zoning Regulations which states "where a protected road passes through an area controlled by an approved plan made under the provisions of Parts II, III, IV, V and VI of the Act, the land included shall be used only in accordance with these Regulations and the approved land use plan." Therefore, the provisions of the Municipal Plan of Burgeo are automatically applied to this plan. For zoning and land use policy along this section of road, reference should be made to the Burgeo Plan.

3.3 Rural

Rural zones were developed in order to guide development in sparsely developed areas. This is achieved by the application of blanket performance standards in rural areas and the designation of specified lots of land for summer cottage and highway service activities.

The Protected Road Zoning Regulations allows for the use of three rural zones - Highway Service Zone, Summer Cottage Zone, and the Rural Conservation Zone. Only the Summer Cottage Zone and the Rural Conservation zone are incorporated in this Plan.

Attempts to select a suitable site for a Highway Service Zone have proved futile. Much of the ideal part of the road is Abitibi-Price Charter land (from Silver Lake to just south of Peter Strides), and the company is reluctant to give its approval for this type of activity. While the remainder of the road corridor is physically unsuitable due to its barren nature, there may be several marginal areas that could be developed, but this will depend upon the willingness of private enterprise. Therefore, while the plan does not identify a specific parcel of land for a Highway Service Zone, proposals from prospective developers will be favourably reviewed, and if necessary, the Plan will be amended to accommodate such a development.

The following is a brief objective of the Zone's objective and how each is applied. A description of the permitted uses and standards are found in the Protected Road Zoning Regulations, in the Appendix.

3.3.1 Summer Cottage

The objective of this zone is to satisfy the demand for cottage development by allocating areas where this form of development may occur in a planned and controlled manner.

This zone is applied to parcels of land usually near a body of water, and where a demand for cottages is evident.

On the Burgeo Road, three areas are designated as Summer Cottage Zones - Man Rock Pond, Beaver Pond and Wood Tilt Brook. While Beaver Pond is fully developed, there remains over 30 undeveloped lots at Man Rock Pond and Wood Tilt Brook. Some of these are located beyond the 400m Building Control Line.

3.3.2 - Rural Conservation

The Rural Conservation Zone applies to any rural open space which is essentially void of development and located outside the core area of a community. It's purpose is to provide for the conservation of natural resources, while preserving the rural character of the highway corridor. In general terms, this will be achieved by access control, siting requirements, and any standards generated through this Department's referral system.

The land within the designation may be used for uses associated with forestry, agriculture, fishing, mineral working and recreation.

With respect to mineral resources:

Proposals for non-mineral development falling within an aggregate potential zone, or within 300 m of a quarry (active or inactive) must be approved by the Department of Mines and Energy.

With respect to the fishery:

Proposals located within 100 m of any waterbody must be approved by the Department of Fisheries and Oceans.

With respect to wildlife:

Proposals for development in the Peter Strides River area and south of Dry Pond Brook, must be approved by the Wildlife Division, Department of Environment and Lands.

With respect to forestry:

All applications falling within areas designated as Productive Forest must be referred to the Dept. of Forestry & Agriculture, Corner Brook.

PART IV - SUMMARY

The Burgeo Highway Zoning Plan was prepared by the Urban and Regional Planning Division in consultation with other Government Departments and agencies. It identified the resource potential and land use parameters for the highway corridor, and established several Summer Cottage Zones and a general Rural Conservation Zone. The Plan is intended to be a working document for the Western Regional Development Control Office and those involved in land development and the permit granting process.

Since the condition of the highway corridor may change during the plan period (5 years), amendments to the plan may be necessary. Any plan amendment(s) must be channelled through the Urban & Rural Planning Division and shall be read together with a form part of this Plan.

Furthermore, the Plan shall be reviewed and, if necessary, revised on the expiration of every 5 years from the date on which this Plan comes into effect, in accordance with the developments which can be foreseen during the next 10 years.

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