# Protected Road Zoning Plan Trans Canada Highway <br> Channel - Port aux Basques to Corner Brook (2003-2013) 



Department of Municipal \& Provincial Affairs Urban \& Rural Planning Division

# URBAN AND RURAL PLANNING ACT VAlarton 

## NOTICE OF APPROVAL

# TRANS CANADA HIGHWAY <br> CHANNEL - PORT AUX BASQUES <br> PROTECTED ROAD ZONING PLAN 

2003-2013

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 Canada Highway Channel-Port aux Basques Protected Road Zoning Plan, 2003-2013.

Dated at St. John's this $28^{\text {th }}$ day of December_, 2003.


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Department of Municipal \& Provincial Affairs
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## PART I

## 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:
(a) To restrict sporadic ribbon development along the highway.
(b) To restrict the number of accesses along the highway, thus reducing the number of potential hazards and expediting the free flow of traffic.
(c) 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.
(d) 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.
(e) 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.
(f) To ensure that the standards of construction conform to the minimum requirements of the National Building Code of Canada.
(g) To assist in the orderly development of the communities adjacent to the highway.
(h) 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:
(a) 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.
(b) 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.
(c) 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:
(a) Within a Municipality, the Building Control Line shall extend one hundred (100) m either side of the centreline of a Protected Road.
(b) 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.
(c) Within an established unincorporated community, the Building Control Line shall be as designated by an existing or proposed Highway Zoning Plan.
(d) 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, is 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 is further review and referral of detailed plans prior to final approval.

## PART II - PUBLIC CONSULTATION

The initial phase of 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 local service districts having jurisdiction along the Protected Road, the Economic Development Boards in the region, and the local MHA'S. A Public Notice concerning the preparation of the Protected Road Zoning Plan was published in the Gulf News, the Georgia, the Nor'wester, and the Humber Log.

As a result of these written advisories, public and special interest meetings were held with the Town of St. George's, the Festive Coast Tourism Association in Stephenville, the Local Service District of Little Rapids, MHA Kevin Aylward's Office, and a local developer.

## PART III - THE HIGHWAY DESCRIBED

## 1. The Protected Road

The Trans Canada Highway was designated as a Protected Road on May 12, 1959, and is described as "The Trans Canada Highway, Route 1, from the western face of the Donovan's overpass to the eastern abutment of the Grand Bay Bridge at Port aux Basques". This plan deals with the 225 km portion of the Trans Canada Highway from the southern limits of the boundary of Corner Brook Municipal Planning Area to the eastern abutment of the Grand Bay Bridge at Port aux Basques.

## 2. Community Distribution

The four unincorporated communities of Tompkins, Doyles, South Branch, and Coal Brook are the only areas of urban development on the highway. Total right-of-way occupation for these is approximately 6.0 km .

## 3. Relationship to Other Planning Controls <br> Municipal

The Protected Road traverses the planning jurisdictions of the Town of St. George's and Channel-Port aux Basques. This results in a dual system of control exercised by the Authority and the respective Councils, and the need for a consultative process prior to the decision on an application.

Section 7 of the Protected Road Zoning Regulations (79) 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 these two approved Municipal Plans are automatically applied to this Plan.

## PART IV - ZONING

The Land Use zoning is described with the 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 guidelines were used:
(a) All measurements from the highway or local roads, unless otherwise stated or depicted refer to a measurement from the centreline of the highway.
(b) All references to points and distances from the highway shall unless stated or depicted to the contrary, be taken to be perpendicular measurements from the highway centreline.
(c) All zones and lines running in the direction of the highway dealing with zoning boundaries shall, unless otherwise stated or depicted, refer to lines running parallel to the centreline of the highway.

## 1. URBAN ZONING

The Protected Road passes through the planning jurisdictions of the City of Corner Brook, the Town of St. George's and the Town of Channel-Port aux Basques. This results in a system of dual control exercised by the Authority (Government Service Centre) and the respective Councils, and the need for a consultative process prior to the decision on an application.

Section 10 of the Protected Road Zoning Regulations states "That where a protected road passes through an area covered by an approved plan made under the 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." Therefore, the provisions of the Municipal Plan for these municipalities are automatically applied.

In addition to the these three planning jurisdictions, there are four unincorporated communities having roadside development along the highway - Tompkins, Doyles, South Branch, and Coal Brook. Total right of way occupation is approximately 6.0 kilometers. Within these unincorporated areas the Government Service Centre is the only body exercising development control.

## 2. RURAL ZONING

Rural Zones (Highway Service, Summer Cottage, Rural Residential, and Rural Conservation) were developed to assist in the implementation of this Department's objectives in sparsely developed or underdeveloped 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, highway service activities, and rural residential uses.

All but the Rural Residential zone are applied on the Protected Road.

### 2.1 Summer Cottage Zoning

There are ten summer cottage zones on the Protected Road. Within these areas, new cottages may be permitted but individual accesses to the highway are prohibited. New accesses to the highway will only be permitted in these zones with the provision that it will serve a minimum of four cottage lots.

### 2.2 Highway Service Zoning

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

There are eight Highway Service Zones on the Protected Road. Uses permitted in these zones will be those related to serving the motoring public and the tourist.

In addition to these, there are many highway service facilities located within the urban areas adjacent the highway.

### 2.3 Rural Conservation Zoning

All other land not zoned for urban related uses, summer cottage, or highway service, is zoned as Rural Conservation. The Rural Conservation Zone allows for uses related to resource extraction, certain tourism uses, and rural industrial developments

## SCHEDULE 'A'

## ZONING TABLES

## MIXED ZONE CODE (M)

| Permitted Uses | Minimum Lot Frontage (1) | Minimum Sideyard (2) |  |  | Remarks |
| :---: | :---: | :---: | :---: | :---: | :---: |
| (a) Residential (M1)(3) | As per <br> Res. Zone | As per Res. Zone |  | (1) | 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 |  | 4.5 m | (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 centimetres in extent. |
| (c) Commercial (M3) motel, tavern, shop, office or place of amusement | $\begin{aligned} & 30 \mathrm{~m} \\ & 15 \mathrm{~m} \end{aligned}$ | $3 \mathrm{~m}$ $3 \mathrm{~m}$ | 4.5 m | (3) | 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 | $\begin{aligned} & 45 \mathrm{~m} \\ & 45 \mathrm{~m} \\ & 30 \mathrm{~m} \end{aligned}$ | $\begin{aligned} & 3 \mathrm{~m} \\ & 3 \mathrm{~m} \\ & 3 \mathrm{~m} \end{aligned}$ | $\begin{aligned} & 4.5 \mathrm{~m} \\ & 4.5 \mathrm{~m} \end{aligned}$ | (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. |
| (e) Hospitality home or other tourist establishments (M5) | 30 m | 3 m | 4.5 m | (5) | 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. |

$\qquad$ cont'd

## Further requirements:

## Light Industrial

Accessory Structures

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.

Mobile Homes
2. Accessory structures may conditionally be permitted but shall not exceed a single storey in
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.
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.

## HIGHWAY COMMERCIAL ZONE - CODE (IIC)

| Permitted Uses | Minimum Lot Frontage | Minimum <br> Building Line | Minimum <br> (1) <br> Sideyard | Minimum <br> (3) <br> Rearyard |  | Remarks |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| (a) Motel | 60 m | See (4) | 3 m | 7.5 m | (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 by 12 metres. |
| (b) Restanuant | 45 m | See (4) | 3 m | 7.5 m | (2) | Parks and marinas shall be suitably screened from a use which generates excessive noise and movement. |
| (c) Tourist Information Chalet | 60 m | See (4) | 3 m | 7.5 m | (3) | The minimum rearyard will be increased to a distance as prescribed by the Authority, the Dept. of Health or the Dept. of Environment if the rear of the development lies opposite a residential development. |
|  |  |  |  |  | (4) | The minimum building line shall be in accordance with Section 21. |
| (d) Travel Trailer Park (2) | - | 90 m | - | - | (5) | Minimum lot requirements refer to sites provided with complete off-lot services approved by an |
| (e) Craft Shop | 45 m | See (4) | 3 m | 7.5 m |  | Authority. Where the sites are only partially serviced or unserviced, minimum lot requirements will be as specified by the Dept. of Health of the Dept. of Environment. |
| (f) Tourist cabins | 60 m | See (4) | 6 m | 7.5 m |  |  |
| (g) Camping Park <br> (2) | - | 90 m | - | - |  |  |
| (h) Rest Park (2) | - | 90 m | - | - |  |  |
| (i) Marina (2) | - | 90 m | - | - |  |  |

## Further Requirements:

Lounges

Snack Bars and other Markets

Accessory Buildings

Truck Stops

1. Lounges will only be permitted in conjunction with motels, hotels, and tourist lodges, operating year round and having a minimum of 6 sleeping units.
2. (1) Snack bars, convenience stores and farmers/fish markets will only be permitted in conjunction with a principle use.
(2) Where permitted, they shall be subordinate to, while forming an integral part of the principle use.
3. (1) Accessory buildings may be permitted subject to the approval of the Authority.
(2) 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.
4. (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.
(2) The area within the building shall be so located as not to interfere with the normal services of the establishment.

Highway Service Centre
Code (HS)

| Permitted Uses | Minimum Lot <br> Frontage | Minimum Building Line | Minimum <br> 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 | Sce (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 sitting 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 <br> Required | 90 m | As Required |  |  |
| (h) Camping Park (2) | As <br> Required | 90 m | As Required |  |  |
| (i) Marina (2) | As Required | 90 m | As Required |  |  |

## Further Requirements:



## BUFFER ZONE

## Code (B)

## Permitted Uses:

Only home gardening or an open space or playground will be permitted in a buffer zone.

## Requirements:

Home Gardening

Open Space or Playground

1. (1) Only agricultural structures designed for the storage of equipment or produce with a floor area of less that 45 square metres, fencing, and accesses, may be permitted in conjunction with an agricultural use in a buffer zone.
(2) These developments, if permitted, must conform to those aesthetic requirements that are prescribed by the Authority.
2. (1) An open space or playground may be permitted in a buffer zone if the use is restricted to in excess of 45 metres from the centre line of a Class I protected road, and in excess of 30 metres from the centre line of other protected roads.
(2) In either case, access to that 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.

Access
3. (1) Direct access from a highway to a proposed development in a buffer zone will only be permitted if no altemate route exists and if that use presents no inconvenience or hazard to highway traffic.
(2) All accesses will meet with those conditions imposed by the Authority and the Dept.of Works, Services and Transportation.

# 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:
(a) greenhouse production, permanent greenhouse structures of a minimum of 370 metres squared in operation with adequate land base for subsidiary cropping;
(b) root crops, 8 hectares of land with 4 hectares in production plus required ancillary buildings, adequate storage and cropping, washing and packaging equipment;
(c) strawberries, raspberries, 8 hectares of land with 3 hectares in production plus required ancillary buildings and cropping and handling equipment.
(d) 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
(e) 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.

Forestry Use

Fisheries Use

Mining and
Quarrying 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.
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.
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

## Rural Industrial Uses

Private Recreational
Travel Trailer Parks
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.
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.
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)



# SCHEDULE 'B' <br> PLANNING AREA BOUNDARIES <br> AND <br> MUNICIPAL BOUNDARIES 





## SCHEDULE 'C'

## ZONING MAPS

## URBAN ZONES









## RURAL

## ZONING

## HIGHWAY SERVICE

## CENTRES

## Highway Service Centres



- Highway Service Centres












## SUMMER COTTAGE

## ZONES











