



**Amendment No. 6, 2018
Trans-Canada Highway (Channel-Port aux Basques to Corner Brook)
Protected Road Zoning Plan**

Robinsons River

Prepared by:

**Department of Municipal Affairs and Environment
Local Governance and Land Use Planning Division**

May 2019

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URBAN AND RURAL PLANNING ACT

RESOLUTION TO APPROVE

**TRANS-CANADA HIGHWAY (CHANNEL-PORT AUX BASQUE TO CORNER BROOK)
PROTECTED ROAD ZONING PLAN**

Amendment No. 6, 2018

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, I, Mary Oley, on behalf of the Minister of Municipal Affairs and Environment,

- a) adopted the Trans-Canada Highway (Channel-Port aux Basque to Corner Brook) Protected Road Zoning Plan Amendment No. 4, 2016 on the ----- day of -----, 2019.
- b) gave notice of the adoption of the Trans-Canada Highway (Channel-Port aux Basque to Corner Brook) Protected Road Zoning Plan Amendment No. 4, 2016 by advertisement inserted on the ----- day and the ----- day of -----, 2019 in the -----newspaper.
- c) set the ----- day of ----- at ----- p.m. at the Town Hall, -----, for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, I, Mary Oley, approve the Trans-Canada Highway (Channel-Port aux Basque to Corner Brook) Protected Road Zoning Plan Amendment No. 4, 2016 as adopted (or as amended as follows).

SIGNED AND SEALED this ----- day of -----, 2019.

Mary Oley
Director of Local Governance and Land Use Planning

URBAN AND RURAL PLANNING ACT

RESOLUTION TO ADOPT

**TRANS-CANADA HIGHWAY (CHANNEL-PORT AUX BASQUES TO CORNER BROOK)
ZONING PLAN**

AMENDMENT No. 6, 2018

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal Affairs adopts the Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) Protected Road Zoning Plan Amendment No. 6, 2018.

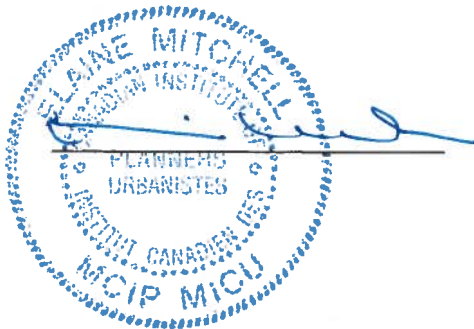
Signed this ____ day of _____, 2019.

Mary Oley
Director of Local Governance and Land Use Planning

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Highway Zoning Plan Amendment No. 6, 2018 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:



**Trans-Canada Highway (Channel-Port aux Basques to Corner Brook)
Protected Road Zoning Plan**

Amendment No. 6, 2018 (Robinsons River)

FORWARD

The Department of Municipal Affairs and Environment is considering an amendment the Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) Protected Road Zoning Plan. An individual submitted a request to rezone land located on the west side of the Trans-Canada Highway, south of the Route 404 intersection at Robinsons River from “Rural Conservation” to “Cottage” to accommodate a cottage.

BACKGROUND

The Protected Road Zoning Regulations (CNLR 996/96) are provincial regulations made under the Urban and Rural Planning Act. According to schedule B of these Regulations, the Trans-Canada Highway (Channel-Port aux Basques to Corner Brook), Route 1, is a Class I protected road. Schedule B states:

The Trans Canada Highway (Route 1), as existing or proposed, from the western face of the Kenmount Road Overpass, at St. John's, to the eastern abutment of the Grand Bay Bridge, at Port aux Basques, but excluding that portion of the highway within the Terra Nova National Park. For the purpose of controls, 2 portions of this highway shall be considered a limited access highway, namely,

- (a) from the western face of the Kenmount Road Overpass to the intersection of the Argentia Access Road (Route 100); and
- (b) from its intersection with the Nicholville Road, at Deer Lake, to its intersection with Massey Drive, at Corner Brook .

Subsection 3 (1) (a) of the Protected Road Zoning Regulations defines a Class I protected road as:

Class I is a highway which is designated as a primary highway by the Department of Works, Services and Transportation or is presently or proposed to be divided by a median strip which shall allow right in and right out access only;

The Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) Protected Road Zoning Plan came into effect in 2004. The goal of the Plan is to protect the Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) as a safe and convenient conveyor of traffic while ensuring that development occurs in an orderly manner.

The Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) Protected Road Zoning Plan establishes land use policies and zones. The provincial Protected Road Zoning Regulations contain permitted uses within each zone and development control standards.

CONSULTATION

In accordance with Section 14 of the Urban and Rural Planning Act, the Department of Municipal Affairs and Environment must undertake public consultation to provide an opportunity for interested persons or groups as well as government departments:

- to provide input; and
- to learn about the proposed plan or amendment.

The Department consulted with government departments who identified that:

- Permits and/or approvals will be required from the Government Service Centre;
- If installation of an on-site subsurface sewage disposal system is required, the applicant must submit and receive approval for plans and specifications from an approved sewage disposal system.
- The subject site is located an area of recognized aggregate potential centered on Robinsons River valley, the river mouth and adjoining valleys and, as a result, quarrying is a land use that may be expected in the general area and there is at least one former quarry located nearby.
- The subject site is located within a designated flood risk area. A permit is required under section 48 of the Water Resources Act, 2002 for any work within the designated flood risk area prior to the start of construction. All work must comply with the Department of Municipal Affairs and Environment "Policy for Flood Plain

Management”

(https://www.mae.gov.nl.ca/waterres/regulations/policies/flood_plain.html).

- A permit is required from the Water Resources Management Division, Department of Municipal Affairs and Environment for any work in any body of water, including wetland, or for infilling within 15 metres of a water body, prior to the start of construction.
- The number of accesses to the Trans-Canada Highway must be limited to preserve the its functionality and all future access requests will be assessed on a case by case basis and will be subject to the Department of Transportation and Works “Policy for Highway Access Management” (https://www.roads.gov.nl.ca/highway_access_policy_2019.pdf).
- The Wildlife Division advises that there is a designated Sensitive Wildlife Area which contains rare plants. No development or disturbance is permitted to occur in the forested area between the houses and the river and that a naturally vegetated buffer with a minimum of 50 metres width be maintained along Robinsons River.

ANALYSIS

The area subject to this amendment is located on the west side of the Trans-Canada Highway, south of the intersection with Route 404, adjacent to Robinsons River. There are several existing cabins at this location and an existing access onto the Trans-Canada Highway. The applicant demolished an existing cabin and has started to build a replacement. In order to accommodate this new cabin, this individual has requested that the area be rezoned to accommodate cottage development.

The subject site is currently zoned “Rural Conservation”. According to the Protected Road Zoning Regulations, seasonal dwellings are not permitted in the “Rural Conservation” zone.

A “Cottage” zone is located on the east side of the Trans-Canada Highway as well as a “Highway Service Centre”.





The proposed “Cottage” zone does not extend into the forested area so to protect the Sensitive Wildlife Area identified by the Wildlife Division. The proposed cottage is located on the south side of the access road and was previously developed.

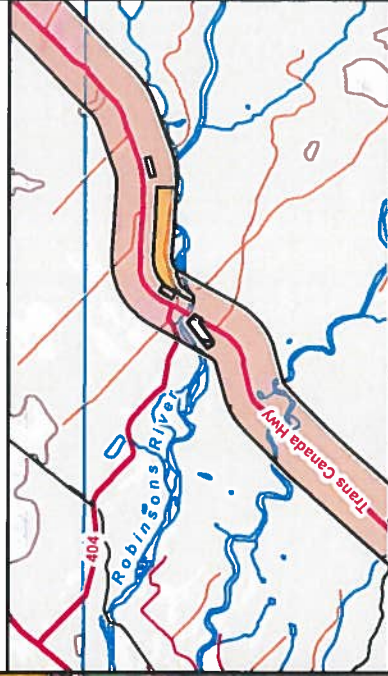
Proposed Amendment No. 6, 2018

The Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) Protected Road Zoning Plan Amendment No. 6, 2018 proposes to rezone land on the west side of the Trans-Canada Highway, south of the Route 404 (Robinsons) intersection, at Robinsons River, from “Rural Conservation” to “Cottage” to accommodate existing and a proposed cottage. The attached map illustrates the proposed amendment.

Amendment No. 6, 2018
Trans-Canada Highway (Channel-Port aux Basques to Corner Brook) Protected Road
Zoning Plan
Robinsons River

**TCH Channel-Port aux Basques to Corner Brook
Protected Road Zoning Plan
Amendment No. 6, 2018
Robinsons River**

-  From 'Rural Conservation' to 'Cottage'
-  Cottage
-  Highway Service Center
-  Rural Conservation

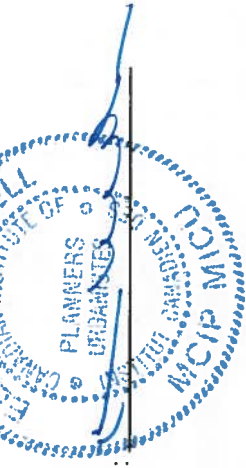


Signed this ___ day of _____, 2019.

Mary Oley
Director of Local Governance and Land Use Planning

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the Protected Road Zoning Plan Amendment No. 6, 2018, has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.



MCIP: _____



Protected Road Plan Amendment
REGISTERED

Number _____
Date _____
Signature _____