

**PROTECTED ROAD ZONING PLAN
SOUTHERN SHORE HIGHWAY (ROUTE 10)
(2002-2012)**

AMENDMENT No. 1, 2012

**Prepared by:
Department of Municipal Affairs
Engineering and Land Use Planning Division**

November 2012

**URBAN AND RURAL PLANNING ACT
CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Southern Shore Highway Protected Road Zoning Plan (2002-2012) Amendment No. 1, 2012 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP:

Gealyn Lynch

(MCIP Seal)

Gealyn Lynch

PROT. RD	Plan/Amendment
REGISTERED	
Number	<u>PR10-2013-002</u>
Date	<u>September 6, 2013</u>
Signature	<u><i>Gealyn Lynch</i></u>

PROTECTED ROAD ZONING PLAN (2002-2012) SOUTHERN SHORE HIGHWAY (ROUTE 10)

AMENDMENT No. 1, 2012

1.0 BACKGROUND

The Department of Municipal Affairs wishes to amend the Southern Shore Highway Protected Road Zoning Plan (PRZP). The purpose is to change the zoning at three locations along the protected highway to accommodate future development. The proposed amendment will result in minor changes to the Plan in the Local Service Districts of Mobile and Tors Cove and in an unincorporated area, north of Portugal Cove South, opposite Browsey Island Pond. The changes are illustrated on the enclosed maps in Appendix "A".

The Southern Shore Highway is categorized as a Class II protected road whose primary function is to serve as a transportation link for a large outlying area. On December 27, 2002, the Southern Shore Highway Protected Road Zoning Plan came into legal effect. Its purpose is to control the type, location, density and visual characteristics of development that may impact highway safety and amenity. The Highway Plan was prepared in accordance with the provisions of the *Urban and Rural Planning Act* (URPA) and the Protected Road Zoning Regulations that were created under URPA. The current Plan was prepared based on extensive consultations with various stakeholders: federal and provincial government departments, town councils, local service districts, community interest groups and the general public. Two public hearings were held on August 12 and 13, 2002 in Trepassey and Cape Broyle. The Commissioner of the day recommended the Plan be registered, without change.

The approved Plan established a zoning scheme for the Southern Shore Highway in accordance with the provisions of the Protected Road Zoning Regulations. Within the built-up portions of the communities of Mobile and Tors Cove a "Mixed" zone is applied to land fronting directly onto the highway. The building control line for the zone extends 100 metres, measured perpendicular, from the centre line of the highway. In sparsely developed or undeveloped areas, the Plan established four additional zones, which are Highway Service, Summer Cottage, Rural Residential and Rural Conservation. In the area of interest north of Portugal Cove South the land opposite Browsey Island Pond is zoned "Rural Conservation". The zone extends for a distance of 400 metres perpendicular from the Highway center line.

2.0 PUBLIC CONSULTATION

During the preparation of this amendment, the following initiatives were undertaken so that individuals and groups could provide input. An advertisement noting the proposed changes was published in the November 14, 2012 edition of the *Telegram* newspaper requesting comments concerning the amendment by Friday November 30, 2012. The Minister also invited direct input from the towns and local service districts along the Protected Road. As well, departments of the provincial government were invited to provide direct input. The amendment was also referred to the Intergovernmental Land Use Committee. Two statutory Public Hearings were completed by an appointed Commissioner. These were held on January 23, 2013 in Mobile and January 31, 2013 in Portugal Cove South.

3.0 ZONING AMENDMENT 1, 2012

The three areas affected by this amendment are described as follows:

Mobile

In Mobile, the area of interest involves a parcel of privately owned land that fronts directly onto the east side of Route 10, between the highway and Cod Seine Cove Road. The land, which is currently zoned "Rural Conservation", has access from Cod Seine Cove Road; however, the backland, which abuts Route 10, has limited potential for driveway access due to the physical characteristics of the site. The land slopes away from the east side of the highway toward the sea at a point where the highway begins a steep upward turn away from the sea. Immediately south of the area of interest there is a guard rail in place to safeguard against the steep slope. The amendment will change the zoning on the east side of the Highway from "Rural Conservation" to "Mixed"; however, access to the land should be gained from Cod Seine Cove Road. The Mixed zone will extend for a distance of 100 metres, perpendicular from the centre line of the Protected Road. (See Map 1)

Tors Cove

The second site considered for rezoning is privately owned land situated on the north and south sides of Burnt Cove Road near its intersection with Route 10, in the Local Service District of Tors Cove. Burnt Cove Road is maintained by the Department of Transportation and Works. Burnt Cove Road provides access from Route 10 to the communities of Burnt Cove, St. Michael's, Seal Cove and Bauline East. The north and south sides of Burnt Cove Road is zoned as "Rural Conservation" for a distance of 380 metres from its intersection with the Highway. With the exception of the RC zone, the entire length of Burnt Cove Road is developed with a mix of land uses as far south as the terminating community of Bauline East. The highway speed limit on Burnt Cove Road is 40 km/h.

In light of the existing development pattern, the amendment will change the zoning on both sides of Burnt Cove Road from "Rural Conservation" to "Mixed Development" for a distance of approximately 380 metres. The "Mixed" zone will measure a distance of 100 metres, perpendicular from the centre line of the local road. The Mixed zone will accommodate a mix of land uses including residential, public, commercial and light industrial uses. The proposed zoning change will have the effect of bringing an existing outdoor recreational equipment, sales and service business into conformity with the zoning Plan. (See Map 2)

North of Portugal Cove South

The amendment will change the zoning in an isolated area north of Portugal Cove South, opposite Browsey Island Pond, where a number of summer cottages have developed. The site contains two existing cottages and another that is proposed to be constructed on a previously occupied site. One of the existing cottages has direct access onto Route 10; the other gains access from a side road that appears to have formed as a result of a realignment of the Highway. The amendment will change the zoning from "Rural Conservation" to "Summer Cottage Zone" so as to accommodate three cottage lots. (See Map 3)

3.1.1 ZONING

The Southern Shore Highway Protected Road Zoning Plan (2002-2012) is amended as follows:

1. **Part IV-Zoning**

Sub-section 1 Urban Zoning

- (a) The following policy statements shall be added to the Plan under Part IV – Zoning, Section 1 Urban Zoning, which begins on page 7:

A “Mixed” (M) zone is created on Route 10 in the Local Service District of Mobile. The amendment will extend the existing “Mixed” zone near Cod Seine Cove Road in a southerly direction for a distance of 200 metres on the east side of the Highway, only. The Mixed zone will terminate at the crest of the hill, where a Rural Conservation zone begins. The building control line will remain unchanged, extending a distance of 100 metres, perpendicular, from the centre line of the Highway. For public safety reasons, access to the land which abuts the eastern edge of Route 10 should be gained from Cod Seine Cove Road. Driveway Access from Route 10 should be considered only when no other means of access is available and only with the approval of the Department of Transportation and Works.

A second “Mixed” zone is created in the Local Service District of Tors Cove. The Amendment will extend the existing “Mixed” zone on Burnt Cove Road in a westerly direction for a distance of 380 metres, terminating at its intersection with Route 10. The “Mixed” zone will extend a distance of 100 metres, perpendicular, from the centre line of Burnt Cove Road. It shall be a policy of this Plan to prohibit individual driveway access on the eastern side of Route 10 for lots that also have frontage onto Burnt Cove Road.

- (b) The zoning map in Schedule C of the Plan is amended for the community of Mobile as follows:

The map titled, “*Southern Shore Protected Road Zoning Plan Mobile, # 1N02-396*”, will be removed and a new map, Map 1, as shown in Appendix “A” will be inserted into the Plan. Map 1 will re-zone the land on the east side of Route 10 from “Rural Conservation” to “Mixed” to accommodate future development in the vicinity of Cod Seine Cove Road. The “Mixed” zone will extend 100 metres, perpendicular, from the centre line of the Route 10.

- (c) The zoning map in Schedule C of the Plan is amended for the community of Tors Cove as follows:

The map titled “*Southern Shore Protected Road Zoning Plan Tors Cove Extension, # 1N02-365*” will be removed and a new map, Map 2, as shown in Appendix “A” will be inserted into the Plan. Map 2 will re-zone the land on both sides of Burnt Cove Road from “Rural Conservation” to “Mixed” for a distance of 380 metres to accommodate future development. The “Mixed” zone will extend 100 metres perpendicular from the centre line of Burnt Cove Road.

2. **Part IV – Zoning**
Section 2 Rural Zoning

- (a) Section 2.1 “Summer Cottage Zoning” on page 8 of the Plan currently states:
“There are 4 summer cottage zones on the Protected Road. These are located at Tors Cove Pond, Hell Hill Pond near Lamaline, Clan Pond and Chance Cove. Isolated cottage development outside these zones is prohibited. Applications for summer cottage development will not be approved outside these zones unless it is accompanied by a subdivision proposal and the zoning is amended accordingly”.

Section 2.1 is amended to state: (bold indicates where text shall be added to the policy statement):

“There are **five (5)** summer cottage zones on the Protected Road. These are located at Tors Cove Pond, Hell Hill Pond near Lamaline, Clan Pond, Chance Cove, **and in an area north of Portugal Cove South, opposite Browsey Island Pond.** Isolated cottage development outside these zones is prohibited. Applications for summer cottage development will not be approved outside these zones unless it is accompanied by a subdivision proposal and the zoning is amended accordingly”.

- (b) The following policy statement is added to the Plan under Part IV – Zoning, Section 2.1 Summer Cottage Zoning:

A summer cottage zone is created on the north side of Route 10 in an unincorporated area north of Portugal Cove South, opposite Browsey Island Pond. The site has limited capacity to accommodate additional development; as a result, the Rural Conservation zone will remain in place, with the exception of three sites that are zoned for cottage lots. No new driveway access shall be permitted directly onto Route 10.

- (c) A new zoning map, Map 3, will be added to the Plan in Schedule C. Map 3 shows the spot zoning of three cottage sites on the north side of Route 10.

APPENDIX "A"

AMENDMENT 1, 2012

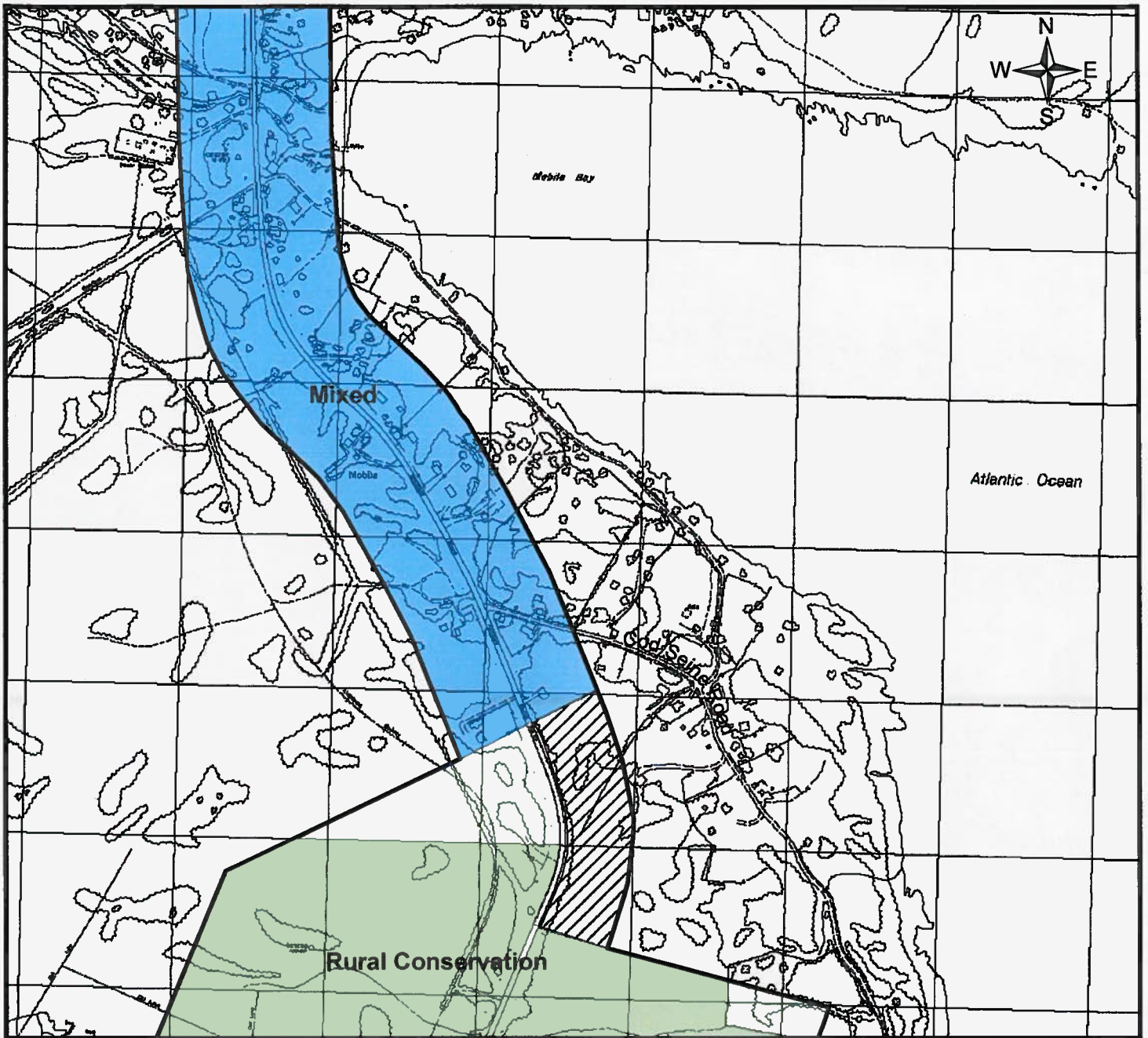
**PROTECTED ROAD ZONING PLAN
SOUTHERN SHORE HIGHWAY (ROUTE 10)**

ZONING MAPS:

1 Mobile

2 Tors Cove

3 North of Portugal Cove South



**Southern Shore
Protected Road Zoning Plan**

Amendment 1, 2012

Seal

Map 1

**Mobile
1N02-396**

Gealyn Lynn



from Rural Conservation
to Mixed Development

PROT. 120 Plan/Amendment

REGISTERED

Number PR10-2013-002

Date September 6, 2013

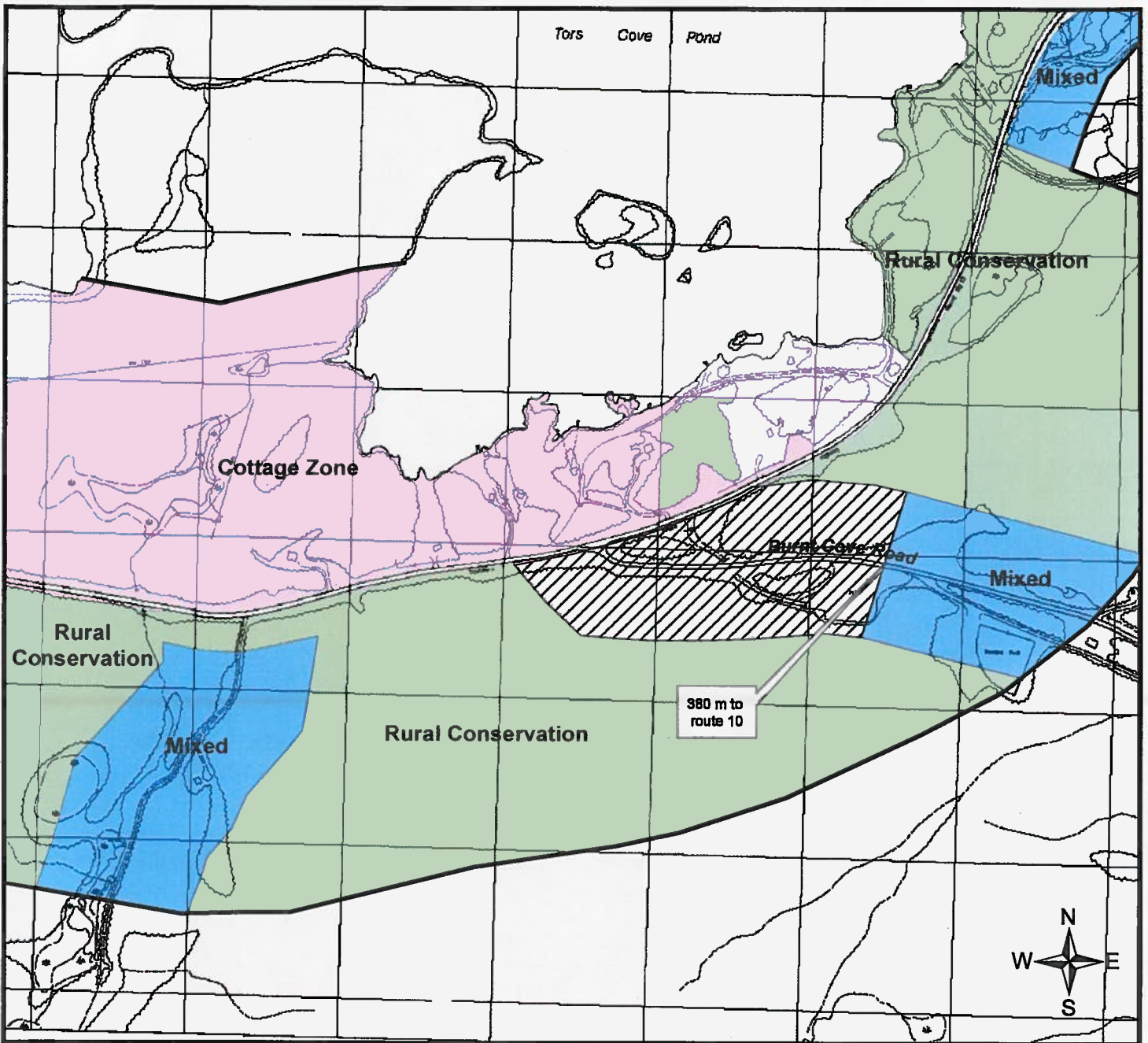
Signature Cowan

I certify that the attached Southern Shore Highway
Protected Road Zoning Plan 2002 - 2012
Amendment No. 1, 2012
has been prepared in accordance with the requirements
of the Urban and Rural Planning Act

Dated at St. John's

This 6 Day of September, 2013

Scale 1:7,500



**Southern Shore
Protected Road Zoning Plan**

Amendment 1, 2012

Seal

Map 2

**Tors Cove Extension
1N02-365**

Hevelyn Lynch



from Rural Conservation
to Mixed Development

**PROT. RD 1 Plan/Amendment
REGISTERED**

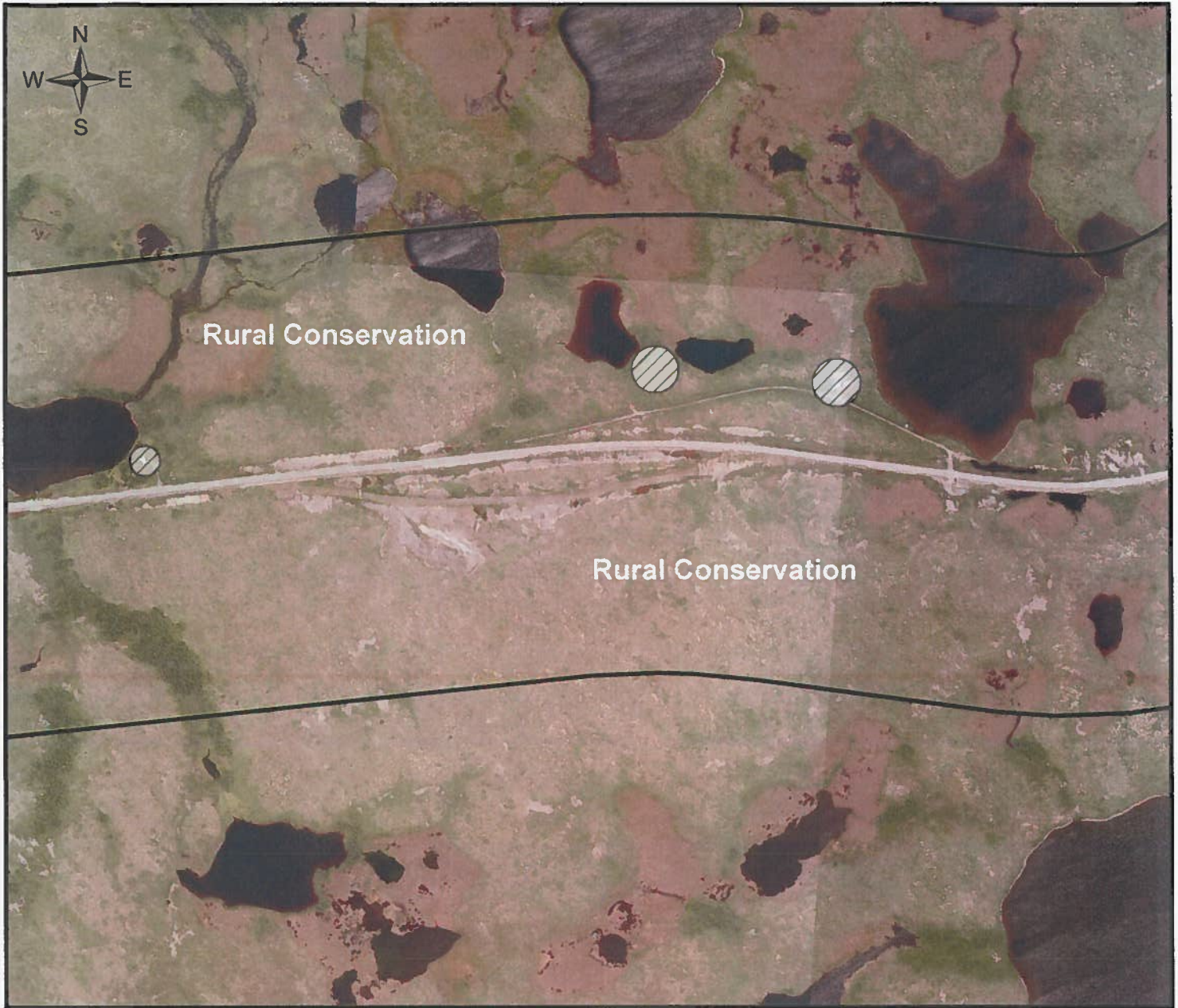
Number PR10-2013-002
 Date September 6, 2013
 Signature [Signature]

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**Southern Shore
Protected Road Zoning Plan**

Amendment 1, 2012

Seal

**North of
Portugal Cove South**

Map 3

1K14

Devlyn Lynd



from Rural Conservation
to Cottage Zone

Scale 1:10,000

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REGISTERED
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 Signature [Signature]

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URBAN AND RURAL PLANNING ACT, 2000

SOUTHERN SHORE HIGHWAY PROTECTED ROAD ZONING PLAN AMENDMENT NO. 1, 2012

TAKE NOTICE that the Minister of Municipal Affairs has registered Amendment No. 1, 2012 of the Southern Shore Highway Protected Road Zoning Plan.

In general terms, the amendment recognizes existing and proposed development within the Local Service Districts of Mobile, Tors Cove and in an isolated area north of Portugal Cove South. The purpose of Amendment 1, 2012 is to rezone parcels of land in Mobile and Tors Cove from "Rural Conservations" to "Mixed" and from "Rural Conservation" to "Cottage" in an area north of Portugal Cove South.

Amendment No. 1, 2012 of the Southern Shore Highway Protected Road Zoning Plan comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the Plan may do so at the Land Use Planning Section, DEPARTMENT OF MUNICIPAL AFFAIRS, during normal working hours.

DEPARTMENT OF MUNICIPAL AFFAIRS
Corrie Davis, MCIP
Land Use Planning

Sept 13

NOTICE OF REGISTRATION TOWN OF CENTREVILLE-WAREHAM-TRINITY MUNICIPAL PLAN, 2013 AND DEVELOPMENT REGULATIONS, 2013

TAKE NOTICE that the TOWN OF CENTREVILLE-WAREHAM-TRINITY Municipal Plan, 2013 and Development Regulations, 2013, adopted on the 18th day of June, 2013, has been registered by the Minister of Municipal Affairs.

The Centreville-Wareham-Trinity Municipal Plan, 2013 and Development Regulations, 2013 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the documents may do so at the Centreville-Wareham-Trinity Town Office during normal business hours.

TOWN OF CENTREVILLE-WAREHAM-TRINITY
Michelle Lane, Town Clerk

Sept 13

NOTICE OF REGISTRATION TOWN OF GAMBO MUNICIPAL DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2013

TAKE NOTICE that the TOWN OF GAMBO Development Regulations Amendment No. 18, 2013, adopted on the 15th day of July, 2013, (as amended) and approved on the 17th day of July, 2013 has been registered by the Minister of Municipal Affairs.