



**ROAD TO THE ISLES
PROTECTED ROAD ZONING PLAN ZONING PLAN
AMENDMENT NO. 5, 2020**

(Notre Dame Junction)

Prepared by:

**Department of Environment, Climate Change and Municipalities
Local Governance and Land Use Planning Division**

December 2020

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ROAD TO THE ISLES
PROTECTED ROAD ZONING PLAN
AMENDMENT NO. 5, 2020

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, I, Mary Oley, as delegated by the Minister of Environment, Climate Change and Municipalities:

- a) adopted the Road to the Isles Protected Road Zoning Plan Amendment No. 5, 2020 on the ----- day of -----, 2021.
- b) gave notice of the adoption of the Road to the Isles Protected Road Zoning Plan Amendment No. 5, 2020 by advertisement inserted on the ----- day and the ----- day of -----, 2021 in the -----newspaper.
- c) set the ----- day of ----- at ----- p.m. at the -----, 2021, for the holding of a virtual public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, I approve the Road to the Isles Protected Road Zoning Plan Amendment No. 5, 2020 as adopted (or as amended as follows).

Signed this _____ day of _____, 2021.

Mary Oley

Director of Local Governance and Land Use Planning

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
ROAD TO THE ISLES
PROTECTED ROAD ZONING PLAN AMENDMENT NO. 5, 2020

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, I, Mary Oley, as delegated by the Minister of Environment, Climate Change and Municipalities adopt the Road to the Isles Protected Road Zoning Plan Amendment No. 5, 2020.

Signed this ____ day of _____, 2021.

Mary Oley

Director of Local Governance and Land Use Planning

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Protected Road Zoning Plan Amendment No. 5, 2020 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP:



ROAD TO THE ISLES PROTECTED ROAD ZONING PLAN
AMENDMENT NO. 5, 2020
NOTRE DAME JUNCTION

FORWARD

The Department of Environment, Climate Change and Municipalities proposes to amend the Road to the Isles Protected Road Zoning Plan (the “Plan”) by rezoning an area on the east side of the Road to the Isles (Route 340), north of the Trans-Canada highway at Notre Dame Junction. This amendment to the Plan is to accommodate a request to rezone privately owned land from “Rural Conservation” to “Cottage” to accommodate a proposed seasonal dwelling.

BACKGROUND

The Protected Road Zoning Regulations (“the Regulations”) are provincial regulations made under the *Urban and Rural Planning Act, 2000* (“the Act”) to control development within the building control lines of protected roads and to implement protected road zoning plans. Section 4 of the Regulations states that no one shall carry out development within the building control lines unless a permit has been issued. The building control lines are established in section 5 of the Regulations and extend 400 metres from the centreline of Route 340; except within a municipal boundary, where the building control line extends 100 metres from the highway centreline; or within a municipal planning area, where the building control line extends 150 metres from the highway centreline.

According to schedule B of the Regulations, the Road to the Isles (Route 340) is classified as a Class II Protected Road. Schedule B states that the Road to the Isles (Route 340), as existing or proposed extends:

- a) from its junction with the Trans Canada Highway (Route 1) to a point where the southern municipal planning boundary of the Town of Lewisporte, as defined, crosses the highway;
- b) from a point where the northern municipal planning boundary of the Town of Lewisporte, as defined, crosses the highway to a point where the southern municipal boundary of the Town of Campbellton, as defined, crosses the highway; and
- c) from a point where the northern municipal boundary of the Town of Campbellton, as defined, crosses the highway to a point where the eastern municipal boundary of the Town of Twillingate, as defined, crosses the highway.

A Class II protected road is defined by section 3(b) of the Regulations as:

... a highway which is designated as a secondary road by the Department of Works, Services and Transportation and whose prime purpose is a transportation link for large outlying areas of the Province.

The Department of Digital Government and Service NL (Government Service Centre) is the authority and responsible for administering the Regulations.

The Plan was prepared in 1983 with the goal of protecting Route 340 as a safe and convenient conveyor of traffic while ensuring that development occurs in an orderly manner. The plan was reviewed in 1993. An amendment was prepared and approved in 2019 which rezoned land on at Reach Run from 'Rural Conservation' to 'Cottage'. The Plan establishes land use policies and zones. The Regulations contain a list of uses permitted in each zone along conditions and development control standards.

PLANNING PROCESS

The Act specifies that plans, including a protected road zoning plan, are legally binding upon municipalities and councils within the area governed by a plan and anyone undertaking development. The Act outlines the process for bringing a protected road zoning plan or amendment into legal effect. In general terms, this process includes:

- Providing an opportunity for interested persons, community groups, municipalities, local service districts, other interested stakeholders and departments of government to provide input and receive information about the preparation of the plan or amendment;
- Statutory public hearing held by an independent commission to hear objections and submissions with respect to the plan or amendments.
- The statutory public hearing may be cancelled if no written submissions are received two days prior to the scheduled public hearing (this requirement is waived temporarily due to the Covid-19 pandemic);
- If the statutory public hearing proceeds, the commissioner must submit a report and recommendations to the Minister of Environment, Climate Change and Municipalities;
- If a review of the plan or amendment finds that it is not contrary to law or policy, the plan or amendment shall be registered;
- Once registered, a notice must be published in the *Newfoundland and Labrador Gazette* and a local newspaper;
- Upon publication of the notice of registration in the *Newfoundland and Labrador Gazette*, the plan or amendment comes into legal force.

No development can occur until a permit has been issued by Department of Digital Government and Service NL (Government Service Centre). The Government Service Centre has been delegated the authority to administer the Regulations. Once the Plan or amendment is in legal effect, all development must comply with the Plan and Regulations.

PUBLIC/STAKEHOLDER CONSULTATION

In accordance with section 14 of the Act, the Department of Environment, Climate Change and Municipalities must undertake public consultation to provide an opportunity for interested persons or groups, as well as government departments, to learn about the proposed plan or amendment and provide input.

The Department consulted with government departments and other agencies through the Interdepartmental Land Use Committee (ILUC). Responses identified that the applicant must apply for access to the site if the rezoning is approved.

A public consultation notice requesting input and comments from individuals or groups, along with the proposed amendment and associated map identifying the site, was posted on the Department of Environment, Climate Change and Municipalities website (https://www.gov.nl.ca/eccm/consultations/prz_consultations/). This posting included a Google Earth link to the subject site.

Written submissions are requested by Friday, January 8, 2021 at 4:00 pm.

ANALYSIS

The subject area is situated on the east side of Route 340 north of Route 1. The subject site is located within the protected road building control lines and is subject to the Plan and Regulations. The subject area is currently zoned “Rural Conservation”. According to the Regulations, cottages/cabins are not a permitted use in the Rural Conservation zone.

Access to the site is yet to be determined. The Department of Transportation and Infrastructure has indicated that residential access may be accommodated subject to an access permit. Additionally, permits will be required from Service before any construction.

AMENDMENT NO. 5, 2020

The Road to the Isles Protected Road Zoning Plan Amendment No. 5, 2020 rezones land located on the east side of Route 340 (Road to the Isles), at Notre Dame Junction, from “Rural Conservation” to “Cottage” as shown on the attached map.

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NOTRE DAME JUNCTION**

MAP



Rural Conservation

From 'Rural Conservation' to 'Cottage'



Protected Road Plan Amendment
REGISTERED

Number _____

Date _____

Signature _____

**Trans Canada Highway
Protected Road Zoning Plan
Amendment No. 5, 2020
Notre Dame Junction**



From 'Rural Conservation' to 'Cottage'



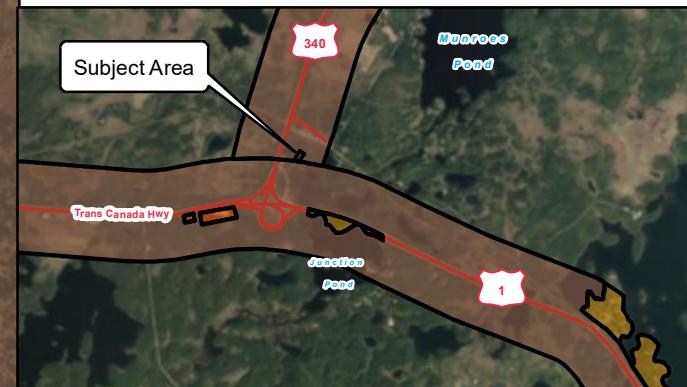
Rural Conservation



Road

Meters

60 30 0 60 120



Signed this ____ day of _____, 2020.

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. 5, 2020 has been prepared in accordance with requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: _____