

**BURIN PENINSULA HIGHWAY
PROTECTED ROAD ZONING PLAN (1990)**

AMENDMENT No. 1, 2008

July 2008

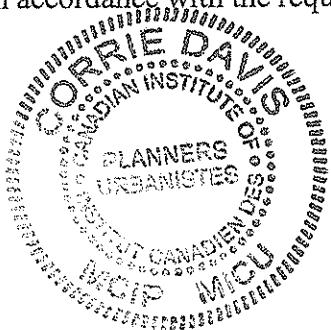
URBAN AND RURAL PLANNING ACT

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Burin Peninsula Highway Protected Road Zoning Plan (1990) Amendment No. 1, 2008 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:

Corrie Davis



(MCIP Seal)

Municipal Plan/Amendment

REGISTERED

Number PR 210-2008-001

Date July 7 2008

Signature Corrie Davis

BURIN PENINSULA HIGHWAY

PROTECTED ROAD ZONING PLAN (1990)

AMENDMENT No. 1, 2008

BACKGROUND

The Minister of Municipal Affairs wishes to amend the Burin Peninsula Highway Protected Road Zoning Plan (1990). There is an existing cottage development along the Burin Peninsula Highway that is not recognized by the zoning implemented through the Burin Peninsula Highway Protected Road Zoning Plan.

There are a number of cottages within the Town of Frenchman's Cove located at an area commonly referred to as "Muddy Hole" adjacent to the Burin Peninsula Highway. The Town of Frenchman's Cove does not have a Municipal Plan, and therefore the policies and regulations outlined by the Burin Peninsula Protected Road Zoning Plan have legal effect within 100m of the centre line of the Burin Peninsula Highway at Muddy Hole.

Muddy Hole is currently zoned as Rural Conservation (RC). The Protected Road Zoning Regulations (PRZR) do not provide for cottage development in the RC Zone. The existing cottages are therefore considered as legal non conforming uses, which limits future expansion of those cottages. Furthermore, several other potential cottage lots exist in the area, and the Town of Frenchman's Cove and the Regional Lands Office (Crown Lands) have indicated support for future cottage development in the area.

A change in zoning from "Rural Conservation" to "Cottage" will recognize the existing development such that it is no longer considered legal non conformities, therefore removing a level of uncertainty for property owners. The proposed re-zoning will allow for the infill development of additional cottages.

PUBLIC CONSULTATION

During the preparation of this amendment, the Minister of Municipal Affairs undertook a number of initiatives so that individuals and groups could provide input. An advertisement noting the proposed change was published in the April 15, 2008 edition of *The Southern Gazette*. The Minister also invited direct input from the Town of Frenchman's Cove, and other departments of the provincial government through direct contact and referral of the proposed amendment to the Intergovernmental Land Use Committee.

AMENDMENT No. 1, 2008

The Burin Peninsula Highway Protected Road Zoning Plan (1990) is amended as follows:

1. Section 1, Frenchman's Cove, page 17, that currently states:

"This is another fishing community located well off the highway. As with Garnish, the highway passes through the town [sic] municipal boundary. This portion of the highway is free from development."

Building Control Line

The Building Control line is set at 100 m on either side of the highway centerline.

Zoning

All land within the Building Control Line is zoned as Rural Conservation"

Is amended to state (~~strikeouts~~ indicate text to be deleted whereas **bold** indicates where text shall be added to the policy statement):

"This is another fishing community of The Town of Frenchman's Cove is located well off the highway. As with Garnish, the highway passes through the town municipal boundary of Frenchman's Cove. This portion of the highway is free from development with the exception of sporadic rural uses and a cottage area at Muddy Hole."

Building Control Line

The Building Control line is set at 100 m on either side of the highway centerline.

Zoning

All land within the Building Control Line is zoned as Rural Conservation with the exception of the cottage area at Muddy Hole which is zoned as Cottage"

2. Section 2 Rural Zones, Summer Cottages (p. 29) that currently states:

"As can be seen from the following summer cottage map, cottage development along the highway is concentrated in eight main area – North River, Long Pond Landwash Pond, Northwest Brook, Barachois, Grand Bank, Fortune and Salmonier Pond. The Fortune, Grand Bank and Salmonier Pond areas are accounted for in the

Fortune and Grand Bank Municipal Plans, and development will be as per these plans.”

Is amended to state (**bold** indicates where text shall be added to the policy statement):

*“As can be seen from the following summer cottage map, cottage development along the highway is concentrated in eight main area – North River, Long Pond Landwash Pond, Northwest Brook, Barachoix, **Muddy Hole**, Grand Bank, Fortune and Salmonier Pond. The Fortune, Grand Bank and Salmonier Pond areas are accounted for in the Fortune and Grand Bank Municipal Plans, and development will be as per these plans.*

Notwithstanding Regulation 23 of the Protected Road Zoning Regulation, infill cottage development may be permitted on an existing road that is not maintained by a public agency where an agreement and / or covenants exist to provide for the maintenance of the road by the individual cottage owners.”

3. The following statement is added between the first and second paragraphs on page 30 in Section 2, Rural Zones, Summer Cottages:

“The Muddy Hole cottage zone is located on the north side of the Highway immediately west of an existing agricultural operation (cranberry farm). The Muddy Hole cottage zone is located within the municipal boundary of the Town of Frenchman’s Cove and has limited capacity for future infill cottage development.”

4. The map found between pages 29 and 30 of the Burin Peninsula Highway Protected Road Zoning Plan (1990) is deleted and the maps found at Schedule “A” of this amendment are inserted in its place.
5. The map found at Schedule “B” of this amendment is added to Section 2, Rural Zones, Summer Cottages, immediately preceding Page 32.

**BURIN PENINSULA HIGHWAY
PROTECTED ROAD ZONING PLAN (1990)**

AMENDMENT No. 1, 2008

Schedule “A”:

*“Burin Peninsula Highway Protected Road Zoning Plan (1990)
Highway Service Centres and Cottage Zones”*

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Burin Peninsula Highway Protected Road Zoning Plan (1990) Amendment No. 1, 2008 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

Conrad RIE DAVIS
(MCIP Seal) PLANNERS OF
COMMUNITIES & URBANITES

MCIP:

**Municipal Plan Amendment
REGISTERED**

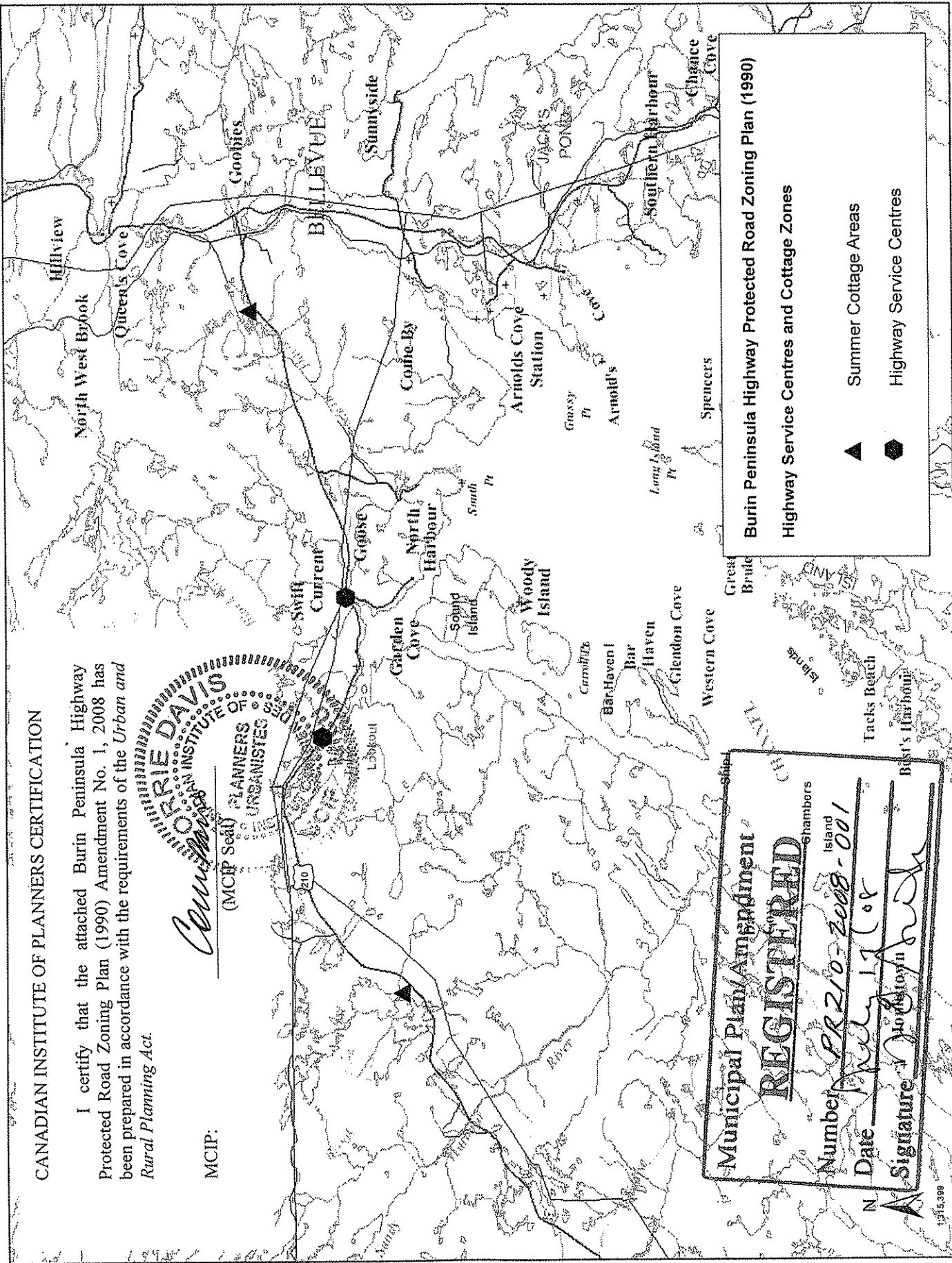
Number PR 210-Z009-001

Date 17/08/08

N

Signature John D. Horan

1315399



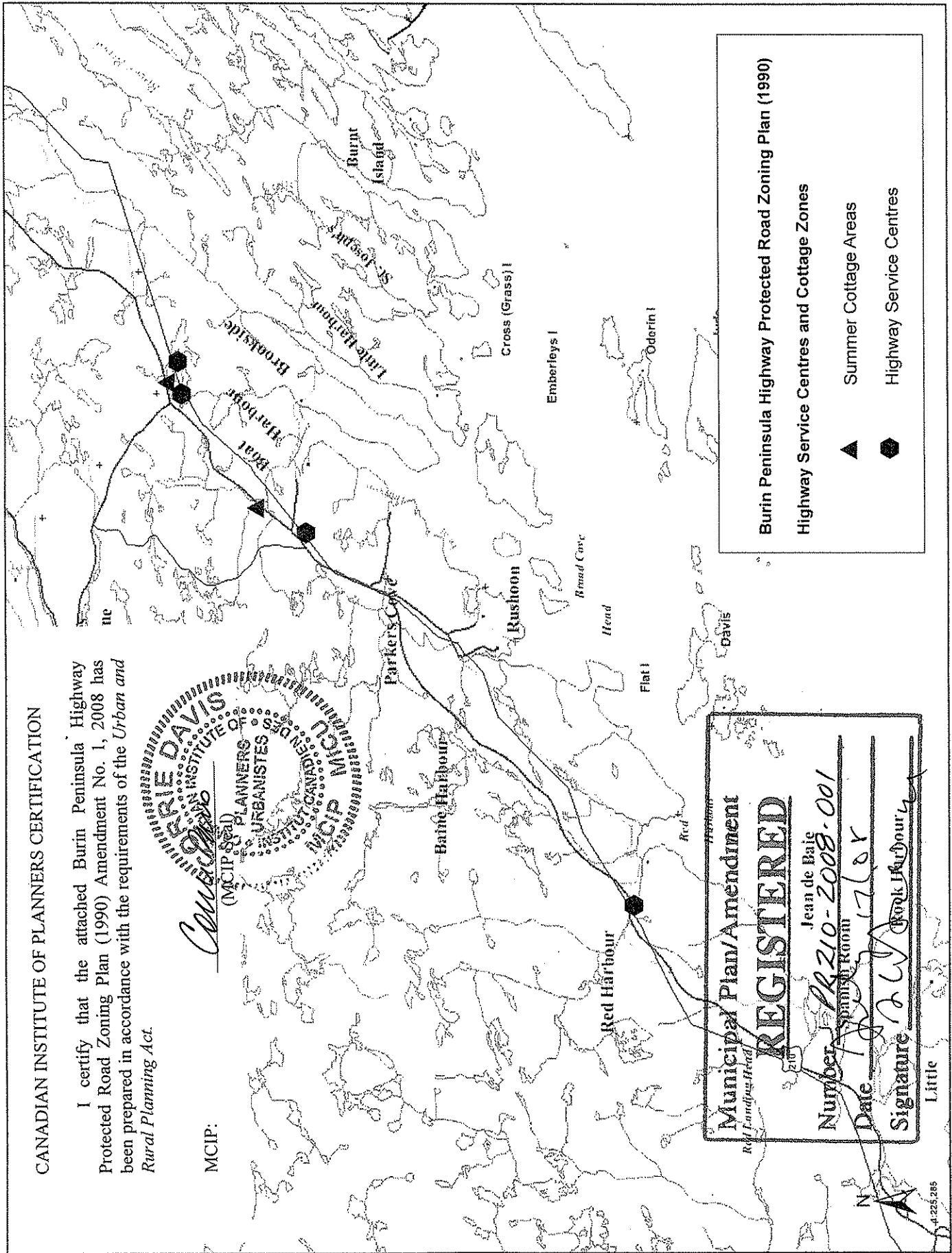
CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Burin Peninsula Highway Protected Road Zoning Plan (1990) Amendment No. 1, 2008 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:

Connie Davis

MCIP Seal
INSTITUTE OF
PLANNERS OF
CANADA
MCIP



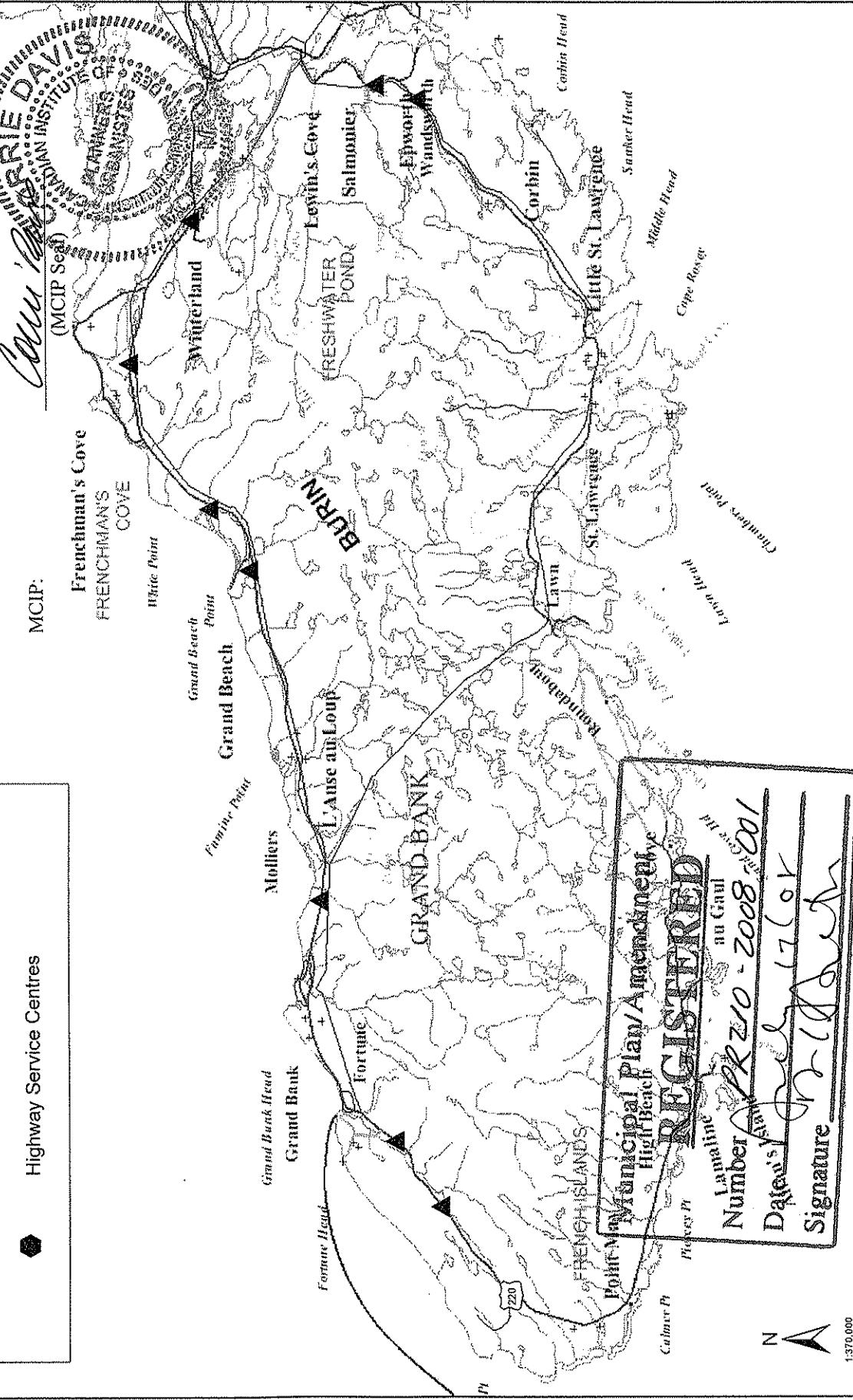
Burin Peninsula Highway Protected Road Zoning Plan (1990)

Highway Service Centres and Cottage Zones

- ▲ Summer Cottage Areas
- ◆ Highway Service Centres

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Burin Peninsula Highway Protected Road Zoning Plan (1990) Amendment No. 1, 2008 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



**BURIN PENINSULA HIGHWAY
PROTECTED ROAD ZONING PLAN (1990)**

AMENDMENT No. 1, 2008

Schedule “B”:

*“Burin Peninsula Highway Protected Road Zoning Plan (1990)
Summer Cottage Zone – Muddy Hole”*

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

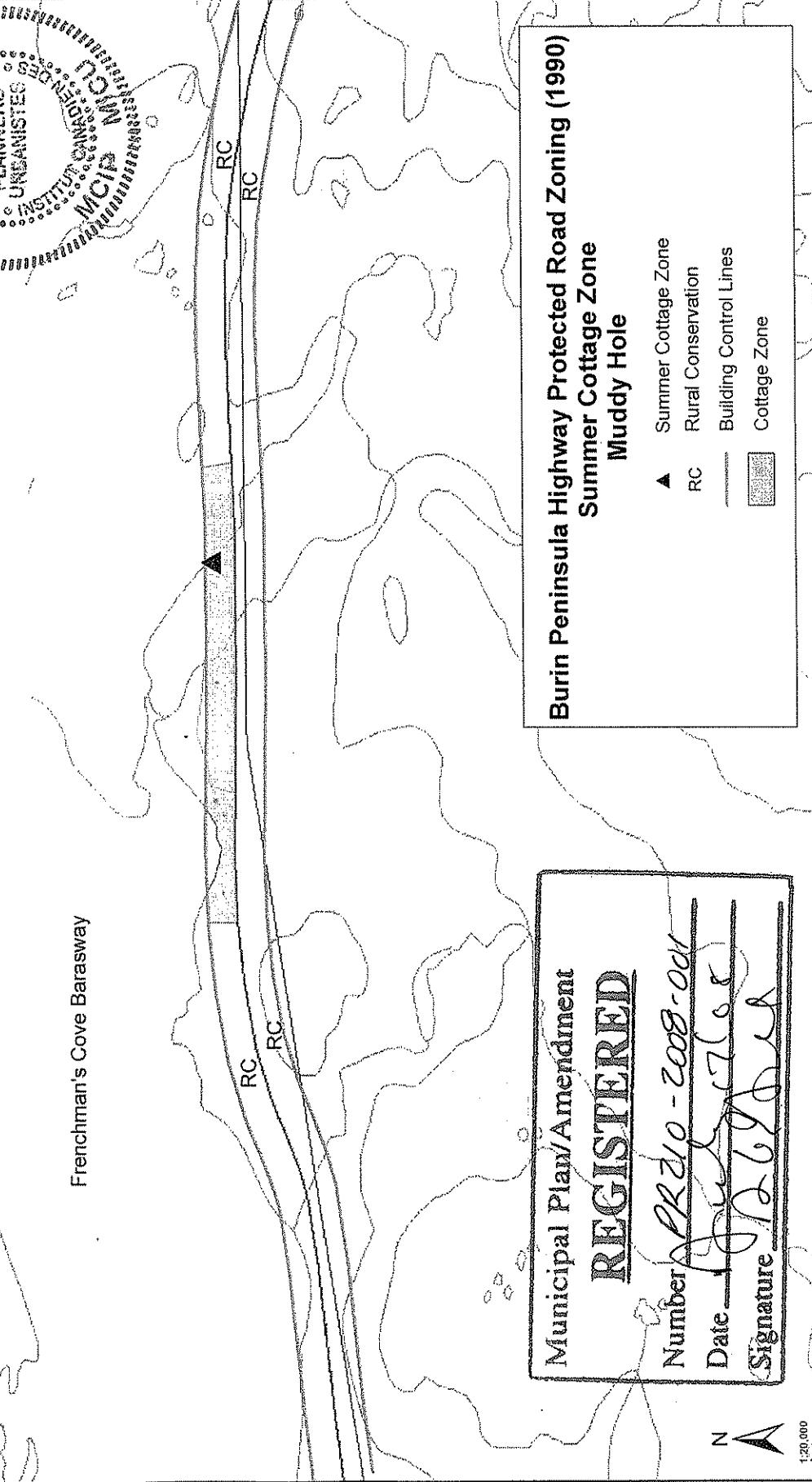
I certify that the attached Burin Peninsula Highway Protected Road Zoning Plan (1990) Amendment No. 1, 2008 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:

Conrad E. Davis
(MCIP Seal)
CANADIAN INSTITUTE OF
PLANNERS
INSTITUT CANADIEN
DES PLANNERS
MCIP

Frenchman's Cove Baraway

Frenchman's Cove



**Burin Peninsula Highway Protected Road Zoning (1990)
Summer Cottage Zone
Muddy Hole**

- ▲ Summer Cottage Zone
- RC Rural Conservation
- Building Control Lines
- Cottage Zone

**Municipal Plan/Amendment
REGISTERED**

Number PK210-2008-001
Date 11/12/08
Signature H. Davis

N

1:20,000