

**TOWN OF TRINITY
MUNICIPAL PLAN AMENDMENT
NO. 3, 2020**

**Rural Land Use Designation
Remote Cottages**

**Prepared by:
Mary Bishop, FCIP
December, 2019**

**RESOLUTION TO ADOPT
TOWN OF TRINITY
MUNICIPAL PLAN AMENDMENT No. 3, 2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Trinity adopts the Trinity Municipal Plan Amendment No.3, 2020.

Adopted by the Town Council of Trinity on the 4th day of May, 2020.

Signed and sealed this 15 day of October, 2020.

Mayor: James Miller
James Miller

Clerk: Linda Sweet
Linda Sweet



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 3, 2020 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Mary Bishop
Mary Bishop, FCIP



Municipal Plan/Amendment	
REGISTERED	
Number	<u>5155-2020-003</u>
Date	<u>October 30, 2020</u>
Signature	<u>Mary Dey</u>

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF TRINITY
MUNICIPAL PLAN AMENDMENT NO. 3, 2020**

Under the authority of section 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Trinity

1. adopted the Trinity Municipal Plan Amendment No. 3, 2020 on the 4th day of May, 2020.
2. gave notice of the adoption of the Trinity Municipal Plan Amendment No. 3, 2020 by advertisement posted to the Town's social media FB and website platforms on June 16, and inserted in the July issue (No. 86) of the Trinity Bay Enterprise.
3. set the 6th day of August, 2020 for the holding of a public hearing to consider objections and submissions in accordance with Covid-19 protocols established by the Minister of Municipal Affairs and Environment (now the Department of Environment, Climate Change and Municipalities).

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Trinity approves the Trinity Municipal Plan Amendment No. 3, 2020 on the 7th day of September, 2020.

SIGNED AND SEALED this 15 day of October, 2020.

Mayor: James Miller
James Miller

Clerk: Linda Sweet
Linda Sweet

MUNICIPAL PLAN AMENDMENT NO. 3, 2020

INTRODUCTION

The Town of Trinity reviewed and revised its Municipal Plan in 2012. The Town is now considering an amendment to the Plan and Development Regulations and this report has been prepared to explain the proposed change, and to serve as a basis for consideration by the general public before it is adopted and approved by Council and submitted to the Minister of Municipal Affairs and Environment for registration as required under the *Urban and Rural Planning Act, 2000*.

BACKGROUND

Since the current Municipal Plan was brought into effect in 2012, the Town of Trinity has received requests for the construction of small remote cabins located near ponds in areas that are designated Rural in the Municipal Plan. There are currently a few small cabins in these areas, but the Rural policies of the Municipal Plan do not permit construction of any new cabins.

Council is proposing to amend the Rural policies of the Plan to enable consideration of small, remote cabins in the Rural land use designation in areas around Loop Pond, Second Pond, and Karens Pond. These ponds are located to the west of the Main Road and south of Route 230. The land in these areas are primarily Crown Lands with access typically via old railway or other tracks or pathways that are not part of the public road network.

Figure 1 shows the Trinity Future Land Use Map. The Rural Land Use Designation is shaded brown. The blue shaded area is the Indian Pond Protected Water Supply Area which is the source of potable water for the community.



Figure 1. Trinity Future Land Use Map

Figure 2 shows the location of Karens, Second, and Loop Ponds.



Figure 2. Ponds in the Rural Land Use Designation west of Main Road

In considering the proposed development, Council reviewed several policies of the Municipal Plan:

Policy G-5 Waterways, waterbodies and wetlands

The Town recognizes the natural and recreational value of rivers, streams, wetlands, and ponds. It shall be a policy of Council to protect the quality of local streams, rivers and wetlands by ensuring that all necessary Federal and Provincial approvals for development, including appropriate building setback requirements, have been obtained prior to issuing approvals or permits for development near these sensitive areas.

Policy G-6 Protection of archaeological resources

Council will consult with the Provincial Archaeology Office, Department of Tourism, Culture, Industry and Innovation before undertaking major municipal infrastructure projects, or considering applications for development that are proposed to occur on land where archaeological resources are known to exist or in areas that have not been disturbed by previous development.

Policy G-9 Frontage on a publicly maintained street

With the exception of new development in the Heritage Area designation, any property proposed for development including lots created through subdivision of land, will be required to have direct frontage and access onto a publicly maintained road, or frontage on a new road that is constructed to Town standards under the terms of a Development Agreement.

In considering these policies of the Plan, Council recognizes that the demand for remote cabins will be low. Unlike other cottage areas, access will be limited to existing trails and no new roads will be permitted to be developed. In addition, these areas are not served with electrical power or other municipal services.

Council will monitor the development of remote cabins to ensure that density of such developments does not impact the ponds or result in pressure for municipal servicing. As part of the Crown Land application review process, applications will be referred to the Provincial Archaeology Office for review prior to any approvals issued for cabin development.

PUBLIC CONSULTATION

The Town consulted with the Crown Lands Office concerning the demand for remote cabin lots in the area around Loop, Second and Karens Pond, and their requirements for development. They have indicated that there are currently a few small cabins in the areas.

An opportunity for public input on the proposed amendment was provided by advertisement in the Packet, on March 11th, 2020 with a deadline of March 31st, 2020. No submissions were received by the advertised deadline.

AMENDMENT No. 3, 2020

The Town Council of Trinity proposes to amend the Trinity Municipal Plan as follows:

1. Adding remote cabins to Policy RI-1 of the Municipal Plan to read:

Policy RU-1 Rural uses

Within the Rural land use designation, rural resource uses such as agriculture, forestry, conservation and recreation uses such as parks and trails will be permitted. Recreational uses associated with the tourism

industry such as Tourism trailer parks may also be considered. Other uses, such as remote cabins, cemeteries, outdoor assembly uses, outdoor markets, general industry, light industry, telecommunications and antennae, aggregate resource extraction, mineral exploration, and in coastal areas, marine industrial uses such as wharves, fish processing plants, infrastructure associated with aquaculture operations, and marine services, may also be considered.

2. Adding the following as Policy RU-5 of Section 5.5.2 Rural Land Use Policies:

RU-5 Remote Cabins

Small, single cabins may be permitted around Loop Pond, Second Pond, and Karens Pond. Notwithstanding Policy G-9, such cabins are meant to be remote, with limited access. No municipal services shall be provided to these areas. All development will be in accordance with the requirements of the Crown Lands Branch, Department of Fisheries and Land Resources.