

**TOWN OF TRINITY  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 2, 2017**

**Seasonal Residential Development  
Coleman's Point**

**Prepared by:  
Mary Bishop, FCIP  
June, 2017**

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF TRINITY  
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2017**

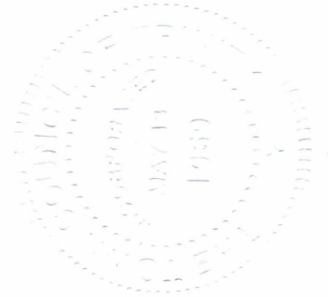
Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Trinity adopts the Trinity Development Regulations Amendment No. 2, 2017.

Adopted by the Town Council of Trinity on the 10 day of July, 2017.

Signed and sealed this 26 day of July, 2017.

Mayor: James Miller  
James Miller

Clerk: Linda Sweet  
Linda Sweet



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Development Regulations Amendment No. 2, 2017 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

Mary Bishop  
Mary Bishop, FCIP



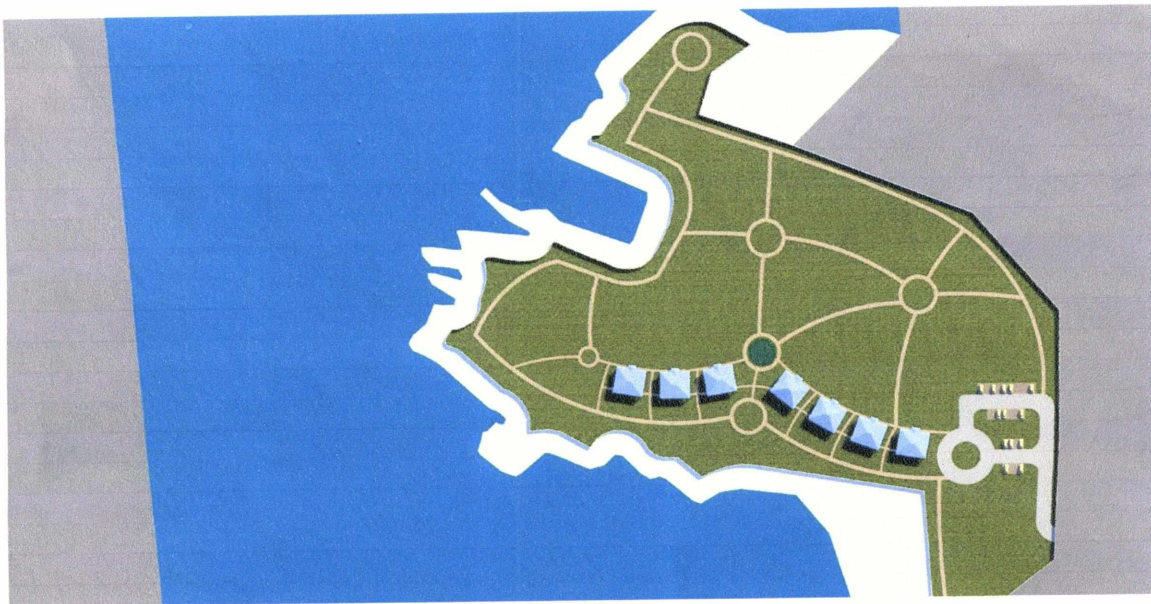
<b>Development Regulations/Amendment</b>	
<b>REGISTERED</b>	
Number	<u>5155 - 2017 - 002</u>
Date	<u>Aug 9/17</u>
Signature	<u>Eddare Joyce</u>

# TOWN OF TRINITY DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2017

## BACKGROUND

In 2016, the Town of Trinity received a request to subdivide and develop a 3.16 ha parcel of land at Coleman's Point, off the Fort Point Road for five seasonal residences. An amendment to the Trinity Municipal Plan and Development Regulations was made to accommodate the proposed development by creating a new Seasonal Residential land use designation and use zone applied to the land in question.

The original development proceeded with construction/upgrading of an access road and development of one seasonal dwelling. The developer now wishes to revise the development plan and proposes to develop the remainder of the site for commercial tourist accommodations, initially consisting of seven small, individual rental cottages with potential for increasing that number in the future. The development will occur on the single parcel without subdivision into individual lots. A preliminary concept plan is shown below.



**Preliminary Concept Plan, Coleman's Point Development**



## **MUNICIPAL PLAN POLICY**

Section 5.72 of the Municipal Plan (as amended) contains the following policies for Seasonal Residential Use at Coleman's Point:

### **Policy SR-1 Sites for Seasonal Residential Development**

Lands at Coleman's Point are identified for seasonal residential development. Within this designation, development will be limited to single dwellings for seasonal use, accessory buildings, parks, trails and conservation.

### **Policy SR-2 Seasonal Access**

Within areas designated for Seasonal Residential use, it shall be a policy of Council that road access to lots be provided by the developer, at the developer's costs, constructed to standards set out in a Development Agreement. Furthermore, it shall be a policy of Council that roads constructed to seasonal residences, whether along a public right-of-way or not, will not be publicly maintained or serviced by the Town. Responsibility for all road construction, utilities, maintenance and provision of services shall be the responsibility of property owners within a seasonal development.

The development as proposed is consistent with the Municipal Plan policy for seasonal residential use. A road to the property has been constructed. The development proposed will be on a single property/lot, fronting on the public road.

## **DEVELOPMENT REGULATIONS**

The proposed development meets most of the requirements of the Seasonal Residential Land Use Zone with the exception of the minimum setback distance from the shoreline embankment of 100m. The current proposal shows dwellings placed much closer to the shoreline. In considering the proposal, Council proposes to reduce the setback from the top of the shoreline embankment to a minimum of 30m.

It is also proposed that the condition for Seasonal Residential uses be revised to provide for developments that consist of grouped dwellings on a single property being developed without subdivision. Other conditions of the use zone will apply to the proposed development.

## **PUBLIC CONSULTATION**

The Provincial Archaeology Office concerning the potential for uncovering historic resources on the site was consulted to review previous archaeological reports in light of the revised development proposal.

An opportunity for public input on the proposed amendment was provided by advertisement in the Packet, on the 15<sup>th</sup> of June. No submissions were received by the advertised deadline.

## AMENDMENT

The Trinity Development Regulations shall be amended as follows:

1. Revising Condition 9.12.7 of the Seasonal Residential Use Zone to include reference to developments consisting of grouped dwelling units on a single lot, and changing the minimum setback from the top of the shoreline embankment from 100m to 30m. The revised condition shall read as follows (highlighted text indicates the changes):

9.12.7 Seasonal Residential Developments, whether part of a subdivision of individual lots, or a development that includes grouped dwelling units on a single lot, shall be planned so that the placement of dwellings on a lot can capture a view, avoid blocking scenic views from adjacent lots and buildings, prevent significant cut or fill due to topography, or to preserve natural features such as waterways or stands of trees. The placement of dwellings and accessory buildings will be approved at the time of subdivision approval and be shown on a site grading plan. Seasonal residential developments located at or near a coastal shoreline shall not have dwellings or accessory buildings located any closer than 30m from the top of a shoreline embankment.