

**TOWN OF TRINITY
MUNICIPAL PLAN AMENDMENT
NO. 1, 2016**

**Seasonal Residential Development Amendment
Coleman's Point**

**Prepared by:
Mary Bishop, FCIP
March, 2016**

**RESOLUTION TO ADOPT
TOWN OF TRINITY
MUNICIPAL PLAN AMENDMENT No. 1, 2016**

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.1, 2016.

Adopted by the Town Council of Trinity on the 22 day of May, 2016.

Signed and sealed this 26 day of June, 2016.

Mayor: James Miller
James Miller

Clerk: Linda Sweet
Linda Sweet

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 1, 2016 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Mary Bishop
Mary Bishop, FCIP

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF TRINITY
MUNICIPAL PLAN AMENDMENT NO. 1, 2016**

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

1. adopted the Trinity Municipal Plan Amendment No. 1, 2016 on the 2 day of May, 2016.
2. gave notice of the adoption of the Trinity Municipal Plan Amendment No. 1, 2016 by advertisement inserted on the 12 day of May, 2016 and the 11 day of May, 2016 in the Packet newspaper.
3. set the 01 day of June, 2016 at 7:00 p.m. at the Trinity Town Office for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Trinity approves the Trinity Municipal Plan Amendment No. 1, 2016 on the 06 day of June, 2016.

SIGNED AND SEALED this 06 day of June, 2016.

Mayor: James Miller
James Miller

Clerk: Linda Sweet
Linda Sweet

5155-2016-001
June 17, 2016
[Signature]

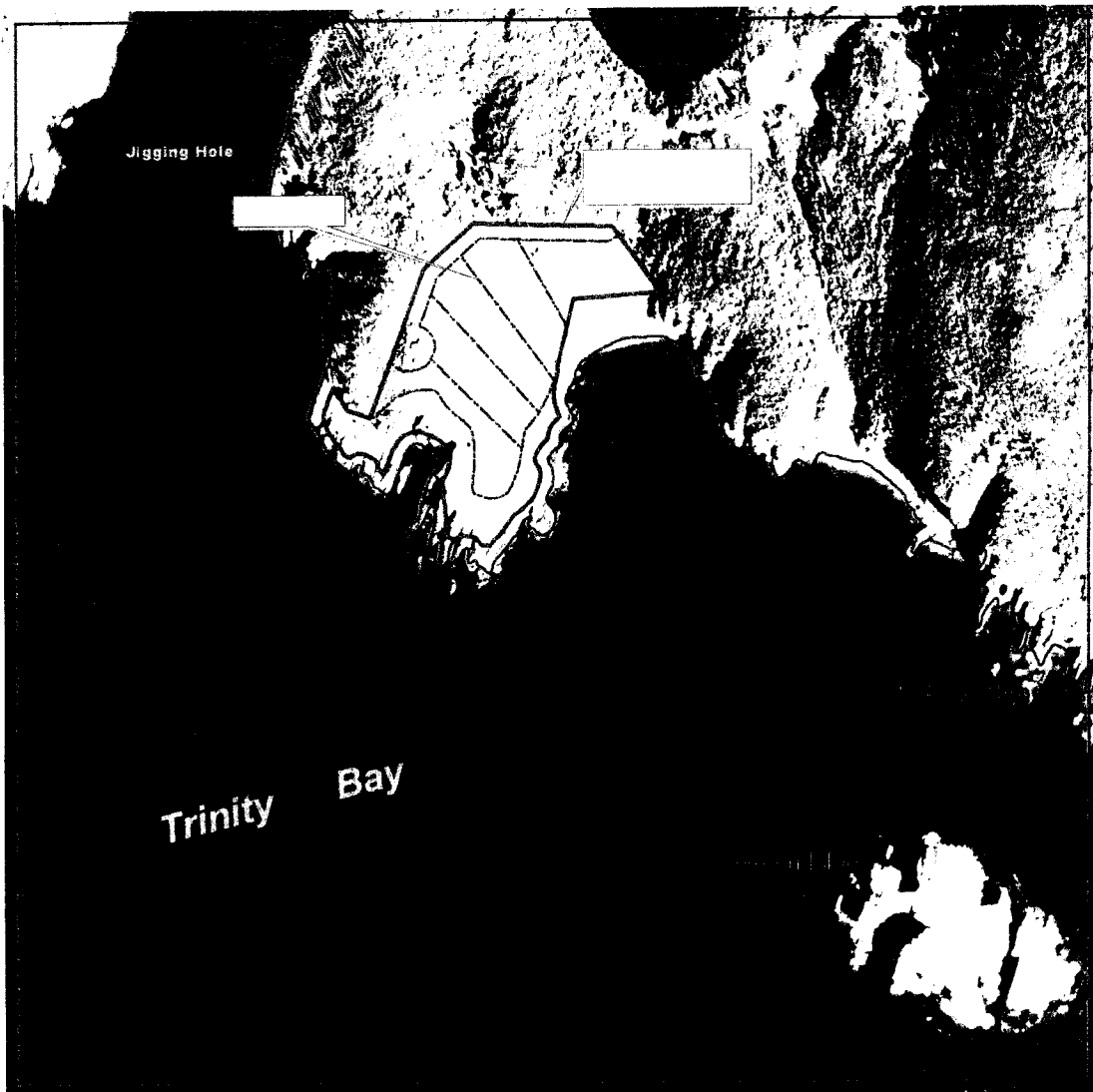
MUNICIPAL PLAN AMENDMENT NO. 1, 2016

INTRODUCTION

The Town of Trinity reviewed and revised its Municipal Plan in 2012. The Town is now considering a request to amend 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 for registration as required under the *Urban and Rural Planning Act, 2000*.

BACKGROUND

The Town of Trinity has received a request to subdivide and develop a parcel of land at Coleman's Point, off the Fort Point Road for five seasonal residences. The image below shows the location of the property and the proposed lot layout.



The 3.16 ha privately-owned property proposed for development is currently vacant, but was used in the recent past as a site for filming of the Shipping News. During that process, a public right-of-way was approved by Crown Lands for providing access to the property from Fort Point Road, and the developer has proposed that this right of way be upgraded (at the developer's cost) for access to the property. Within the development, each lot will front on a common access road.

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

Policy G-1 of the Plan requires that Council consider the visual impact of a proposed development, and in particular, visibility from the designated Heritage Areas. The proposed development will not be visible from the Heritage Areas.

Policy G-2 of the Plan enables Council to ensure that public access to shorelines is maintained. The beach area at Coleman's Point is outside the property proposed for development. However, a public access to the beach will be a required condition of a Development Agreement.

Policy G-3 of the Plan requires that Council prohibit development in areas that are hazardous, such as along coastlines, on steep slopes or floodplains. Lots within the property proposed for development are set back from the coastline and the property does not appear to have any hazards that would be a constraint to the proposed development.

Policy G-5 of the Plan requires Council to protect streams, wetlands and ponds. There are no obvious waterway features on the property that would require special consideration.

Policy G-6 of the Plan requires Council to consult with the Provincial Archaeology Office (PAO) as part of consideration of development proposals in areas that have not been disturbed by previous development. The Town has consulted with the PAO who have advised that there is an archaeological site in the area of the proposed development and an archaeological impact assessment will be required. Council will incorporate this requirement into a development approval that may be issued.

Policy G-8 of the Plan states that the Town may require agreements for new developments that include conditions for development. The Town intends to require a Development Agreement for the proposed subdivision.

Policy G-9 of the Plan deals with requirements for frontage on publicly maintained streets. The policy allows Council, through a Development Agreement, to permit development on a new road that is constructed to Town Standards. It is Council's intention that the Public Right of Way to the property from Fort Point Road, and access to the lots within the property will constitute a roadway, which will be constructed to standards outlined in the Development Agreement.

The property in question is designated and zoned Rural in the Trinity Municipal Plan and Development Regulations. In the Plan, seasonal residential development is only contemplated in areas designated Rural, as part of a redevelopment of the Trinity Loop site and is not permitted elsewhere in the Rural Land Use Designation. As a result, an amendment to the Trinity Municipal Plan is required to accommodate the proposed development.

Having reviewed the area in question, the Town of Trinity is proposing to create a new Land Use designation in the Municipal Plan to accommodate seasonal residential development at Coleman's Point. A corresponding amendment to the Development Regulations will rezone the area in question to a new Seasonal Residential land use zone.

PUBLIC CONSULTATION

The Town consulted with the Lands Branch concerning the Public right-of-way off Fort Point Road, and with the Provincial Archaeology Office concerning the potential for uncovering historic resources on the site.

An opportunity for public input on the proposed amendment was provided by advertisement in the Packet, on the 14th of April. No submissions were received by the advertised deadline.

AMENDMENT No. 1, 2016

The Trinity Municipal Plan shall be amended as follows:

1. By adding Seasonal Residential to the Land Use Designations listed in Section 5.1, and to the legend of Future Land Use Maps 1 and 2.
2. Adding the following as Section 5.7:

5.7 Seasonal Residential

Trinity, as part of the Bonavista Peninsula, is an important provincial tourism destination area. With the growth of the tourism industry, the Town has become popular as an area for seasonal residents, either through the purchase of existing dwellings, or the construction of new summer homes.

5.7.1 Seasonal Residential Objectives

- To provide areas where seasonal residential development can be accommodated.

5.7.2 Seasonal Residential Policies

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.

3. Redesignating a 3.16 ha property located off Fort Point Road at Coleman's Point, from the Rural land use designation on the Future Land Use Map, to the Seasonal Residential land use designation. The lands to be redesignated are shown on the attached Map 2 - Town of Trinity Municipal Plan Amendment No. 1, 2016.

Town of Trinity
Municipal Plan 2012-2022
Amendment No. 1, 2016
Future Land Use Map 2

From: Rural
 To: Seasonal Residential

This 26 day of June, 2016

Jim Miller
 Jim Miller, Mayor

Linda Sweet
 Linda Sweet, Town Clerk

I certify that this Municipal Plan Amendment No. 1, 2016 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

Mary D. Bishop
 Mary D. Bishop, FCIP

