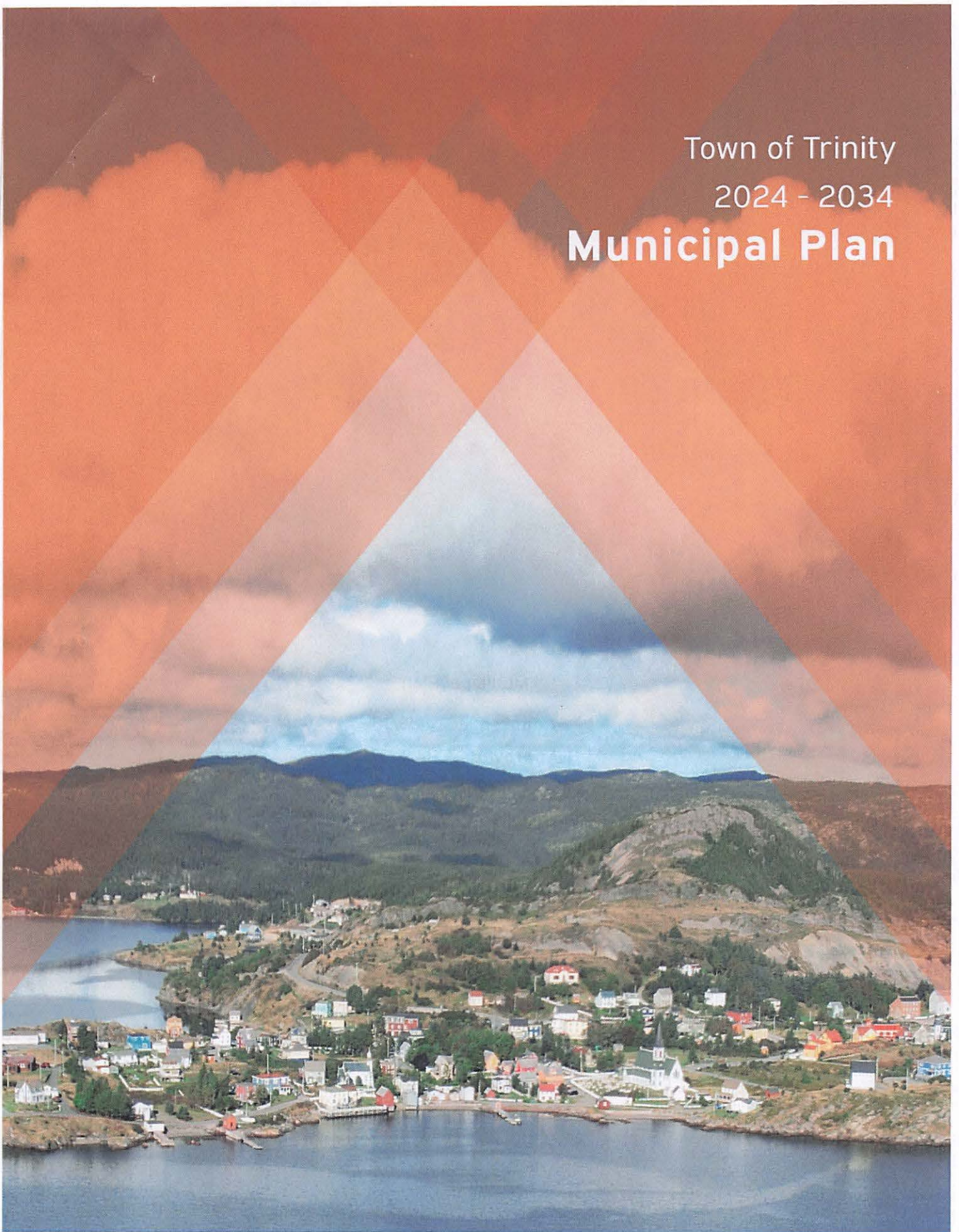


Town of Trinity

2024 - 2034

# Municipal Plan





Municipal Plan

**Adopted:** 2024.09.03

**Approved:** 2024.10.07

**Effective:**

**With Amendments to:** n/a



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

**TOWN OF TRINITY Municipal Plan, 2024**

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Trinity adopts the Town of Trinity Municipal Plan, 2024.

Adopted by the Town Council of Trinity on the 3rd day of September, 2024.

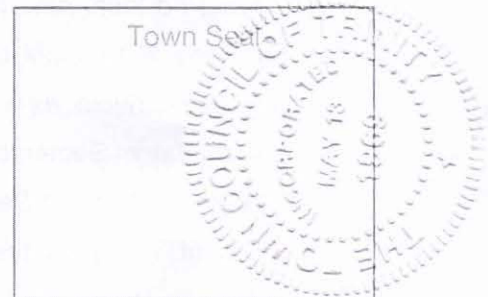
Signed and sealed this 31 day of October.

Mayor:

Paul B. Steptoe

Clerk:

Linda Lued

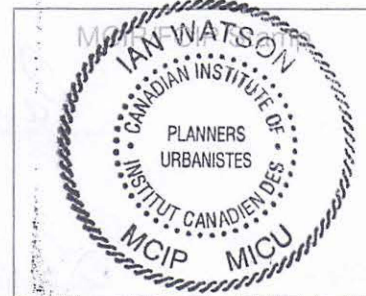
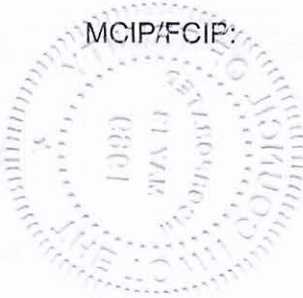


**Canadian Institute of Planners Certification**

I certify that the attached Town of Trinity Municipal Plan, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:

Ian J. Watson, MCIP



**Municipal Plan/Amendment**

**REGISTERED**

Number 5155-0008-2024

Date 27 JAN 2025

Signature [Signature]



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO APPROVE**

**TOWN OF TRINITY Municipal Plan, 2024**

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

1. Adopted the Town of Trinity Municipal Plan, 2024 on the 3rd day of September, 2024;
2. Having no local newspaper, gave notice of the adoption of the Town of Trinity Municipal Plan, 2024 by way of an advertisement posted on the Town's website and social media, as well as physical posters at Town Hall and the Post Office, on the 4th day of September, 2024; and
3. Set the 23rd day of September, 2024 at 7:00 p.m. at the Trinity Town Hall in the Town of Trinity 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 Town of Trinity approves the Municipal Plan, 2024 on the 7th day of October, 2024 as was originally adopted.

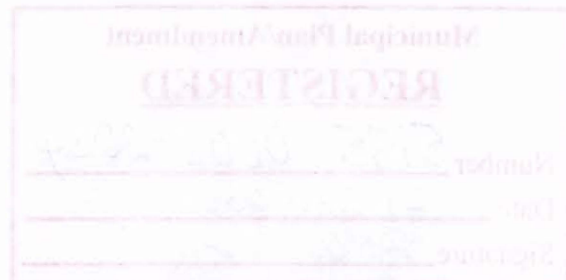
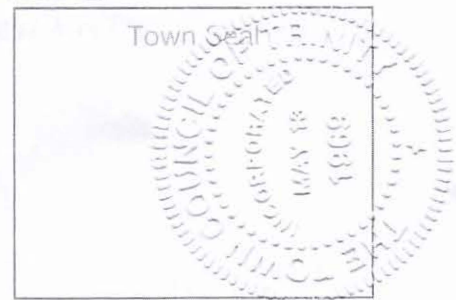
Signed and sealed this 31 day of October.

Mayor:

Paul B. Stephens

Clerk:

Linda Sweet





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# 1 INTRODUCTION

## 1.1 Purpose & Planning Period

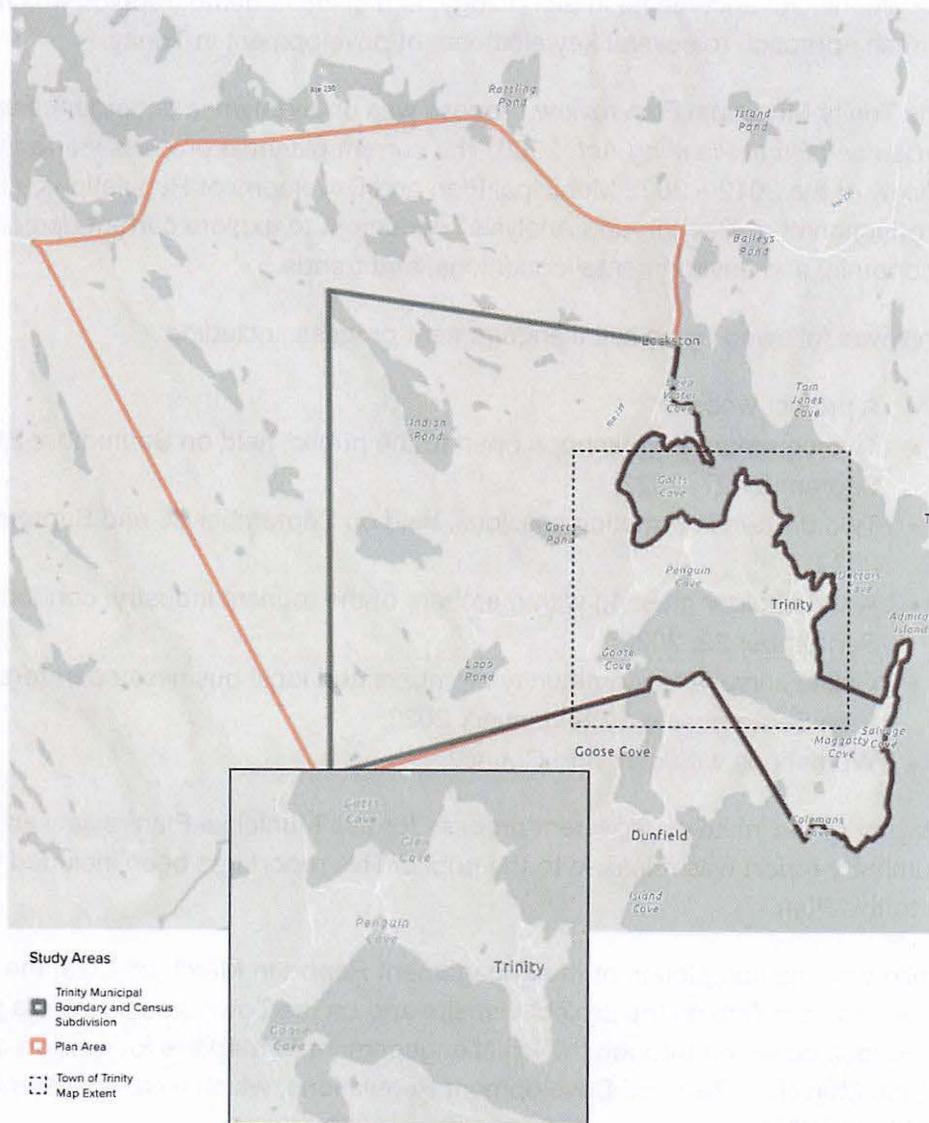
The Town of Trinity Municipal Plan ("Plan") is Council's comprehensive policy document for the management of growth within the Municipal Planning Area over the 10-year period from 2024 to 2034. Prepared under the authority of the *Urban and Rural Planning Act, 2000*, the Plan repeals and replaces the Town of Trinity Municipal Plan 2012 - 2022 (Approved 2012).

This Municipal Plan sets out a vision and goals for the community and includes written policies for the management of development in the community, proposals for implementation, and the Future Land Use Map. Through the Plan, Council aims to protect the historic character and built form of Trinity's townscape, promote the health and safety of residents; support the local economy; and protect the environment through the efficient utilization of land, water, and other resources. Development Regulations ("Regulations") implement Town policies through specific standards and requirements that ensure land is controlled and managed in accordance with the Plan.



## 1.2 Planning Area

The map below shows the Municipal and Planning Area boundaries for the Town of Trinity. The Town exercises control over development in the Planning Area which extends beyond the political/taxed Municipal Boundary to include the Town's drinking water supply at Indian Pond, adjacent rural areas, and the unincorporated community of Lockston.



### 1.3 Plan Preparation & Consultation Process

The previous Trinity Municipal Plan and Development Regulations were prepared for the Town by CBCL Limited and approved in 2012. This Municipal Plan reflects a 2024 review of the 2012 – 2022 Plan, subsequent amendments, and other relevant planning documents. Many of the policies expressed in 2012 – 2022 Plan are still valid and relevant today. This review incorporates many of the fundamental objectives of that document. At the same time, the last decade has seen changes to economic conditions, advancements in technology, and shifts in demographics which all warrant a fresh approach to several key elements of development in Trinity.

The Trinity Municipal Plan review process was undertaken in accordance with the *Urban and Rural Planning Act, 2000*. The current planning process started with a review of the 2012 – 2022 Municipal Plan and Development Regulations, and the production of a “Background Analysis” document to explore current demographic, economic, and environmental conditions, and trends.

This was followed by an initial engagement process, including:

- A project website;
- Two community workshops open to the public, held on September 21 and September 27, 2022;
- Two drop-in information sessions, held on September 20 and September 22, 2022;
- A stakeholder meeting with members of the tourism industry, conducted on September 22, 2022;
- Online surveys for community members and local business operators, available from September 2022 to January 2023;
- Workshops with staff and Council.

As part of the initial engagement process for this Municipal Plan review an engagement summary report was released to the public. This report has been included as Appendix A to this Plan.

Following the completion of the Engagement Report in March of 2023, the document was posted online on the project website and on the Town’s social media pages. The feedback collected through the initial engagement formed the foundation of the drafts of the Municipal Plan and Development Regulations, which were released to the public in May of 2023.



Engagement for the draft documents included:

- Posting the draft documents to the project webpage and as physical copies at the Town Office;
- A public meeting to review the draft content on June 6, 2023; and
- A public comment period in which people could submit comments on the drafts.

The results of the draft engagement were summarized into a “What We Heard” report. This report also included potential policy direction for Council to consider when giving direction for edits arising from the public feedback.

#### **1.4 Approval Process**

The Municipal Plan is formally adopted by resolution of Council. Under Section 17(1) of the *Urban and Rural Planning Act, 2000*, Council gives notice of an adoption regarding the Municipal Plan and schedules a public hearing. At the public hearing the Commissioner appointed by the Council hears objections and representations and writes a report to Council that includes recommendations and copies of submissions taken at the hearing.

After the Commissioner's report has been submitted, Council considers the recommendations and may approve the Plan or approve it with changes recommended by the Commissioner. Council then submits the Municipal Plan and accompanying Development Regulations to the Department of Environment, Climate Change and Municipalities for registration. The Plan comes into effect on the date notice of its registration is published in the *Newfoundland & Labrador Gazette* (Section 24[3]).

When the Municipal Plan comes into effect it is legally binding upon Council and upon all other persons, corporations, and organizations proposing to develop or use land within the Trinity Planning Area. Higher levels of government are not, however, bound by municipal planning rules but often do take them into consideration in their decision making.

## 1.5 Implementing the Plan

Council is required to prepare regulations for the control of the use of land, in strict conformity with the Municipal Plan. This takes the form of Land Use Zoning, Subdivision, and Signage Regulations. These “Development Regulations” are prepared at the same time as the Municipal Plan and, like the Plan, may be amended to include new land uses and specific regulations to guide development within the Planning Area.

Day-to-day administration of the Municipal Plan and Development Regulations will be conducted by staff members authorized by Council to issue permits for developments approved by Council. Staff also make recommendations to Council on matters relating to development in accordance with the Municipal Plan and Development Regulations and enforce the regulations.

## 1.6 Reviewing and Amending the Plan

Under section 28 (1) of the *Urban and Rural Planning Act, 2000* Council must review the Plan every five years from the date on which it comes into effect, and if necessary, revise it to reflect changes in the community that can be foreseen during the next 10-year period. The Plan may be amended as necessary prior to the five-year review in response to new development proposals, changed policies, or community priorities. In accordance with the process outlined in Sections 14 to 24 of the *Urban and Rural Planning Act, 2000*.

## 1.7 Interpretation

In this Municipal Plan:

- "Council" means the Council of the Town of Trinity.
- "Development Regulations" means the Town of Trinity Development Regulations 2024 – 2034, approved October 7, 2024, as amended.
- "Municipal Planning Area" means the Trinity Municipal Planning Area.
- "Plan" means the Town of Trinity Municipal Plan 2024 – 2034
- "Town" means the Town of Trinity.
- "Historic character" refers to the development pattern, architectural and outdoor features established in Trinity prior to confederation, particularly the built form that emerged during the 19<sup>th</sup> century at the height of Trinity's development.



In this Plan:

- “may” is permissive and typically indicates a future action for which the Town has policy support to undertake, but is not obliged to undertake; and
- “shall” is imperative and indicates a duty to act, which is typically implemented through the Development Regulations.

The diagrams, sketches, and photos in this Plan are provided for illustrative purposes only. Maps and schedules are part of this Plan. Appendices are provided for informative purposes only and do not form a portion of this Plan.

The boundaries between the different land uses designated in the Municipal Plan are meant to be general, except in the case of roads or other prominent physical features where they are intended to define the exact limits of each category of land use.

Nothing in this Plan shall affect the continuance of land uses that are lawfully established as of the date this Plan comes into effect.

## **1.8 Reference to Place Names**

Place names appearing on the Future Land Use Map and referred to in the text are those appearing on the National Topographic Series 2C/6 map. Appendix B includes an excerpt from *The Story of Trinity*, by Dr. Gordon Handcock, 1997, that provides a description of place names including any locally used names that are interchangeable with those shown on the map. Policies of the Plan that refer to specific places shall be interpreted to mean those places as they are shown on the Future Land Use Map.

## 2 PLANNING CONTEXT

### 2.1 Historical Context

The richness of Newfoundland's marine resources has kept communities thriving for centuries.

The Beothuk were the Indigenous people of Newfoundland and had lived on the Island before the arrival of Europeans. As hunter-gatherers, the Beothuks' activities were largely seasonal, as they lived off resources on coastal areas in the warmer months and moved inland in the colder months to hunt fur-bearing animals. With the arrival of Europeans in the 16th century and the establishment of settlements along the coast, from Conception Bay to Trinity Bay and Placentia, the Beothuk withdrew from the coast.

The area that would later become the Town of Trinity first saw the arrival of English migratory fishermen in the 16th century. The establishment of a migratory fishery meant that the population in the Town was also seasonal, with fishermen arriving at Trinity in the warmer months and leaving for Europe in the colder months.

The history of Trinity is steeped in its attachment to the fishery. Its location on a small peninsula surrounded by the Northwest and Southwest arms of Trinity Harbour made it a major focus of the West of England-Newfoundland fishery in the eighteenth and early nineteenth centuries. By 1615 Trinity was a regular port of call for West Country fishermen. By the early 1700s, Poole merchants had relocated their fishing and trading premises from the south side of Trinity Bay to Trinity, and as a result Trinity became not only a fishing port, but a centre of trade for fishermen throughout Trinity Bay and beyond.

Struggles for the control of fisheries in Newfoundland between the French and the English in the 17th and 18th centuries extended into Trinity. This resulted in an increased desire to protect the area, as the settlement in Trinity was burnt twice. In 1799, a major medical milestone was achieved in Trinity when John Clinch successfully experimented with the first smallpox vaccine. Trinity's merchants were some of community's wealthiest people, and they made the Town a capital in the salt fish trade in the late 1700s.



By 1800, Trinity was a bustling town which provided employment and services for the approximately 400 people in Trinity and the surrounding communities in Trinity Harbour. By 1869, the population had doubled, but by this time the West Country merchants who had been responsible for much of the prosperity of the community were beginning to withdraw from Newfoundland.

The migratory fisheries industry in Newfoundland started to decline in the 19th century, which impacted fishing towns. By then, the Town had diversified its economy into trade and shipbuilding. However, as the migratory fishermen started to leave Trinity permanently, the decline of its population began.

The 20th century brought a strong desire to protect the history of the Town. Tourism became its key economic driver, which continues today. Trinity was incorporated as a Town in 1969.

## **2.2 Heritage Preservation**

The Town of Trinity is one of the most recognized heritage communities in Newfoundland and Labrador.

In the mid-1980s the Town had a Municipal Plan prepared that designated the area of Trinity containing the largest concentration of heritage properties as an Historic Area and established building controls and regulations. The plan was reviewed in 1993 with few changes, but in 2006, a significant amendment was made to expand the Historic (now called Heritage) Area. A new Heritage Area Designation and Land Use Zone were established.

In 2009, the Trinity Heritage Area Municipal Heritage District was added to the Canadian Register of Historic Places. The registered area is in what is known as Lower Trinity. It includes the Tavenor's Point area west of Gun Hill, including Rider's Hill, three cemeteries, a part of Crocker's Cove and Powell's Point; the Lower Trinity area bounded on one side by Bugden's Lane and the other by Gun Hill, and which may be thought of as the Town's historic core; and the Hog's Nose area east of Bugden's Lane. In addition to the historic buildings, the road network in the Town is also part of the heritage area.

A significant portion of the work in preserving heritage can be attributed to the Trinity Historical Society and the Town Council. Development Regulations in the Heritage Area seek to preserve and maintain the historic and cultural character that the Town has become known for. Heritage sites in the Planning Area are shown in the map below.





## 2.3 Historic Sites and Heritage Properties

The historic sites and heritage properties in Trinity are registered at different levels of government and under different heritage programs. This can provide them with different types of protection, as well as access to funding for their maintenance and restoration. While many of the sites are owned by the provincial or federal governments, there are also privately-owned structures, mainly in Lower Trinity. Each heritage program has different application processes.

There are two National Historic Sites in Trinity, which are managed by Parks Canada under the *National Historic Sites and Monuments Act*. The Reverend Dr. John Clinch Plaque honours Reverend Dr. John Clinch, who administered the first smallpox vaccination in North America. The Sir Richard Whitbourne Plaque commemorates Sir Richard Whitbourne, who held the First Court of Admiralty in North America in 1615.

Three Provincial Historic Sites have been designated by the Government of Newfoundland and Labrador under the *Historic Resources Act* because of their historical or architectural significance. The Provincial Historic Sites include the Trinity Visitor Centre, the Mercantile Premises, and Hiscock House.

In addition to the historic sites, there are many sites with Heritage Structure Designation. This designation by the Heritage Foundation of Newfoundland and Labrador, a not-for-profit Crown corporation, is primarily commemorative. In order to maintain the Heritage Structure Designation, property owners must agree to maintaining the heritage character of the building. Protections, thus, come in the form of municipal development regulations.

## 2.4 Economy and Tourism

Tourism is one of the key economic sectors in Newfoundland and Labrador. The efforts to preserve the history, architecture, and natural landscape of Trinity have paid off as Trinity has become one of the top places to visit in the province. Once a fishing town, the tourism sector is now the main economic driver in Trinity. Businesses catering to the tourism industry - accommodations, food services, craft shops, art galleries and theater and tour companies - have thrived. Investment in heritage preservation also supports contracting and carpentry companies who have developed specific expertise in heritage renovations and products. The development of the tourism sector is also part of a coordinated regional effort in the Bonavista Peninsula, guided by the Regional Tourism Plan (2019-2023) which sets out the vision and strategic actions for growth and sustainability in the sector.

The Arts sector is a key component of economic development in Town. The award-winning Rising Tide Theatre Company has been recognized for its innovative work and attracts over 20,000 visitors annually to Trinity. The *Trinity Pageant* and the *Seasons in the Bight* festival are events that generate increased demand for accommodations, services, and amenities in the community. In addition to their work, the Theatre Company owns The Rising Tide Arts Centre in Green's Point, the primary venue for their plays. Additionally, the Town is home to several local craft stores.

The fishery, despite its decline in economic importance in Trinity, is still a generator of employment for some residents of the Town and surrounding communities.



## 2.5 Population

Historically, fluctuations in the Town's population have been linked to the main economic sectors in the community. Part-time residents have been part of the Town's population since its beginning as a settlement. The year 1869 recorded the Town's largest population to date at around 800 people, but numbers have generally been decreasing since then.

In recent decades the Town's population reached a low in 2011 but has since rebounded somewhat. Between 2011 and 2021, population in the Town increased from 137 to 182 people.

Anecdotally, the Town has been experiencing a growing part-time resident population. The Census does not have a direct statistical measurement for part-time residents. However, only 88 of 144 dwellings in the Town are occupied by "usual residents", with the remainder likely occupied by part-time residents.

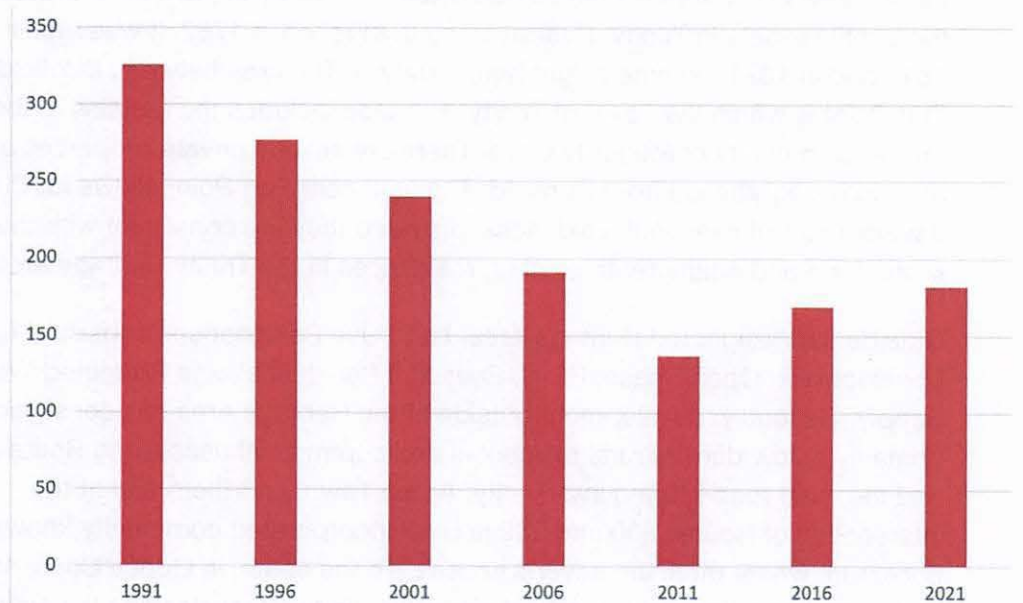


Figure 1: Town of Trinity Population 1991 - 2021

## 2.6 The Built Environment

### 2.6.1 Development Pattern

The Town's core is characterized by its heritage and prominent historic value. The Trinity Heritage Area encompasses a significant portion of Lower Trinity, from Tabins Point south to Hog's Nose and includes Gun Hill. The Heritage Area illustrates the development of a distinctive coastal settlement of the early 19<sup>th</sup> century. Substantial residential, commercial, and public buildings point to the Town's past prosperity and important role in the region's economy. More modest buildings also provide valuable examples of a past way of life. Buildings within the area are concentrated toward the shoreline, reinforcing the link to the sea. While the overall density of buildings is low throughout the Town, the concentration of buildings is highest in this area.

On the South side of Trinity Harbour on a narrow spit of land is an area known as Admirals Point or Fort Point, established in 1748 by the British to protect the mercantile assets in Trinity. Destroyed by the French in 1762, it was rebuilt in 1812 and in 1871 became a light house station. The area between Dunfield to Fort Point is within the Town of Trinity. The area includes the remains of the former community of Maggoty Cove. There are several private properties and a road to the lighthouse from Dunfield. The area near Fort Point allows for the development of seasonal residences, provided they are consistent with the size, scale, form and character to existing residences in the Trinity Heritage Area.

Outside the designated Heritage Area, Land Use Designations consist of Mixed Development, Open Space, Rural, Seasonal Residential, and Protected Water Supply. Generally, development outside of the Heritage Area has consisted primarily of low density rural residential and commercial uses along Route 239 and the main road leading into Trinity. At the Town's northern end at the intersection of Routes 230 and 239 is an unincorporated community known as Lockston, where there are several houses. To the south, in Goose Cove, homes on larger properties are spread out along the highway overlooking the scenic Cove.



The picturesque landscape and architecture have attracted an increasing number of part-time residents and tourists, for whom new developments have taken place outside of the Heritage Area. This growing demand for accommodations led to amendments to the Municipal Plan 2012 – 2022, primarily to enable development for part-time residents and for visitor accommodations. The Seasonal Residential land use designation was created to allow for new developments in Coleman's Point. Construction of remote cabins was also added to the permitted uses in the Rural land use designation to accommodate small cottages around Loop Pond, Second Pond, and Karen's Pond.

To the west of Goose Cove is Trinity Loop, recognized as a Registered Heritage Structure in February 1988 and subsequently developed into an amusement park, complete with a paved street. It now stands vacant. The 2-kilometre railway loop is significant as it is the only railway loop of its kind in North America. Today, the site has potential for new development, either for some alternative tourism attraction, accommodations, or for other residential or commercial type of development. At the present time, the Town does not maintain the road leading to the Trinity Loop site.

The Protected Watershed land use designation that surrounds Indian Pond does not allow for any type of development unless it is related to the functioning of the water system.

#### **2.6.2 Parks, Green Space, and Trails**

The Town's core is characterized by its heritage and immense historic value. The Trinity Heritage Area encompasses a significant portion of open spaces and trails are important characteristics of the picturesque landscape of Trinity. Gun Hill forms a natural boundary between the rest of the Town and the Heritage Area in Lower Trinity. Two short trails, Upper and Lower, make the 3-km path that takes people to the centre of Gun Hill. This offers a view of the Town and the adjacent communities.

Central Park in the Heritage Area is a dedicated public space for community use and a site for events and festivals. A concept plan was created in 2013 to improve the park but was not implemented. The concept plan recommended a Stormwater Management Plan first.



Other important trail and open space assets are outside of Lower Trinity. This includes the Trinity Loop next to Loop Pond, the Fort Point Lighthouse, and the Sugarloaf Trail and Salvage Head Trails in the Southside of Trinity. Trails in the Southside offer many elevated viewpoints that offer outstanding views of the Trinity Bight. Newell's Neck on Cap Cove is another potential asset for outdoor recreation.

## **2.7 Natural Environment**

Trinity is a community formed by its relationship to the natural environment. The visually striking landscape of Trinity is characterized by its rugged topography, consisting of prominent ridges and headlands. The community is historically oriented to the coastline, which is of immense importance to the history, economy, and identity of the place.

Trinity is part of the Maritime Barrens Ecoregion, one of Newfoundland and Labrador's nine ecoregions. Ecoregions are areas that have distinctive, recurring patterns of vegetation and soil, which are determined and controlled by local climate and geology. The Maritime Barrens Ecoregion is further divided into four subregions: Southeastern Barrens, South Coast Barrens, Central Barrens and Northeastern Barrens, the latter of which includes Trinity. While the Maritime Barrens are characterized by cold summers, strong winds, and intermittent snow cover near the coastline, these conditions are not as extreme in the Northeastern Barrens. Vegetation is characterized by low-growing plants adapted to soils low in nutrients. Although the Northeastern Barrens subregion once had forests, these were burned first by European settlers. Slope bogs, basin bogs, and fens are also common, which are characterized by poor drainage and peat.

Many species of mammals found throughout the province are common in the ecoregion, such as moose, beaver, black bear, and mink. Migratory birds such as the sandpiper, greater yellow legs, horned lark, Canada goose, American black duck, green-winged teal, woodpecker, as well as many migratory song and shore birds are present. In the marine environment, marine mammals such as seals and whales are present, as well as many species of marine birds.

## 2.8 Climate Change Vulnerability

As a coastal community, Trinity is vulnerable to the impacts of climate change. Climate change will result in more frequent and intense storm events and rising sea levels that can lead to coastal and riverbank erosion, flooding, and damages from storm surges. Low lying coastal areas, marine and municipal infrastructure such as wharves, roads, water, and sewer infrastructure are all vulnerable to the effects of climate change. In 2010, Hurricane Igor (a 50- to 100-year storm event) caused considerable damage on the entire Bonavista Peninsula, and while the damages were not as severe in Trinity relative to other communities, the effects of the storm resulted in damage to coastal infrastructure, roads, and private properties. Since then, property owners have taken steps to prevent further damages such as placing armor stone along the shoreline.

## 2.9 Municipal Services

### 2.9.1 Water and Sewer

Most households in Trinity are connected to the municipal water supply from Indian Pond, where the Town's chlorination system is also located. The rest of the households are required to access groundwater. The wastewater system is composed of piped sewage in the Heritage area in Lower Trinity, with the rest of the community relying on individual septic tanks. Water and sewage systems have been designed to accommodate peak tourist season. The Town has experienced excess water pressure during the rest of the year, when demand is much lower.

### 2.9.2 Roads

Access to Trinity is directly via Route 239 (Main Road), which connects to Route 230 in Lockston. Both roads are provincial Highways and the responsibility of the Department of Transportation. Routes 239 and 230 are Protected Roads under the *Urban and Rural Planning Act, 2000*. Areas surrounding Route 230 are subject to *Protected Road Zone Regulations*, where additional development and building controls apply.

Within the municipal boundary, several local roads are maintained by the Town, and are shared by pedestrians and motorists. Roads that are not publicly maintained year-round are strictly for seasonal residential development. Trinity was one of the first communities to implement a formal road system.

Construction of new roads must meet the Town's minimum control standards, as set out in the *Development Regulations*.



### **2.9.3 Fire and Policing**

Fire protection within the Planning Area is provided by a team of volunteer firefighters, staffed by approximately 20 members. Policing in Trinity is provided by the Royal Canadian Mounted Police (RCMP). The RCMP have a detachment that serves Trinity and the surrounding area in Bonavista.

### **2.10 Waste Removal**

The Town of Trinity contracts its solid waste services to a private contractor, who trucks waste to the Port Rexton waste management site for disposal.

### **2.11 Public Buildings and Facilities**

The Town of Trinity has its administrative facilities in the former Parish Hall on Dock Lane. Trinity is also home to a Volunteer Fire Department based out of the fire station off Trinity Road. As a relatively small town, Trinity does not own and maintain larger facilities like recreation centres, but it does have a park with a playground, benches, picnic tables, and two volleyball courts. A concept plan for the park was completed in 2013 that included a general redevelopment of the site with pathways, additional benches, picnic tables, and stormwater management that included naturalized areas and a pond.



## 3 VISION AND PLAN OBJECTIVES

### 3.1 Community Vision Statement

*As a Town with a rich and colourful history, we delight in our past while looking to a future where Trinity continues to be a place of charm and tranquility. People come to our Town to live, visit, and explore. We share with visitors our pride in our traditions, built heritage, and natural surroundings. We attract new residents by ensuring a clean and healthy environment, quality municipal services and amenities, good governance, and opportunities for business investment.*

### 3.2 Plan Objectives

While the vision sets the aspirations for the Town, the Plan Objectives establish tangible and specific outcomes the Town wants to achieve over the planning period (2024 – 2034). This Plan establishes six objectives, supported by clear, strong planning policies in this Municipal Plan and the regulations within the Development Regulations. The Town will pursue the following community-wide objectives:

#### 3.2.1 Protect Community Culture and Heritage

Protecting, preserving, and presenting our heritage is essential to our future sustainability. Our historic buildings, streetscapes, scenic vistas, natural landscapes, stories, and characters attract visitors, business, new residents, and create employment and investment.

#### 3.2.2 Encourage Housing Availability and Diversity

An ample supply of quality housing suitable to the needs of different lifestyles and stages of life is necessary for encouraging people to live and work in Trinity.

#### 3.2.3 Encourage and Increase Business Investment

Providing opportunities for business investment will create jobs, help retain and attract young people to our Town, and provide the services and amenities people need for their day-to-day lives. Ensuring that land, grants, and commercial spaces are available for commerce and industry is key to the Town's long-term sustainability.

#### **3.2.4 Promote Practices of Environmental Stewardship**

Protecting the natural resources of Trinity including land, coastal, and freshwater resources ensures clean drinking water, space for recreation, and habitat for fish, flora, and wildlife.

#### **3.2.5 Invest Wisely to Ensure High Quality of Municipal Services**

Maintaining municipal infrastructure and providing a high level of municipal services is a priority of Council. We will carefully manage municipal infrastructure assets, balancing investment to extend municipal water and sewer services with the need for ongoing maintenance to ensure high quality of potable water, safe streets, waste disposal, and recreation facilities.

#### **3.2.6 Demonstrate Leadership in Regional Cooperation**

As a Town, we will work with our neighbouring communities on the Bonavista Peninsula to pursue regional economic and tourism development objective and solve common municipal issues such as waste management and emergency services.



## 4 COMMUNITY-WIDE POLICIES

### 4.1 Introduction

The Town of Trinity encompasses approximately 13 square kilometres made up of unique and distinct areas that have different characteristics. While each area may have its own specific challenges and issues, there are many planning issues that apply across the entire Planning Area. Municipal servicing, environmental protection, and access to amenities and services are a few issues that apply broadly across Trinity and impact every resident. Establishing cohesive planning policies for issues that apply across Trinity enables the community to progress collectively, and to leverage strengths of the community and create future opportunities. This chapter contains the policies that guide the shared issues of Trinity.

#### 4.1.1 Objectives

The Town will pursue the following land use objectives to achieve its community-wide goals:

- Manage growth and development in a manner that respects, protects, and enhances the historic townscape fabric, built heritage, and cultural landscape of the community for its aesthetic, cultural, social, and economic value.
- Ensure that development occurs in an efficient, environmentally safe, and responsible manner.
- Provide opportunities for home-based businesses, and for the continuation of existing uses.
- Enable a diversity of housing and businesses, suitable to the context of different areas of the Town.
- Sustainably manage Town infrastructure.
- Carry out the municipal initiatives of Chapter 6.

## 4.2 Directing Growth

The intent of this planning document is to direct and manage how land is developed over the next decade in Trinity. The supply of land capable of economical servicing in Trinity is limited and the cost for infrastructure is high. This makes the extension of services to outlying or fringe areas generally undesirable. However, housing availability in the Planning Area is extremely tight and increasingly difficult to find, particularly for those working in the Town.

The overall development philosophy of this Plan is to maximize existing investments in infrastructure where possible and lower the overall burden on users (by spreading upkeep costs among more users) by directing new development to serviced areas. Where service extensions are necessary, they should be limited to adjacent areas that are already serviced and controlled in a manner to limit both the upfront and ongoing costs of a service extension. Given the limited opportunity for such development in Trinity some development in unserviced areas may be necessary and should occur in a manner that does not prevent the efficient future extension of municipal services and keeps the cost of such developments as low as possible for the Town.

**Policy 4-1:** Council shall, through the policies of this Plan and through the Development Regulations, prioritize and encourage new development to locate in areas of existing development and infrastructure.

**Policy 4-2:** Council shall work to ensure development does not disturb survey control monuments in the Planning Area and shall contact the Province's GIS and Mapping Division if works within the Town's Municipal Planning Area have the potential of disturbing an existing Survey Control Marker.

**Policy 4-3:** Council shall, through the Development Regulations, allow for the establishment of Building Lines and Setbacks, including establishing building lines as a component of subdivision developments.

**Policy 4-4:** Council shall, through the Development Regulations, allow for the consideration of comprehensive development of a specified parcel(s) of land where development requires a level of oversight that cannot be achieved through the standard development and permitting process.

**Policy 4-5:** Council shall, through the Development Regulations, establish requirements for the erection of fences in all zones.



**Policy 4-6:** Council shall, where designating employees to whom a power is to be delegated under subsections 109(3) of the Act, make that designation in writing.

**Policy 4-7:** Council shall prohibit general development, with the exclusion of development, of or in support of, utilities as defined by the *Public Utilities Act, 1990*, within transmission or distribution line right of ways or easements.

**Policy 4-8:** Council shall inform NL Hydro of any green field or serviced infill development prior to development permit issuance.

**Policy 4-9:** Council shall inform NL Hydro and obtain approval from NL Hydro prior to the approval and development of a public or private road underneath transmission lines.

### 4.3 Subdivision

The subdivision of land involves the orderly process of land division or consolidation, while providing for the creation of streets and services. Subdivision is a key and necessary step in the creation of new housing opportunities for a community. In the context of Trinity, subdivision beyond a lot or two at a time has not featured prominently in the recent development of the Planning Area. Strong flexible planning policies related to the subdivision of land can ensure the Town of Trinity functions and operates as efficiently as possible while retaining the community character. Poor subdivision standards can lead to confusion over when and how a subdivision can occur, contribute to high servicing costs, and leave areas inaccessible to the community.

**Policy 4-10:** Council shall, through the Development Regulations, require any subdivider of land to obtain a permit before proceeding.

**Policy 4-11:** Council shall, through the Development Regulations, require all applications of subdivision to be accompanied by a signed land survey from a member of the Association of Newfoundland Land Surveyors, at the cost of the applicant.

**Policy 4-12:** Council shall, through the Development Regulations, ensure that any subdivision conforms with the lot requirements contained in the Development Regulations, including but not limited to the need for a development agreement, the provisions of services, payment of service levies and other charges, and the satisfaction of permit considerations as laid out in the Development Regulations.

**Policy 4-13:** Council shall, through the Development Regulations, establish locations and standards for the development of roads, central services, and other publicly owned infrastructure for subdivision development.

**Policy 4-14:** Council shall, through the Development Regulations, consider new residential subdivision development approval only as part of a development agreement with a layout approved by Council. The developer shall be responsible for the cost of development, including all road, water, and wastewater servicing constructed to standards established by the Town in the Development Regulations.

**Policy 4-15:** Council Shall, through the Development Regulations, establish provisions intended to ensure that lots created through subdivisions are suitable for on-site sewage disposal where there is no central sewer system.

**Policy 4-16:** Council shall, through the Development Regulations, where no connection to the municipal water supply is available require all applications of subdivision to assess groundwater quantity and quality in accordance with the Provincial Department of Environment and Conservation Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Served by Individual Private Wells, 2009.

**Policy 4-17:** Council shall, through the Development Regulations, require a maximum of 10% of land proposed for subdivision development be dedicated to the Town as usable open space for subdivisions that create more than two lots from an area of land. Where it is determined by the Town that the land is of insufficient size, inappropriate location, unusable, or for any other reason unacceptable, the Town may accept in lieu of land a sum of money equal to the value of the land that would otherwise be required, and such monies shall be dedicated to the purchase of land in other locations or to the improvement of existing public recreation facilities.



**Policy 4-18:** Council shall, through the Development Regulations, prohibit the retention of lands through subdivision in a manner that prevents future development of adjoining lands.

## 4.4 Infrastructure and Transportation

### 4.4.1 Central Services

Trinity is serviced by a municipal water and sewer system; however, these services are concentrated in the Heritage Area. Properties that are not serviced by municipal water and sanitary typically have onsite wells and septic systems.

Municipal water is derived from Indian Pond and treated at a chlorination facility near intersection of Main Road and Trinity Road. From there it is gravity-fed into the serviced areas of Town. The area around Indian Pond has been designated by the Department of Environment and Climate Change as a Protected Public Water Supply Area. Any development in this area must comply with provincial legislation and policies. Buildings or structures permitted by the Town are limited to those necessary for the operation and maintenance of the municipal public water supply as well as renewable energy systems.

**Policy 4-19:** Council shall monitor the capacity and supply of water in the Protected Water Supply Area of Indian Pond and evaluate proposals for new development to ensure that the system has sufficient capacity and water pressures to service the development.

**Policy 4-20:** Council shall ensure that the Town's wastewater treatment facilities process wastewater in accordance with Provincial Department of Environment and Conservation standards.

**Policy 4-21:** Council shall, through the Development Regulations, encourage the efficient use of central services by permitting smaller lot sizes and lot frontages in areas where central sewer, water, or both are present subject to approval by the Engineer at the expense of the applicant.

**Policy 4-22:** Council shall, through the Development Regulations, require new development to connect to central sewer, water, or both, where such services are available. Where services are not available, proposed development must show, to the satisfaction of the appropriate provincial departments and at the applicant's expense, the site has the capacity to bear such services over the long term without adverse off-site impacts.



**Policy 4-23:** Council shall, through the Development Regulations, require any new residential development or treatment system connecting to the municipal water and sewer system obtain approval under Section 36 and 37 of the *Water Resources Act, 2002*.

**Policy 4-24:** Council shall, through the Development Regulations, set out options for application of service levies where development is made possible or where the density of potential development is increased, or where the value of property is enhanced by the carrying out of public works either on or off the site of the development.

**Policy 4-25:** Council may, through the Development Regulations, establish a provision for the dedication of land for public use for a development not involving a subdivision where public works are required to accommodate the proposed development.

#### 4.4.2 Public and Private Roads

The public road network is the primary mechanism connecting people to their communities. It connects Trinity to the wider region, allowing visitors to access and experience the Town and enables the flow of goods and services. Public streets are essential to the function of communities and help give shape to the forms of development that make up the Town, including its more rural areas.

Public roads are those that are owned and operated by a government entity such as the Province and the Town. Not all these roads are paved within the Planning Area.

Unlike public roads, private roads are those that are located on private property. The Town has limited authority over how private roads are used and they often do not need to meet provincial or municipal standards. Private roads can make it difficult for emergency and municipal services to access a property if they are inadequately built or maintained. These road types can also be at the forefront of disputes between property owners if road standard preferences, such as plowing and maintenance frequency, differ among users. As a result, Council intends to discourage new private roads except where absolutely necessary.

**Policy 4-26:** Council shall, through the Development Regulations, require all development to have proper road access accommodating emergency vehicles, expected traffic capacity or flow, and pedestrian and vehicular safety.

**Policy 4-27:** Council shall, through the Development Regulations, establish minimum standards for subdivision roadways, including, but not limited to, roadway width and roadway grade.

**Policy 4-28:** Council shall, through the Development Regulations, establish requirements for the siting of buildings, sheds, fences, and parking lots to provide adequate space for snow clearing and maintenance.

**Policy 4-29:** Council shall, through the Development Regulations, prohibit development on new private roads except on lands in the Protected Watershed Zone.

#### 4.4.3 Sidewalks, Pedestrian Connections, and Active Transportation

There is a distinct lack of sidewalks in Trinity, due in large part to the retained heritage character of the Town and the time of its original development. Despite the lack of sidewalks, walking within the Heritage Area is popular and common with pedestrians taking space within the road right-of-way. The quiet, narrow streets and roadways are a distinctive part of the form within the Heritage Area. Road widening and realignment is limited in order to preserve the historic layout. Additionally, notable historic footpaths and trails are located throughout the Town and provide valuable pedestrian connections that contribute to overall walkability. These combined elements form a pedestrian friendly environment within the Heritage Area.

However, sidewalks and other active transportation infrastructure are generally beneficial for their positive impacts on health, safety, and environment. Consideration within the context of new development should be given to the inclusion of such infrastructure where appropriate.

**Policy 4-30:** Council may, through the Development Regulations, require sidewalks on new public streets within residential subdivisions.

**Policy 4-31:** Council may, through the Development Regulations require commercial developments to provide bicycle parking spaces.

**Policy 4-32:** Council shall, through the Development Regulations, permit trails and trail development in all land use zones.



**Policy 4-33:** Council shall, through the Development Regulations, ensure that existing footpaths and trails remain open and accessible as a condition for new development.

**Policy 4-34:** Council may, through the Development Regulations, require a new development to provide a separation buffer between a proposed development and an existing footpath or trail.

**Policy 4-35:** Council may work with local residents, businesses, the Province, and other stakeholders to implement traffic calming measures within the Planning Area.

**Policy 4-36:** Council may, when major roadworks are undertaken, leverage any potential funding to implement pedestrian or active transportation infrastructure including, but not limited to, sidewalks, boardwalks, mixed-use pathways, or paved shoulders.

#### 4.4.4 Automobile Parking

The historic development of Trinity, its rural quality, and position in relation to regional service hubs means that many trips require a private automobile. As such, private automobile parking is needed at many destinations. Parking in Town is also compounded by differing rates of demand throughout the year, with high demand in the summer driven by visitors, part-time residents, and seasonal workers and low demand during the remainder of the year when it is mostly permanent residents.

Bus parking has also been identified as a growing concern among residents. Busses bring in welcome visitors and help contribute to the Town's strength as a destination. However, bus parking is a challenge to manage.

**Policy 4-37:** Council shall, through the Development Regulations, establish minimum required automobile parking space standards and design requirements for required automobile parking spaces and areas.

**Policy 4-38:** Council shall, through the Development Regulations, permit electric vehicle charging stations as an accessory use in all land use zones.

**Policy 4-39:** Council may develop a parking management strategy to develop approaches that address existing parking challenges and meet future parking needs, such as but not limited to establishing appropriate tour bus parking areas and parking areas intended to serve visitors to the Town.

#### 4.4.5 Utilities

Utilities, such as phone, internet, and power are important infrastructure for the daily function of our community. These utilities typically have two components: the linear infrastructure (power line, etc.) and supportive infrastructure (transformer stations, switching boxes, etc.). The linear components are often located within a street right-of-way, while the supportive infrastructure is often located on a lot, and therefore subject to zoning requirements. These uses however, do not have typical requirements in terms of lot area (e.g. no need for wastewater disposal) or frontage. Council, therefore, intends to exempt them from planning requirements.

**Policy 4-40:** Council shall through the Development Regulations, permit in all zones linear utilities associated with the operations of facilities such as, but not limited to, transformers and sewage lift stations. For greater clarity, facilities not directly related to the immediate operation of the utility, such as offices and maintenance depots, shall be required to locate in an appropriate zone that permits these uses.

**Policy 4-41:** Council shall, through the Development Regulations, relax lot standards for utility infrastructure.

#### 4.4.6 Solid Waste

Residential and commercial solid waste is collected by a private contractor and disposed of at the Town of Port Rexton waste management site.

**Policy 4-42:** Council may participate in provincial waste management strategies.

**Policy 4-43:** Council may undertake initiatives to reduce household garbage encouraging residents and businesses to compost and recycle.



#### 4.4.7 Communication Antennas

The Town recognizes the sole authority for issuing licenses for radiocommunications facilities lies with the Federal Government under the *Radio Communications Act*. The Act encourages co-location of equipment (installing equipment on existing towers) before new towers are developed.

The *Radio Communications Act* includes a requirement for public consultation before the development of new telecommunications towers. Municipalities may elect to implement their own consultation protocol. In areas where there is no municipal protocol, consultation occurs under the Industry Canada Default Public Consultation Process. Trinity has chosen to defer to the default Industry Canada process.

**Policy 4-44:** Council shall authorize the Canadian Radiocommunications Information and Notification Service (CRINS) to conduct siting, review, and public consultation processes in accordance with Industry Canada standards. In participating in engagement for radiocommunications facilities, the Town shall oppose the siting of such facilities within the Heritage Area Use Zone.

#### 4.5 Housing

As a basic necessity of life, every person who lives in Trinity needs access to housing that is affordable, in good condition, and appropriate for their life stage. In recent years there has been a national trend toward smaller, simpler housing forms; a trend driven by both household economics and preference.

Additional components to consider in Trinity are the aging population and the prevalence of part-time residency. The median age of residents in Trinity increased from 48 in 2011 to 52 in 2021. As our communities age, barrier free housing is needed so residents can access their residences.

Anecdotally, housing in Trinity has become more difficult in recent years and costs have risen. Rental housing, in particular, is extremely difficult to find, which has an impact on the seasonal workforce, such as the cast and crew of Rising Tide Theatre productions and staffing for other tourism operators.

#### 4.5.1 Housing Diversity

As people in Trinity move through various life stages, their housing needs and choices may also change. An integral aspect of any community is to provide an array of housing options that are available to residents. Currently, single detached homes make up almost the entire housing stock, with no other housing forms being reported on the 2021 Statistics Canada Census (based on a 25% sample).

**Policy 4-45:** Council shall, through the policies of this Plan and through the Development Regulations, enable diversity in the form, scale, and location of housing that is permitted.

**Policy 4-46:** Council shall, through the Development Regulations, permit secondary dwellings, subject to limits on size and location appropriate to the zone in which they are located.

#### 4.6 Economic Development

Trinity originally developed as a fishing community and grew to encompass trade and shipbuilding as well. Over time, with the decline of fisheries and a changing economy Trinity has shifted its economic base and developed a thriving tourism industry. The natural beauty and built heritage combine to form a unique community that brings people from around the world. A thriving arts sector has also developed, partly in relation to the growth of tourism in the area.

As the tourism sector has developed, there has not been significant investment in general commercial, retail, or light industrial development. Diversifying the economy to include a greater variety of commercial, industrial, and retail activity could assist the Town in attracting and retaining residents year-round. Diversifying the economy will also better position the Town to handle fluctuations in tourism.

**Policy 4-47:** Council may over the life of this Plan, develop a business and tourism marketing strategy intended to recruit businesses to Trinity and to draw full time residents and visitors to the area.

**Policy 4-48:** Council may over the life of this Plan, examine and consider the application of taxation, financial, and zoning incentives, as well as capital projects as methods of facilitating new economic growth in Trinity consistent with the provisions of the *Municipalities Act, 1999* or successor legislation.



#### 4.6.1 Home-based Business

Council recognizes the benefit that small businesses bring to the community. Small businesses attract visitors to Trinity and provide employment opportunity. They also provide day-to-day services for residents. In many cases small businesses begin as a home operation and may gradually expand to operate out of another location, or they are able to continue to operate out of their residence.

Home-based businesses that do not take away from the character of the community or create nuisances are valued by Council and are vital components of the Town. Permitting and supporting the operation of home-based businesses represents a mechanism to ensure small business will flourish and promotes entrepreneurship.

**Policy 4-49:** Council shall, through the Development Regulations, permit home-based businesses in all zones that permit residential uses.

**Policy 4-50:** Council shall, through the Development Regulations, establish criteria for businesses eligible to operate as a home-based business, and establish regulations that the business must meet, including but not limited to, limits on retail sales and signage.

#### 4.6.2 Tourist Accommodations

A diverse and adequate supply of tourism accommodations is a key component to foster growth in Trinity's tourism sector. The Town features several traditional accommodation types including inns, rental cabins, and bed and breakfasts. In addition to the more traditional fixed-roof accommodations, there has been growth in the short-term rentals (or vacation rentals) market. Often, these accommodations consist of residential properties that have been converted to short-term rentals to capitalize on the high demand and create an income opportunity for the owner. This trend has raised concerns about disruptions to the local housing stock and may contribute to the increased cost of housing and lack of housing available.

**Policy 4-51:** Council shall, through the Development Regulations, permit commercial accommodations as a home-based business, subject to the limits on home-based business size.



**Policy 4-52:** Council shall, through the Development Regulations, consider accommodations as a main use in the Heritage Area Zone and Mixed Development Zone.

**Policy 4-53:** Council shall, through the Development Regulations, treat the short-term rental of a dwelling as a commercial accommodations use and shall require a development permit.

**Policy 4-54:** Council shall, through the Development Regulations, consider campgrounds, including tourist RV parks, in the Rural Zone.

**Policy 4-55:** Council may develop a Vacation Rental Policy to license and regulate accommodations in Trinity.

#### 4.6.3 Signs

Advertising and signage provide information to the travelling public about the services and amenities available in an area and where they can be accessed. However, when left unregulated, advertising signage can multiply and create “sign pollution” problems in a community. Using a balanced approach to advertising signage can ensure businesses are able to advertise their services and location while maintaining the general character of a place.

**Policy 4-56:** Council shall, through the Development Regulations regulate the number, type, size, and location of signs in a manner that balances the aesthetics of neighbourhoods with the need to advertise businesses and provide information about a community. Development Regulations shall also provide for the removal, maintenance, exemption, standards for non-conforming uses, and prohibition of signs.

**Policy 4-57:** Council may develop an off-site signage strategy intended to provide a cohesive off-site approach to directional tourism signage associated with tourism attractions, tourism-based businesses, and similar amenities and services that would benefit from such a strategy.

**Policy 4-58:** Pursuant to Policy 4-56 Council may, through the Development Regulations or through a separate licensing bylaw, regulate the number, type, size, location, and form of off-site business signs to provide an organized and cohesive approach to off-site signs.

**Policy 4-59:** Council shall, through the Development Regulations, require applications for signage along Provincial Route 239 or any other provincially maintained road be referred to Service NL for approval.

**Policy 4-60:** Council may in consultation with the community, work to establish view planes within the Planning Area that could be protected from development such as, including but not limited to, signs and other structures.

## **4.7 Environment**

Much of the character and identity of Trinity is shaped by its environment. The Town's setting in the rugged landscape draws tourist and residents from across North America and the world. The Town and region are also home to a variety of plants and animal species that contribute to the regional ecosystem. As a result, development within Trinity should take all precautions to ensure harm to the environment is avoided. Preserving the natural environment is vital to Trinity's identity, character, economy, and future.

### **4.7.1 Wetlands and Watercourse Buffers**

Trinity's varied topography and rocky terrain creates several lakes and ponds connected by streams and wetlands. These watercourses are an essential resource and a key component of the landscape in Trinity. Watercourses provide important natural habitats. The riparian area, the interface between land and water, is especially important as habitat and acts as a natural filter for water runoff from land into the watercourses. The riparian area is also particularly sensitive to disturbance and requires protection from human development.

**Policy 4-61:** Council shall, through the Development Regulations, establish setbacks and buffers that limit development adjacent to the watercourses. Proposed development within such buffers shall be subject to referral and the approval of the provincial Department of Environment and Climate Change and, if aquatic habitat is affected, Fisheries and Oceans Canada.

**Policy 4-62:** Council shall, through the Development Regulations, enable exceptions to watercourse buffers where the use is required to be located adjacent to the water.



**Policy 4-63:** Council shall, through the Development Regulations, ensure that Federal and Provincial requirements have been met by requiring approval from pertinent departments has been received prior to the issuance of any permit for development within a watercourse area and is conducted in accordance with the appropriate legislation and policies, including Section 48 of the *Water Resources Act*, 2002.

**Policy 4-64:** Council shall, through the Development Regulations, establish requirements for the planning, design, and construction of water crossings, bridges, culverts, stream diversions and stormwater management devices.

**Policy 4-65:** Council shall work to ensure any development commencing pursuant to a Permit issued under Section 48 of the *Water Resources Act*, 2002, conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003.

#### 4.7.2 Coastal Areas

Trinity, like many communities in Newfoundland, is defined by its relationship to the coast, with most development clustered within 500 metres of the shore. Access to the coast was historically extremely important for industry, and over time coastal access has become a valuable recreation asset.

One of the challenges of being a coastal community is vulnerability to climate change. As sea level rises and storm frequency increases due to climate change, Trinity's coastline will inevitably be affected. By the year 2100, sea levels in Northeastern Newfoundland are expected to rise 90 to 100 centimetres above current levels. While the overall Planning Area has relatively steep topography, the most densely built section of Trinity, the Heritage Area, could experience sea level rise and storm surge events that flood roads, cut off land access to portions of Town, and impact numerous structures.

The coastline is an attractive place for new development, particularly developments related to the tourism industry. However, such development must be made only with careful consideration and planning for future sea levels.



**Policy 4-66:** Council shall, through the Development Regulations, require development adjacent to the coastline to ensure existing public access points to the coastline are retained. Where residential subdivisions in coastline areas are proposed, pedestrian access to the coastline may be provided as part of the lands required for dedicated open space.

**Policy 4-67:** Council shall, through the Development Regulations, consider as a discretionary use wharves, slipways, and docks across the Planning Area to retain access to the coast for traditional fishing uses and for recreation uses.

**Policy 4-68:** Council shall, through the Development Regulations, prohibit new buildings with a habitable floor area below a 2.7-metre elevation relative to the Canadian Geodetic Vertical Datum of 2013 (CGVD2013).

#### 4.7.3 Landscape and Coastal Alteration

With much of Trinity constrained by the coastline and rough steep rocky topography, landscape alteration practices such as filling in low lying or steep slope areas or excavating into hillsides to expand usable land may become more common. These activities can have a significant impact on wetlands, natural drainage, and slope stability resulting in erosion and creating visual impacts in the community.

The practice of infilling on coastal waters to create land has grown in popularity in Atlantic Canada. Stages and wharves used to be primarily constructed of lumber are now being constructed using gravel and fill. In Newfoundland and Labrador these practices are regulated by the Province under different legislation and policies.

The *Water Resources Act, 2002* does not require a provincial permit (municipal permits may still be required) to build a wharf, boathouse, slipway, or breakwater; however, proponents must follow provincial guidelines for the construction and maintenance of these structures. Additionally, any infilling or dredging associated with these structures requires a permit under Section 48 of the *Water Resources Act, 2002*. Development within the shore water zone, a provincially designated land use area, must be accompanied by a permit and must comply with the Policy for Development in Shore Water Zones. Finally, any infilling within 15 metres of a body of water must be accompanied by a permit prior to the start of infilling and must comply with the Policy for Infilling Bodies of Water.

A lack of municipal control over infilling can lead to land created through infilling that is “unzoned” and not subject to municipal land use controls. Council wishes to take a cautious approach to such activities and ensure that where new land is created the activities that occur on it are suitable to the surrounding area.

**Policy 4-69:** Council shall, through the Development Regulations, discourage the alteration of steep hillsides through the deposition of fill or by excavation, whether for the purpose of creating land suitable for development or not. Such land disturbances shall require application, review, and approval by Council and show the full extent of disturbance that is intended.

**Policy 4-70:** Council may, through the Development Regulations, require an applicant applying to alter the landscape for development purposes to assess the geotechnical, visual, and environmental impacts of development, as well as impacts on adjoining properties and land uses, and implement mitigating measures as necessary.

**Policy 4-71:** Council may, through the Development Regulations, require financial guarantees from a developer where landscape alterations are approved to ensure adequate site rehabilitation and/or landscaping.

**Policy 4-72:** Council shall work with Government to ensure any infilling or dredging along the coastline is conducted in accordance with the appropriate legislation and policies, including Section 48 of the *Water Resources Act*, 2002.

**Policy 4-73:** Council shall, through the Development Regulations, interpret the boundaries of zones along the coast as following the mean high-water mark.



#### 4.8 Solar Energy

Globally there is growing uptake of renewable energy sources to mitigate the impacts of climate change and to insulate against the rising costs of electricity. One of the most common types of renewable energy being implemented at the local scale is solar collectors. Supporting policies and regulations should ensure impacts to the Town and the environment are limited, and the quality-of-life residents enjoy is maintained. All renewable energy sources must also comply with provincial legislation and the provincial electricity authority, Newfoundland Power.

**Policy 4-74:** Council shall, through the Development Regulations, permit solar collectors as an accessory use in all zones except for the Heritage Area Use Zone.

**Policy 4-75:** Council shall, through the Development Regulations, enable solar collectors as a main use in the Rural Use Zone.

## 4.9 Recreation

The Town of Trinity has generally developed outdoor recreation such as numerous trails and the Town Park, which includes a playground, two volleyball courts, a pickleball court, a bandstand, and several picnic tables. Indoor recreation facilities such as pools and arenas are not present within the Town.

Recreation amenities attract new residents and visitors while serving existing residents. Developing new and protecting existing recreation assets within Trinity is vital to the future of the community. This Plan recognizes the importance of building upon existing facilities and programming to serve diverse recreation needs.

### 4.9.1 Parks and Open Spaces

**Policy 4-76:** Council shall, through the Development Regulations, permit low-impact parks and recreation uses in all zones.

**Policy 4-77:** Council shall encourage the use of the Town Park as a centre for events, outdoor recreation, and festivals.



## 4.10 Arts and Culture and Heritage

The cultural heritage of Trinity is a key component to the Town's identity. Trinity's historic role as a traditional fishing community, shipbuilding hub, and center of commerce can be seen in the way buildings are placed, their materials, and their relation to other buildings. Colourful, wooden-clad residences are regularly placed along the historic townsite.

Cultural heritage can also be influenced by significant places and practices that are important to the community, both past and present. Artistic expression, significant landmarks, and cemeteries all contribute to the meaning of a place. Planning for the future should take all of these, and more, into account as development in Trinity occurs.

### 4.10.1 Heritage Properties

**Policy 4-78:** Council may, in cooperation with the Heritage Foundation of Newfoundland and Labrador, work to identify and document all heritage buildings, structures, landmarks, and landscapes of the Town.

**Policy 4-79:** Council may, through the Development Regulations, require any public work projects or developments where 4,000 square metres or more of ground is to be disturbed to be referred to the Provincial Archaeology Office for review to determine if an Historic Resources Impact Assessment is required prior to development.

**Policy 4-80:** Council may adopt the Standards and Guidelines for the Conservation of Historic Places in Canada in evaluating substantial alterations to registered heritage properties.

**Policy 4-81:** Council shall, require that prior to the moving, demolition, or alteration of a provincially registered heritage property any such alteration be referred to the minister responsible for the *Historic Resources Act* prior to undertaking any work.

**Policy 4-82:** Council may adopt a Heritage Bylaw, intended to designate and protect heritage structures, landmarks, and landscapes within the Planning Area.

**Policy 4-83:** Council may, through the Development Regulations, reduce development requirements on registered heritage properties as incentive to register and invest in these properties.

**Policy 4-84:** Council may, in coordination with the community, develop an Arts and Cultural Action Plan aimed at leveraging and promoting the Town's artistic, cultural, and heritage assets.

#### 4.10.2 Protection of Archaeological Resources

**Policy 4-85:** Council shall consult with the Provincial Archaeology Branch, Department of Tourism, Culture, Arts and Recreation to determine if an Historic Resources Impact Assessment is required 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.

#### 4.10.3 Arts and Cultural Uses

**Policy 4-86:** Council shall, through the Development Regulations, permit the teaching of students in activities such as dance and music, artists' studios, and cultural uses as home-based businesses.

**Policy 4-87:** Council shall through the Development Regulations, permit cultural uses such as, but not limited to, theatres and museums, in the Heritage Area Use and Mixed Development Use zones.

#### 4.10.4 Cemeteries

**Policy 4-88:** Council shall, through the Development Regulations, permit existing cemeteries in the Heritage Area Use Zone.

**Policy 4-89:** Council shall, through the Development Regulations, consider as discretionary uses new cemeteries in the Heritage Area Use Zone, Mixed Development Use Zone, and Rural Use Zone.

#### 4.10.5 Places of Worship

**Policy 4-90:** Council shall, through the Development Regulations, consider as discretionary uses places of worship within the Heritage Area Use Zone and Mixed Development Use Zone.



#### 4.10.6 Local Food Sources

**Policy 4-91:** Council shall, through the Development Regulations, permit community gardens in all land use zones.

**Policy 5-1:** Council shall, through the Development Regulations, consider the keeping of livestock in association with residential uses limited to that which has traditionally taken place within the rural areas of Trinity.

**Policy 5-2:** Council shall, through the Development Regulations, require all applications for agricultural livestock development be referred to the Department of Fisheries, Forestry and Agriculture for review.

**Policy 4-92:** Council may work with local food vendors, artists, and other community partners to develop a farmers' market intended for the sale of locally produced goods and products.

#### 4.11 Local Governance

Municipal and town governments are quite often the level of government with whom people in a community interact with the most. They also are the level of government making decisions that directly impact the day-to-day lives of residents. This interaction leaves residents with the opportunity to help shape the future of the local community and differentiates local government from provincial and federal government. To empower and ensure the community has the opportunities to interact with Town Council and impact the decisions that are made, Council seeks to adopt policies and practices to improve accountability and interaction with residents. There are also opportunities to improve how the Town functions in day-to-day operations and to develop data and procedures that support efficient and meaningful decision making. The following policies relate to the function of municipal government in the Town of Trinity.

**Policy 4-93:** Council shall keep a public register of all applications for development and Council decisions on these applications for development.

**Policy 4-94:** Council may develop a Public Participation Policy aimed at clearly articulating how the Town and its residents will interact when it comes to municipal projects.

**Policy 4-95:** Council may develop an asset management plan to determine current assets, current and future service goals, and future upkeep and replacements costs.

**Policy 4-96:** Council may develop a digital mapping and data repository for data including, but not limited to, property lines, municipal servicing, and land use zoning and mapping.

**Policy 4-97:** Council may work to extend property line mapping outside of Lower Trinity.



## 5 LAND USE POLICIES

### 5.1 General Policies

#### 5.1.1 Buildings

Much of the character of Trinity is due to the built form of the community. The style of buildings as well as the placement of buildings on lots and in relationship with one another creates a pattern and style of development that ranges across Town. This Municipal Plan approaches reinforcing and enhancing the character of Trinity by establishing policies that emphasize traditional building size, location, and number of structures permitted on a lot.

**Policy 5-3:** Council shall, through the Development Regulations, regulate the size, location, lot frontage requirements, and number of buildings, including accessory buildings and uses, on a lot to carry out the intent of each specific land use zone.

**Policy 5-4:** Council may require an assessment of the visual impact of a development including its visibility from public roads, trails or vistas, residential areas or tourist establishments, the waters of Trinity Bight, and the designated Heritage Area. Council may also require site development plans, buildings, or proposed activities to be altered to reduce visibility and visual impact during construction and use. The costs of conducting a visual assessment shall be the responsibility of the developer.

**Policy 5-5:** Council shall, through the Development Regulations permit more than one use in a building or on the same premises.

### 5.1.2 Lots and Lot Sizes

The size and shape of lots is a key component of how a community is experienced. In denser urban areas smaller lots are common, leading to a more compact form characterized by shorter distances between structures. In rural, less dense areas, larger lots create an environment where structures are further away from one another. The different areas of Trinity fall within these forms to an extent. The Heritage Area, except for Fort Point and Maggoty Cove, exhibit varying lot sizes and shapes resulting in some buildings locating closer together and some further apart. Some buildings have minimal setbacks and some have large setbacks. This seemingly random development pattern is a result of the organic development of the Heritage Area over the course of the Town's history and is a key element contributing to the look and feel of the area. Other areas of Trinity exhibit a more traditional rural form, with large properties set back from the street. There are trade-offs to consider when determining the minimum size of lots in a community. Smaller lots result in greater densities of people and businesses. Larger lots mean a lower density of people and businesses. It is more efficient and less costly to supply municipal water and sewer to denser areas. However, large rural lots are often supplied with well water and serviced with on-site septic systems.

Back lot development has been permitted with the Heritage Area in a limited capacity. Current regulations allow for the development of an existing parcel of land that does not front directly on a publicly maintained street, within the Heritage Area, if it can be shown to have been developed in the past, can be accessed by a right of way sufficient in width to accommodate emergency vehicles, and be connected to the Town's water and sewer systems.

**Policy 5-6:** Council shall, through the Development Regulations, regulate the size of created lots in keeping with the intent of each specific zone, and consistent with the availability of central services.

### 5.1.3 Existing Undersized Lots

**Policy 5-7:** Council shall, through the Development Regulations, relax lot requirements or provide alternative development options for existing undersized lots if wastewater treatment can be adequately provided, the development will not have undue impact on sensitive land uses, and legal access to the lot can be assured.



## 5.2 Land Use Designations

Land use designations are one of the primary tools to guide development in Trinity. Depicted on the Future Land Use Map, the land use designations broadly map how development is going to occur in specific areas. Land use designations generally describe the future of an area. For example, a Residential Land Use Designation is intended to be primarily residential in nature; however, the designation can allow for other use zones that complement and are compatible with residential uses. The unique history and development pattern of Trinity has led to use designations that are tailored to it. For example, rather than a simple Residential Use Designation the most inhabited portion of Trinity is within the Heritage Area Designation, which contains a single zone, the Heritage Area Use Zone. Within the Heritage Area Use Zone the variety of uses reflects the diversity of uses that have historically evolved there to accommodate residential dwellings, businesses, services, and other activities taking place.

Land use designations are supported by land use zones within the Development Regulations, which specify the types of uses that are permitted in each land use zone. Each area within the Planning Area is covered by a land use designation under this Plan; and is also covered by a land use zone under the Development Regulations.

**Policy 5-8:** Council shall, within this Plan and on the Future Land Use Map, establish a series of land use designations to guide future growth in Trinity. Each land use designation shall permit a range of uses and land use zones that are similar or which are complimentary to one another.

The Municipal Plan identifies and designates lands within the Planning Area into the following broad land use categories or designations which are shown on the Future Land Use Maps in Schedule 'B'. They include:

- Heritage Area
- Mixed Development
- Open Space
- Protected Water Supply
- Rural
- Seasonal Residential

**Policy 5-9:** Where any land proposed for development appears to be within two or more land use designations, Council may interpret the Future Land Use Map, consider the goals, objectives, and policies of this Plan, and determine the development to be wholly contained within one land use designation, without amendment to the Future Land Use Map.

**Policy 5-10:** Council shall, through the Development Regulations, establish provisions for the interpretation of Zone Boundaries.



## 5.3 Heritage Area

### 5.3.1 Heritage Area Land Use Designation

Lands designated Heritage Area are intended to retain the unique heritage character of Trinity. Within the Heritage Area there is a mix of homes, businesses, public, marine, and open space uses constructed around the original street pattern. The Heritage Area Designation includes lands in Lower Trinity from Tabins Point south to Hog's Nose and including Gun Hill / Rider Hill. Also included is the area along the road from Dunfield to Fort Point, which contains the area of Maggoty Cove. These lands have been included for their importance to the historic and cultural landscape of Trinity as well as the heritage viewscape from Lower Trinity.

### 5.3.2 Heritage Area Objectives

The following objectives will guide development in the Heritage Area:

- To preserve and enhance the historic townscape of Trinity.
- To preserve the historical integrity of the built heritage of Trinity.
- To encourage new development that is sensitive in scale, design, and placement to the fabric of the historic townscape.

### 5.3.3 Heritage Area Policies

The following policies apply to development in the Heritage Area Designation:

**Policy 5-11:** Council shall, on Schedule 'B', the Future Land Use Map, designate as Heritage Area lands intended to give priority to land uses that are compatible with the preservation of the historic townsite.

**Policy 5-12:** Council shall, through the Development Regulations, permit the following zone within the Heritage Area Designation:

(a) Heritage Area Use Zone

**Policy 5-13:** Council may establish and appoint a Heritage Advisory Committee to review proposals for development in the Heritage Area Designation, to advise Council in such matters, and to promote public interest in heritage preservation.

#### 5.3.4 Heritage Area Use Zone - Lower Trinity

The preservation of the existing historic form of Lower Trinity has been a key driver of decision-making regarding development within the lands designated Heritage Area and zoned Heritage Area Use. A fine grained and complementary mix of uses within the lower Trinity Heritage Area has been preserved and will continue to be encouraged.

**Policy 5-14:** Council shall, through the Development Regulations, establish the Heritage Area Use Zone, intended to permit a range of uses that are complimentary to the preservation of the historic townscape as well as uses permitted in all zones. Permitted uses shall include single and double dwellings, childcare, medical clinics, professional services, offices, personal services, cultural and civic uses, theatres, artist studios, existing cemeteries, parks and playgrounds, walking trails, and conservation uses.

**Policy 5-15:** Council may, through the Development Regulations, consider as discretionary uses multi-unit dwellings, commercial accommodations, restaurants, bars or lounges, clubs and lodges, shops, animal care, new cemeteries, general assembly, marinas, and places of worship. Pursuant to Policy 4-67, consideration may also be given to wharves, docks, marinas, fishing sheds and stages and marine related industrial uses that are not hazardous and do not create noise, fumes and/or hazardous airborne fibers.

**Policy 5-16:** Council shall recognize all roads in the Heritage Area land use designation are part of the Historic townscape and shall not be realigned, increased in size, or otherwise altered except where no other measures are available to protect public safety.



### 5.3.5 Heritage Area Use Zone – Fort Point

Fort Point Road is an unpaved road with a limited width, which creates significant barriers to efficient snow clearing. As a result, development in the Heritage Area along the road between Dunfield and Fort Point has to-date been limited to seasonal residential uses, recreational trails, conservation uses, interpretive uses associated with the Trinity Lighthouse and other historical and archaeological sites at Fort Point. Upgrading Fort Point Road to a standard that would enable year-round use would be a complicated and very costly endeavor, and Council does not intend to consider such a project over the 10-year life of this Plan. If a change in context causes Council to reconsider this stance, Council intends to strongly weigh the financial implications of such a project and implement cost-recovery mechanisms that place the burden on properties that benefit from such upgrades, rather than the general taxpayer.

**Policy 5-17:** Notwithstanding Policy 5-14 and Policy 5-15, Council shall, through the Development Regulations, limit uses within the Fort Point Heritage Area to cultural interpretation; trails and conservation uses; and to seasonal residences that are consistent with the size and scale, form, and character in the lower Trinity Heritage Area and with residential dwellings that previously existed in Maggoty Cove.

**Policy 5-18:** Council shall not provide piped water or sewer to service development that may occur in the Fort Point area.

**Policy 5-19:** Council shall not maintain Fort Point Road except for keeping the road to an acceptable condition to permit vehicular access to Fort Point Lighthouse on a seasonal basis. It is not Council's intention that the road to Fort Point be significantly upgraded or maintained for year-round usage over the 10-year life of this Plan.

**Policy 5-20:** Notwithstanding Policy 5-18 and Policy 5-19, Council may consider upgrading the Fort Point Road and/or the provision of municipal water services and/or municipal sewer services should it, in the opinion of Council, become necessary to do so. In such a case, Council shall have strong consideration for the overall financial sustainability of such an investment (both capital and ongoing) and shall apply a service levy to properties that front on or have access to the road that benefit from the upgrading, in accordance with provisions for service levies established in the Development Regulations.

**Policy 5-21:** Council shall ensure that the archaeological resources, the historic lighthouse, and landscape features of Fort Point are protected, interpreted, and presented as an important piece of the history of Trinity. Council shall support the endeavors of the Trinity Historical Society to develop and promote the site as a historic site.

#### 5.3.6 Heritage Area Use Zone – Gun Hill/Rider Hill

**Policy 5-22:** Council shall, through the Development Regulations, prohibit development in the area identified on the Future Land Use Map as the Gun Hill/Rider Hill Special Policy Area, with the exception of public trails and trail-related amenities.

#### 5.3.7 Evaluation of Development Proposals

**Policy 5-23:** Council shall consider development proposals with the intention of protecting and enhancing the Town's unique sense of place and ensure that all new development is consistent with current style, size, scale and form of development in the Town, with special consideration given to the designated Heritage Area. Within the Heritage Area, proposals for new development or alterations to existing buildings and structures shall be reviewed for consistency with, and impact upon, those features that contribute to the historic townscape appearance of the Trinity Heritage Area. Council shall not approve a development proposal unless Council is satisfied:

- (a) the coastal setting, including coastal headlands and views from the water, is not negatively affected;
- (b) prominent natural landscape features, including Gun Hill and Rider's Hill and the Southside trails, are not negatively affected;
- (c) the proposal is consistent with the mixture of buildings and related features and structures, including houses, outbuildings, fences, churches, cemeteries, stages, wharves, and slipways;
- (d) the proposal is consistent with the preponderance of 19th and early 20th century building forms and styles, amongst which steep gabled roofs are most numerous and other forms such as mansard, hip and low pitch roofed structures are notable;



- (e) the presence, scale, and visibility of prominent buildings, including the Parish Hall, churches, and former courthouse building from public roads are not negatively affected;
- (f) the proposal is compatible to the scale of existing buildings and structures;
- (g) the proposal is consistent with the massing of buildings and structures in relation to each other;
- (h) the proposal is consistent with traditionally constructed fence types; and
- (i) the proposal does not negatively affect the historic street pattern.

Proposals for development that are not consistent with, or contribute to, the historic townscape character and features of the Heritage Area shall not be permitted.

**Policy 5-24:** Council shall, through the Development Regulations, establish design standards for new buildings, building additions, exterior alterations, accessory buildings, or fences within the Heritage Area to ensure compatibility with the historic building form, scale, height, setbacks and architectural features present in Trinity. Aspects of design to be regulated include siding materials and style, windows, doors, roofs, size, scale, and massing.

**Policy 5-25:** Council approval shall be required for any demolition of a building or structure, excluding fences, within the Heritage Area Designation.

**Policy 5-26:** Council shall, through the Development Regulations, establish requirements for parking lots in the Heritage Area Use Zone that include setback and screening criteria and allow for the use of vacant lands provided that such a use does not detract from the area's aesthetic quality.

**Policy 5-27:** Council shall, through the Development Regulations, enable the shared use of parking lots within the Heritage Area Use Zone.

## 5.4 Mixed Development Area

### 5.4.1 Mixed Development Land Use Designation

Lands designated Mixed Development generally apply to a significant portion of the lands between Route 239 and the edge of the Trinity Heritage Area at Gun Hill. Lands around Goose Cove and at Lockston are also designated Mixed Development. Within the Mixed Development Designation development has primarily taken the form of single dwellings. Several businesses such as tourist accommodations have located within the designation as well.

### 5.4.2 Mixed Development Objectives

The following objectives will guide development in the Mixed Development Designation Area:

- To encourage infill development along existing streets;
- To provide for the continuation of a mix of land uses that contribute to the quality and vitality of the Town;
- To ensure a high quality of residential development.

### 5.4.3 Mixed Development Policies

The following policies apply to development in the Mixed Development Designation Area:

**Policy 5-28:** Council shall, on Schedule 'B', the Future Land Use Map, designate as Mixed Development lands intended to give priority to a range of residential and commercial uses:

**Policy 5-29:** Council shall, through the Development Regulations, permit the following zone within the Mixed Development Designation:

- (a) Mixed Development Use Zone



#### 5.4.4 Mixed Development Use Zone

The Mixed Development Designation in Trinity reflects the mixed-use pattern of development outside of the historic townsite that has occurred organically over time. The result is a mainly residential corridor with some scattered commercial elements, some serving the local community and some serving the travelling public. Conceptually, mixed use development can provide a complimentary host of services for nearby residents which is generally beneficial to a community.

**Policy 5-30:** Council shall, through the Development Regulations, establish the Mixed Development Use Zone, intended to permit a range of uses that support the overall development of the Town by increasing the availability of housing and services as well as uses permitted in all zones. Permitted uses shall include single dwellings; double dwellings; multi-unit dwellings; grouped dwellings; childcare; conservation uses; artist's studios; cultural and civic uses; theatres; and parks, playgrounds, and walking trails.

**Policy 5-31:** Council may, through the Development Regulations, consider as discretionary uses animal care; commercial accommodations; schools; places of worship; wharves and docks; clubs and lodges; restaurants, bars, and lounges, including take-out restaurants; funeral homes; marinas; marine-related uses; medical clinics; mineral exploration; offices; personal and professional services; markets; general and light industry; service stations; agriculture; shops; telecommunications and antennas; and cemeteries in the Mixed Development Use Zone as discretionary uses.

## 5.5 Open Space Development Area

### 5.5.1 Open Space Land Use Designation

Lands designated Open Space are intended to promote and support a range of outdoor spaces for different activities. Some lands within this designation are intended to be generally preserved for the quiet enjoyment of natural open spaces, while others provide outdoor recreation opportunities that are more formal in nature. The more formal settings provide appropriate spaces for outdoor community events, gatherings, play areas, and semi-organized activities. Informal settings would be more appropriate for low impact developments like walking trails.

### 5.5.2 Open Space Area Objectives

The following objectives will guide development in the Open Space Land Use designation:

- To preserve as natural open space areas of land that are important to the cultural landscape of Trinity
- To provide lands for community gathering and recreation.

### 5.5.3 Open Space Area Policies

The following policies apply to lands in the Open Space Land Use Designation:

**Policy: 5-32:** Council shall, on Schedule 'B', the Future Land Use Map, designate as Open Space lands intended to give priority to both formal and informal outdoor recreation activities.

**Policy 5-33:** Council shall, through the development regulations permit the following zone within the Open Space Area Designation:

(a) Open Space Use Zone

### 5.5.4 Open Space Use Zone

The Open Space Designation in Trinity reflects the historic use of areas within the Planning Area for recreation. The Town park is the main area within Trinity providing semi formal recreation opportunities in the form of a playground, picnic areas, and volleyball courts. Areas like Rider Hill and Fort Point are less formal and have retained a more natural setting.



**Policy 5-34:** Council shall, through the Development Regulations, establish the Open Space Use Zone, intended to permit a narrow range of uses that support recreation within the Town or that will be conserved in their natural state as well as uses permitted in all zones. Permitted uses shall include public parks, playgrounds, walking trails, and conservation uses.

**Policy 5-35:** Council may, through the Development Regulations, consider as discretionary uses cultural and civic uses; mineral exploration; and wharves, slipways, and docks in the Open Space Use Zone.

**Policy 5-36:** Council shall encourage the continued use of the Town Park as a centre for the community events, outdoor recreation, and festivals. Council may, through the Development Regulations, consider recreational, cultural, or civic facilities in this area.

**Policy 5-37:** Council shall retain lands designated Open Space at Fort Point, Gun Hill, Newell's Neck, and Rider Hill in their natural state.

## 5.6 Rural Development Area

### 5.6.1 Rural Land Use Designation

Lands designated Rural generally apply to the less developed areas of the community. Most of these lands lay west of Route 239 with additional lands located along the coastline and south of Fort Point. Rural lands include forests, streams, ponds, and beaches. These areas provide vital habitat for wildlife and are sources of natural resources such as wood for domestic cutting, and aggregate pits and quarries. There is also ample opportunity for low impact outdoor recreation along established corridors including trails and some minimally developed roads.

One particular area of interest is Trinity Loop, a former railway turning loop and tourist attraction. As of 2024, this area is subject to a Government Request for Interest seeking proposals for commercial use of this land. The Town is monitoring this process, and any successful redevelopment proposal will be required to come to Council for approval.

### 5.6.2 Rural Land Use Objectives

The following objectives will guide development in the Rural Development Area:

- To permit existing natural resource lands and associated uses to continue and to preserve land for future resource use within the Town's Planning Area.
- To provide for future redevelopment of the Trinity Loop Heritage Area.
- To protect established trails and rights of way for access to resource lands and recreation.

### 5.6.3 Rural Land Use Policies

The following policies apply to development in the Rural Land Use Designation:

**Policy 5-38:** Council shall, on Schedule 'B', the Future Land Use Map, designate as Rural lands intended to give priority to rural resource activities and recreation activity.

**Policy 5-39:** Council shall, through the Development Regulations, permit the following zone within the Rural Land Use Designation:

(b) Rural Use Zone



#### 5.6.4 Rural Use Zone

The Rural Land Use Designation in Trinity reflects the importance of resource industries to the region. The Rural area is also an opportunity to utilize lands for outdoor recreation activity.

**Policy 5-40:** Council shall through the Development Regulations, establish the Rural Use Zone, intended to permit a range of uses that support the continued use of the rural areas of Trinity for resource activity and recreation activity as well as uses permitted in all zones. Permitted uses shall include agriculture, forestry, mineral working and exploration, low impact recreation, solar collector systems, and conservation.

**Policy 5-41:** Council may, through the Development Regulations, consider campgrounds; remote cabins around Loop Pond, Second Pond, and Karen's Pond; cemeteries; outdoor assembly uses; restaurants; outdoor markets; general industry; light industry; and antennas and telecommunications structures that are not subject to Industry Canada approval as discretionary uses in the Rural Use Zone.

**Policy 5-42:** Council may, through the Development Regulations, in coastal areas of the Rural Use Zone consider marine industrial uses such as wharves, fish processing plants, infrastructure associated with aquaculture operations and marine services as discretionary uses.

**Policy 5-43:** Council shall not provide municipal services to the remote cabin areas identified in Policy 5-41. All development shall be in accordance with the requirements of the Crown Lands Branch, Department of Fisheries, Forestry and Agriculture.

**Policy 5-44:** It shall be the policy of Council to encourage redevelopment of the Trinity Loop Property for re-use as a commercial development. Proposals for redevelopment will be required to integrate, retain, and preserve the Trinity Loop historic structure into the site development plan, provide for public park areas and ensure public access to the Trinity Loop, from within the development and the continuation of the railway right of way off the site. Development will also be required to provide an adequate water system capable of providing a sustainable supply of potable water for proposed uses, as well as an appropriate wastewater management system designed so as not to result in demands on the Town for piped servicing to the site.

#### 5.6.5 Mineral Uses

The Mines Branch, Department of Industry, Energy, and Technology, regulates quarrying, mineral exploration, and mining within the province. Mineral exploration and extraction activities are required to obtain a permit or licence and comply with all conditions for development, operation, decommissioning and rehabilitation. However, the Town can utilize mitigation strategies such as separation distances, buffers, and visual screening to minimize impacts.

**Policy 5-45:** Council shall, through the Development Regulations, establish minimum separation distances, buffers, and requirements for visual screening between mineral workings and adjacent uses.



## 5.7 Water Supply Protection Area

### 5.7.1 Protected Water Supply Area Designation

Trinity's potable water supply is Indian Pond. Water is pumped from Indian Pond to serviced areas of Town for consumption. The Indian Pond watershed is a Protected Public Water Supply under the *Water Resources Act*, 2002. Ensuring this area remains viable as a water source and protection of its quality can be achieved by strictly controlling development within the watershed.

### 5.7.2 Water Supply Protection Objectives

The following objectives will guide land use in the Protected Water Supply Designation Area:

- To ensure that Trinity has an adequate supply of safe, high quality potable water.

### 5.7.3 Water Supply Protection Policies

The following policies apply to land use in the Protected Water Supply Designation Area:

**Policy 5-46:** Council shall, on Schedule 'B', the Future Land Use Map, designate as Protected Water Supply lands within the Indian Pond watershed area.

**Policy 5-47:** Council shall, through the Development Regulations, permit the following zone within the Protected Water Supply Designation:

(a) Protected Water Supply Zone

### 5.7.4 Protected Water Supply Zone

The Protected Water Supply Designation in Trinity reflects the need to protect potable water sources and limit development so as not to negatively impact water resources.

**Policy 5-48:** Council shall, through the Development Regulations, establish the Protected Water Supply Zone, intended to protect the recharge area and quality of public drinking water for Trinity. Permitted uses shall be limited to conservation uses, walking trails, and uses directly related to the functioning of the water supply system.

**Policy 5-49:** Council shall, through the Development Regulations, consider forestry uses and wharves, slipways, and docks as discretionary uses in the Protected Water Supply Zone. Forestry uses shall only be considered if approved by the Department of Environment and Climate Change Water Resources Division.

**Policy 5-50:** Council may amend the zoning map of the Development Regulations to adjust the boundaries of the Protected Water Supply Zone to be consistent with updated or new source water protection plans.

**Policy 5-51:** Other than boundary adjustments enabled by Policy 5-50 Council shall not rezone land within the Protected Water Supply Designation without an amendment to this Plan.

**Policy 5-52:** Council may develop a Watershed Management Plan for water supply areas.

**Policy 5-53:** Council may consider awareness strategies aimed at creating awareness of the Town's water supply and steps to protect it. Strategies may include, but are not limited to, posting signs along the boundary of the Protected Water Supply Designation. Council may in consultation with the Department of Environment and Climate Change, Water Resources Management Division, provide information to the public on the quality of community drinking water on an ongoing basis.

**Policy 5-54:** Council shall, through the Development Regulations, limit the allowance of permanent structures in the Protected Water Supply Zone to those owned or installed by the Town and intended to for the preservation of the natural environment, scientific research, or the operation of the municipal water supply.



**Policy 5-55:** Council shall, through the Development Regulations, require applications for development adjacent to or within the Indian Pond Protected Public Water Supply Area to be referred to the Province's Water Resource Management Division regarding approval and permitting under Section 39 of the *Water Resources Act, 2002*. Any development in the Municipal Planning Area that overlaps the Protected Public Water Supply Area cannot be less restrictive than the Provinces WRMD Policy Directive for Land and Water Developments in Protected Public Water Supply Areas.

## 5.8 Seasonal Residential Area

### 5.8.1 Seasonal Residential Land Use Designation

Trinity, as part of the Bonavista Peninsula, is an important provincial tourism destination area. The Town has become a popular area for part-time residents who either purchase and occupy existing dwellings or construct new summer homes. The Seasonal Residential Land Use Designation reflects this trend and aims to provide additional opportunities for this form of development to alleviate pressures on the existing housing stock.

### 5.8.2 Seasonal Residential Objectives

The following objectives will guide development in the Seasonal Residential Land Use Designation area:

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

### 5.8.3 Seasonal Residential Policies

The following policies apply to development in the Seasonal Residential Land Use Designation:

**Policy 5-56:** Council shall, on Schedule 'B', the Future Land Use Map, designate as Seasonal Residential Area lands intended to give priority to seasonal residential development.

**Policy 5-57:** Council shall, through the Development Regulations, permit the following zone within the Seasonal Residential Area Designation:

- (a) Seasonal Residential Use Zone

### 5.8.4 Seasonal Residential Use Zone

The Seasonal Residential Land Use Designation in Trinity reflects the growing demand for seasonal accommodation within the Trinity Planning Area. Seasonal development in these areas must also be balanced to reflect the limitations of existing municipal infrastructure.

**Policy 5-58:** Council shall, through the Development Regulations, establish the Seasonal Residential Use Zone, intended to permit development that is limited to single dwellings for seasonal use, accessory buildings, parks, trails, and conservation uses.



**Policy 5-59:** Council may consider mineral exploration and wharves, slipways, and docks as discretionary uses in the Seasonal Residential Use Zone.

**Policy 5-60:** Road access to lots within areas designated Seasonal Residential shall be provided by the developer, at the developer's costs, constructed to standards set out in a Development Agreement.

**Policy 5-61:** Roads constructed to access lots within the Seasonal Residential Designation, whether along a public right-of-way or not, shall not be publicly maintained or serviced by the Town.

**Policy 5-62:** Responsibility for all road construction, utilities, maintenance, and service provision shall be the responsibility of property owners within a seasonal development.

## 6 IMPLEMENTATION

### 6.1 Context

This Municipal Plan is a policy document that sets out the vision, goals, and policies for development and land use in the Town of Trinity. This Plan and its associated Regulations are enabled by and are consistent with the *Urban and Regional Planning Act, 2000*.

### 6.2 Document Administration

This document and Development Regulations are structured for easy reference and to easily track changes over time. The text below outlines the structure for referencing differing elements of this Plan:

1 – Chapter

1.1 – Section

1.1.1 – Subsection

### 6.3 Development Control

The Development Regulations is the principal document to implement this Municipal Plan. A member of staff, appointed by Council, will be the person to administer the regulations and day-to-day processing of development applications.

**Policy 6-1:** Council shall adopt the Development Regulations consistent with the intent of this Plan.

**Policy 6-2:** Council shall, through the Development Regulations, implement Land Use Zoning consistent with the Land Use Designations and Policies established under the Municipal Plan.

**Policy 6-3:** Council shall appoint a member or members of staff who will be responsible for administering the Development Regulations on a day-to-day basis.

**Policy 6-4:** Council shall, through the Development Regulations, establish 'Permitted' and 'Discretionary' uses for land use zones.

**Policy 6-5:** Council may, through the Development Regulations, establish conditions, including performance standards, to be met by a development before a development permit may be issued.

**Policy 6-6:** Council shall, through the Development Regulations, establish provisions for the consideration of variances where a proposed development does not strictly comply with development standards set out in the Development Regulations.

**Policy 6-7:** Council shall, through the Development Regulations, establish a requirement for Public Notice of Applications prior to rendering a decision on an application for a permit when considering a change in non-conforming use, a permit when the development proposed is listed as a discretionary use in the use zones, or a variance.

**Policy 6-8:** Council shall, when considering an application to carry out development, take into account the policies expressed in the Municipal Plan and any further scheme, plan or Regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of these Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in the Development Regulations, conditionally approve or refuse the application.

**Policy 6-9:** In matters of enforcement Council shall make and adhere to orders pursuant to Section 102 of the *Urban and Rural Planning Act, 2000*.

**Policy 6-10:** Council shall, through the Development Regulations, provide for the restoration of any building or structure to a safe condition.

**Policy 6-11:** Council shall, through the Development Regulations, establish procedures for development appeals.



## 6.4 Development Permits

To ensure new development meets the intent of this Plan and the regulations within the Development Regulations, the Town issues development permits. Unless specified within the Development Regulations, all development requires a development permit.

**Policy 6-12:** Council shall, as permitted under Section 35 (1) (e) of the *Urban and Rural Planning Act, 2000*, require a development permit to be acquired for all development in the Planning Area, except those specified in the Development Regulations as not requiring a development permit.

**Policy 6-13:** Council shall, through the Development Regulations, establish application requirements for development permits.

**Policy 6-14:** Council shall, through the Development Regulations, establish requirements for the Right of Entry relative to a submitted application for development or when development is occurring without the benefit of the required permits and approvals.

**Policy 6-15:** Council may, through the Development Regulations, issue development permits for temporary uses, subject to specific requirements.

## 6.5 Non-conforming Uses

Changes in policy and regulations when a new Municipal Plan and Development Regulations come into effect will create a situation where some legally existing uses, structures or both are no longer permitted in the new planning documents. Under the Act, there are provisions that protect these “non-conforming” uses to ensure they can continue to operate.

**Policy 6-16:** Council shall, through the Development Regulations, regulate non-conforming uses in accordance with Section 108 the *Urban and Rural Planning Act, 2000*.

**Policy 6-17:** Council shall, through the Development Regulations, establish criteria with respect to existing structures and uses and non-conformity.

**Policy 6-18:** Council shall, through the Development Regulations, extend to one year the period in which a use may cease to exist before it must conform to the requirements of the planning documents in effect.

**Policy 6-19:** Council shall, through the Development Regulations, establish requirements for non-conformance with standards relative to expansion.

## **6.6 Development Agreements**

Development agreements are a tool available to municipal councils as a way to ensure development standards are met, services are provided, and adequate financing is available to complete a project before it commences.

**Policy 6-20:** Council may, through the Development Regulations, enter into a development agreement involving the subdivision or consolidation of land to establish the financing and development of all services including, but not limited to, roads, water, and sewer which shall be provided at the cost of the developer.

**Policy 6-21:** Council may, when necessary, require permits for development to be released in a phased manner in compliance with applicable development agreements and/or performance standards applied to any approval.

## 6.7 Municipal Plan Amendments

Although this document is meant to be comprehensive in its outlook, from time to time amendments may be required. This Municipal Plan is the main document through which growth and development in Trinity will occur, and therefore, any amendments must be considered within the context of the entirety of this Plan and its intent.

**Policy 6-22:** Council shall require an amendment to this Plan if:

- (a) any policy intent is to be changed;
- (b) an amendment to the Development Regulations would conflict with any portion of the Municipal Plan; or
- (c) the boundaries of the Planning Area or a Designation are changed.

**Policy 6-23:** Council shall conduct a brief ‘housekeeping’ review of this Plan and accompanying Development Regulations one to two years after implementation to correct any drafting errors and to update any necessary terminology.

**Policy 6-24:** Council shall conduct a full review of this Plan and accompanying Development Regulations within five years of implementation to ensure the documents continue to reflect the trends and outlook for the future of Trinity.



## 6.8 Amending the Development Regulations

Amending the Development Regulations may be required in conjunction with an amendment to the Municipal Plan or may be a stand-alone amendment to the Development Regulations. Amendments to the Development Regulations may come in the form of a text change or as a zoning map change. Regardless of the type of amendment, any changes must be considered within the context of this Plan.

**Policy 6-25:** Council shall not amend the Development Regulations or enter into a Development Agreement unless Council is satisfied the proposal:

- (a) is consistent with the intent of this Municipal Plan;
- (b) does not conflict with any Town of Provincial programs or regulations in effect in Trinity;
- (c) is not premature or inappropriate due to:
  - i. the ability of the Town to absorb public costs related to the proposal;
  - ii. impacts on existing drinking water supplies, both private and public;
  - iii. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
  - iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
  - v. the adequacy of fire protection services and equipment;
  - vi. the adequacy and proximity of schools and other community facilities;
  - vii. the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;

- viii. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;
- ix. impacts on sensitive environments;
- x. impacts on known habitat for species at risk;
- xi. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way; and
- xii. negative impacts on the viability of existing businesses in the surrounding community created by the risk of land use conflicts that could place limits on existing operation procedures.

**Policy 6-26:** Council may, in addition to any other required information, require any or all of the following information, prepared by an appropriate professional at the applicant's cost, at a level sufficiently detailed to determine whether the criteria for amending the Development Regulations have been met:

- (a) a detailed site plan showing features such as, but not limited to:
  - i. topography;
  - ii. location and dimensions of existing and proposed property and/or unit lines;
  - iii. location of zoning boundaries;
  - iv. use, location, and dimensions of existing and proposed structures;
  - v. existing and proposed watercourses and wetlands;
  - vi. location and dimensions of existing and proposed road, bicycle, and pedestrian networks;
  - vii. location and dimensions of driveways, parking lots, and parking spaces;
  - viii. type and amount of site clearing required, if any;

- ix. location of buffers;
- x. location and dimensions of existing and proposed parks and recreation lands, whether public or private;
- xi. location of utilities;
- xii. development densities;
- (b) elevation drawings of existing and proposed structures including, but not limited to, dimensions and exterior materials;
- (c) a site grading plan;
- (d) a landscaping plan;
- (e) a drainage and stormwater management plan;
- (f) a hydrological assessment to determine groundwater resource volumes, availability, quality, and sustainability pre-and post-development;
- (g) a geotechnical study;
- (h) environmental studies; including, but not limited to, studies addressing Species at Risk and environmental contamination;
- (i) a wind study;
- (j) a vibration study; and
- (k) a noise study.

**Policy 6-27:** If Council denies a request to amend the Development Regulations, Council shall not entertain applications for the same proposal until one year has passed or the proposal is substantially modified.



## 6.9 Municipal Capital Works and Programs

The Town intends to continue investing in programs and infrastructure that improve the quality of life for residents, improve the experience for visitors, improve the business environment for businesses, and help preserve the natural environment. Municipal Capital Works and Programs projects to be pursued over the 2024 – 2034 planning period include the following:

- Continue to work with other municipalities in the region where regional cooperation or mutual aid agreements can be put in place.
- Work with federal and provincial government partners and telecommunications companies on improved cell phone service for business, personal uses, and emergency services.
- Parking management strategy.
- Business and tourism marketing and directional signage strategy
- Arts and culture action plan.
- Work with other municipalities in the region on a recycling program.
- Asset management plan.
- Coastal vulnerability study.
- Continued street upgrading.
- Development plan for lands adjacent to fire hall.
- Trinity Park improvements.
- Walking trail at Newell's Neck.

## **7 SCHEDULES AND APPENDICES**

### **Schedule 'A'**

Planning Area Map

### **Schedule 'B'**

Future Land Use Maps

### **Appendix 'A'**

References

### **Appendix 'B'**

Trinity Place Names