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Appendices

- A References and Information Sources
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- C Online Survey Response Summary Document



1. INTRODUCTION

1.1 Purpose & Planning Period

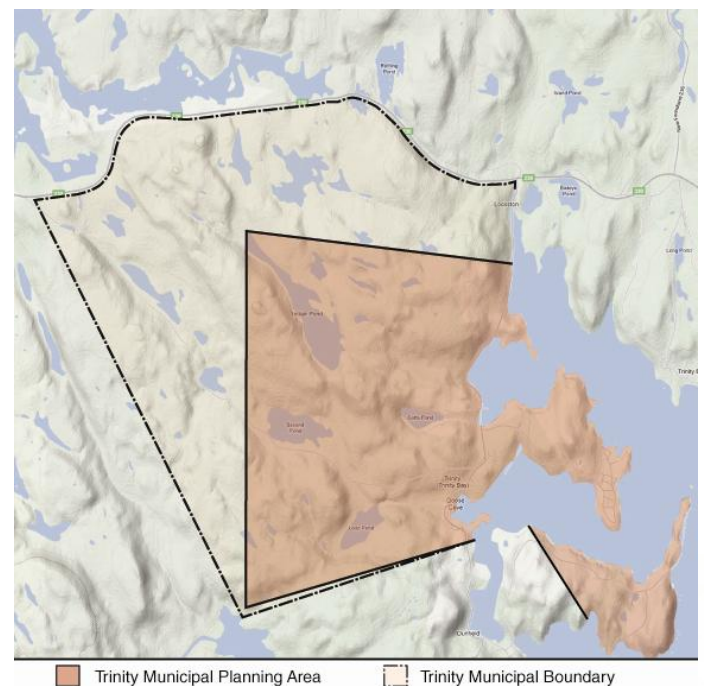
The Trinity Municipal Plan is Council's comprehensive policy document for the management of growth and development within the municipal planning area over the ten year period from 2012 to 2022. The Plan repeals and replaces the Town of Trinity Municipal Plan 1993-2003.

The Plan sets out policies for the management of development in the community. 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.

The Municipal Plan sets the vision, goals and objectives for community development and includes written policies and the Future Land Use Map. Development 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 to the right 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 and adjacent rural areas.



1.3 Plan Preparation & Public Consultation Process

The current Trinity Municipal Plan and Development Regulations were prepared by the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs, and approved in 1993. This Municipal Plan reflects a 2011 review of the 1993 Plan, subsequent amendments and other relevant planning documents.

The Trinity Municipal Plan review process was undertaken in accordance with the *Urban and Rural Planning Act, 2000*. Relevant planning issues have been reviewed including a review of current land use, demographic and economic data. The Municipal Plan takes into consideration, and incorporates where appropriate, the recommendations set out in the Collaborative Integrated Community Sustainability Plan for the Towns of Trinity, Port Rexton, Trinity Bay North, Little Catalina and Elliston (2010).

The residents of Trinity were also consulted and given the opportunity to provide feedback to the Plan review process. On March 10, 2011, a public meeting was held in Trinity at the Lester Garland House. An additional public meeting was held in St. John's on June 2nd to accommodate Trinity property owners whose primary residence is in the St. John's area. Meeting notices were emailed, printed and distributed to residents and property owners that included information about the Plan review process. The public meeting in Trinity was advertised in the Telegram. An online survey available from May 17 - June 30, 2011 was created to gather input from residents and property owners about their municipal planning interests and concerns. The survey was advertised and distributed via the Town's email list. Public input was incorporated into the analysis of land use and development issues and formulation of Plan policy. A summary report is included in Appendix C.

The consultation process also included contact with various government agencies and other relevant organizations.

1.4 Approval Process

When the Municipal Plan is formally adopted by resolution of Council under Section 16 (1) of the *Urban and Rural Planning Act, 2000*, Council gives notice of a public hearing on the Municipal Plan. At the public hearing the Commissioner appointed by the Council will hear objections and representations, and will then write a report to Council together with copies of all 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 Minister of Municipal Affairs to be registered in a planning registry established in the Department. The Plan comes into effect on the date notice of its registration is published in the Newfoundland Gazette.

When the Municipal Plan comes into effect it is binding upon Council and upon all other persons, corporations and organizations.

1.5 Implementing the Plan

When a Municipal Plan comes into effect, Council is required to prepare regulations for the control of the use of land in the form of Development Regulations. These regulations are prepared and approved at the same time as the Municipal Plan, and like the Plan, may be amended at any time 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 pertaining to development in accordance with the Municipal Plan and enforce the regulations.

1.6 Reviewing and Amending the Plan

Under 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. Such amendments must follow the process outlined in Sections 14 to 24 of the *Urban and Rural Planning Act, 2000*.

1.7 Interpretation

In this Municipal Plan:

“Council” shall mean the Council of the Town of Trinity.

“Development Regulations” shall mean the Trinity Land Use Zoning, Subdivision and Advertisement Regulations.

“Municipal Planning Area” shall mean the Trinity Municipal Planning Area.

“the Plan” shall mean the Trinity Municipal Plan

“Town” shall mean 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 19th century at the height of Trinity’s development.

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.



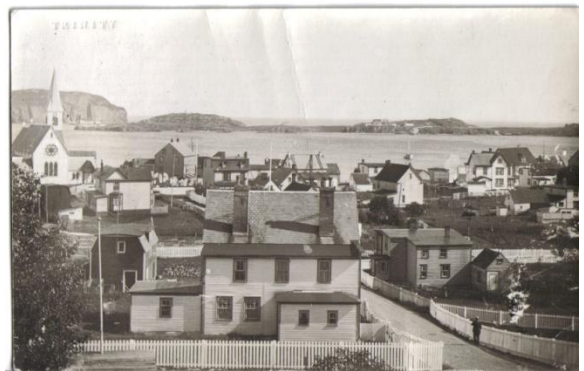
2. PLANNING CONTEXT

2.1 Historical Context

The Town of Trinity is one of the most notable heritage communities in the province of Newfoundland and Labrador today due to the significance of the community to the province's history and the remarkable preservation of much of its historic character.

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. First used by migratory fishing ships during the 1500s, 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. So significant was this trade that a Trinity planter, Benjamin Lester, became the largest property-owner in Newfoundland and a principal merchant of Poole, England.

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,

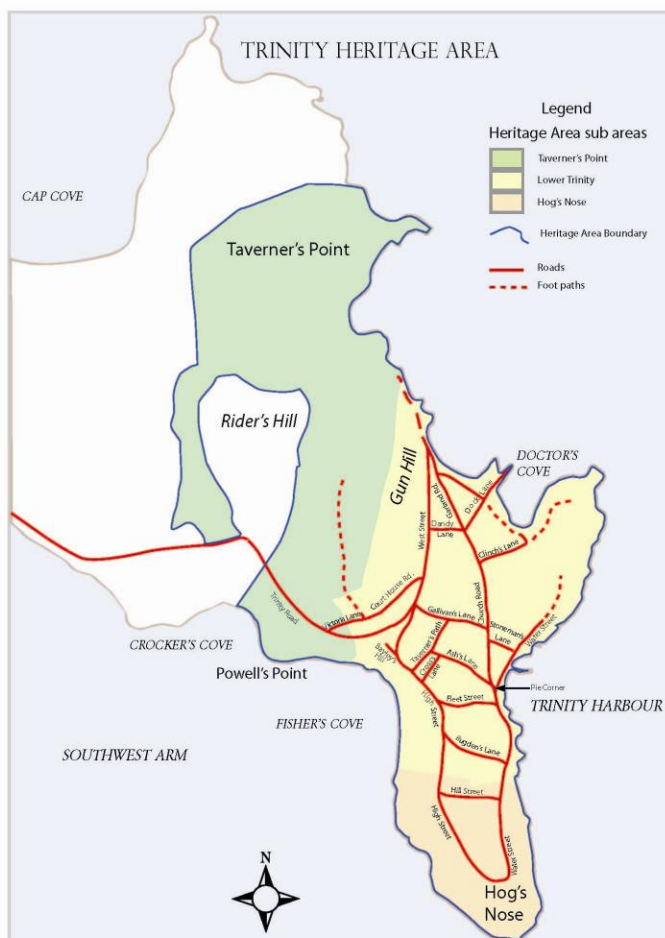


but by this time the West Country merchants who had been responsible for much of the prosperity of the community were beginning to withdraw from Newfoundland. By 1947, after almost 250 years of continuous operation the Lester- Garland Premises as it was then known were closed, bringing to an end this period of the community's history.

2.2 Historic Preservation

The potential of Trinity's unique combination of historic significance, built heritage and spectacular natural setting as an attraction for tourists, began to emerge during the 1970s and 80s. Much of this was due to the efforts of the Trinity Historical Society which formed in 1964. Through their efforts they have created a preservation ethic in the community that has helped ensure a cultural landscape with a high proportion of heritage buildings, structures, features and streetscapes. The provincial government has invested significantly in restoration of several of the Town's historic buildings, including the three provincial historic sites - the Trinity Visitor Centre, Hiscock House, the Lester Garland Mercantile Premises – and in the Lester-Garland House, Trinity Museum, Green Family Forge and the Cooperage owned by the Trinity Historical Society. There are 13 registered heritage structures, including the Trinity Loop Railway located near Goose Cove. A mid-1700s merchant vessel sunk in the shallow waters of Trinity Harbour off Fort Point is also a provincial historic site. Other underwater historic resources are also located in waters near the Dock Marina Restaurant and former Government Wharf site.

In 1969, the community of Trinity was incorporated as a municipality. By 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



A Heritage Guide



2006, a significant amendment was made to expand the Historic (now called Heritage) Area to include all the area south to Hog's Nose and the area west of Gun Hill to Taverner's Point and Cove – including Rider's Hill. A new Heritage Area Designation and Land Use Zone were established. In 2007, a *Guide for Construction or Renovation in the Heritage Area* was developed to provide specific direction for renovation of existing structures as well as requirements for new construction in the Heritage Area.

The significance of the efforts of the community, the Trinity Historical Society and the Town Council cannot be underestimated. While the provincial, regional and local economies stagnated during the 1970s and 80s, the community held fast to the value of protecting their built and natural heritage. The results of their efforts are summed up in the description of the Trinity Heritage Area in the Canadian Registry of Historic Places:

“The Trinity Heritage Area has historic value as visible evidence of the development of a distinctive, coastal settlement which emerged in the early 19th century as one of the chief communities in Trinity Bay. The historic role of major merchant firms in the community's economy and evolution, and its consequent relative prosperity are reflected in the number of substantial dwellings, commercial buildings, public buildings, and the scale and fine Ecclesiastical Gothic Revival architecture of St. Paul's Anglican Church. These grander buildings are interspersed amongst vernacular wooden dwellings and outbuildings, with fish stages and slipways at the shoreline. The concentration of the Heritage Area and density of the buildings towards the shoreline, with Gun Hill and Rider's Hill forming natural boundaries, underscores the role of the landscape in the development of the town, as well as Trinity's relationship with the sea and its historic status as a centre of overseas trade.



The massing, scale, forms and styles of the buildings and structures in the oceanside landscape of the Trinity Heritage Area collectively contribute to its aesthetic value, exhibiting 19th and early 20th century styles. Steep gable roof dwellings clad in narrow siding with little ornamentation are preponderant, creating a sense of cohesion which is punctuated by less common saltbox, mansard, gambrel, hipped and low pitch roof forms. Dwellings are generally one-and-a-half to two-and-a-half storeys tall and smaller in scale than the historically prominent institutional and commercial buildings so that the latter buildings retain their original visual prominence and landmark status in the townscape.

In addition to the impressive collection of historic buildings situated between Gun Hill and Trinity's harbour and coves, and its ocean views, the historic network of roads and lanes

contributes to the cultural landscape value of the Trinity Heritage Area. Trinity was one of the first communities in Newfoundland to implement formal road design. Beginning in 1835, a road board set to work improving the existing paths to create a system of main roads and lanes which still exists, along with the names given to them during that period. This lends an orderly nature to the layout of streets, and subsequently to the organization of lots, fences and buildings, that makes Trinity rather exceptional amongst historic communities in Newfoundland and Labrador”.

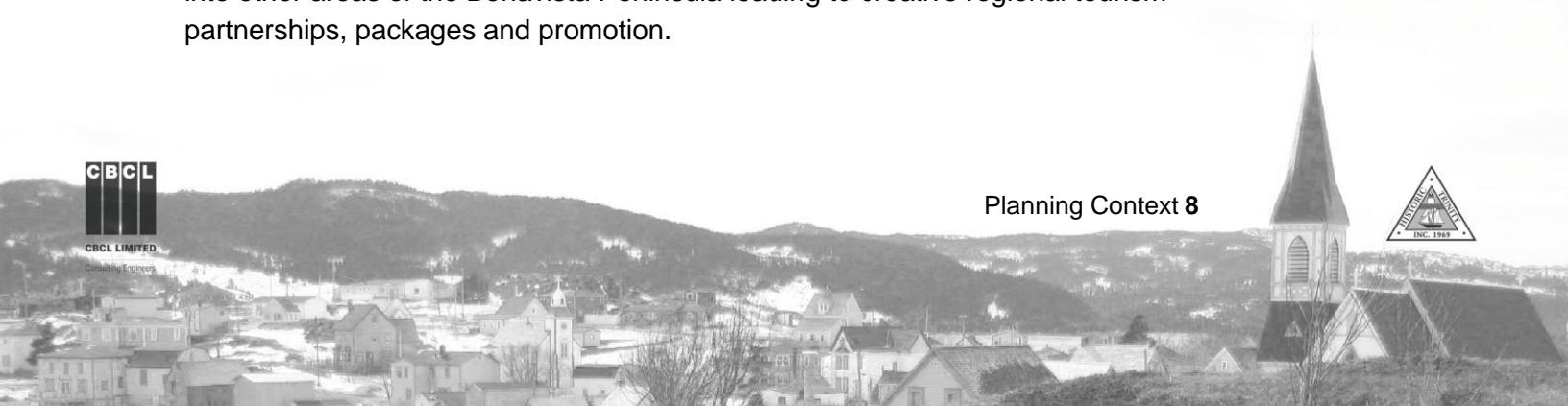
The administration of planning controls in the Heritage Area has proven challenging for successive councils since first implemented. In recent years, as property values have increased in Trinity and there is greater interest in investment in heritage renovations and new construction, properties providing spectacular views of the ocean are on the market in



locations where no buildings have previously existed. The Town is becoming increasingly concerned about where and how new development takes place, and its impact on Trinity’s historical character. New policies and regulations are needed that clearly set out the desired outcomes and expectations for new development and reduce uncertainty for developers and the municipal administration in their interpretation.

2.3 Tourism and Economic Development

Today, the efforts to preserve the history, architecture and natural landscape of Trinity have paid off. The Town is now a primary destination area for visitors to the province. As a result, businesses catering to the tourism industry - accommodations, food services, craft shops, art galleries and theater and tour companies - have opened. The successful Rising Tide Theatre Company has contributed to a revitalized local economy, an extended tourism season, and interest in heritage property investment. Investment in heritage preservation also supports contracting companies who have developed specific expertise in heritage renovations and products. Increased tourism marketing efforts and a generally improved provincial economy have also contributed to the success of the tourism industry at Trinity with increased numbers of visitors each year. The success at Trinity has also spilled over into other areas of the Bonavista Peninsula leading to creative regional tourism partnerships, packages and promotion.



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 and there is one aquaculture site in Cap Cove.

2.4 Population

Despite the activity associated with the tourism industry, the population of Trinity has continued to decline. In 2001, the population of Trinity was 240 people. Five years later that number fell by 20.4% to 191. This trend, so common to rural areas throughout the province can be attributed to a lack of year round stable employment, reduced opportunities in the traditional resource industries like the fishing and forestry, and the lure of high-paying jobs in urban centres of the province and elsewhere. This trend tends to leave towns with an increasingly high proportion of older residents. In Trinity, there is also a growing seasonal population as non-residents purchase, renovate and occupy or rent homes as a second residence during the summer months.

2.5 Areas outside the Heritage Area

Outside the designated Heritage Area, land use consists primarily of low density rural residential and commercial uses along Route 239 and the main road leading into Trinity. A gas station/convenience store, the Trinity Cabins, the fire station and a medical office are located along the road into Trinity. At the Town's northern end at the intersection of Route 230 and 239 known as Lockston, there are several houses, most of which are only used seasonally. To the south, in the community of Goose Cove, homes on larger properties are spread out along the highway overlooking the picturesque Cove.

To the west of Goose Cove, the Trinity Loop, recognized as a Registered Heritage Structure in February 1988 and subsequently developed into an amusement park, complete with paved street and water and wastewater services, stands vacant. The 2km 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.

On the South side of Trinity Harbour on a narrow spit of land is an area known as Admirals or Fort Point, established in 1748 by the British in order 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 Municipality of Trinity. The area includes the remains of the former community of Maggoty Cove, and while there are no longer any buildings left, there are a number of private properties and a road to the lighthouse from Dunfield. In 2011, the Town took over responsibility for the road but at the present time has no plans to upgrade or maintain it.

With an increase in property values in the Trinity Heritage Area and surrounding communities, the Town is experiencing some pressure to permit development along the road to Fort Point. At the same time, the Town is concerned that should development be permitted, that it not result in any financial burden on the Town and that development in the area be consistent with the visual appearance of historic Trinity.

2.6 Natural Environment

The natural environment setting of Trinity is one primarily of barrens with patches of peatlands and forested areas. Most of the area is covered by gently rolling loose rock and soil, with large, sporadic boulders left by retreating glaciers. Numerous lakes and ponds are scattered on top of an underlying granite surface. Ridges and headlands form a visually striking landscape and attractive setting for the community. The natural environment supports populations of wildlife, including many 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. In the marine environment, seals, whales and icebergs are often present during the summer months.

2.7 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.

2.8 Municipal Services

2.8.1 Water and Sewer

Trinity is fortunate to have a reliable source of potable water. Almost every household is connected to the municipal water system. The Town operated a chlorination system for water from Indian Pond and its surrounding protected watershed. The system yields quality water and residents are satisfied with the water quality. The system is however, designed to

supply demand to cover the peak tourism season which results in excess water pressure at other times of the year.

The oldest, historic area of the town (Lower Trinity) has a piped sewer system which services every household. Remaining homes in the community have individual septic tanks. Like the water system, excess capacity in the sewer system combined with low flows during the winter have resulted in problems with the system that require annual expenditures to correct. A study has been completed to determine the precise cause of the problem and a long term solution is scheduled to be implemented in the near future. At the present time the Town's servicing priorities are the upgrading and maintenance of the existing system.

2.8.2 Roads

Local roads in Trinity are the responsibility of the Town. Route 230 and 239 are provincial highways and the responsibility of the Department of Transportation and Works. The Town carries out annual repairs and in recent years has funded street upgrading with its allotment of funds from the gas tax agreement.



Trinity is a very walkable community, along quiet streets and over traditional footpaths and trails. As pressure for new development increases in Trinity, it will be important to establish policies for the protection of these traditional footpaths as an integral component of Trinity's historic townscape.

2.8.3 Waste Removal

Trinity is part of the Regional Waste Management Committee who are in the process of centralizing the collection, transport and disposal of municipal wastes in the region.

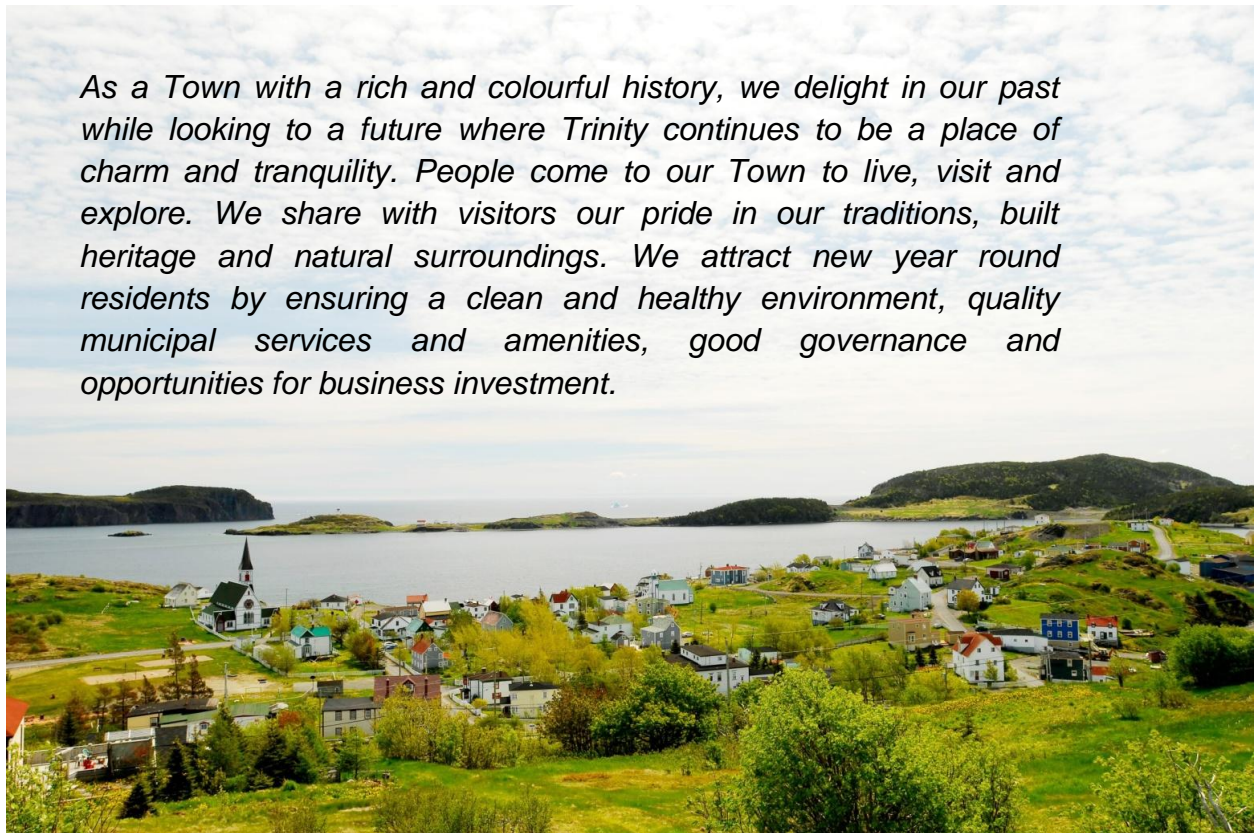
2.8.4 Public Buildings and Facilities

The Town's municipal administration office has been moved several times to different locations in the Town, none of which provide sufficient and adequate space for Council business. A new and dedicated Town Hall is required to house the administration and Council chambers. The Town is presently exploring options for constructing a new building in the Heritage Area to be constructed in a manner that would demonstrate the Town's leadership and commitment to sensitive and appropriate development in the heritage area.



3. VISION AND PLANNING GOALS

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 year round residents by ensuring a clean and healthy environment, quality municipal services and amenities, good governance and opportunities for business investment.

3.2 Community-Wide Goals

The Town will pursue the following community-wide goals:

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 *Improve community health and well-being*

Communities that are safe, attractive, walkable, and have a range of services, activities and amenities – in essence offer a high quality of life - are able to retain and attract new families.

3.2.3 *Encourage and increase business investment*

Providing opportunities for business investment will create jobs and help retain and attract young people to our Town. Ensuring that land is 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 Objectives

The Town will pursue the following land use objectives in order 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.

4.2 Policies

The following policies shall apply to development throughout the Trinity Planning Area:

Policy G-1 Visual impact of development

It shall be a policy of Council to consider the visual impact of new development. 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 G-2 Protection of public access to shorelines

The shorelines of Trinity Harbour, Cap Cove, Fisher Cove, and the Southwest Arm are valued community assets. Maintaining an open and accessible shoreline shall be a priority for the Town. In considering proposals for development adjacent to the coast or freshwater body shorelines, Council will require that existing public access points to shoreline areas are retained. Developments that enhance public access and recreational usage of shoreline areas are encouraged.

Policy G-3 Development in hazardous areas

Council shall prohibit development on lands that are not suitable for development such as areas of steep slopes, on unstable soils or rock outcrops, along shoreline areas and streams susceptible to erosion or flooding. Council will require residential development to be set back from the coastline, and from streams and wetlands to reduce the risk of damage due to erosion, storm surges and flooding. In developed areas that are vulnerable to natural hazards, or in undeveloped areas, where backfilling is proposed, or where there may be potential for flooding, erosion or other hazard to occur, Council may require detailed engineering studies to evaluate the suitability of land for development.

Over the planning period, Council will endeavour to carry out a study to assess the vulnerability of the community to the impacts of climate change and identify measure to reduce risks associated with rising sea levels and increased severe storm events.

Policy G-4 Protection of community trails

New development in Trinity must take into account and provide for the continuation of traditional footpaths, rights of way, and trail networks in the community. In considering applications for development, or the use of a public right of way for access to private property, Council will ensure that pedestrian pathways remain open and accessible as a condition of approval. New development may be required provide a separation buffer between a proposed development and existing trail or pathway.



Over the planning period, it shall be a policy of Council to formally identify all footpaths and community trails for use assessing proposals for development.

Policy G-5 Waterways, waterbodies and wetlands

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

Policy G-6 Protection of archaeological resources

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

Policy G-7 Protecting underwater historic resources

Over the Planning Period, it is Council's intention to approach the Department of Tourism, Culture and Recreation to request development of a policy for the protection of the underwater historic resources in Trinity Harbour under the *Historic Resources Act*.

Policy G-8 Development agreements

The Town may require agreements for new developments involving residential, commercial, industrial or resource developments, and for the subdivision of land. Such an agreement will be negotiated between the developer and the Town, and include conditions for development and for financing of any services provided to the site which shall be constructed to municipal standards and consistent with the policies of this Plan and the Development Regulations.

Policy G-9 Frontage on a publicly maintained street

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

Policy G-10 Home occupations

It is Council's intent to foster the growth of small businesses as home occupations in a manner compatible with surrounding land uses. Businesses in the form of home occupations may be considered in any residential dwelling in any land use designation. Business uses that consist only of an office in a dwelling will be a permitted use. Businesses operating as home occupations shall not be highly visible, generate traffic, noise, odours or create any potential hazards, by virtue of the nature of the business, to surrounding properties.

Policy G-11 Non-conforming uses

In accordance with the Section 108 of the *Urban and Rural Planning Act, 2000*, Council shall recognize that any development or land use that legally exists on the day this Plan comes into effect, may continue. Where a building or use exists which does not comply with the intent of the Plan, it shall not be substantially expanded. Minor extensions may be approved, and a change of from one non-conforming use to a more acceptable use may be permitted.

Policy G-12 Public utilities

The location and placement of utilities, including telecommunications structures may be permitted throughout the Planning Area. Council will consider the visual impact of such utilities and may require appropriate screening and buffering or other measures to minimize any negative visual or other impacts in the community.

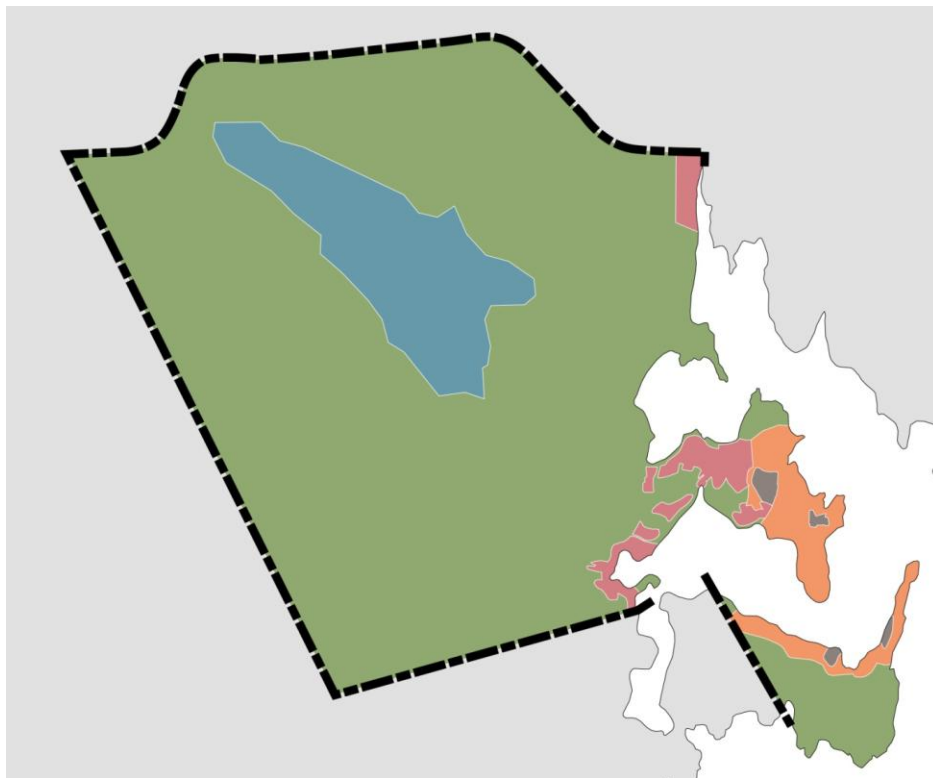
Policy G-13 Signs

Signs and advertisements erected in the town shall be of high quality and located and constructed in a safe manner in accordance with Town standards.






5. MANAGING LAND USE

5.1 Land Use Designations

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 1 and 2 in Appendix B. They include:



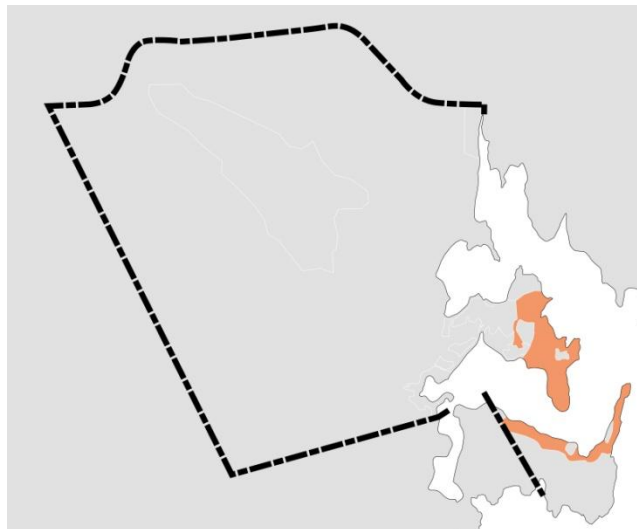
Land Use Designations

	Mixed Development
	Heritage
	Open Space
	Rural
	Protected Water Supply

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.

5.2 Heritage Area

Lands in Lower Trinity from Taverner's Point to south to Hog's Nose and including Gun Hill are designated Heritage on the Future Land Use Map. Within this area there is an interesting mix of homes, businesses, public, marine and open spaces constructed around the original street pattern. The Plan also includes an area along the road from Dunfield to Fort Point in the Heritage Area Land Use designation, for its importance to the history and cultural landscape of Trinity.



5.2.1 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 historical fabric of the historic townscape;
-

5.2.2 Heritage Area Policies

The following policies apply to development in the Heritage Area land use designation:

Policy H-1 Land use mix – Lower Trinity

It is Council's intention to encourage the fine-grained and complementary mix of uses within the Heritage Area in Lower Trinity. In this area, single and double dwellings, bed and breakfast establishments, cemeteries, childcare, conservation, medical, professional and personal services, offices, parks, playgrounds and walking trails are permitted.

Other residential uses such as apartments, homes for special care, commercial uses such as restaurants, bars, clubs and lodges, inns, artist's studios, craft and other shops may also be considered. Cultural and civic uses such as town offices, libraries, museums, art galleries, and uses where people assemble such as community halls, theatres, indoor or outdoor markets, and churches are also considered acceptable. Along the coastline consideration may be given to wharves and docks, and marinas and marine related industrial uses. However, hazardous or general industry uses that create noise, fumes and/or hazardous air-borne fibres and the processing of fish or meat will not be permitted in

the Heritage Area Land Use designation. Mobile or prefabricated buildings and large parking lots shall also be prohibited.

More than one use may be permitted in a building or on the same premises, such as shops or artist's studios attached to dwellings, dwelling units above shops, and other mixes of residential and non-residential uses.

Uses that are accessory to a permitted use will be acceptable except where, in the opinion of Council, the use would be incompatible with uses on adjoining properties.

Policy H-2 Seasonal residential development – Fort Point

Notwithstanding Policy H-1, development in the Heritage Area along the road between Dunfield and Fort Point shall be limited to seasonal residences, recreational trails and conservation, presentation and interpretation of the Trinity Lighthouse and other historical and archaeological sites at Fort Point. Seasonal residences permitted in this area shall be consistent with the size, scale, form, and character of residences in the Trinity Heritage Area and with dwellings that previously existed in the area at Maggotty Cove. Here, a lack of piped services will require wells and septic systems and hence larger lot sizes and separation between buildings, the standards for which shall be set out in the Development Regulations.

Policy H-3 Evaluation of development proposals

It shall be the intention of Council to protect and enhance 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. These include:

- the coastal setting, including coastal headlands and views from the water;
- prominent natural landscape features, including Gun Hill and Rider's Hill;
- the mixture of buildings and related features and structures, including houses, outbuildings, fences, churches, cemeteries, stages, wharves and slipways;
- the mixture of vernacular buildings with those of more formal architectural styles;
- 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;
- the presence, scale and visibility of prominent buildings, including the Parish Hall, churches, and former courthouse building, from public roads;
- the compatible scale of buildings and structures;
- the massing of buildings and structures in relation to each other;
- the preponderance of traditionally constructed fence types; and
- 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 H-4 Building design

Development that includes new buildings, building additions, exterior alterations, accessory buildings, or fences within the Heritage Area must be compatible with the historic building form, scale, height, setbacks and architectural features that are unique to Trinity, the standards and requirements for which shall be set out in the Development Regulations. Aspects of design to be regulated include colour, siding materials, windows, doors, roofs, size, scale and massing.

Where a building is in significant non-conformity to the requirements of the Heritage Area Use Zone, renovations and extensions similar in character to the original building may be permitted after consultation with the Heritage Advisory Committee and the approval of Council.

Policy H-5 Demolitions

Any demolition of a building, structure or fence within the Heritage Area designation shall receive the prior written approval of Council.

Policy H-6 Accessory buildings, workshops, boat houses and fishing stages

Accessory buildings, workshops, boat houses and fishing stages are subject to the design controls established in the Development Regulations. Without being necessarily the same, these buildings must be compatible with the design of the principal buildings in this Area.

Accessory buildings that are accessory to dwellings and tourist accommodation uses, must be smaller than the principal buildings and complement the design of these buildings. Workshops, boathouses and fishing stages can be larger than the principal buildings, or may be principal buildings in their own right.

The conversion of any accessory buildings for uses other than that for which they were intended, will require review and consideration by Council, and where considered acceptable, will be required to meet the standards for development for the use that is being proposed.

Policy H-7 Vehicle access and parking

Parking lots in the Heritage Area shall not be of a size or located in a manner that will be detrimental to the area's historic appearance and atmosphere. Shared use of parking lots will be encouraged. Suitable vacant land in the Heritage Area may be used for parking provided it is done in a manner that does not detract from the area's aesthetic or residential quality.

Policy H-8 Back lot development

Development of a parcel of land in the Heritage Area that does not front directly onto a publicly maintained street, may be considered if the property has historically been developed, can be accessed by a right of way accessible to emergency service vehicles, and can be connected to the Town's piped water and sewer system.

Policy H-9 Streets in the Heritage Area

All roads in the Heritage Area land use designation shall not be realigned, increased in size, or otherwise altered except where no other measures are available to protect public safety.



Policy H-10 Taverner's Point Area

Within the designated Heritage Area, no development shall be permitted to the area extending beyond Gun Hill towards Taverner's Point that would require construction of new roads, or the significant upgrading of existing paths or roads to bring them up to the Town's minimum standards unless a comprehensive plan of the area has been submitted and approved by Council.

Policy H-11 Gun Hill

It shall be a policy of council to prohibit development on Gun Hill, except for the development of public trails, or other public trail-related amenities.

Policy H-12 Fort Point Lighthouse

It shall be a policy of Council to 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 endeavours of the Trinity Historical Society to develop and promote the site as a historic site.



Policy H-13 Fort Point Road

It shall be a policy of Council that the road to Fort Point shall not be publicly maintained and no servicing, either with

piped water and sewer services to service any development that may be permitted in the area, either fronting on it or having access to it.

Where, in the opinion of Council, upgrading of the road becomes necessary, it shall be a policy of Council to apply a service levy to properties that front on or have access to the road that benefit from the required upgrading, in accordance with provision for service levies established in the Development Regulations.

Policy H-14 Heritage buildings and sites

Buildings and sites may be designated by the Town, the Provincial Government or the Newfoundland and Labrador Heritage Foundation as heritage buildings and sites.

Policy H-15 Heritage Advisory Committee

Council may establish and appoint a Heritage Advisory Committee to review proposals for development in the Heritage Area, to advise Council in such matters and to promote public interest in heritage preservation.

5.3 Mixed Development Land Use

The Mixed Development land use designation applies generally to lands between Route 239 and the Trinity Heritage Area and reflects the mixed use pattern of development that has emerged over time. It includes the area around the community of Goose Cove, the commercial development at the intersection of Route 239 and the Main Road into Lower Trinity including Trinity Cabins, the Trinity Fire Hall and Medical clinic. Lands at the intersection of Route 239 and the Bonavista Highway at Lockston are also included in the Mixed Development designation.



5.3.1 Mixed Development Objective

- 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.

5.3.2 Mixed Development Policies

Policy M-1 Mixed Land Use

Within the Mixed Development Land Use designation, residential development in the form of single dwellings is the predominant land use. Other forms of residential development such as double dwellings and apartments will also be permitted. Other permitted uses include childcare, parks and playgrounds. Uses such as accommodations for seniors such as nursing homes or other forms of assisted living facilities, general, personal, professional and medical service uses, offices, stores, service stations and general garages, restaurants and bars, tourist accommodations, industrial uses, agriculture, churches, schools, public buildings, general and light industry uses. Fishing and marine-related uses may be permitted along the coastline. Telecommunications facilities may also be considered.

Policy M-2 Design and aesthetics

The Town shall encourage development located outside the designated heritage area to be constructed in a manner that is consistent with the historic form, scale and architectural features unique to Trinity. Council shall ensure that development for all uses conforms to a high standard of building design, appearance and landscaping.

Policy M-3 Compatibility of uses

Non-residential uses in the Mixed Development designation shall not create a nuisance or hazard to adjoining residential properties and may be required to provide a buffer in the form of a fence, a separation distance, or other means prescribed by Council.

Policy M-4 Commercial and industrial development

Adequate off street parking and loading space must be provided for commercial and industrial uses as no on-street parking of commercial vehicles will be permitted. Parking lots or yards will be adequately separated from adjoining residential uses, and areas for outdoor storage will be required to be located in rear or sideyards appropriately contained and screened.

Policy M-5 Agriculture uses

The keeping of livestock in association with a residential use shall be limited to that which, according Council, has traditionally taken place in the rural areas of Trinity.

Policy M-6 Residential development

Where it may be proposed, residential subdivision development will only be considered for approval 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.

Policy M-7 Groundwater protection

Because most households located in the area designated Mixed Development rely on private septic systems and groundwater as a source of drinking water, it is important to ensure that septic systems function properly and groundwater sources are protected. Private septic systems shall be properly designed, installed and maintained.

Unserviced subdivision development will be required 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.

5.4 Open Space Land Use

The Open Space land use designation includes three areas that are important to the cultural landscape of Trinity. These include the area of Rider Hill, public open space and the open bog area between Clinch's Lane and the church in the centre of the Heritage Area, and two wooded areas on Fort Point.

5.4.1 Open Space Objective

- 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.



5.4.2 Open Space Policies

The following policies apply to lands in the Open Space Land Use designation.

Policy OS-1 Open Space uses

Within the Open Space land use designation, lands are identified that shall be conserved in their natural state or used for outdoor recreation.

Policy OS-2 Public open space

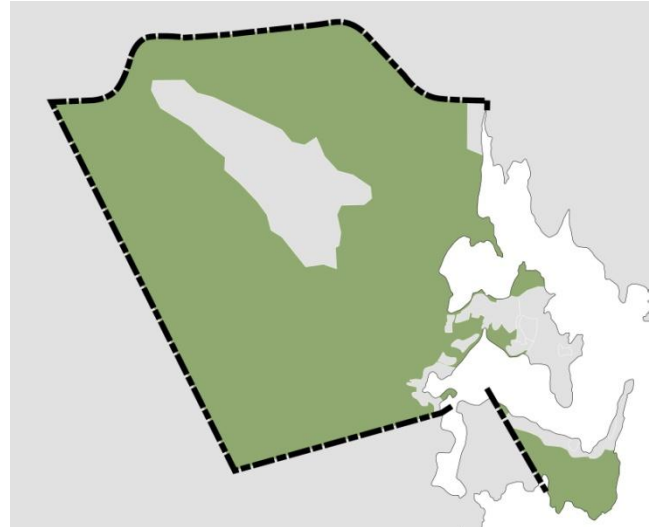
The open space area that includes the Town park shall continue to be used as a centre for community events, outdoor recreation, festivals and events. Recreational, cultural or civic facilities may also be considered for development in this area.

Policy OS-3 Conservation

Lands designated for open space at Fort Point, and between the Church and Clinch's Lane and are intended to be left in their natural state and undeveloped.

5.5 Rural Land Use

Lands outside the built up area of the community to the west of Route 239, coastline areas and land to the south of the road to Fort Point are designated Rural. The lands include forests, streams, ponds and beaches that provide wildlife habitat, sources of wood for domestic cutting, aggregate pits and quarries, and opportunities for outdoor recreation along established trails, woods roads and abandoned railway lines. The Trinity Loop Heritage Railway site is also included in this land use designation.



5.5.1 Rural Land Use Objective:

- 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 Railway.
- To protect established trails and rights of way for access to resource lands and recreation.

5.5.2 Rural Land Use Policies

Policy RU-1 Rural uses

Within the Rural land use designation, rural resource uses such as agriculture, forestry, conservation and recreation uses such as parks and trails will be permitted. Recreational uses associated with the tourism industry such as Tourism trailer parks may also be considered. Other uses, such as cemeteries, aggregate resource extraction, mineral exploration, and in coastal areas, marine industrial uses such as wharves, fish processing plants, infrastructure associated with aquaculture operations, and marine services, may also be considered.

Policy RU-2 Development potential in the Trinity Loop area

It shall be the policy of Council to encourage redevelopment of the Trinity Loop Property for re-use as a commercial tourism attraction, or as a private residential development that could include a mix of residential and commercial uses. 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 future demands on the municipality for piped servicing to the site.

In considering development proposals for the site, Council shall also consider necessary upgrading of the public road to the site and may require as part of the conditions of approval, that the street be upgraded at the developer's expense, to acceptable standards.

Policy RU-3 Pits and quarries

Mineral exploration and aggregate extraction activities will be required to obtain a permit or licence from the Mineral Lands Division of the Department of Natural Resources and comply with all conditions for development, operation, decommissioning and rehabilitation. Extractive resource activities and land uses in this designation shall be screened from public roads, residential areas, parks, trails, and if appropriate, from other rural uses, where possible, by leaving existing tree cover in place.

Policy RU-4 Agriculture

Agricultural uses are encouraged in the Rural land use designation. Livestock wastes and land management shall be carried out in accordance with agricultural best practices so as not to cause any nuisance or environmental impacts to adjoining properties. Intensive livestock operations will be subject to a development agreement with the Town.

5.6 Water Supply Protection

The Town's source of potable water is Indian Pond and the Indian Pond watershed is a Protected Public Water Supply under the *Water Resources Protection Act*.

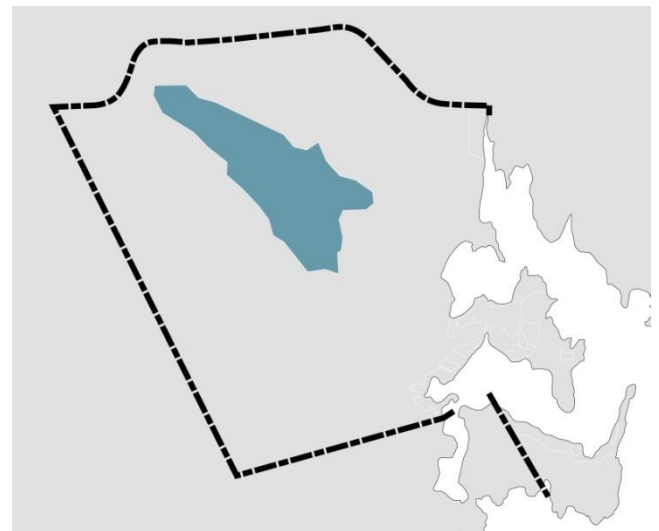
5.6.1 Drinking Water Protection Objective

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

5.6.2 Water Supply Protection Policies

Policy W-1 Water supply protection

The Indian Pond Protected Public Water Supply area is designated as a Protected Public Water Supply Area. Within this land use designation, Council shall prohibit any development, except for that which is directly related to the functioning of the water supply system.



Policy W-2 Water supply protection awareness

It shall be the intention of Council to create awareness of the Town's water supply and the need to protect it. Council will consider awareness strategies, including but not limited to posting of signs at various points along the boundary of the Protected Water Supply Area. In consultation with the Department of Environment and Conservation, Council will provide information to the public on the quality of community drinking water on an ongoing basis.



6. MUNICIPAL SERVICES INFRASTRUCTURE

The provision of municipal infrastructure such as streets, sidewalks, water treatment and distribution systems, sewers and sewage treatment facilities, and waste collection and disposal are the primary responsibilities of municipal government. This infrastructure supports growth and development of the community and contributes to community safety, health and well-being.

6.1 Municipal Services Infrastructure Objectives

- To ensure safe and efficient movement of traffic on local roads and highways;
- Maintain the traditional appearance and pattern of streets and streetscapes in the Heritage Area;
- Manage investment in municipal infrastructure to ensure a well maintained and efficient level of services.

6.2 Municipal Services Infrastructure Policies

6.2.1 Streets

Policy MS-1 Local road standards and function

Council shall adopt road design standards specified in the Development Regulations implementing this plan. All new road development shall conform to these standards. It is Council's intention to ensure the safety of vehicles, pedestrians, and cyclist through regular maintenance and upgrading of Town streets as part of the municipal capital works programming.

After installation of water and sewer services it is intended that all residential roads are to be upgraded and paved, prioritized by need. In the Heritage Area any road upgrading shall conform with policies and regulations concerning maintenance and appearance of traditional road rights-of-way.

Policy MS-2 Street right of ways

All development, including but not limited to buildings, fences, sheds, and parking lots, shall be set back from the right of way of a road far enough to provide an adequate level of public safety and space for snow clearing and maintenance. Specific consideration is given to

development in the Heritage Area to allow smaller setbacks consistent with the historic development pattern. Building line setbacks along the Provincial Bonavista Highway and Route 239 shall be specified in the Development Regulations.

6.2.2 Municipal Buildings and Facilities

Policy MS-3 Town Hall

It shall be a policy of Council to enter into discussions with the Government of Newfoundland and Labrador to identify a suitable location for construction of a new Town Hall to be located in the Trinity Heritage Area.

Policy MS-4 Public lands at the Fire Hall

Over the planning period, Council will review the future of lands surrounding the Fire Hall and may, pending such review, improve the area as a public park or make some of the property available for residential or commercial development, consistent with the policies of the Mixed Development Land Use designation.

Policy MS-5 Public boat launch

The Town will continue to pursue the development of a public boat launch for the community.

6.2.3 Water and wastewater

Policy MS-6 Drinking water distribution system

Council will 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 MS-7 Wastewater system policies

Council shall ensure that the Town's wastewater treatment facilities process wastewater in accordance with Provincial Department of Environment and Conservation standards; Council will continue to work with engineering professionals to improve the wastewater disposal and the ongoing issue with freezing in the outflow pipe during the winter months.

Policy MS-8 Waste reduction measures

The Town will continue to participate in provincial waste management strategies. To minimize costs of transporting and disposing garbage, Council will undertake initiatives to reduce household garbage encouraging residents and businesses to compost and recycle.



7. IMPLEMENTATION

The Town of Trinity Municipal Plan serves as the blueprint for the community's future development. It is critical that the plan is put into action through a strategic implementation program.

The Town's role in implementation is to help guide and shape growth through private investment and in effect, implement the Municipal Plan in a cooperative framework with the private sector. Municipal services, regulations, and expenditures are a means to encourage or discourage the extent and form of new development.

Successful implementation of the Plan involves:

- effective administration of the Plan;
- the adoption of annual municipal capital works budgets;
- adoption of land use zoning, subdivision and advertisement regulations;
- preparation and adoption of development schemes;
- preparation and implementation of recommended studies; and
- a consistent procedure for considering amendments to the Plan.

7.1 Administration of the Municipal Plan

The Municipal Plan must serve as a continuing reference and guide to Council and its officials in order to achieve the goals, objectives, policies, and programs which it contains.

Where possible, land use designations coincide with roads, fences or property lines or other prominent physical features, or as a specified offset from physical features. It is intended that no amendment of this Plan will be required to permit minor adjustments to these boundaries where it is reasonable to do so in response to a proposal for development.

All proposed development within the Planning Area must conform to the policies of the Plan and Development Regulations, and be approved by Council. Council will ensure that development proposals are given a comprehensive review, including circulation to appropriate public departments and agencies.

Council may refuse or approve applications, with or without conditions. Decisions of Council made according to the provisions of this Plan and the accompanying Development Regulations may be appealed to the appropriate Appeal Board established under Part VI of the *Urban and Rural Planning Act, 2000*.

7.2 Development Regulations

To implement the goals, objectives and policies of the Municipal Plan, Council will prepare and adopt Development Regulations pursuant to Section 35 of the *Urban and Rural Planning Act*.

All land within the municipal planning area will be covered by land use zones which provide detailed requirements such as lot size, frontage, building setbacks, and parking standards.

7.2.1 Consideration for Rezonings

In order for consideration of any proposals for an amendment to the Development Regulations (i.e., a rezoning), Council shall require a clear proposal to be submitted. Such a proposal must clearly show:

- The location of the subject property, to scale, showing lot dimensions, area, street frontages;
- The means by which the site is/will be serviced;
- The proposed location of all driveways and parking areas;
- Areas which are to be landscaped and/or buffered; and
- The proposed location of all buildings on the site.

7.2.2 Criteria to be considered

In its review of proposals for amendments to the Development Regulations, Council shall consider all appropriate policies set out in this Plan and have regard for the following:

- The financial ability of the Town to absorb any costs relating to the development;
- The adequacy of municipal water and sewer services, or where on-site services are proposed, the adequacy of the physical site conditions to accommodate it;
- The adequacy and proximity of schools, recreation and community facilities;
- The adequacy of the road network in, adjacent to, or leading to the development;
- The potential for the contamination or sedimentation of watercourses or for erosion;
- Environmental impacts such as air, water and soil pollution and noise impacts;
- Previous uses of the site which may have caused soil or groundwater contamination;
- Suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps, or bogs;
- Compatibility of the development in terms of height, scale, lot coverage and bulk with adjacent properties; and
- That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town by-laws and regulations.

7.3 Public Consultation

Council is committed to consultation with citizens and will seek input from the public on planning and development matters that:

- Require an exercise of Council discretion in arriving at a decision on a development application;
- Involve significant development proposals that are of interest to the community at large;
- Would require a change of Town policy, amendment to the Plan or Development Regulations; and
- Would result in significant expenditures of Town resources for implementation.

7.4 Amending and Reviewing the Municipal Plan

Since conditions in the Town may change during the planning period, amendments to the Municipal Plan may be adopted by Council from time to time. Council may consider amendments to the Municipal Plan when:

- There is an apparent need to change policy due to changing circumstances;
- Studies have been undertaken which contain recommendations or policies which should be incorporated into the Municipal Plan;
- A Provincial Land Use Policy has been released that requires a change in policy by the Town; and
- There is a development proposal which provides sufficient information and rationale to support a change in the Municipal Plan.

After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Revisions will take account of development which can be foreseen during the following 10 years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

7.5 Professional Advice

Council may obtain its own professional advice in regard to any proposed amendment to the Municipal Plan or Development Regulations. Council may also seek professional advice in regards to the evaluation of development proposals should circumstances warrant it.

7.6 Municipal Budget and Capital Works Program

Council shall continue to invest wisely in municipal water and sewer services including upgrading and maintaining the watersupply, treatment and distribution system and sewer services through an annual program of capital. Municipal Capital Works projects to be pursued over the planning period include the following:

Municipal Capital Works Initiatives 2012-2022

Resolution of Sewer Outflow, Lower Trinity
Extension to water service, Goose Cove
Street Upgrading
Town Hall
Public boat launch

Others studies and initiatives have been identified that can be pursued as resources become available through provincial grants or subsidies, through local and regional partnerships or through specific investment of Town resources. These include:

Other Municipal Initiatives 2012-2022	Partner
Coastal vulnerability Study	REDB, adjoining communities
Regional Trail System upgrades – Gun Hill	REDB
Document and map traditional footpaths/trails	REDB, adjoining communities
Fort Point Historic Site development plan	Trinity Historical Society
Redevelopment, public lands at Fire Department	
Cruise Ship marketing	REDB
Participate in Regional Joint Council To initiate regional shared services discussions	Bonavista Peninsula Towns
- Fire protection	
- Emergency preparedness	
- Planning advice and administration	
- Waste management	
- Water system monitoring/maintenance	
Lower Trinity park improvements	



APPENDIX A

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APPENDIX B

Future Land Use Map



Appendices



APPENDIX C

Town of Trinity Municipal Plan Review Online Survey Response Summary



Appendices

