

**MUNICIPALITY OF TRINITY BAY NORTH
MUNICIPAL PLAN AMENDMENT
NO. 2, 2022**

**New Uses in the Residential Land Use
Designation**

**Prepared by:
Mary Bishop, FCIP
November, 2022**

MUNICIPAL PLAN AMENDMENT NO. 2, 2022

INTRODUCTION

The Municipality of Trinity Bay North Municipal Plan came into effect in 2019. The Municipality has received a proposal which requires an amendment to the current Plan and Development Regulations and this report has been prepared to explain the proposed change, and to serve as a basis for consideration by the general public before it is adopted and approved by Council and submitted to the Minister of Municipal and Provincial Affairs for registration.

BACKGROUND

The Trinity Bay North Municipal Plan sets out a number of broad land use categories that are based on a combination of traditional and existing land use patterns and anticipated demand for lands for a variety of uses in the municipality. At the time the Plan was prepared, the former incorporated communities of Melrose and Little Catalina had become largely residential in nature, with few sites being used or expected to be used for commercial purposes. Population trends and projections also indicated that these communities would continue to lose population and the Plan encourages a concentration of commercial uses in Catalina and Port Union - the more populated and central areas of the municipality.

Over the past few years, the municipality has begun to receive expressions of interest for establishing commercial uses in the former communities of Melrose and Little Catalina (as well as other areas) – in new buildings, or in re-use of older commercial buildings that have not been in use for some time. Such interest appears to be directly related to the growth of the tourism industry of the Bonavista Peninsula with business interests seeking sites in the region located outside communities such as Trinity, Port Rexton, Bonavista and Elliston. There may also be potential for some former public and institutional buildings to be converted to new uses as well.

It is expected that tourism in the region will continue to grow, as communities invest in tourism infrastructure such as hiking trails, attractions and events, and private investment increases the supply of tourism services such as food and accommodations, shops and tour operations.

MUNICIPAL PLAN POLICY

Lands within the municipality that are designated for residential uses include the former incorporated communities of Little Catalina and Melrose, and the primarily residential areas off the main highway in Catalina and Port Union. The Plan allows for residential uses, and small-scale commercial types of uses as home based businesses. Commercial uses such as convenience stores are also

permitted, but other types of free-standing uses that could include such things as restaurants, small neighbourhood pubs, tourist cabins and other seasonal dwelling types of buildings are not currently accommodated in the Municipal Plan.

The Town wishes to take advantage of the growth in the tourism sector and potential investment in the communities of Melrose and Little Catalina (and elsewhere within the municipality) by providing opportunities for commercial uses in residential areas. Tourism related uses such as those associated with the craft brewing industry, food, accommodations and such things as boat tours could be located in these and other traditional residential areas of the municipality where they could restore and re-use existing heritage or other types of buildings, particularly ones used in the past for commercial purposes.

To do this, the Municipal Council proposes to amend the Residential policies of the Plan to broaden the kinds of non-residential uses that can be considered in the Residential land use designation. A corresponding amendment to the Development Regulations will add a number of new commercial uses to the Residential land use zone and conditions that would have to be met in order to be considered by Council.

PUBLIC CONSULTATION

An opportunity for broader public comment on the proposed amendment was provided by posting notices on the website and Facebook pages, at public places in the Town, and at the Town Hall.

Notices provided a two week window for comments with a deadline of XXXXXX. XXX inquiries/representations were received by the time of the advertised deadline of XXXXX.

AMENDMENT No. 1, 2019

The Municipality of Trinity Bay North Municipal Plan shall be amended as follows:

- 1. By revising Policy R-1 Intent of the Residential Designation**
The Residential land use designation shall accommodate single, double and seasonal dwellings, recreational and conservation uses, marine transportation uses (such as marinas, wharfs and docks) and public works and utilities. Council may also permit other forms of housing (such as boarding homes, row and mobile dwellings and tourism accommodations in the form of bed and breakfast establishments), home based offices, agriculture and medical, personal and professional services, transportation services, convenience stores, cemeteries, places of worship and child care.

to read as follows:

The Residential land use designation shall accommodate single, double and seasonal dwellings, recreational and conservation uses, marine and transportation uses and public works and utilities. Council may also permit other forms of housing (such as row and mobile/modular dwellings and tourism accommodations, offices, agriculture, restaurants, pubs and lounges, microbreweries, shops, galleries, medical, personal and professional services, convenience stores, cemeteries, places of worship and childcare.

2. By replacing Policy R-3 Neighbourhood Commercial Uses

It is recognized that it is desirable for limited commercial uses to be located close to the neighbourhoods they serve. However, it is also important to ensure that such uses do not disrupt residential neighbourhoods. Therefore, it is a policy of Council that convenience stores may be considered in the Residential designation.

The be renamed and read as follows:

Policy R-3 Non-Residential Uses

Non-residential uses in the Residential land use designation, may be considered as home occupations or as stand alone uses on vacant sites, or on sites where the use will result in the restoration and re-use of an existing building suitable for the proposed use. Non-residential uses shall not adversely affect surrounding residential properties and will be required to have adequate area for off-street parking.

**MUNICIPALITY OF TRINITY BAY NORTH
DEVELOPMENT REGULATIONS
AMENDMENT NO. 2, 2022**

**Text Amendment, Commercial Uses
Residential Land Use Zone**

**Prepared by:
Mary Bishop, MCIP, FCIP
November, 2022**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
MUNICIPALITY OF TRINITY BAY NORTH
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2022**

Under the authority of Sections 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Council of the Municipality of Trinity Bay North

1. Adopted Development Regulations Amendment No. 2, 2022 on the **XXX** day of **XXX**, 2023.
2. Gave notice of the adoption of Development Regulations Amendment No. 2, 2019 by advertisement as follows:
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3. Set the **_____** day of **_____**, 2022 at 7:00 p.m. at the Municipality of Trinity Bay North Town Hall for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Council of Municipality of Trinity Bay North approves Development Regulations Amendment No. 2, 2022 on the **_____** day of **_____**, 2023.

SIGNED AND SEALED this **_____** day of **_____**, 2023.

Mayor: _____
David Bartlett

Clerk: _____
Valerie Rogers

MUNICIPALITY OF TRINITY BAY NORTH DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2022

BACKGROUND

This amendment to the Development Regulations is intended to comply with Municipal Plan Amendment No. 2, 2022.

The Municipality proposes to add a number of non-residential uses to be listed as Discretionary Uses in the Residential land use zone to encourage investment in the restoration and re-use of existing buildings, and construction of new buildings on sites that are suitable for non-residential purposes. Proposed uses for non-residential uses in the Residential zone require a public notice and consideration of any public comments on the application prior to a Council decision on the application. A new condition to be added to the Residential use zone requires Council to impose conditions on a development to minimize any potential impacts on surrounding residential properties.

The amendment also proposes some minor housekeeping changes to the list of permitted and discretionary uses to better align the regulations with the residential policies of the Plan.

PUBLIC CONSULTATION

The public consultation process for this amendment was the same as that for the Municipal Plan Amendment No. 2, 2022.

AMENDMENT

The Trinity Bay North Development Regulations shall be amended by making the following changes to the Residential Land Use Zone in Section 8.6:

1. By deleting Cemetery as a permitted use in Section 8.6.1 and listing it as a discretionary use in Section 8.6.2.
2. By changing Transportation and Marine Transportation listed in Section 8.6.1 to Marine uses and Transportation uses.
3. By changing Residential Accommodations in Section 8.6.2 to Tourism Accommodations;
4. By adding the following as discretionary uses to Section 8.6.2:
 - Restaurant
 - Pub/Lounge
 - Microbrewery
 - Shop
 - Art/Craft Studio/Gallery

5. Revised Sections 8.61 and 8.6.2 shall read as follows:

8.6.1 Permitted Uses

- Single dwelling
- Seasonal dwelling
- Double dwelling
- Marine Uses
- Transportation Uses
- Public Works and Utilities
- Recreational Open Space
- Conservation

8.6.2 Discretionary Uses

- Row dwelling
- Mobile dwelling
- Tourism Accommodation
- Medical Services
- Personal Services
- Convenience Store
- Office and Professional
- Child Care
- Place of Worship
- Small Scale Agriculture
- CemeteryRestaurants
- Pubs/Lounges
- Microbreweries
- Shops
- Galleries

6. By adding the following condition as Section 8.6.7

Non-Residential Uses

Non-residential uses such as restaurants, pubs, lounges, microbreweries, shops or galleries, may be considered in the residential land use zone on vacant sites, or where the use will result in the improvement and re-use of an existing building.

In considering applications for non-residential uses, Council shall take into consideration previous uses of the site, land use change over time, and the compatibility of the proposed use with surrounding uses. Council may require fencing, screening, limitations on hours of operation or other measures to be taken to reduce potential impacts on surrounding residential properties.