TOWN OF NORRIS ARM
MUNICIPAL PLAN

IMPORTANT: To see if there were any changes to this plan since it came into effect, please refer to:

<u>List of Municipal Plan Amendments</u>

URBAN AND RURAL PLANNING ACT

RESOLUTION TO ADOPT

TOWN OF NORRIS ARM

MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS

2007-2017

Under the authority of Section 16 of the ***Urban and Rural Planning Act 2000***, the Town Council of Norris Arm adopts the Town of Norris Arm Municipal Plan and Development Regulations 2007–2017.

Adopted by the Town Council of Norris Arm on the 10 day of SEPT, 2007.

Signed and sealed this 24 day of Oct, 2007.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached copy of the Town of Norris Arm Municipal Plan and Development Regulations 2007–2017 has been prepared in accordance with the requirements of the ***Urban and Rural Planning Act.***

MCIP: _____ (MCIP Seal)

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URBAN AND RURAL PLANNING ACT

RESOLUTION TO APPROVE

TOWN OF NORRIS ARM

MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS

2007-2017

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

a) Adopted the Town of Norris Arm Municipal Plan and Development Regulations 2007–2017 on the 10 day of Sept 2007.

b) Gave Notice of the adoption of the Town of Norris Arm Municipal Plan and Development Regulations 2007–2017 by advertisement inserted on the 19 day and the 26 day of September 2007 in the "PILOT" newspaper.

c) Set the 9 day of Oct at 7:30 p.m. at the Town Hall, Norris Arm, 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 Town Council of Norris Arm approves the Town of Norris Arm Municipal Plan and Development Regulations 2007-2017, as adopted.

SIGNED AND SEALED this 24 day of Oct, 2007.

Mayor: (Council Seal)

Clerk:

Municipal Plan/Amendment
REGISTERED
Number 3505-2008-001
Date Dec. 11 2008
Signature

Development Regulations/Amendment
REGISTERED
Number 3505-2008-001
Date Dec. 11 2008
Signature

TOWN OF NORRIS ARM

MUNICIPAL PLAN
2007-2017

Prepared By

PLAN-TECH
ENVIRONMENT

2007

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TOWN OF NORRIS ARM
MUNICIPAL PLAN
2007 – 2017

Prepared By:

PLAN-TECH

ENVIRONMENT

Table of Contents

1.0 INTRODUCTION

1.1 Forward

This document and the maps contained with it comprise the Municipal Plan of the Town of Norris Arm. The maps show the Planning Area divided into various land use districts. Within each district only certain kinds of development may take place. The document presents statements regarding the kinds of development that may take place in each land use district. It also provides more general statements about other aspects of development that apply throughout the entire Municipal Planning Area. The Municipal Plan is a legal document and is binding upon Council and any person or group using or proposing to use land anywhere within the Planning Area. All new development must conform to the Plan from the date it becomes legally effective.

1.2 Purpose of Municipal Plan

A Municipal Plan guides growth and development within a Municipal Planning Area. It provides a means of preventing the kind of problems that occur when incompatible land uses take place in close proximity to each other. It directs future growth so that it occurs in a manner in which municipal services and land resources are used most efficiently, thus preventing unnecessary increases in servicing costs that would result if development became needlessly spread out. It also ensures that aspects of land development like safety, aesthetics and environmental protection are given proper consideration. The aim of planning is to protect and enhance the qualities of the Planning Area that make it a healthy, prosperous and pleasant place in which to live and work.

1.3 Municipal Plan Preparation

This Municipal Plan review has been prepared in accordance with the requirements of The Urban and Rural Planning Act 2000, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services, social services, and other relevant factors. Because of the time frame since the first Municipal Plan, this Plan has been reviewed in its entirety.

The Plan outlines the goals, objectives and policies of Council regarding the development of the Municipal Planning Area over the next ten years.

1.4 Plan Approval

For the Plan to gain full legal effect, Council must hold public consultation with area residents and concerned groups and individuals to allow for public input into the planning process. After this consultation Council must approve the draft Municipal Plan and submit the Plan to Urban and Rural planning Division, Department of Municipal Affairs for review to ensure the Plan policies conform to provincial development policies.

Once the plan is released by Urban and Rural planning Division, Council shall appoint a qualified Commissioner to conduct a formal public hearing to consider objections and representations from the public either opposing or in favour of the Municipal Plan. The Plan in its entirety shall be placed on display for a two week period for public viewing. If written objections to the Plan are received a public hearing maybe held and the Commissioner shall conduct the hearing. The Commissioner will formally report his findings to Council as a result of the public hearing. Council may adopt the report in whole, in part, or reject the report in its entirety. Council can then formerly adopt the Municipal Plan and apply to the Urban and Rural Planning Division, Department of Municipal Affairs for registration. A notice will then appear in the Newfoundland and Labrador Gazette and a

local newspaper advising the public of Council's intent. Once this notice has been published in the Gazette, the Plan is legally binding on Council and any person or party proposing to develop, or to change the use of land, anywhere within the Planning Area.

1.5 Plan Review and Amendment

Every five years from the date on which it first comes into effect, Council is required to initiate a review of the Plan. Where necessary, changes may then be made to account for any new policies or land use requirements for the next ten years. The Plan may otherwise be amended at any other time, in whole or in part. Any such amendment will be read together with, and become part of; the Municipal Plan and so must not conflict with any other of its policies. If circumstances do not permit a Plan Review to be undertaken within the prescribed time, the current Municipal Plan, and any amendments that had been made to it, will remain in effect until a Plan Review is completed and fully approved.

2.0 NORRIS ARM MUNICIPAL PLAN

The Town of Norris Arm was incorporated in 1971. The previous Town of Norris Arm Municipal Plan was in effect from 1992 to 2007. This new version of the Plan updates the preceding one to accommodate various changes to the development within the Town and to incorporate new policies and regulations as deemed necessary by the Town Council and from input received from public consultation.

2.1 Municipal Planning Area

The Norris Arm Municipal Planning Area covers a very large area of land, approximately 74 square kilometers. The Town of Norris Arm is located approximately 38 km from Grand Falls-Windsor and approximately 56 km from Gander; these two Towns are the main service centers for central Newfoundland.

2.2 General Description

The Town of Norris Arm is an insular settlement on the southeastern shoreline of the Bay of Exploit's. The Town is located on a gentle sloping, narrow strip of land running between the shoreline of Bay of Exploit's and a steep range of hills parallel to the shoreline. The majority of development within the Town lies between the Norris Arm Highway (route 351) and the shoreline, and east of Rattling Brook. Most commercial and public buildings are located on Citizens Drive which serves as the main street. Steep slopes have limited the amount of development along the south side of Norris Arm Highway.

Development is evenly distributed throughout the built-up areas of Norris Arm. There is no concentrated town centre although there is a higher density of public and commercial buildings in the vicinity of the Post Office and Town of Norris Arm Memorial Complex. In past ten years there has been significant residential development between Rattling Brook and Sir Robert Bond Bridge along the older abandon section of highway 351. This area will continue to see increases in development as the area is favoured for retirement cottages and homes.

2.3 Economic Base

The Town of Norris Arm is dependent on the regional economic environment that surrounds the central Newfoundland hubs of Grand Falls-Windsor and Gander. The Towns of Grand Falls-Windsor and Gander are the major generators of jobs in the region. Their diverse economic base provides for a range of employment opportunities for the population of the two towns as well as the region as a whole.

The Town has several small commercial businesses, 3 local convenience stores, and other personal services that employ a small percentage of the local residents, but majority of the Towns residents obtain employment outside the Town with about 50 percent employed in the regional industries such as forestry, construction, transportation and agriculture, and the other 50 percent finding employment in the service industries such as health care, education, and retail and sales.

The Town has efficiency units for rental to travelling tourists and several restaurants as well as other tourist developments. The Town has over the past five years increase development within the Town to encourage more tourism. Developments have included a new hiking trial (Eel Brook Walking Trial), look-out on Gillingham Avenue, heritage museum, historic sites and recreation facilities.

2.4 Physical Features

The general topography of Norris Arm ranges from relatively flat rolling lands with large defined areas of wetlands and bogs. Towards the east coast the lands runs very steep along hillside, with most of the coastline being steep rocky cliffs. The main physical features of the Town that stands out would be the valley that runs through the Town along The other dominate physical feature of the Town would be Exploits River and the surrounding shorelines, which makes it a very popular recreation area for locals and tourists.

2.5 Population

The 2001 population, according to Statistics Canada, was 843. This represented a very large decrease of 22.6 % in population during the ten year period from 1991 to 2001. Compared to the Province of Newfoundland experienced a population decrease of 7.0 % for the period 1996-2001, while Canada on the whole grew by a modest 4.0 %.

1991	1996	2001
1089	1007	843

Population: 1991 - 2001 Town of Norris Arm.

2.6 Households

The number of private residential dwellings within the Town has increased from 360 in 1996 up to 404 in 2001, while the population has decrease significantly within the Town. The average household size in the Town is 2.08 persons per dwelling (based on a total of approximately 404 dwelling units). This is down slightly from 2.79 persons per household in 1996, and compares with an average Newfoundland household size of 2.86, and a national average of 2.66 persons per dwelling for 2001.

The predominant housing type in the Town remains the single family detached dwelling, some dwelling have subsidiary apartments. Approximately 14 newer residential developments have been developed in the past five years.

2.7 Municipal Services

The Town has completed a water and sewer servicing program in the developed areas of the community. At present all houses in the community are serviced. The domestic water supply source is Mill Lake, designated a protected watershed by the Department of Environment and Conservation.

3.0 GOALS AND OBJECTIVES

Goals represent desired states or conditions which the town would like to attain over the long-term and provide a foundation upon which the Plan's objectives and policies are based. The following are goals of the Norris Arm Municipal Plan.

3.1 Community Structure

Goals:

Promote rural residential development at a density consistent with the rural character of the area and will not lead to the introduction of urban services.

To encourage structured growth for Norris Arm that will ensure orderly development between land uses.

Protect and enhance the physical and social well-being of all residents and ensure the town remains a pleasant place in which to live, work and visit.

Maximize the efficiency and cost effectiveness of municipal services.

Objectives:

Allocate land for development which will promote the efficient and orderly expansion of compatible land use activities.

Ensure all development takes place in a logical sequence, and to best utilize the financial resources and land base of the Planning Area.

Maintain safe and efficient movement of traffic along the Planning Area's road and highway network.

Encourage infill development within existing serviced areas.

Avoid extending services to areas where the cost to do so would be exorbitant.

3.2 Residential Housing

Goal:

To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population.

Ensure that land uses are properly allocated so that conflicts between non-compatible uses are avoided.

Objectives:

Provide appropriate buffer zones between residential and non-residential areas (i.e. commercial, industrial).

Prevent development in residential areas which are incompatible with residential uses.

3.3 Economy

Goal:

To encourage diversified and balanced economic growth and promote the development and diversify the local employment base.

Objectives:

Encourage diversification of the local economy through the attraction of new businesses and the support of local entrepreneurship.

Support the development of facilities and attractions which will promote the tourism industry within the community such as historic sites, visitor information centres, and outdoor recreation sites.

Promote the attractiveness of Norris Arm as a place to live, drawing upon its scenic beauty, amenities, and geographic location.

3.4 Recreation and Tourism

Goal:

To provide recreation facilities and develop new facilities to accommodate recreational and social needs for all age groups within the Town.

Objectives:

Encourage public participation in the planning of recreational open space lands and encourage events such as festivals, sporting events, and other attractions.

Develop public recreational areas and facilities in feasible locations which will service the maximum number of residents of the Town.

Promote the Town as a tourist attraction and encourage travelers to visit Norris Arm.

3.5 Environment

Goal:

Preserve, sustain and enhance the natural environment and scenic quality of the Planning Area for its aesthetic, recreational and resource values.

Objectives:

Prevent development in environmentally sensitive areas such as shoreline and waterways, steep slopes, drainage areas and bogs.

Council will see that a high maintenance standard is employed for municipal owned properties such as the Town Hall and Fire Station.

Council shall encourage local residents to take pride in their property and keep them clean and free of refuse and the Town shall also encourage the greening of the Town.

3.6 Transportation

Goals:

Ensure that the local transportation system adequately and safely provides access throughout the Planning Area.

Objectives:

Ensure that new roads are constructed to Town standards and to reduce the number of dead-end roads.

To pave and/or improve local roads on a yearly and priority basis in accordance to the Town's financial capability and Capital Works program.

3.7 Agriculture

Goals:

Encourage the agricultural use of lands designated as agricultural and protect agricultural lands from nonagricultural development.

Objectives:

Ensure that new developments do not encroach on existing agriculture operations, limiting them in there operations.

Agriculture uses shall be protected from other non conforming uses.

3.8 Municipal Finance

Goal:

To manage municipal expenditures and revenues to provide municipal services within a framework of long-term financial stability.

Objectives:

Manage the municipal debt load with consideration being given to expenditures over the long term.

Encourage an enlarged economic base to generate more revenues.

4.0 LAND USE POLICIES

4.1 Policy Statement

All development within the Planning Area must conform to the Goals and Objectives outlined in Section 3.0 and the General Intent of the Municipal Plan expressed in Section 4.0; and with any applicable General Policy of Section 4.3, and Policies Specific to the Land Use Zone in which it is to be located as presented in Section 4.4.

4.2 General Intent and Interpretation

General Intent of Municipal Plan

The General Intent of the Municipal Plan is to ensure that the foremost consideration guiding future land use and development in the Planning Area will be the Goals and Objectives expressed in Section 3.0 of this document and the potential cumulative effect of individual development on those goals and objectives.

Interpretation of Policy Statements

- When a judgement, interpretation or choice regarding a planning issue or development proposal has to be made, Council's decision shall take foremost into account the Plan's General Intent, principles of good municipal planning and the overall best interests of the Town's residents. If necessary and appropriate, concerned residents and departments or agencies of higher levels of government shall be consulted.

- Except where there are distinct physical barriers, boundaries between different land use zones may be interpreted to provide for the reasonable development of land, provided that any variance is minor and the result does not compromise the goals and objective as stated in Section 3.0 of the Plan.

- Development which would not have been permitted within the land use designation under which it is located may continue as a Non-Conforming Use, with restrictions designed to limit its potential for replacement and. Where a Non-Conforming Use is causing a nuisance or otherwise infringing on or preventing allowable development Council will encourage its relocation or discontinuance.

4.3 General Polices

The following policies are general in scope in that they can be applied to more than one land use designation and to different sections of the Town.

1) Physical Structure

Land uses will be allocated in accordance with the Future Land Use Map attached to this text. Development within the Planning Area will be managed in accordance with the regulations of Council, in concert with the policies, acts, and regulations of the Province.

Nothing in the Plan shall affect the continuation of a use which was legally established on the day that this Plan is registered by the Minister of Municipal and Provincial Affairs. Where a building or use exists which does not comply with the intent of the Plan and the designated use, then it shall not be permitted to expand substantially. Minor extensions of such properties may be approved provided there will be no adverse effects on surrounding properties or the environment.

Municipal and public utility works such as telephone, pollution control and electric utility facilities are permitted uses in all use designations, provided no adverse effect on adjacent land uses is created. In this regard, the size and appearance of such works must be in keeping with adjacent uses and provision shall be made for buffering in the form of landscaped areas between uses.

2) Subdivision Policies

All proposed subdivision developments will be subject to a comprehensive evaluation by Council. The content of this evaluation will be detailed in the Norris Arm Development Regulations and shall include:

- analysis of all physical features of the site and the opportunities and constraints to development that they represent. Where possible, the layout of proposed lots and roads shall conform to the topography;
- analysis of how the proposed subdivision will integrate with existing development, roads, municipal services, adjacent lands, and provide for future access to undeveloped lands in the area; and
- ensure compatibility between the subdivision and surrounding land uses, both existing and future;

3) Subdivision Agreement

As a condition of approval, Council may require the developer to enter into a subdivision agreement with the Town.

4) Council Assumption of Private Roads

Existing private roads must be upgraded to Council standards before Council will take responsibility for them and before further development is allowed along the roads.

5) Access and Public Street

All development must front on a publicly maintained street, unless otherwise specified in this Plan.

6) Building Setback

Adequate building setback from roads shall be required in order to maintain road standards. Setbacks should be sufficient to allow for landscaping of front yards, vehicle off-street parking and not interfere with the abilities of the Towns snow clearing program. In certain circumstances where topography restricts the development of a lot, a larger setback may be permitted to accommodate the development.

7) Municipal and Public Utility Works and Easements

Municipal and public utility works such as electrical power, telephone, and pollution control facilities may be permitted in all land-use designations provided that no adverse effect on adjacent land uses or the environment is created. Buffering, where appropriate shall be provided in the form of a suitably landscaped area between any such works and adjacent land uses.

Where land is required for utility easements or emergency access, such land may be obtained for the appropriate agency (e.g. Newfoundland Power and/or Newfoundland and Labrador Hydro) in the course of approving subdivision or other development applications.

8) Infill Development

Council will monitor all infill development to ensure that appropriate standards are maintained with respect to lot size, frontages, road widening, alignments, and any other matter concerning current or future public works. In older developed sections of the Town infill lots may not meet current standards. Council shall review any proposed development on a lot by lot bases. Lots that do not meet current frontage development standards may be

approved for infill residential development under Council's discretionary authority provided they are serviced with municipal services and there are sufficient lands for the safe development of the lot.

9) Environmental Preservation and Enhancement

Council will place high importance on environmental preservation and enhancement, given its importance to residents and to Council's intention of enhancing the local environment and developing a tourism industry.

Natural Environment

The policy of preserving the natural environment will be extended to all natural systems within the Planning Area, including natural drainage systems, wetlands, bogs, wildlife, plant and fish habitats. The preservation of watercourses and shoreline areas will be a priority within the Planning Area.

Development proposals shall include plans for grading, ditching, and landscaping. Significant alterations to the natural environment (such as changing the drainage pattern or removing vegetation) will be considered during the evaluation of development proposals. Alterations which will adversely affect adjacent property shall not be permitted.

Built Environment

Council will encourage partnerships and initiatives aimed at changing environmental attitudes, awareness and promoting projects which will enhance the built environment. Examples will include the following:

- preservation of trees on sites for new development (ie, to discourage the traditional practise of clearing development sites of all trees and vegetation);
- development and expansion of recreation lands;
- development of walking trails along shoreline and old trail way and other areas of the Town; and
- encourage the reduction and recycling of solid waste within the Town.

10) Soils and Drainage

Development shall only be permitted on lands having soil and drainage conditions that are suitable to permit the proper siting and development of the proposed uses and any onsite services.

11) Removal of Topsoil

Removal of topsoil from land will not take place unless a permit has been obtained from the Department of Natural Resources and the Council has given approval.

12) Protection of Watercourses and Fish Habitat

Rivers, streams, ponds, and shorelines shall be protected from pollution and development. The existing vegetation shall be maintained along banks and shorelines where possible. No development shall be permitted within 15 metres of a watercourse without approval from the Departments of Environment and Conservation and, if fish habitat is affected, from Fisheries and Oceans Canada.

Council shall encourage the preservation and protection of sensitive wetlands that are valuable wetlands for controlling flooding; habitats for water foul or have important aesthetics value to the surrounding areas. Any development proposal within sensitive wetlands areas shall be referred to the Department of Environment and Conservation, Water Resources Division, for comments before Council approves any development.

13) Development Criteria for Non-Residential Sites

All built-up development of non-residential land uses will conform to the following criteria:

(a) Each site will have direct frontage on a public road.

(b) Development will be located and designed in a manner that minimizes the impact of traffic, noise, lighting, and signage on adjacent residential areas. Where necessary, screening will be required through the provision of trees, shrubs, banks and berms, landscaping or fencing.

(c) Properties will be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.

(d) Access points to the public street will be limited in number and designed for maximum safety for pedestrians and vehicles.

(e) Each site will provide space for adequate off-street parking and loading facilities to meet the needs of the proposed development.

(f) Adequate municipal services must be available to meet the needs of each proposed development.

Development must be in accordance with the Town's Development Regulations and where applicable the regulations of the Departments of Government Services; Environment and Conservation; Transportation and Works, Fisheries and Oceans; and other relevant agencies.

14) Property Maintenance

All development shall be landscaped. The exteriors of buildings, particularly commercial properties, restaurants, shops and stores, or any business catering to tourists, shall be properly finished and maintained to the satisfaction of Council. Owners of dilapidated structures shall be required to repair or remove them if they present a safety hazard.

Council will ensure that buildings and property owned by the Town be well maintained and landscaped as a general example to the community. Wrecked or inoperable vehicles, machinery or equipment of any kind shall not be stored or abandoned in front or side yards, nor where it may be in general public view.

15) Heritage Structures and Sites

Houses and other buildings and structures which were built in a traditional or distinctive architecture style (or otherwise are deemed to have historic or aesthetic value by Council, or a department or agency of higher levels of government) shall be considered heritage structures. It is Council's intention to protect heritage structures for aesthetic and historic reasons and for their economic value as tourist attractions. Council may enact regulations for such purposes. Historic sites shall also be protected by Council for their historical value and as tourist attractions.

16) Referral of Applications

All development applications will be referred to appropriate government departments or agencies or other organizations and their recommendations will be taken into account in the decision process. The positions of bodies having legislated responsibilities will be respected in any decision of Council.

4.4 SPECIFIC LAND USE POLICIES

The lands within the Norris Arm municipal planning area shall be managed according to the designations shown on Future Land Use Maps 1 and 2 and the policies of this Municipal Plan.

Future Land Use Maps 1 and 2 divide the Planning Area into the following designations:

1. **Residential**
2. **Mixed Development**
3. **Public Use**
4. **Open Space/Conservation**
5. **Recreation**
6. **Industrial**
7. **Commercial**
8. **Cemetery**
9. **Protected Water Supply**
10. **Rural**

4.4.1 Residential

The purpose of the Residential designation is to preserve the amenity and character of existing residential areas and to reserve lands for future residential use throughout the Planning Area. The Town has municipal services within the higher density core of the existing residential development, however along the western extends of the Town along the former highway, Route 351, from Rattling Brook to the intersection with Trans Canada Highway, Route 1, development is lower density and services are provided onsite. Infill development on existing roads within built up areas of the town shall be encouraged to increase the density of development and to make efficient use of municipal services such as snow clearing, garbage collection, water and sewer, and reduce operating costs.

Policies:

1. Land Designation

The Residential designation will accommodate both serviced and unserviced residential development. Serviced residential development will be on smaller lots sizes which reflect older development patterns along existing roads in the Town. Within unserviced areas of the Town residential development will be on larger lot size, to facilitate the development of on site services and preserve the rural nature of development within unserviced areas of the Town. Residential subdivisions may be developed in Residential designated lands, subject to policy **4.1.1.12.**, **Area Concept Plans**, and in accordance with the requirements of the development standards within the zone.

2. Land Uses

Within lands designated Residential, single-family detached dwellings shall be permitted. Complementary uses such as double dwelling, row dwelling, apartment building, child care, office, home office, boarding house residential (bed and breakfast), medical treatment and

special care, agriculture, forestry, personal and professional services, recreation, convenience store or a small scale business use where they are part of a residence may be permitted throughout the area under the discretion of the Council.

Council will consider the impact of the bulk and scale of proposed uses in residential designations to ensure: that development does not adversely affect the residential character and amenity of the area; provision of adequate space for on site parking, loading, and buffering is provided; and the primary use of the lot remains residential. A compatible use will occupy only a minor part of the floor area of the dwelling.

Residential growth shall be accommodated in approved comprehensive subdivisions and through the orderly infilling of existing areas serviced in the town to ensure the efficient use of available lands. Subdivisions will be located adjacent to existing built up areas where municipal servicing can be easily and economically provided in the future.

All new development and all new lots created shall have direct frontage onto a publicly-maintained road or in the case of a new subdivision shall have frontage on a road being constructed under the terms of a development permit issued by Council. The costs of providing services to any new subdivision development shall be the responsibility of the developer.

3. Density of Development

Residential development shall be of higher density within the areas of the Town that have municipal piped services. In other outlying areas residential development shall be of a low density type development consistent with large lot rural environment.

4. Environmental Aesthetics

Residential development, as well as, other discretionary uses that are developed shall preserve the scenic quality of the community, with emphasis on building design and landscaping of new development and with tree cutting limited to that necessary for construction, space around the building, and for the installation of a septic field where required.

5. Recreation Uses

Compatible recreation uses such as small children playground may be located within Residential areas provided that adequate screening from nearby properties is provided, and safe setback distances from the roads can be obtained.

6. Medical Treatment and Special Care

Medical Treatment and Special Care shall be limited to only homes for the aged. The development maybe in the form of a residence for seniors may be permitted, provided that adequate pedestrian and vehicular access and parking can be provided. The size and scale of the development shall be reviewed by the Council in any decision to permit this form of development within a residential area.

7. Bed-and-Breakfast

Bed-and-breakfast operations must clearly be subsidiary to the residential use and must not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles.

8. Office Use

Office use (including home office) shall be limited to a home based business which may be permitted if contained inside the residence, is clearly subsidiary to the residential use, and there shall be no open storage of materials, equipment or products, and do not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations.

9. Childcare

Group or Family Childcare use must not adversely affect the residential quality of an area through excessive traffic, noise, or similar considerations that may be associated with the business. Any Group or Family Childcare business shall operated in accordance with provincial Child Care Services Act and all applicable Regulations.

10. Convenience Store

Within the Residential designated lands, new convenience stores may be permitted as a subsidiary use to a residential dwelling or as a separate structure on its own lot. Council shall encourage the even distribution of convenience stores in appropriate areas throughout the Town. Development standards shall ensure that the size of the convenience store is limited so that it will not interfere with neighbouring residential uses.

Council will consider the following factors when reviewing applications for a new or expanded convenience store: access to the site; amount of parking to be provided; any adverse impacts upon adjoining neighbours or the neighbourhood in general, and effects of the business on traffic flow.

11. Residential Subdivisions

In order to ensure efficient use of land and future provision of services, avoid a proliferation of individual cul-de-sacs that are costly to service, and ensure that development is properly located so as not to interfere with optimal future development of adjacent lands, subdivision proposals will be considered only if they conform to an area concept plan that accounts for the development of lands abutting the site or for a much large development area and has been approved by Council (See Policy 12. Area Concept Plans).

A priority for development in residential subdivision area will be the preservation of natural characteristics and aesthetics. This will be achieved by the designation of essential conservation areas, strict enforcement of minimum recreational open space requirements, and special provisions in development permits such as subdivision agreements which contain requirements for maintenance of tree cover along lot frontages and lot boundaries.

Building permits will not be issued except for lots fronting onto public streets for which a road agreement has been reached between the Town and the developer. Services (roads, storm drainage, etc.) will normally be installed at the expense of the developer.

Subdivision Plans, engineering site plans, and building designs must meet the approval of Council. Building permits will not be issued unless the Department of Government Services has approved the on-site water supply and sewage disposal system for each lot. Lot layouts and the sighting of buildings must follow development standards of the Town.

12. Area Concept Plans

The development of a new residential subdivision will be subject to an area concept plan that has been approved by Council. Area concept plans are required in order to ensure that subdivision development proceeds in an orderly and efficient fashion that makes optimal use of land and municipal services. Generally, area concept plans must be for areas large enough to show the relationship between adjacent parcels of land and proposed roads. Concept plans that deal with individual cul-de-sacs proposed on single parcels of property will not be approved unless it can be proven the development will not interfere with the optimal development potential of surrounding lands.

An area concept plan will address all needs pertinent to planning and development of the area concerned, including:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- A description of the subject lands;
- Proposed use of all land in the area concerned, taking into account Council's aim to promote orderly development and the economical use of municipal services;
- Access to the site and internal road layout, taking into account the existing road network in the vicinity;
- Consideration of land ownership as it will affect the design and development of streets and subdivisions with adjacent lands;
- Description of impacts on adjacent land uses;
- Assessment of possible impacts on the natural environment of the area;
- Phasing scheme for the proposed subdivision development;

When reviewing area concept plans, Council shall seek public input from town residents early as possible in the pre approval process. The area concept plan would provide opportunity for local residents to view any proposed development plans and provide comments to the developer and the Town. Council shall seek input from the public during the pre approval stage of the area concept plans for new subdivision development.

If Council judges that information already provided in an area concept plan is sufficient, and has been reviewed by the public, it may not require the same information to be provided in a subdivision development plan in the same area, nor will it required a second public consultation.

13. Subdivision Development Plans

Whereas area concept plans will address development of relatively large areas and will account for the physical relationships between a number of adjoining parcels of land, subdivision development plans will address specific proposals for development of a site in a relatively short time frame. The subdivision plan will be more detailed and will address all needs pertinent to development of the site, including:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- Conformity to an area concept plan as approved by Council, which accounts for the development of lands abutting the site;
- A description of the subject lands;
- Consideration of land ownership as it will affect the layout of streets and the optimal use of land and municipal services;
- Access to the site from existing roads and internal road layout;
- Extension and development of municipal piped services for new subdivision;
- Demonstration the long-term viability of any proposed on-site servicing system through soil analysis and other appropriate site evaluation. A site assessment in this regard that has been carried out as part of a area concept plan may suffice if Council is satisfied that it accurately depicts the conditions of the proposed subdivision site;
- Phasing scheme;
- Provision for lotting;
- Provision for 10% recreation lands or alternative measures if requested by Council;
- Adherence to the Town's engineering development standards for streets designs, grades, storm drainage, building lines, accesses, landscaping, buffers, development standards for each lot, etc.;
- Other information that Council may require.

14. Open Space Requirements

The provision for open space within a residential subdivision development shall be the responsibility of the developers if required, shall dedicate a maximum of 10 percent of suitable land in new residential areas for recreational open space or alternatively, Council may as an alternative require the developer to pay a sum of money equal to 10 percent of the assessed value of the area of land before any development of the subdivision begins.

4.4.2 Mixed Development

The town centre is a mixture of commercial, public and residential development. This mixture of land uses has not created any significant problems for local residents due to fact that commercial developments are limited in size and activities. It is the intention of Council to permit this form of development to continue while ensuring amenity and safety between the different land uses in the Mixed Development land use designation. The following policies will guide the growth and development of the Mixed Development areas.

Polices:

1. Land Uses

Within the Mixed Development area, single dwelling use, recreation open space and conservation shall be permitted. Other uses may be permitted such as row dwelling, double dwelling, apartment building, boarding house, cultural and civic, child care, home based business, home for the aged, medical, personal and professional services, office, general assembly, passenger assembly, club and lodge, funeral home, indoor assembly, communications, taxi stand, police station, antenna, convenience store, shop, catering (restaurant and take-out food service), general service, and light industry may be permitted throughout the area under the discretion of the Council provided they are compatible with the residential character of the area and do not cause a nuisance by virtue of excessive noise, dust, odour, increased traffic or hours of operation.

2. Site Plans

The Council may require developers to provide a comprehensive site plan for any proposed developments, indicating building locations, delivery areas, parking spaces, accesses, landscaping and buffer areas, and where other development components are to be located. In assessing proposals, Council will be primarily concerned with aesthetic factors, scale and conformity with the desired character of the area, and compatibility with other land uses in the vicinity, in particular any residential development.

3. Adverse effects

Adverse effects of any proposed development on adjacent residential uses shall be prevented or minimized through proper site layout, scale of development, and buffering. The type of buffer that may be required is subject to the site specifics of the particular proposed development.

4. Access to Street

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

5. Parking

Adequate off-street parking and loading facilities shall be provided for any non residential development.

6. Office Use

Office use may be permitted as a home based business. The Office use, if located within the home, shall be subsidiary to the residential use. The Office use may be located in an accessory building on the same lot as the residence. There shall be no open storage of materials, equipment or products, and the use does not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations. Provisions for parking shall meet the standards as prescribed by Council.

7. Boarding House Residential

Boarding House Residential uses such as Bed-and-breakfast operations must not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles.

8. Medical Treatment and Special Care

Medical Treatment and Special Care shall be limited to only homes for the aged in the form of residence for seniors may be permitted, provided that adequate pedestrian and vehicular access and parking can be provided. The size and scale of the development shall be reviewed by the Council in any decision to permit this form of development within a residential area.

9. Childcare

Group or Family Childcare use must not adversely affect the residential quality of an area through excessive traffic, noise, or similar considerations that may be associated with the business. Group or Family Childcare business shall operate in accordance with provincial Child Care Services Act and all applicable Regulations.

11. General Services and Light Industrial Uses

General services uses and light industrial uses shall be small scale uses such as small workshops, laundry mat, and warehouses. The use shall be carried out in a separate building from any residence. There shall be no outdoor storage of equipment or materials. Activities associated with the use are not hazardous and do not create a nuisance by reason of noticeable noise, odour, dust or flames, or result in electrical interference.

4.4.3 Public Use

Lands are designated Public Use in order to permit government, church, educational, and other uses which are for either general or limited use by the public. A number of sites in Norris Arm are designated as Public Use.

Policies

1. Land Use

Lands are designated Public Use to permit their general or limited use by the residents of Norris Arm. Within the Public Use designation, the predominant use of land shall be for community-oriented facilities such as schools, places of worship, child care, government offices, municipal buildings, general assembly, recreation, open space, conservation, recreation buildings, and their accessory uses.

Complementary uses may be permitted, provided that they will not conflict with the satisfactory operation of existing facilities or the future development of public uses. The complementary uses may include recreational open space such as parks and playing fields, office, indoor assembly, outdoor assembly, catering, antenna, and home for the aged.

2. Compatibility with Residential Uses

The development and operation of new facilities and buildings for public use will not impose adverse effects on adjacent residential areas in terms of traffic, noise, and hours of operation.

3. Location

Public buildings and uses are encouraged to locate in the central part of the community and within easy walking distance of most residents.

4. Access

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

5. Parking

Adequate off-street parking and loading facilities shall be provided.

4.4.4 Open Space/Conservation

The intent of the Open Space/Conservation designation areas is to protect certain lands within the Town which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values. They include wetlands, watercourses, bodies of water, shoreline frontages, steep cliffs, as well as, open natural spaces such as woodlands, green belts, buffers, natural trails, areas of scenic attraction for public enjoyment, etc.

Policies:

1. Land Uses

The Conservation designation shall protect and conserve environmentally sensitive and important lands from adverse development. Development associated with conservation shall be permitted. Passive recreational uses such as walking trails may be permitted, provided that they will have no adverse effect on the site. Uses that are complimentary to a recreational open space or conservation use may also be permitted at Council's discretion. Such use may include animal grazing, or other forms of agriculture.

2. Compatible Uses

Within the designated Open Space/Conservation areas, recreational open space such as parks, and their accessory uses may be permitted. Uses that are complementary to a recreational open space use may also be permitted at the Council's discretion.

3. Conservation Buffer Waterbodies

Along the shoreline of all water bodies and water ways, a conservation buffer area shall be established which includes all land within 15 metres of the high water mark along shoreline. Proposed developments affecting water bodies or watercourses, such as stream crossings, watercourse alterations, and other public works, may be permitted in limited circumstances

where it is shown they will have minimal adverse impact. The number and size of such activities will be minimized. Any such proposed development shall be referred for review and approval to the Department of Environment and Conservation, and the Department of Fisheries and Oceans, and any other relevant agencies before Council issues any permits for development.

4. Preservation of Natural landscape

It is also essential that all the visual amenities and undevelopable areas such as the shoreline, rivers, brooks, streams, flood plains, steep slopes, and rock outcrops are preserved and retained in their natural state. This can add to the open space system and complement the rural development patterns. Areas of scenic attraction and with recreational potential shall be preserved and protected.

5. Open Space School Area

Wherever possible, greater provision will be made to open space in areas adjacent to school.

6. Private Land Ownership

Where any lands designated for Open Space/Conservation are under private ownership, this Plan does not indicate that the lands will necessarily remain as Open Space/Recreational indefinitely, nor shall it be construed as implying that these Open Spaces/Conservation areas are free and open to general public or will be purchased by Council. If proposals to develop any such lands are made and Council does not wish to purchase such lands in order to maintain the Open Space/Conservation designation, their applications for re-designation of such lands for other purposes may be given due consideration by Council.

4.4.5 Recreation

The intent of the Plan is to designated lands used for active and passive recreational needs of Norris Arm residents and visitors.

Policies:

1. Land Uses

Permitted uses include parklands, conservation, sports fields and playgrounds, linear trail systems and pathways to serve pedestrians, bicyclists and cross-country skiers are permitted. Recreational facilities permitted shall include two types: indoor and organized facilities (e.g., social clubs, boy and girls club, recreation centre) and outdoor facilities (e.g., sports fields, open concert/stage areas, and picnic/camping parks). Other uses may be permitted include office in association with a permitted use, amusement (such as youth centre) and personal service (gym).

2. Effects Surrounding Property

Development and operation of recreational facilities shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation.

3. Recreation Uses

Additional recreational facilities will be provided in areas where they are needed and when the Town's financial resources permit. Since most of the regional and local recreational facilities are less accessible to the older age groups, the provision of additional facilities will give special consideration to these groups.

4. Eel Brook Trail

An appropriate buffer along the route of the Eel Brook Trail will be established in order to protect the scenic trail from any adverse development. The Town will ensure that natural topography and vegetation will be maintained as much as possible along the Trail. The Council shall take into considerations the preservation of the Trail and surroundings buffers in issuing any development permits and encourage landowners/developers to take it into considerations in their plans for site development.

5. Town Recreation Facilities

Existing recreational facilities owned by the Town shall be properly equipped and maintained. New playgrounds and recreation areas will be developed by both land developers and the Council to meet the future recreational needs of the community.

6. Trail Development

The development of passive recreation facilities such as walking or nature trails, and associated interpretation programs may be permitted provided they will not have an adverse impact on the natural environment and residential properties.

4.4.6 Industrial

Industrial development is presently very limited in the town. The three resource sectors which will provide future opportunity for industrial development are the agriculture, forestry, and mining. There is presently no industrial development within the Town. Newfoundland Hydro has a Hydrogenating Plant located off Rattling Brook to the west of the built area of the Town. The following policies will guide the growth and development of the Industrial areas.

Policies:

1. Land Use

Land designated Industrial shall be developed primarily for industrial uses such as general industries, general services and light industries. Other uses that may be permitted include office, communications, service station, general services, antenna, shop and transportation provided they are directly related to an industrial enterprise. Hazardous industry and scrap yards use may be permitted provided that the use is adequately buffered from other uses and does not interfere with other surrounding uses.

2. Location

Industrial activity shall be located in areas of the Town that are suitable for such forms of development. The locations should provide for adequate buffering from other non compatible uses such as residential areas and public uses. The area should also have good access to transportation routes such as main road within the Town. Industrial development not suitable for development in close proximity to the build up areas of the Town shall be encouraged to located within the rural areas of the Town.

3. Environmental Concerns

Tanks or apparatus connected with the storage of fuel shall be required to provide adequate containment and dyking. Council shall require that all fuel storage tanks greater then 2500 litres be approved and inspected regularly by the Department of Government Services. Council shall require siting of fuel storage tanks within the industrial designations in a manner that will not adversely affect the amenities or safety of the adjoining properties.

4. Restricted Development

Industrial uses that are judged to be incompatible with the natural environment or nearby development through excessive emissions of noise, smell, chemicals or other pollutants, shall not be permitted.

5. Open Storage

Property owners with unsightly uses will be required to store their materials in the rear yard. Scrap yards and similar uses will be screened from view of the road by high fences or some other form of buffer as required by Council. Property owners will be required to keep their premises well maintained and tidy.

6. Parking

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town Development Regulations.

4.4.7 Commercial

The lands designated as Commercial is limited within the Town. There are several businesses of a commercial nature that cater to locals as well as travelling public. The intent of the Plan is to protect these businesses and to ensure there continued operations within the residential developed areas of the town. Also to provide for new commercial development at the west end of the Town near the Trans Canada Highway. This location provide good access to the TCH and also the area provides for a central location for any business that caters to the travelling public or the general population within the region.

Policies:

1. Land Use

Land designated Commercial shall be developed primarily for commercial uses such as retail and service activities oriented toward local residents and highway users. The permitted uses shall include: catering (restaurants only), child care, commercial residential, office, medical and professional, personal service, shop, and convenience store. Other compatible uses that may be permitted include service stations, clubs and lodges, amusement, passenger assembly, general assembly, taxi stand, police station, funeral home, indoor market, office, shopping centre, general services, veterinary, catering (take-out food service and lounges), light industry, antenna, outdoor market and recreational open space.

2. Location

Commercial activity shall be located in different areas of the Town that are suitable for such forms of development. The locations should provide for adequate buffering from other non compatible uses such as residential areas and public uses. The area should also have good

access to transportation routes such as main road within the Town. There shall also be an area designated for commercial uses that caters to the travelling public along the Trans Canada Highway. This area located to west of the Town near Exploits River Bridge provides excellent opportunity for local businesses to provide a regional services or needs to the broader travelling public or the larger regional population of the area.

3. Service Stations

The development of a service station with retail of fuels shall be at the discretion of Council. In deciding on any such development, Council shall take into consideration, the location and type of adjoining uses, provision of adequate parking, a minimum of two access points to the lot, the location of any private dug wells, and the location of the fuel storage tanks and building on the lot.

4. Open Storage

No open storage shall be permitted in the front or side yards of any commercial property. Property owners will be required to keep their premises well maintained and tidy.

5. Parking

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town Development Regulations.

6. Development Control

Within the development control limit of the Trans-Canada Highway, no development shall proceed without the approval of the provincial Department of Transportation and Works, and

the Development Control Unit of the Department of Government Services

4.4.9 Cemetery

Within the Town there are a number of cemeteries. These lands are to be protected for current land use and for future expansion within the Plan.

Policies:

1. Land Use

Land designated Cemetery shall be protected and the only permitted uses shall be those associated with the cemetery use, maintenance of the grounds, any accessory buildings and conservation.

4.4.9 Protected Water Supply

The Protected Water Supply areas include the Norris Arm Protected Municipal Watershed and the Newfoundland Power Industrial Watershed. Any development in the Norris Arm Protected Municipal Watershed may affect the quality or quantity of water and therefore must be protected from negative impacts of development. Likewise development within Newfoundland Power Industrial Watershed could affect the quantity of water. The following policies will guide development in the Protected Water Supply Area.

Policies:

1. Land Use

Land designated Protected Water Supply shall be protected and the only permitted uses shall be conservation and passive outdoor recreation uses. Forestry activities and Silviculture, mineral workings, antenna may be permitted within the Protected Watershed Area, subject to the approval of Department of Environment and Conservation, Water Resources Division and Department of Natural Resources. Within Industrial Watershed area, Newfoundland Power shall also be consulted on any proposed development.

2. Permit Requirements

The Department of Environment and Conservation has designated Mill Pond Watershed area a protected public water supply area under the *Water Resources Act*. Mill Pond is the water supply for the Towns municipal water system. Prior to the commencement of any development activity inside the protected water supply area, a proponent shall obtain a permit under Section **39 (6)** of the *Water Resources Act.*

3. Public Utilities

Public Utilities may be permitted provided that they do not cause any adverse affect on the quality or quantity of the water available from the water supply catchments area.

4. Newfoundland Power Industrial Water Supply

The Newfoundland Power hydro industrial water supply reservoir and its surrounding watershed shall be designated a Protected Watershed. Lands uses that shall be allowed include; passive recreation and conservation uses. Council may allow resource use activities such as forestry and mineral workings, provided the development of these resources do not affect the quantity of water entering the reservoir. Any proposed development in the Protected Watershed Area must be forwarded to Newfoundland Power for recommendations.

5. Mineral Workings

Mineral workings shall be limited to mineral exploration within the designated Protected Watershed Areas. Any exploration activities must be approved by the Department of Environment and Conservation, Water Resources Division, and Department of Natural Resources, as well as Council.

4.4.10 Rural

The Rural designation has been placed on those lands that are intended to be used primarily for rural resource and recreational open space uses. It is intended that the lands so designated shall generally retain their present rural character with no development permitted within this designation except those associated with agriculture, forestry, outdoor recreation, resource conservation or other uses such as cottage areas as may be outlined in this Plan.

Uses that may be allowed at the discretion of Council include outdoor assembly uses and rural industrial activity associated with the resource base. This will apply particularly to uses that need to be located close to resources or for some other reason cannot be located close to the built up areas of the Town. Such activities include outdoor assembly uses like playground, sports fields, hockey rinks, etc.

Also other areas that are environmentally or hydrologically sensitive or for other reasons not conducive to development or active recreational uses will be protected under the Rural designation. Examples are steep or unstable slopes, drainage areas, bogs and ravines. In these areas, protective rather than development measures shall take priority.

Activity concerning electric power transmission, other public utilities or road construction and maintenance, consistent with the objective of retaining the qualities of the rural environment, may also be permitted.

Policies:

1. Land Uses

The uses permitted in the designated Rural areas include agricultural, forestry and conservation uses; public or private recreational uses characterized by large areas of open space, provided they do not detract from the rural character of the area;

2. Compatible Uses

Other uses that are compatible with permitted uses may also be permitted at the discretion of Council. These uses may include; single dwelling, light industrial, industrial, service station, mineral workings, cemetery, outdoor markets, antenna, outdoor assembly, veterinary, and sports fields/ playgrounds.

3. Residential Use

Council has no intention of extending municipal services to rural designated lands. Residential dwelling shall not be permitted, except as an accessory to a permitted use that is of a permanent commercial use.

4. Preservation of Agriculture Activities

New development shall not adversely affect existing agricultural uses or activities within the Agricultural designation. Encroachment of non compatible use shall not result in the limiting or discontinuance of a permitted agricultural use.

The Council shall give due regard to the impact of new agricultural development or uses on existing adjacent development and to other development in close proximity to the proposed agricultural development but which is located outside the Agricultural designation.

5. Industrial

Rural industry uses that are light industrial or industrial may be permitted under discretion of Council where it is demonstrated that a rural rather than urban location is necessary or

desired for the development of the industry, and where it will have no detrimental affect on adjacent uses or the rural and scenic environment.

6. Seasonal Residential

There are two designated cottage areas within the Rural land use designation at Big Eel Lake. Both areas have been developed by Crown Lands. One of the designated cottage areas already contains cottages while the other is soon to be developed. Infilling will be permitted in these areas only, subject to the requirements of the Department of Environment and Conservation, Department of Government Services, and approval by the Council.

7. Mineral Working

Mineral exploration shall be permitted within the Rural land use designation. Mineral workings include the extraction, exploration, processing or storage of gravel, sand, rock or any other mined material, concrete and asphalt making, rock crushing, quarrying, sand and gravel pits and other types of mining in general. Council will prohibit all but very small scale mineral workings and related activities from taking place within general view of roads and developed areas and will not allow development of new mineral workings activity at any location in the Planning Area where it would create a negative impact on visual amenities. The mineral development shall be limited visually from highways or local roads or developed areas by buffers of vegetations.

Mineral extraction operations shall be conducted in a manner which will minimize the adverse effects on water quality, fish and wildlife. All mineral operations will be required to complete a site rehabilitation plan as a part of the development application. Council will not permit other development activities within 150 m of existing quarry operations that may jeopardize their operation or future expansion.

8. Waste Disposal Site Buffer

A 610 metre buffer shall be maintained around the municipal solid waste disposal site to protect against smell, rodents and other adverse effects of such an operation on non compatible development. Only those rural uses not negatively impacted by the solid waste disposal site or a related use may be located within the 610 m buffer zone.

9. Forestry

The Department of Natural Resources has designated major portions of the Planning Area as Productive Forest Land. There are three (3) designated domestic harvesting areas within the planning area. There is also other designated commercial timber areas as well; owned by Abitibi, Corner Brook Pulp and Paper Limited, and on Crown Land. The major of the older commercial timber areas are located west of Rattling Brook. Permits to cut within these areas shall be obtained from Department of Natural Resources.

To the west of the Mill Pond Protected Watershed area is a Crown Silviculture Area. Silviculture activities shall be permitted within this designated area. Any other applications for development shall be referred to the Department of Natural Resources by Council before issuing any permits for development.

5.0. IMPLEMENTATION

The Municipal Plan will be implemented over the next ten years through decisions of Council and affected agencies such as the Departments of Municipal Affairs; Transportation and Works; Environment and Conservation; Government Services; and Natural Resources. Of particular importance to Council are the following:

- effective administration of the Plan;
- the adoption of annual capital works program;
- adopting land use zoning, subdivision and advertisement regulations;
- adopting development schemes; and
- the procedure for considering amendments to the Plan

5.1 Administration of the Plan

For the purpose of administering the Plan, Council shall read the Future Land Use Maps together with the goals, objectives and policies outlined in this document.

The boundaries of land use designations shown on the Future Land Use maps are meant to be general, except where they coincide with roads or other prominent physical features, where they define the exact limits. No amendment of this Plan is required to permit minor adjustments to these boundaries. Other than such minor changes, no development shall be permitted that does not conform to this Plan.

Once Council has determined that a development proposal conforms to the Plan, Council will review the proposal and circulate it to all affected public departments and agencies. Council's decision on a proposal will be based on the desire to guide the development of Norris Arm in the best long-term interests of its residents.

All persons wishing to develop land for any purpose within the Norris Arm Municipal Planning Area shall apply to Council for permission through the established procedure. Council may approve the application, approve it with conditions, or refuse it. Any person who is dissatisfied with the decision may appeal to the appropriate Appeal Board.

Before major land developments are approved, Council shall require the developer to sign a development agreement. The agreement shall set the conditions for development and shall be binding to both parties. Conditions may also be attached to the development permit.

Nothing in this Plan shall affect the continuance of land uses which are lawfully established on the date that the Plan comes into effect, although their expansion, alteration, or conversion may be limited in order to achieve the intent of this Plan.

5.2 Development Regulations

Development Regulations ensure that development takes place in accordance with the framework of the land use policies of the Municipal Plan. The manner in which the Regulations are drafted and the form in which they appear must comply with the requirements of the Urban and Rural Planning Act, 2000. Like the Municipal Plan, these Regulations are binding upon the Council and all other persons and organizations. They consist of five parts: General Regulations, General Development Standards, Advertisement, Subdivision of Land, and Land Use Zones. The first four are similar for all towns and communities in the province. However, the Land Use Zone section (Schedule C), is tailored individually for each municipality.

I. General Regulations

Among other things, the General Regulations govern matters relating to the power and council of a municipality to regulate development within its Planning Area and establish conditions relating to the issuing of permits.

II. General Development Standards

The General Development Standards relate to such matters as the siting of buildings on building lots, building height, setback from the street, buffers between certain types of development, parking and access requirements, non-conforming uses and other related matters.

III. Advertisement

Advertisement regulations control the size, shape, location, siting, illumination and material construction of advertisements for the protection of the safety and convenience of the general public and neighbouring properties and the general aesthetics of the Planning Area.

IV. Subdivision of Land

Subdivision regulations govern the development and division of larger parcels of land into individual building lots. They include standards for street improvements, lot sizes and lot layouts, procedures for dedicating land for public purposes and other necessary requirements.

V. Land Uses Zones

Zoning is a means of ensuring that development conforms with the Plan, and that it is properly situated and does not conflict with or adversely affect neighbouring uses. It can ensure that new growth is concentrated within or adjacent to developed areas, promoting a compact form to make the most efficient use of public services and utilities. Land Use Zone tables are presented in Schedule C of the Development Regulations. For each land use district a list of Permitted and Discretionary uses is presented as well as conditions to which development must conform before it may take place.

5.3 Development Control

The Plan is a legal document which is binding upon all persons, groups, or organizations, including the municipal Council. Before any land development can take place, an application must first be made to Council. Development may take place only after Council has reviewed the application and granted approval. Anyone who fails to follow the required application process or who otherwise violates the Plan or Regulations can be prosecuted and ordered to remove any illegal structure and restore the site and buildings on it to their original state.

Day-to-day administration of both the Plan and Development Regulations are the responsibility of Council and its staff. It is their duty to implement the Municipal Plan through the Development Regulations, to make recommendations to Council regarding compatibility of development proposals with Plan policies, refer development applications to outside agencies and to issue all required permits when approval is granted.

An application to develop must be made on the proper application form prescribed by Council. All applications must show as accurately as possible the location of the proposed development and include a plot plan showing the location of existing and proposed buildings and structures on the proposed site. Council will examine the application and determine whether or not it conforms to the requirements of the Development Regulations, and the policies of the Municipal Plan. Development applications will be referred to appropriate government departments or agencies or other organizations. Approval of the application will be subject to their recommendations. If the proposed development conforms to all requirements then Council will approve the application and inform the applicant and state any conditions that may apply. If the proposed development does not conform to the Plan or Regulations, the application must be refused. Any applicant who is dissatisfied with the decision of Council may appeal to an Appeal Board. The Appeal Board shall either confirm the decision or determine that Council's decision be varied or reversed.

5.4 Capital Works

Capital works programs must conform to applicable policies and land use designations of the Municipal Plan. Capital works projects must not contribute to sprawl, since that would conflict with the Plan's goal of promoting compact development. It should be recognized that extensions to roads/new roads required for (or as a part of) new development (including residential subdivisions) are the responsibility of developers and not the municipal or provincial governments. Improvements to local roads should be undertaken in accordance with the town's financial capability (and in conformity with the Municipal Plan) on a priority basis. Local roads are generally in good condition. The Town intends to maintain and upgrade them as necessary and as funding becomes available. The development of additional recreational facilities should also be carried out on a year-to-year basis subject to the town's financial capabilities.

5.5 Municipal Plan Amendment Procedure

This Plan has been prepared with the intent that no amendment be required during the next five years, at the end of which another Plan Review will be undertaken. Major changes in economic conditions or in policy direction, unforeseen at this time, could however occur during the Planning Period.

Should an amendment need to be considered, it will be given the same evaluation and approval procedure as this Plan, including a public hearing with a Commissioner appointed by Council. Evaluation of the proposed amendment will be compiled into a Background Report. The proposed amendment will include policy statements and an accompanying Future Land Use Map. Any such amendment shall be read together and form part of this Plan.