

TOWN OF ROBERT'S ARM MUNICIPAL PLAN

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

List of Municipal Plan Amendments

Development Regulations/Amendment
REGISTERED
 Number 4230-2011-003 URBAN AND RURAL PLANNING ACT
 Date May 13, 2011 RESOLUTION TO APPROVE
 Signature [Signature] TOWN OF ROBERT'S ARM

MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS 2010-2020

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

- a) Adopted the Robert's Arm Municipal Plan and Development Regulations 2010-2020 on the 8th day of Nov., 2010.
- b) Gave notice of the adoption of the Town of Robert's Arm Municipal Plan and Development Regulations 2010-2020 by advertisement inserted on the 14th day of Nov. and the 16 day of Nov., 2010 in *The Nor'Wester* newspaper.
- c) Set the 16th day of Dec at 7:30 p.m. at the Town Office, Robert's Arm for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Robert's Arm approved the Town of Robert's Arm Municipal Plan and Development Regulations 2010-2020 as adopted (or as amended).

SIGNED AND SEALED this 18 day of December, 2010

Mayor: Lloyd Colbourne (Council Seal)

Clerk: Oda Loussel

Municipal Plan/Amendment
REGISTERED
 Number 4230-2011-003
 Date May 13, 2011
 Signature [Signature]



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF ROBERT'S ARM
MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS 2010-2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Robert's Arm adopts the Robert's Arm Municipal Plan and Development Regulations 2010-2020.

Adopted by the Town Council of Robert's Arm on the 9 day of Nov., 2010.

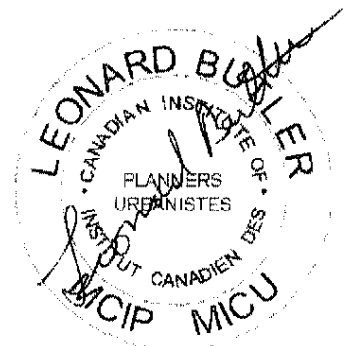
Signed and sealed this 19 day of December, 2010.

Mayor: Lloyd Colbourne (Council Seal)

Clerk: Acta Reused

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Robert's Arm Municipal Plan and Development Regulations 2010-2020 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



**TOWN OF ROBERT'S ARM
MUNICIPAL PLAN
2010 – 2020**



Prepared By:

PLAN-TECH



ENVIRONMENT

Table of Contents

1.0	INTRODUCTION.....	1
1.1	Forward	1
1.2	Purpose of the Municipal Plan.....	1
1.3	Municipal Plan Preparation.....	2
1.4	Plan Approval	2
1.5	Plan Review and Amendment	3
1.6	Interpretation	3
1.7	Robert's Arm Municipal Plan	4
1.	Municipal Planning Area and Physical Features	4
2.	General Location and History	5
3.	Population Characteristics.....	6
4.	Households	6
5.	Economy and Labour Force	7
6.	Municipal Services.....	8
2.0	GOALS AND OBJECTIVES	8
2.1	Community Structure.....	8
2.2	Residential Housing.....	9
2.3	Economy	9
2.4	Recreation and Tourism	10
2.5	Environment	11
2.6	Transportation	11
2.7	Municipal Finance.....	12
2.8	Sustainable Development.....	12
3.0	THE LAND USE PLAN	13
3.1	General Land Use Policies	13
1)	Physical Structure.....	13
2)	Subdivision Policies.....	14
3)	Subdivision Agreement.....	14
4)	Council Assumption of Private Roads	15
5)	Access and Public Street.....	15
6)	Building Setback.....	15
7)	Municipal and Public Utility Works and Easements.....	15
8)	Infill Development.....	16
9)	Environmental Preservation and Enhancement	16
10)	Soils and Drainage	17
11)	Removal of Topsoil.....	18
12)	Protection of Watercourses and Fish Habitat.....	18
13)	Development Criteria for Non-Residential Sites	18
14)	Property Maintenance	19

3.2	SPECIFIC LAND USE POLICIES	20
3.2.1	Residential.....	20
3.2.2	Mixed Development.....	25
3.2.3	Commercial	28
3.2.4	Industrial.....	30
3.2.5	Public Use	32
3.2.6	Conservation	33
3.2.7	Recreation	36
3.2.8	Cemetery.....	37
3.2.9	Watershed.....	38
3.2.10	Rural.....	39
4.0.	IMPLEMENTATION.....	42
4.1	Administration of the Plan	42
4.2	Development Regulations	43
4.3	Development Control.....	45
4.4	Capital Works.....	46
4.5	Municipal Plan Amendment Procedure	46

1.0 INTRODUCTION

1.1 Forward

This document and the maps contained with it comprise the Municipal Plan of the Town of Robert's 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 the 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*, 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 the Engineering and Land Use Planning Division, Department of Municipal Affairs for review to ensure the Plan policies conform to provincial policies.

Once the plan is released by the Department of Municipal Affairs, 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 formally approve the Municipal Plan and apply to the 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.

1.6 Interpretation

The following sections and the Future Land Use Maps constitute the legally effective parts of the Robert's Arm Municipal Plan. In this Municipal Plan:

- "Council" shall mean the Council of the Town of Robert's Arm.
- "Development Regulations" shall mean the Robert's Arm Land Use Zoning, Subdivision and Advertisement Regulations.
- "Municipal Planning Area" shall mean the Robert's Arm Municipal Planning Area.

- “Town” shall mean the Town of Robert’s Arm.

The boundaries between the different land use designations 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.

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

1.7 Robert’s Arm Municipal Plan

The Town of Robert’s Arm was incorporated in 1960. The previous Town of Robert’s Arm Municipal Plan was in effect in 1988 and was for a 10 year period. This new Municipal 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.

1. Municipal Planning Area and Physical Features

The Robert’s Arm Municipal Planning Area covers a very large area of land which contains approximately 48 km². Only a small portion, about 5% of the planning area, is developed.

The topography of the area is undulating and irregular, with most elevations under 100 metres above sea level. The entire Planning Area is heavily forested with a mix of coniferous and deciduous trees. There is little exposed bedrock in the area with considerable coverage of glacial till. There is little arable land with sparse topsoil thereby making agricultural development challenging at best.

2. General Location and History

Roberts Arm, located in southwestern Notre Dame Bay, is approximately 25 kilometres from the Trans Canada Highway at South Brook. Until the early 1900's Roberts Arm was known as Rabbits Arm because of the abundance of snowshoe hare in the area. Local rabbit was sold to a factory located in South Brook. John Roberts, an influential member of the community, owned a large quantity of land in Town and is believed to be the inspiration behind the name Roberts Arm.

Upon entering the Town, Crescent Lake, a majestic body of water which boasts picturesque surroundings, is unique because of its Lake Monster, "Cressie", which is claimed to be living in Crescent Lake. Recent years saw the development of the majestic Hazelnut Adventure Trail, a hiking trail which encompasses the east end of the lake nearest to the Town.

In the late 1800's, a copper ore body was discovered along the north side of Route 380, north of Crescent Lake. This proved to be a significant economic boost at that time. However, only 1260 tons of ore left the mine. The mine later closed because of a management/owner disagreement. There is little evidence of the past mining activity today. However, underground mine shafts still do exist which tend to cause unstable surface lands.

Logging however, became the economic backbone of Robert's Arm. In the 1930's, pitprop, wood used in the support of mine shafts, was produced for overseas market. The Town became a major supply centre where wood was delivered to Tommy's Arm for shipment. Later, pulpwood became a major concern. The Bowater Company harvested and shipped pulpwood through Tommy's Arm for shipment to its mill in Corner Brook.

3. Population Characteristics

In 1884 when mining held promise, the population of Robert's Arm was 121. In 1935, there were only 45 residents living in the community. The population increased significantly in the 1960's when more than 20 families moved to town increasing the population to 978 as Robert's Arm was designated as a growth center under the Newfoundland Resettlement Program. In 2009, the Town estimates the population to be over 900.

The population of Robert's Arm decreased by 31 persons between the years 1991 and 1996. This figure represents a decrease in the population of -3.1%. Between 1996 and 2001, the population had further decreased by 77 persons, or by -8.0%, and further decreased again by 45 persons in 2006, or by 5.1% (See Table 1).

Table 1: Population Change

Year	Population	Change	% Change
1991	994		
1996	963	-31	-3.1%
2001	886	-77	-8.0%
2006	841	-45	5.1%

4. Households

The number of private residential dwellings within the Town has increased from 325 in 1996 down slightly to 325 in 2001, and remained unchanged in 2006 with 325 dwellings. While the number of dwellings has remained relatively constant, the population has decreased by 125 people over the same 10 year period. The average household size in the Town is 2.08 persons per dwelling (based on a total of approximately 325 dwelling

units). This is down slightly from 2.8 persons per household in 2001, and compares with an average Newfoundland household size of 2.6, 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 10 newer residential developments have been developed in the past five years.

5. Economy and Labour Force

In 2001, the employable workforce of Robert's Arm numbered 325 people. This figure decreased to 290 in 2006, of which the majority worked outside of Town and in the Springdale and Grand Falls-Windsor Regions. In Robert's Arm, the work force is associated with the primary industries associated with wood harvesting. Associated industries in the wood harvesting also contribute to the work force such as transportation and equipment. Table 3 shows the types of occupations in which these people worked.

TABLE 2: EMPLOYMENT BY OCCUPATION, ROBERT'S ARM 2006

Industry	No. of Employees	Percent of Total
Management Occupations	15	6%
Business, Finance and Administration	25	10%
Natural and Applied Sciences	10	5%
Health	0	0%
Social Science, Education, Government Service and Religion	10	5%
Art, Culture, Recreation and Sport	10	5%
Trade, Transport and Equipment Operators	80	33%
Primary Industry	70	30%
Processing, Manufacturing and Utilities	20	6%
TOTAL	240	

6. 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 core of the community are serviced. The domestic water supply source is Young's Pond and Dam Pond, designated as a protected watershed by the Department of Environment and Conservation.

2.0 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 Robert's Arm Municipal Plan.

2.1 Community Structure

Goals:

- Promote residential development at a density consistent with the rural character of the area.
- To encourage structured growth for Robert's 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.

2.2 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.

2.3 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 Robert's Arm as a place to live, drawing upon its scenic beauty, amenities, and geographic location.

2.4 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 Robert's Arm.

2.5 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 shall ensure a regular 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.

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

2.7 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.

2.8 Sustainable Development

Goal

- To encourage the preservation of natural resources and to promote the development of sustainable development activities.

Objectives:

- To encourage the use of natural resources like wind and solar energy as alternative sources of renewable energy.
- To promote the development of industries that use clean renewable sources of energy.

3.0 THE LAND USE PLAN

The following policies with accompanying Future Land Use Maps constitute the land use component of the Robert's Arm Municipal Plan, 2009-2019. Included are all policies which are seen as necessary by Council to ensure that the physical development of Robert's Arm is undertaken in an efficient and economic manner during the ten-year (2009-2019) life of this municipal plan. The Land Use Plan is meant to complement the Goals and Objectives outlined in Section 2.0.

3.1 General Land Use Policies

The following policies can be categorized as general in scope in that they can be applied to more than one land use and to different sections of the Town of Robert's Arm. They are therefore presented as a separate section of this Land Use Plan.

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 compliance with the policies, acts, and regulations of the Province of Newfoundland and Labrador.

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

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 Robert's 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

New subdivision streets shall be constructed and upgraded to the Town's standard before Council shall assume ownership and responsibility for future maintenance.

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 Town's 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 Nalcor Energy) in the course of approving subdivision or other development applications.

8) Infill Development

Council shall 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 Town, infill lots may not meet current standards. Council shall review any proposed development on a lot by lot basis. 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 shall 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 and maintenance of the Hazelnut Adventure Trail walking trail along shoreline of Crescent Lake 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 waterfowl 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 Management Division, for comment prior to any approval by Council.

13) Development Criteria for Non-Residential Sites

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

- Each site shall have direct frontage on a public road.

- Development shall be located and designed in a manner that minimizes the impact of traffic, noise, lighting, and signage on adjacent residential areas. Where necessary, screening may be required through the provision of trees, shrubs, banks and berms, landscaping or fencing.
- Properties shall be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.
- Access points to the public street will be limited in number and designed for maximum safety for pedestrians and vehicles.
- Each site shall provide space for adequate off-street parking and loading facilities to meet the needs of the proposed development.
- 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 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 removal should it pose as a safety hazard.

Council shall ensure that municipal buildings and property is 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, where it may be in general public view.

3.2 SPECIFIC LAND USE POLICIES

The lands within the Robert's 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:

- Residential
- Mixed Development
- Commercial
- Industrial
- Public Use
- Conservation
- Recreation
- Cemetery
- Watershed
- Rural

3.2.1 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. Undeveloped serviced areas like School Road are reserved for future residential development.

Areas designated as Residential on the Future Land Use Map shall be predominantly residential in character. Infilling is encouraged where land is fully serviced by water and sewer lines. School Road has been identified by Council as an area for residential housing. The area is not serviced with municipal water or sewer, and it is unlikely that either service will be provided during the next several years.

Future residential development in this area shall make provisions for supply of water and sewage disposal satisfactory to Council as this is an area that provincial capital works funding will not be available.

Policies:

1. Land Designation

The Residential designation shall accommodate serviced residential development on lots sizes which reflect older development patterns along existing roads in the Town.

2. Land Uses

Within lands designated Residential, single-family detached dwellings and recreation uses 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, personal and professional services, convenience store or a small scale business use as part of a residence may be permitted throughout the area under the discretion of the Council.

Council shall 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.

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. Recreation Uses

Compatible recreation uses such as children's playgrounds and tot lots 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.

4. Medical Treatment and Special Care

Medical Treatment and Special Care shall be limited to only homes for the aged. Development, 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.

5. 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.

6. Office Use

Home office use 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.

7. 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 Provincial Regulations.

8. 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 shall consider access to the site; amount of parking to be provided; any adverse impacts upon adjoining neighbours, and effects of the business on traffic flow when reviewing applications for a new or expanded convenience store.

9. 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 shall be considered only if they conform to an area concept plan that has been approved by Council (See Policy 10: Subdivision Development Plans).

Building permits shall not be issued unless 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. Lot layouts and the sighting of buildings shall follow development standards as outlined in the Town's Development Regulations.

10. Subdivision Development Plans

Subdivision development plans shall address specific proposals for development of a site in a relatively short time frame. The subdivision plan shall be detailed and shall address 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.

11. Open Space Requirements

The provision for open space within a residential subdivision development shall be the responsibility of the developers and if required, shall dedicate a maximum of 10 percent of suitable land in new residential areas for recreational open space. Alternatively, Council may require the developer to pay a sum of money equal to 10 percent of the assessed value of the area of land prior to commencement of the development of the subdivision.

3.2.2 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. This designation shall ensure that a viable combination of compatible uses can co-exist with the predominantly residential development. Areas designated Mixed Use are intended for the continuation of a traditional mix of land uses. The following policies will guide the growth and development of the Mixed Development areas.

Policies:**1. Land Uses**

Within the Mixed Development area, permitted uses shall include single dwellings, double dwellings, boarding house residential, recreation, catering (restaurant and take-out food service), medical & professional, shops, convenience stores, places of worship, personal and general services, light industry, and conservation.

Other uses may be permitted such as row dwelling, general and passenger assembly uses, club and lodge, lounge, funeral home, child care, indoor assembly, office, personal service, general service, commercial residential, taxi stand, service station, medical treatment and special care (home for the aged only) 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.

10. General Services and Light Industrial Uses

General services uses and light industrial uses shall be small scale uses such as small workshops, fabrication 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.

3.2.3 Commercial

Lands designated as Commercial are 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 their continued operations within the residential developed areas of the town. Also to provide for new commercial development at the west end of the Town along Route 380. This 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, child care, commercial residential, office, medical and professional, personal service, shop, and convenience store. Other compatible uses that may be permitted include clubs and lodges, amusement, indoor assembly, taxi stand, funeral home, indoor market, office, general services, veterinary, light industry, take-out food service, outdoor market, communications, general industry, passenger assembly, service station, cultural and civic, outdoor assembly, veterinary, place of worship, antenna, and recreation 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 Highway Route 380 as it passes through the Town.

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.

3.2.4 Industrial

Industrial development is presently very limited in the town and is restricted along the shore of Robert's Arm and a site located on the Port Anson Road. Industrial land use designations shall accommodate the current and future land use demands over the next ten year planning period. There is a limited land base within the surrounding urban area of Town to meet any demands placed on it by an increase in economic development, in particular industrial development.

Policies

1. Location

Lands between Waterfront Road and the shores of Robert's Arm are designated as Industrial related to marine uses. A small site located on the Port Anson Road, just off Route 380 is also designated as Industrial.

2. Land Use

The Industrial designation shall accommodate a variety of General Industry, Light industry and Hazardous Industry uses, including, slipways, wharves, docks fishing equipment storage sheds, scrap yards and sewage treatment plants.

3. Restricted Land Use

The uses in the Industrial land use designation shall be limited to those of an industrial nature. Subsidiary retail activities may be permitted only in association with a permitted industrial land use. Industrial uses shall include manufacturing, sawmills, light industry and general industry.

4. Offensive Uses

Industrial uses that are judged to be incompatible with the nearby communities through excessive emissions of noise, smell, chemicals or other pollutants, shall not be permitted. Property owners with unsightly uses will be required to store their materials in the rear or side yard. Property owners will be required to keep their

premises well maintained and tidy.

3.2.5 Public Use

Land designated Public Use shall include government, church, educational and other uses for general or limited public access. A number of sites in Robert's Arm are designated as Public Use. Facilities required to deliver municipal services to residents, such as the Town Hall, are also within the intent of this designation.

Policies

1. Land Use

Lands are designated Public Use to permit their general or limited use by the residents of Robert's 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, 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, and homes 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.

3.2.6 Conservation

The intent of the Conservation designation 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. In addition, it is recognized that bog lands and wetlands are important components in the ecosystem in terms of controlling the rate and volume of runoff. Rivers and brooks also form part of the natural drainage system and must be protected from blockage or alteration. Any unnecessary alterations of these water systems must be avoided.

Policies:**1. Location**

Lands between Waterfront Road and the shores of Robert's Arm are designated as Conservation.

2. 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.

3. Marine Land Uses

Land between Waterfront Road and the shore of Robert's Arm has a history of multiple land uses. These uses shall be allowed to continue as non-conforming uses as indicated in the Town's Development Regulations. Vacant land in this area shall be limited to recreation uses associated with marine use such as slipways, wharves, and docks for recreational boating as designated on the Future Land Use Map.

4. Compatible Uses

Within the designated 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.

5. 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 can be demonstrated the proposed use will have a minimal adverse impact. The number and size of such activities shall be limited in numbers. 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.

6. 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.

7. Private Land Ownership

Where any lands designated for Conservation are under private ownership, this Plan does not indicate that the lands will necessarily remain as Conservation indefinitely, nor shall it be construed as implying that these 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 Conservation designation, their applications for re-designation of such lands for other purposes may be given due consideration by Council.

3.2.7 Recreation

The intent of the Plan is to designate lands used for active and passive recreational needs of Robert's Arm residents and visitors.

Policies:

1. Land Uses

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

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 shall 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. 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.

5. 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.

3.2.8 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, and any accessory buildings.

3.2.9 Watershed

The purpose of the protected watershed designation is to preserve the water quality of Young's Pond/Dam Pond as the Town's municipal water supply. The boundaries of the designation are intended to take in all lands which drain into the ponds.

Any development in the Young's Pond/Dam Pond Protected Watershed may affect the quality or quantity of water and therefore must be protected from negative impacts of development. The following policies will guide development in the Protected Water Supply Area.

Policies:

1. Land Use

Land designated Protected Water Supply shall be protected as the source for the Town's drinking water supply. The only permitted uses shall be conservation and passive outdoor recreation uses. Forestry harvesting activities and Silviculture, mineral workings uses may be permitted within the Protected Watershed Area, subject to the approval of Department of Environment and Conservation, Water Resources Management Division and Department of Natural Resources.

2. Permit Requirements

The Department of Environment and Conservation has designated Young's Pond/Dam Pond Watershed area a protected public water supply area under the *Water Resources Act*. 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. Mineral Workings

Mineral workings shall be limited to mineral exploration within the designated Protected Watershed Area. Any exploration activities must be approved by the Department of Environment and Conservation, Water Resources Management Division and Department of Natural Resources, as well as the Town of Robert's Arm.

3.2.10 Rural

The Rural area of Robert's Arm contains natural resources that have significant economic and recreational value to the Town. Deposits of aggregate, timber stands and land are the principle resources of importance in addition to the significant recreational and economic value. The Rural area also provides a large resource area for passive recreational activities such as snowmobiling and hunting.

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 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, rural industrial use, service station, mineral workings, cemetery, outdoor markets, veterinary, and sports fields/ playgrounds.

3. Residential Use

Council has no intention of extending municipal services to rural designated lands. Residential dwellings shall not be permitted, except as an accessory to a permitted resource 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. 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.

4.0. 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

4.1 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 Robert's Arm in the best long-term interests of its residents.

All persons wishing to develop land for any purpose within the Robert's 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.

4.2 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*. 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.

4.3 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.

4.4 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.

4.5 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 to 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, background reports, and/or map changes. Any such amendment shall be read together and form part of this Plan.

Any requests by an applicant for an amendment(s) to the Municipal Plan or Development Regulations, the Town shall charge the costs to complete the amendment(s) to the applicant. The authority to charge and collect the cost for the amendment(s) is granted to the Town under section 27, *Urban and Rural Planning Act*.