

Town of Gambo

Municipal Plan

In Effect: November 14, 2014

Consolidation:

No amendments as of January 14, 2015

Urban and Rural Planning Act Resolution to Approve

Town of Gambo Municipal Plan 2014 - 2024

Under the authority of Section 16, Section 17, and Section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Gambo


- (a) adopted by the Gambo Municipal Plan on the 18th day of August, 2014.
- (b) gave notice of the adoption of the Gambo Municipal Plan by advertisement inserted in the Beacon newspaper on the 28th day of August and the 4th day of September, 2014.
- (c) set the 17th day of September, 2014 at the Walsh House, Gambo for the holding of a public hearing to consider objections and submissions.

SIGNED AND SEALED this 6th day of October 2014.

Mayor:


Peter Lush

Clerk:


Jean Blackwood



Municipal Plan/Amendment

REGISTERED

Number 1755-2014-012

Date November 4, 2014

Signature 

Urban and Rural Planning Act Resolution to Adopt


Town of Gambo Municipal Plan 2014 - 2024

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Gambo adopts the Gambo Municipal Plan.

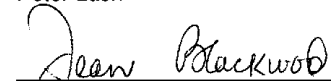
Adopted by the Town Council of Gambo on the 18th day of August 2014.

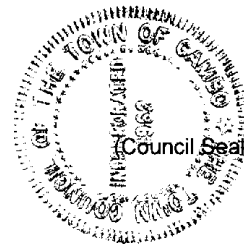
Signed and sealed this 6th day of October, 2014

Mayor:


Peter Lush

Clerk:


Jean Blackwood



Canadian Institute of Planners Certification

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



John Baird, MCIP



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1.0 INTRODUCTION

1.1 Purpose of the Municipal Plan

The Gambo Municipal Plan is a comprehensive policy document to manage development and growth within the Gambo municipal planning area over the ten-year planning period 2013-23. The Plan repeals and replaces the Gambo Municipal Plan 2003-2013. This document has been prepared in compliance with the Urban and Rural Planning Act, 2000, (hereafter referred to as the Act).

The Plan was drafted following a comprehensive review of the former Municipal Plan and Development Regulations and consultations with Council, residents, and appropriate government agencies. Relevant planning issues have been reviewed as required under the Urban and Rural Planning Act, 2000, including a study of land use, population change, economic and social issues, transportation, municipal services, and environmental issues.

1.2 Plan Preparation

This Municipal Plan reflects the review of land use, environmental, demographic, social, and economic issues, consultations with Town Councillors and staff, and public comments received through the community participation process.

The Plan guides the future growth and physical improvement of the Town by identifying locations and policies for various types of land use development. The Municipal Plan provides the basis for the Land Use, Zoning, and Subdivision Regulations (generally referred to as the Development Regulations), which Council will administer through subdivision approvals and development permits. The Municipal Plan authorizes Council to prevent the undertaking of any development that contravenes a policy stated in the Municipal Plan.

1.3 Contents of the Municipal Plan

The Municipal Plan, comprising this document and the accompanying Future Land Use Maps, constitutes a legal document pursuant to the Urban and Rural Planning Act, 2000. It contains:

- The aims of Council (goals and objectives).
- Land use policies for future development.
- Future Land Use maps, which allocate land for future development, environmental protection, and natural resource uses.

The Background Report in Section 2.0 describes conditions in the town at the time the Municipal Plan was prepared and provides the rationale behind policies contained in the Municipal Plan. The Background Report does not form part of the legal document.

1.4 Municipal Plan Administration

After Ministerial approval of the Gambo Municipal Plan was published in the Newfoundland and Labrador Gazette, the Plan became binding upon Council and all other persons, corporations and organizations. Council administers the Municipal Plan by carrying out the Plan's policies. This is done in several ways:

- By preparing and implementing the Development Regulations;
- By issuing development permits to applicants wishing to subdivide land, erect a building, or change the use of a building or land, or conversely, refusing to issue permits for developments that are not in accordance with the Plan; and
- By adopting or approving development schemes, concept plans, comprehensive plans, and so forth.

In accordance with Section 25 of the Act, Council may make amendments to this Plan and Development Regulations at any time. Amendments will be brought into effect by the same process used to bring the Municipal Plan into effect. Sections 14 to 25 apply to an amendment to the plan and development regulations.

1.5 Interpretation

In this Municipal Plan:

- “Council” means the Council of the Town of Gambo.
- “Development Regulations” mean the Gambo Land Use Zoning and Subdivision Regulations.
- “Municipal Planning Area” means the Gambo Municipal Planning Area.
- “Town” means the Town of Gambo.

The boundaries between the different land use designations in the Municipal Plan are meant to be general, except where the boundary is delineated by a road or other prominent feature in which case it defines the exact limits between each designation.

Nothing in the Plan will affect the continuance of land uses that were lawfully established on the date that this Plan came into effect.

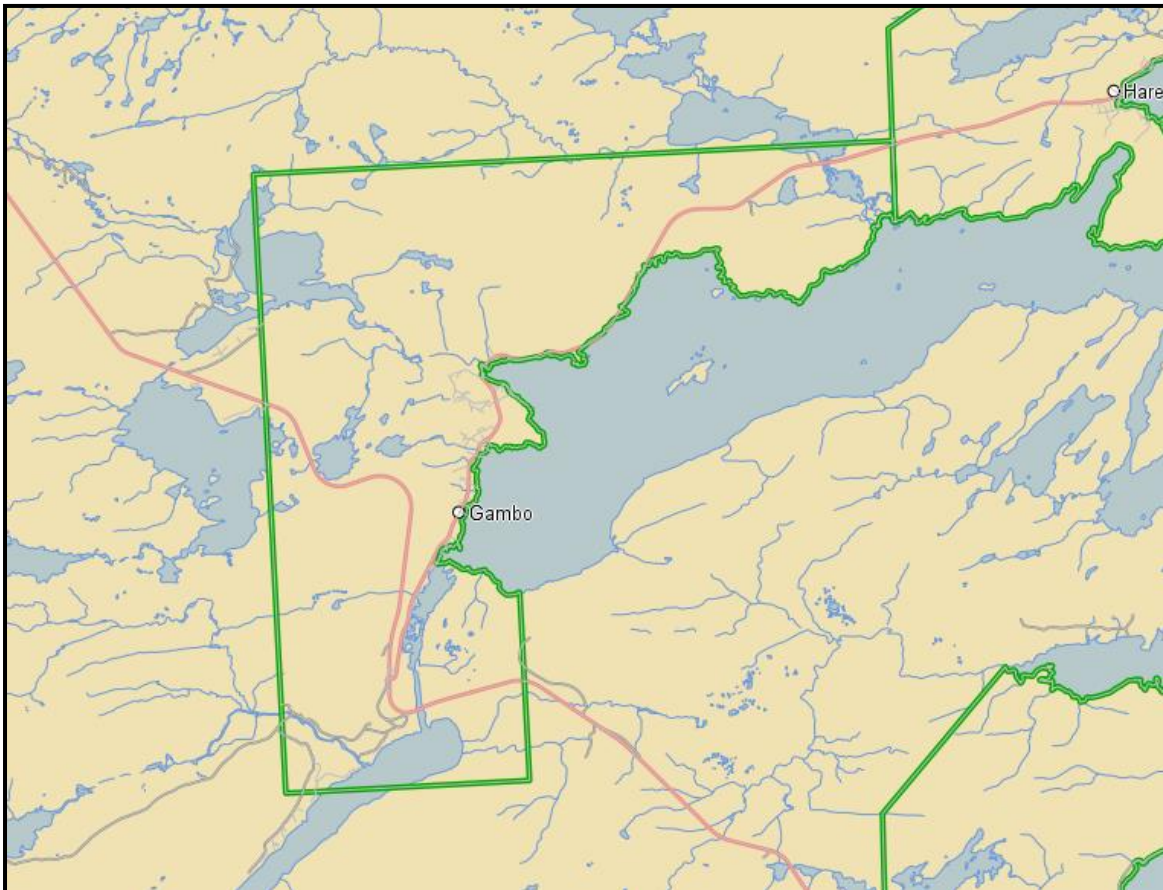
2.0 BACKGROUND REPORT

This section sets the context for the Gambo Municipal Plan. It includes a demographic profile, a population projection, a forecast of housing needs, and other economic and social indicators. For comparison purposes, data is also provided for a number of selected benchmarks, including the Kittiwake Economic Zone, the province as a whole, and the communities of New-Wes-Valley, Gambo, and Gander.

2.1 Geographic Setting

The Gambo municipal boundary is shown in Exhibit 2.1. The town is located on the north shore of Bonavista Bay in Central Newfoundland. It is traversed by two major traffic corridors - the Trans Canada Highway and the Bonavista North Highway (Route 320).

Exhibit 2.1 – Gambo Local Setting



2.2 Population

Exhibits 2.2 and 2.3 show how the population of Gambo changed over the ten-year period, 2001-2011. Over that time, the Town's population declined by 100 residents or 4.8 percent. This was a slightly lower decline than was experienced in the Kittiwake region as a whole, which dropped by -5.8 percent. Among the other benchmarks, Gambo's change over the decade compared to a drop of -20.0 percent in New-Wes-Valley, and increases of 5.4 percent in Glovertown, 11.0 percent in Gander, and 0.3 percent in Newfoundland and Labrador as a whole.

Exhibit 2.2 - Population Characteristics						
	Gambo	Kittiwake Zone	New-Wes-Valley	Glovertown	Gander	NL
Pop'n – 2011	1,984	46,539	2,265	2,122	11,054	514,536
Pop'n – 2006	2,072	47,228	2,485	2,062	9,951	505,470
Pop'n – 2001	2,084	49,414	2,832	2,013	9,961	512,980
Change (01-11)	-4.8%	-5.8%	-20.0%	+5.4%	+11.0%	0.3%
Med. Age 2011	48.8	n/a	51.9	47.6	41.1	44.0
Med. Age 2001	40.2	38.9	41.2	42.0	37.3	38.4
Popn <15 2011	12.3%	n/a	10.6%	14.4%	17.9%	14.9%
Popn <15 2001	17.5%	14.9%	15.5%	17.1%	17.5%	17.3%
Popn >64 2011	19.9%	n/a	21.2%	22.8%	15.1%	16.0%
Popn >64 2001	13.2%	16.2%	17.6%	18.3%	12.5%	12.3%

Exhibit 2.2 also compares age characteristics for Gambo residents and the benchmarks. It shows that the proportion of youth in the population is declining in contrast to the proportion of seniors. Whereas in 2001, youth under 15 comprised 17.5 percent, by 2011 they comprised only 12.3 percent. In absolute terms, the 0-15 population dropped from 365 to 245, a drop of one-third. While it varies in degree, as shown in the table, this is a trend experienced in all the benchmarks and the province as a whole.

The table shows the opposite trend with Gambo's older age groups. As a proportion of the population, the 65+ population climbed from 13.2 percent in 2001 to 19.9 percent in 2011. In absolute terms this age group climbed from 270 to 390 residents during the

decade, an increase of 44.4 percent. As reflected in the table, this is clearly a trend being experienced throughout the province.

The aging of Gambo's population is also indicated by the median age indicator. Whereas it was 40.2 in 2001, by 2011 it was 48.8, fully 8.6 years older.

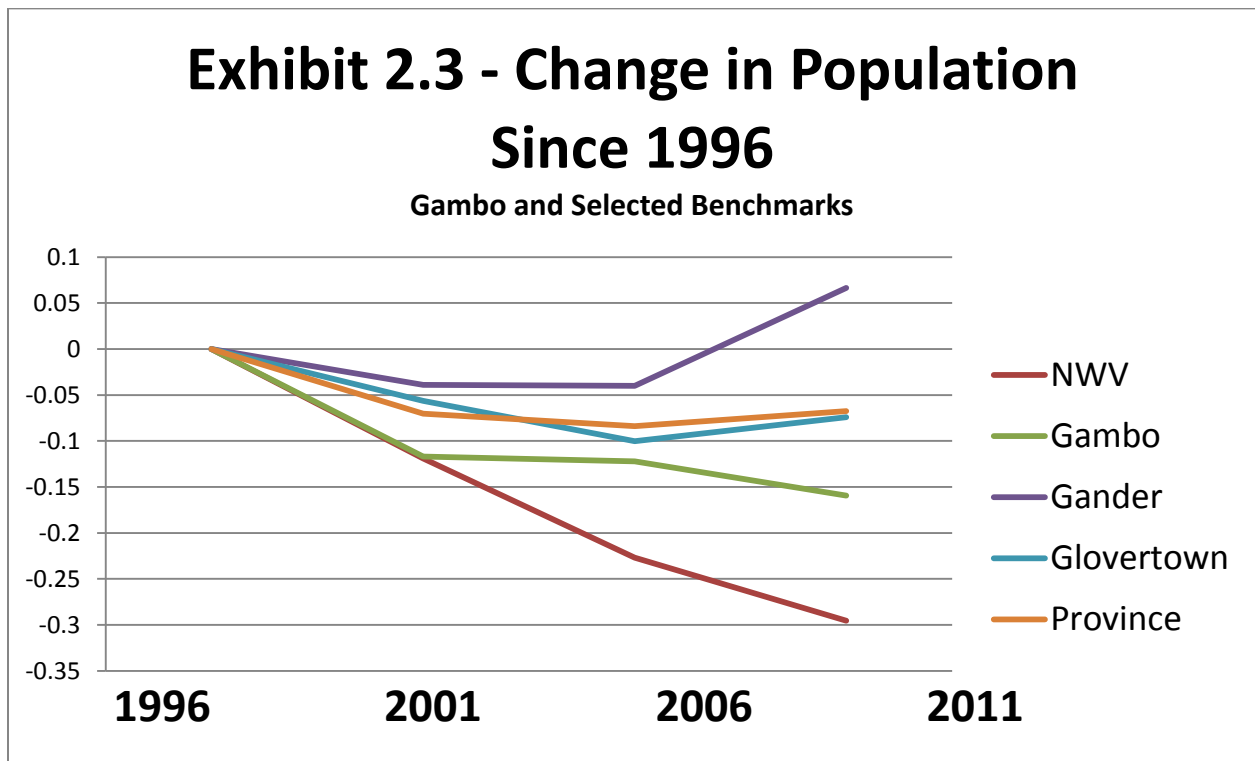


Exhibit 2.4 provides a breakdown of Gambo's population by different age groups compared to the province. The main working age group of 25-64 years makes up 56.9 percent of residents, similar to the 57.6 percent at the provincial level. At 23.4 percent, the proportion of the town's population under 25 years compares to 26.5 percent at the provincial level. Its proportion of older residents (i.e. 65+) is 19.7 percent compared to 16.0 percent provincially.

Exhibit 2.4				
Population by Age Groups				
Gambo compared to Province – 2011				
	Gambo		Newfoundland & Labrador	
	Total	Percent	Total	Percent
0-14	245	12.3%	76,635	14.9%
15-24	220	11.1%	59,640	11.6%
25-34	180	9.1%	57,580	11.2%
35-44	255	12.8%	71,395	13.9%
45-54	295	14.9%	85,405	16.6%
55-64	400	20.1%	81,780	15.9%
65-74	240	12.1%	48,855	9.5%
75-84	115	5.8%	24,695	4.8%
85+	35	1.8%	8,560	1.7%
Total	1,985	100.0%	514,545	100.0%

Exhibit 2.5 provides a graphic representation of the age structure of Gambo's population compared to province as a whole.

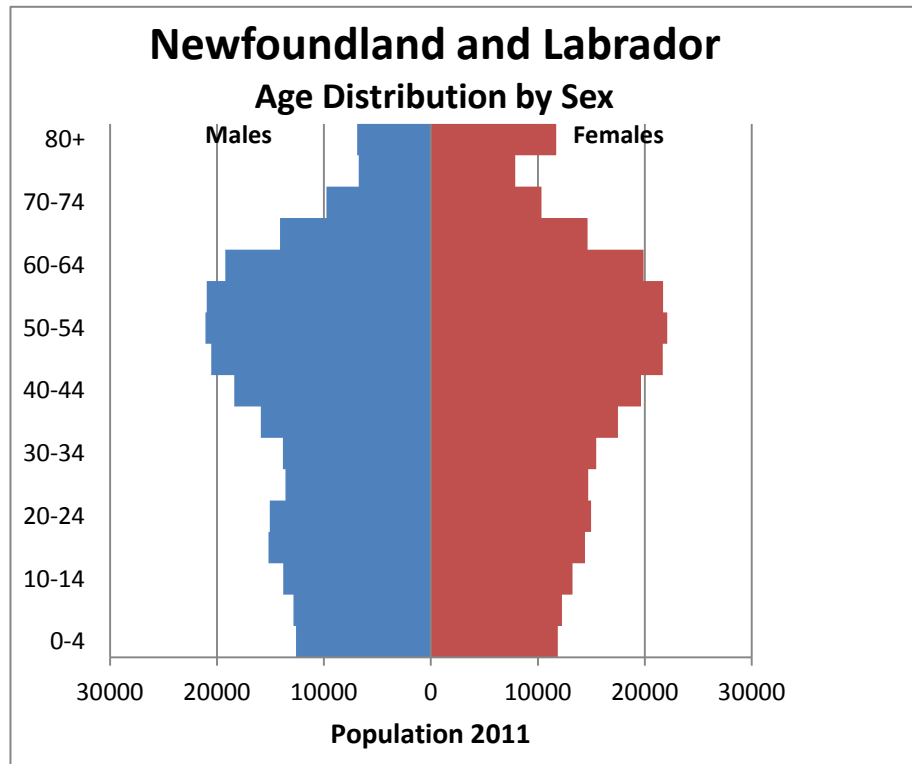
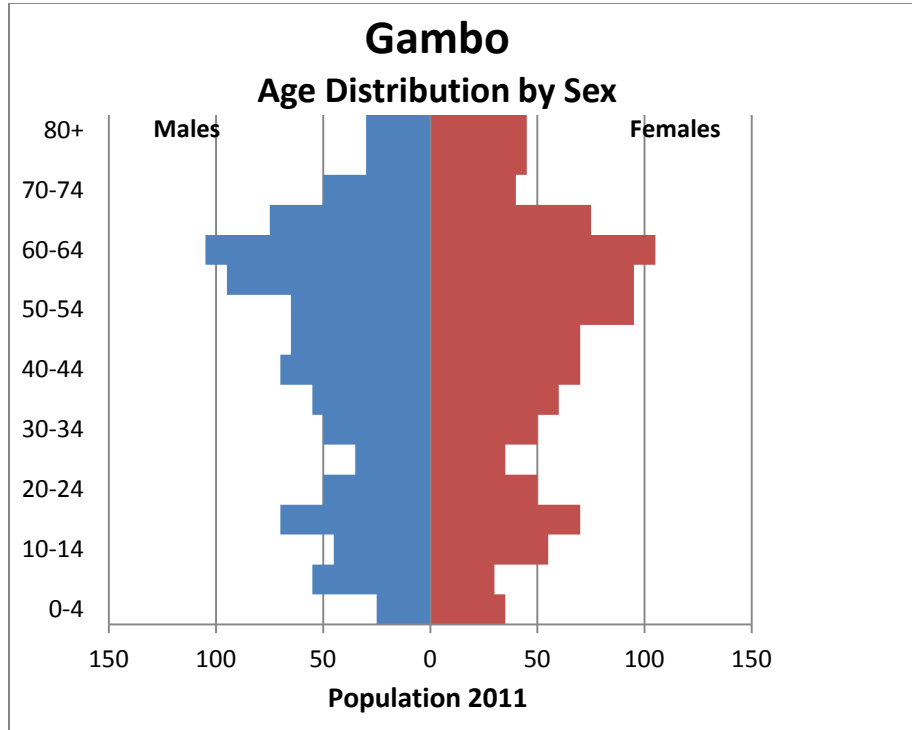


Exhibit 2.6 provides a population forecast for Gambo derived from projections by the Provincial Government for the Kittiwake Economic Zone. The projection assumes that Gambo's population will change at the same rate as the Kittiwake zone as a whole. If this holds true, the population of the town is predicted to decrease from 1,984 in 2011 to 1,931 by 2016, 1,861 by 2021 and 1,803 by 2026.

Exhibit 2.6 Population Forecast									
Year	Province			Kittiwake Economic Zone			Gambo		
	Pop'n	5-Year Change		Pop'n	5-Year Change		Pop'n	5-Year Change	
		Number	Percent		Number	Percent		Number	Percent
	<u>Actual</u>			<u>Actual</u>			<u>Actual</u>		
2001	512,980			49,414			2,084		
2006	505,470	-7,510	-1.5%	47,228	-2,186	-4.4%	2,072	-12	-0.6%
2011	514,536	+7,066	+1.8%	46,539	-689	-1.5%	1,984	-88	-4.2%
	<u>Projected</u>			<u>Projected</u>			<u>Projected</u>		
2016	525,757	+11,221	+2.2%	45,508	-1,031	-2.2%	1,931	-44	-2.2%
2021	521,524	-4,233	-0.8%	43,878	-1,630	-3.6%	1,861	-70	-3.6%
2026	521,807	+283	0.0%	42,507	-1,371	-3.1%	1,803	-58	-3.1%

Source: NL Population Forecast. (Gambo forecast assumes same future rate of change as Kittiwake zone)

2.3 Households and Housing

Exhibit 2.7 compares housing and household characteristics in Gambo with the selected benchmarks. Between 2001 and 2011, the number of households climbed by 27 or 3.6 percent. The average size of individual households decreased from 2.78 in 2001 to 2.55 by 2011.

Based on the population change projected in Exhibit 2.6, and assuming average household size will continue to drop slowly, it is expected the number of households will remain fairly stable, without any significant growth or decline.

Exhibit 2.7 - Household Characteristics						
	Gambo	Kittiwake Zone	New-Wes-Valley	Glover-town	Gander	NL
Households 2011	777	n/a	932	822	4,517	208,842
Households 2006	780	10,450	928	762	3,870	197,185
Households 2001	750	10,065	950	760	3,715	189,045
Change 2001-11	3.6%	n/a	-1.9%	+8.2%	+21.6%	+10.5%
<hr/>						
Avg. Hhd Size 2011	2.55	2.51	2.43	2.58	2.45	2.50
Avg. Hhd Size 2006	2.66	2.60	2.68	2.71	2.57	2.56
Avg. Hhd Size 2001	2.78	2.70	2.98	2.85	2.68	2.70

Exhibit 2.8 compares Gambo's housing characteristics with the benchmark areas. Occupied dwellings include all dwellings that are permanently occupied. The number of occupied dwellings is equivalent to the number of households. The remaining dwellings are either second homes, occupied by temporary residents, or unoccupied.

The table shows that Gambo had 777 occupied dwellings in 2011, a decline of less than one percent from 2006. Occupied dwellings comprised 82.9 percent of total dwellings, which is comparable to the provincial occupancy rate of 83.4 percent.

At 94.2 percent, single detached dwellings continue to comprise the overwhelming share of the town's housing stock.

2.4 Municipal Services and Finance

This section compares Gambo's municipal finances, revenue sources, and services with the benchmark communities.

Exhibit 2.9 compares 2010 municipal per capita revenues by source. It shows that Gambo has lower revenues on a per capita basis than the other three communities. Its own source revenues derived mainly from property, business and water and sewer taxes were approximately 80 percent of the average of the four municipalities, while its revenues from government transfers were approximately 69 percent of the average.

Property taxes, business taxes, and water and sewer taxes comprise the lion's share of municipal revenues in all communities. Gambo's total own source revenues comprise 83.8 percent of total revenues in 2010, compared to 82.8 percent in New-Wes-Valley, 79.7 percent in Glovertown, and 80.5 percent in Gander.

Gambo's 2010 business taxes generated the lowest amount of revenues among the four towns. Its \$75 per capita compared to \$91 in New-Wes-Valley, \$109 in Glovertown, and \$144 in Gander.

Exhibit 2.9				
Per Capita Municipal Revenues by Source (2010)				
	Gambo	New-Wes-Valley	Glovertown	Gander
<u>Own Source Revenues</u>				
Property Tax	\$262	\$255	\$303	\$513
Poll Tax	\$12	\$7	\$0	\$0
Business Tax	\$75	\$91	\$109	\$144
Water & Sewer Tax	\$175	\$199	\$172	\$142
Utility Tax	\$0	\$46	\$0	\$60
Other Taxes	\$4	\$0	\$35	\$69
Sales of Goods & Services	<u>\$69</u>	<u>\$61</u>	<u>\$50</u>	<u>\$93</u>
Subtotal	\$597	\$659	\$669	\$1,021
<u>Government Transfers</u>				
Federal Government	\$0	\$0	\$2	\$154
Municipal Operating Grant	\$49	\$78	\$48	\$30
Gas Tax Grant	\$11	\$9	\$77	\$64
Special Assistance Grant	\$0	\$0	\$0	\$0
Other Provincial Grants	<u>\$55</u>	<u>\$50</u>	<u>\$43</u>	<u>\$0</u>
Subtotal	\$115	\$137	\$170	\$248
Total Revenue	\$712	\$796	\$839	\$1,269

NL Community Accounts, Municipalities, Infrastructure and Production Capital

Exhibit 2.10 compares Gambo's per capita operating expenditures by function. Gambo's total expenditures of \$716 per capita are higher than Glovertown's \$686, and lower than New-Wes-Valley's \$846 and Gander's \$1,151.

Exhibit 2.10				
Per Capita Municipal Expenditures by Function (2010)				
	Gambo	New-Wes-Valley	Glovertown	Gander
General Government	\$318	\$153	\$241	\$215
Protective Services	\$26	\$67	\$25	\$93
Transportation Services (roads)	\$105	\$115	\$176	\$308
Environmental Services (water, sewer, and waste management)	\$141	\$354	\$180	\$236
Planning and Development	\$14	\$0	\$2	\$69
Recreation and Culture	\$94	\$93	\$102	\$139
Fiscal services (debt servicing)	<u>\$18</u>	<u>\$64</u>	<u>\$80</u>	<u>\$91</u>
Total	\$716	\$846	\$686	\$1,151

Exhibit 2.11 presents key per capita indicators on the Town's financial and non-financial assets compared to the benchmark municipalities. In 2010 Gambo had financial assets of \$206 per capita compared to \$255 in financial liabilities. Its net financial assets (or net debt) of (\$49) compared to \$178 in New-Wes-Valley, (\$165) in Glovertown, and (\$758) in Gander.

Gambo had the lowest long-term debt at \$194 per capita, compared to Glovertown's \$702, New-Wes-Valley's \$845, and Gander's \$877.

Exhibit 2.12				
Per Capita Municipal Assets and Liabilities (2010)				
	Gambo	New-Wes-Valley	Glovertown	Gander
Financial Assets & Liabilities				
Financial Assets	\$206	\$1,109	\$638	\$460
Financial Liabilities	\$255	\$931	\$803	\$1,218
Long-term Debt	\$194	\$845	\$702	\$877
Net Financial Assets	(\$49)	\$178	(\$165)	(\$758)
Non-Financial Assets & Liabilities				
Non-Financial Assets	\$2,191	\$4,051	\$3,738	\$3,928
Non-Financial Liabilities	\$0	\$0	\$0	\$0
Accumulated Surplus (Deficit)	\$2,142	\$4,229	\$3,572	\$3,170

2.5 Public Consultation

2.5.1 Open House, February 19, 2014

The initial public consultation for the Plan Review took place on February 19, 2014 at the Gambo Community Youth Centre. Organized as an Open House, it was attended by seven residents as well as the Mayor, four Councillors, and the Town Manager. The Planner explained the plan review process, addressed questions, and invited participants to comment on land use issues that they felt were important to the Plan Review.

Various issues were raised including:

- Ability to develop land to the rear of existing residential properties. This question was raised in particular with respect to backland behind J. R. Smallwood Boulevard in the Middle Brook area. A discussion on backlot development ensued.
- A number of areas were suggested as having potential for residential subdivision development, including Clearview Drive area and the vicinity of Forest Road and Neptune Road.

2.5.2 Open House, May 22, 2014

An Open House to present the draft municipal plan and development regulations was held on May 22 from 2:00 to 5:30 PM and from 6:30 to 8:30 PM. It was attended by one resident, the Town Clerk, and the Town Manager. No new issues were identified.

2.6 Agency Comments

Department of Environment and Conservation (Water Resources Management Division)

The Gambo Municipal Planning Area includes the Dark Cove Pond-Goose Pond Protected Watershed Area. All development activities in this area require prior approval under Section 39 of the Water Resources Act.

Land use activities within Protected Watersheds are subject to the provincial *Policy for Land and Water Related Developments in Protected Public Water Supply Areas*, which identifies land uses, and activities that are prohibited and land uses that may be permitted with written approval of the Minister. The policy also sets minimum environmental buffers for all land uses, including 150 metres on an intake pond, 75 metres on a main river channel, and 50 metres on a lake or pond.

The owner/operator of a designated water supply area is responsible for protecting the public water supply area in accordance with Section 39 of the Water Resources Act.

An environmental buffer of at least 15 metres should be established along the high water mark of all waterbodies showing on a 1:50,000 map, including streams, ponds, wetlands, and the ocean. Any development activities within this buffer area, including culverts, bridges, stream diversions, fording, infilling, and dredging, requires a permit under Section 48 of the Act.

The Water Resources Management Division generally does not recommend approval for residential properties in wetland areas.

A permit under Section 48 of the Water Resources Act is no longer required for a wharf, slipway, or boathouses; however, construction must in accordance with the Department's

Environmental Guidelines for Construction and Maintenance of Wharves, Breakwaters, Slipways, and Boathouses.

A permit is required under Section 48 of the Act for any infilling or dredging work associated with a wharf or other works in a body of water.

There have been increased instances of flooding in the Gambo area over the past several years. The Water Resources Division recommends that the Town consider hiring a consultant to undertake a Flood Risk study to determine the extent of flooding along Gambo Brook, Gambo Pond, Mint Brook and Freshwater Bay within the Town's boundaries. The Town may also consider reviewing past instances and reports of flooding to determine sensitive areas. It can also utilize the Department's policy and guidelines for development in flood risk areas (i.e. Policy for Flood Plain Management) in order to control development and decrease instances of damage to residences and other properties.

Department of Environment and Conservation (Wildlife Division)

The Town of Gambo has a Municipal Stewardship Agreement with the Province, which outlines the Town's and province's commitment to conservation and protection of wetlands and associated uplands within a specified Stewardship Zone and Management Units.

As an important component of this process, the Town incorporated the Agreement into their 2003-13 Municipal Plan via appropriate zoning. It is encouraged to take a similar approach in the updated Municipal Plan.

East of Gambo, there is an area of interest that includes a stand of rare Red Pine. We encourage the Town to consider the possibility of protecting/conserving this ecologically significant area within the Municipal Plan. Although the stand is outside the Municipal Planning Area, Council could consider asking the Minister of Municipal and Intergovernmental Affairs to declare the site a protected area under Section 31 of the Urban and Rural Planning Act and appoint the Town to be the authorized administrator

to develop and enforce a protected area plan.

Department of Transportation and Works

The proposed Gambo Bypass Road linking the Trans Canada Highway to Route 320 north of Middle Brook has been identified as a future development in the Department's long-term strategy. No timeframe for construction has been established and current plans are conceptual only.

The Gambo south area has experienced severe flooding on occasion. The Town introduced a freeze on development in this area in 2011 due to flood events and the potential of further flooding. The Department had the area stabilized along a brook near Joey's Lookout to reduce potential for further flooding. This included approximately 2 kilometres of ditching along the old route of Trans Canada Highway to re-establish former drainage patterns. Based on past history, the potential for further flooding in the Gambo south area still exists.

All standards for access from a provincially maintained roadway must be met if new developments are undertaken. These include sight distance, grades, turning characteristics, etc.

Provincial Archaeology Office

There are four known archaeological sites within the Gambo planning area that are protected under the Historic Resources Act. The PAO has requested that all applications for construction within 100 metres of the shoreline be referred to its Office before granting approval. It has also requested that accidental discoveries of archaeological resources be reported to it.

Department of Environment and Conservation (Land Management)

The Lands Branch is considering the development of cottage lots along the Gambo Pond shoreline within the Planning Area. It requested that shore frontage land south of Mint Brook be zoned to allow cottage development.

3.0 GOALS AND OBJECTIVES

This section outlines the Town's planning goals and objectives for the 2014-2024 period. A goal is a desired state, which reflects the long-term intent of Council and relates to a major area of interest or concern. An objective is a short-range step towards achieving the goal. In this context, an objective is an outcome or output desired by Council in less than 10 years.

3.1 Community Structure and Character

Goals: Encourage a growth structure for Gambo that ensures orderly development, efficient use and development of municipal services, compatibility between land uses, avoidance of sprawl, and retention of the Town's attractive features.

Objectives: Encourage and facilitate residential, commercial, and industrial development.

Encourage and facilitate new development through infilling along existing serviced streets, as well as through new streets built in close proximity to existing streets and infrastructure.

Restrict the spread of development to areas that cannot be serviced economically.

Preserve and protect environmentally important and sensitive areas including water supply areas, coastal shorelines, ponds, streams, wetlands, steep slopes, flood risk areas, and visually significant features.

Encourage lot layout designs that are efficient in the use of municipal infrastructure and sensitive to the existing physical form and character of the community.

Encourage preservation and maintenance of heritage areas and buildings.

Improve land and building accessibility standards to facilitate better mobility by disabled and elderly residents.

Restrict, or set conditions on, development in areas of flood risk.

3.2 Economic Growth and Development

Goal: Encourage diversified and balanced economic development that fosters employment opportunities, promotes a high quality of life, contributes financially to the municipality, and protects the environment.

Objectives: Foster the economic growth of Gambo particularly in regard to the potential for tourism, retail sales and services, light manufacturing, and housing development.

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

Encourage and accommodate compatible commercial, industrial, and tourism opportunities in suitable locations.

Allocate good quality land in desirable locations for a range of business activities.

Allow for compatible mixed development of residential, commercial, and light industrial land uses.

Ensure that economic development is as compatible as possible with neighbouring land uses.

Promote Gambo as an attractive place to live, drawing upon its advantageous location, commercial and community services, waterfront access, and recreational amenities.

Support resources and activities that enhance tourism such as the preservation and development of David Smallwood Park, trails, shorelines, heritage sites and buildings, famous salmon and trout fishing, and visitor facilities.

Promote the main streets of Gambo for mixed development including retail and service outlets, public buildings, multi-unit housing, and outdoor public spaces.

Encourage appropriate home occupations that fit with the neighbourhood character and do not impinge on the reasonable enjoyment of neighbouring residential properties.

3.3 Environment

Goal: Conserve, protect, and enhance important and sensitive environmental resources.

Objectives: Provide municipal services at environmentally acceptable standards.

Conserve, protect, and enhance important and sensitive environmental resources, including lakes, streams, estuaries, wetlands, riparian areas, steep slopes, and scenic vistas.

Protect the Gambo drinking water supply from land uses and activities that could negatively affect water quality and quantity.

Reduce stormwater flows, erosion, and impacts on receiving waters by improving how runoff is managed in developed and developing areas.

Restrict development that would exacerbate flood risk and damage to infrastructure and residential and commercial properties.

Conserve and protect important wetland and wildlife habitat in accordance with the *Gambo Habitat Conservation Plan* (2010) and the Town's Eastern Habitat Joint Venture Agreement.

3.4 Health and Social Well-Being

Goal: Provide for the welfare of all Gambo residents by addressing basic human needs, community services, and quality of life.

Objectives: Promote opportunities to meet the needs of residents for food, shelter, health care, education, employment, income, and safety.

Promote access to childcare, youth programs, and family services.

Facilitate the housing needs of residents of all ages, income levels, and physical and mental abilities (also see Section 3.5).

Enhance Gambo as an accessible and age-friendly community by improving development standards for the mobility needs of disabled and elderly residents.

Promote opportunities for inclusion of low-income and disadvantaged

residents into all aspects of community life.

3.5 Housing

Goals: Promote and facilitate adequate housing for all residents regardless of age, income, abilities, and family status.

Ensure development proceeds in a way that maintains a pleasant residential environment.

Objectives: Allocate sufficient residential land to meet anticipated requirements for the next ten years.

Protect residential quality of life and property values.

Accommodate a range of housing types to satisfy market needs.

Ensure affordable housing is available for residents of different income levels, age groups, family structures, and disability needs.

Manage residential development in a manner that preserves and protects sensitive environments and public open space.

Encourage development of single, double, and multi-unit housing in appropriate locations through infilling along existing streets, new subdivisions, and adaptive reuse of existing buildings in mixed-use areas.

Ensure a pattern of development that reduces land use conflict between residential and other land uses.

3.6 Transportation

Goal: Maintain an efficient transportation network to serve motorized and non-motorized transportation needs in Gambo.

Objectives: Maintain safe and efficient access to all residential developments, commercial establishments, and recreational areas.

Ensure new development provides for traffic circulation that avoids congestion and hazardous intersections.

Ensure the needs of disabled and elderly residents are appropriately addressed in the planning and design of streets, sidewalks, crosswalks, parking areas, and trail systems.

3.7 Recreation and Open Space

Goal: Maintain built facilities and natural areas to accommodate a range of active and passive recreational needs of Gambo residents.

Objectives: Encourage public participation in the planning of open space recreation and conservation lands.

Encourage and support recreational groups and community organizations in organizing sports, recreation, and festival activities and events.

Protect and enhance public access to the town's coastal and freshwater shorelines.

3.8 Culture and Heritage

Goal: Develop and protect the town's cultural and natural heritage.

Objectives: Support efforts to showcase Gambo's history and culture.

To the extent possible, protect Gambo's historic sites and buildings.

Protect and enhance sites important to showcasing the town's natural heritage, including key lookout sites and nature trails.

3.9 Capital Works

Goals: Provide an acceptable and consistent level of water, sewer, and storm sewer services.

As much as possible, utilize existing capacity prior to investing in new streets and municipal infrastructure.

Objectives: Maintain a water system within the Town capable of providing domestic water as well as fire flows to all feasible areas.

Provide a system of sanitary sewer trunk mains, outfalls and local service lines capable of accommodating existing and future sewage flows.

Maintain and enhance the sewage treatment service to reduce adverse impacts on the natural environment.

Improve stormwater management to control erosion and protect properties, watercourses, and environmentally sensitive areas.

3.10 Governance

Goals: Provide municipal services and administration effectively, efficiently, and equitably to all residents within the fiscal capacity of the Town.

Collaborate with other levels of government, community organizations, and the business community to facilitate opportunities to improve local governance and municipal services.

Objectives: Encourage public interest and participation in municipal governing processes, including Council elections, committee activities, and public participation in decision-making.

Deliver municipal administration and services effectively, efficiently, openly, and within the Town's fiscal capacity.

Ensure the Town is governed in compliance with relevant legislation such as the Municipalities Act and the Urban and Rural Planning Act.

3.11 Municipal Finance

Goal: Manage municipal expenditures and revenues so as to provide municipal services within a framework of long-term financial stability.

Objectives: Manage municipal expenditures and debt burdens in a prudent manner and according to the Town's ability to pay.

Encourage an enlarged economic base in the Town in order to generate more tax revenues.

Ensure that growth-related capital costs for new developments do not place an undue burden on residents' ability to pay.

4.0 COMMUNITY WIDE POLICIES

4.1 Policy Framework

This section provides the policy framework for the planning of Gambo as expressed in the Goals and Objectives outlined in Section 3.0.

The overriding thrust of the Municipal Plan is to ensure the continuance of a vibrant and sustainable community and to maintain the town's attractive character based on a compatible mix of built-up land uses and green space. This is important in order to provide continuity with the past, achieve the Town's development vision, maintain a distinct identity, and contribute to environmental, economic, social, and governance sustainability.

To accomplish the overall intent of the Plan, the following policy initiatives are put forward:

- i) Areas that can be developed and serviced at the most reasonable long-term costs to the Town will be given priority for community growth and expansion. Highest priority is placed on the infilling of vacant land on serviced streets. Second priority is placed on areas that are affordably close to existing streets and piped services. Development will be restricted in areas that would entail prohibitive or unnecessary costs to develop and maintain new infrastructure and provide services.
- ii) Prominent features that help to preserve community character, such as heights of land, coastal shorelines, open space, and scenic vistas, will be preserved.
- iii) A high standard will be maintained for both the natural and built environments, particularly the protection of environmentally sensitive resources such as fresh and saltwater shorelines, wetlands, steep slopes, archaeological resources, and historic areas.

- iv) Streets and infrastructure will be designed to achieve a high standard with respect to safety, traffic and pedestrian mobility, water and sewer distribution, and ease of maintenance.
- v) Capital works will be undertaken in an efficient, financially prudent, and environmentally responsible manner.

4.2 General Land Use Policies

4.2.1 General Layout of the Town

- (1) Council will encourage the consolidation of development in areas that are economical to connect to existing roads and service with water and sewer.
- (2) Council will give priority to infilling vacant serviced land over the development of new streets and infrastructure.
- (3) Council will limit residential development in areas that cannot be connected to the Town's water and sewer mains.
- (4) Council may refuse approval of a development in a location where municipal services are inadequate or it would be uneconomic to provide or maintain municipal services.
- (5) Council will require land developments to include reasonable measures to reduce storm water runoff from the site, including as necessary the setting-aside of green areas for storm water control and infiltration.

4.2.2 Compatibility of Uses

As much as possible, Council will ensure that new developments will not negatively affect existing land uses through the creation of hazards or nuisances such as noise, dust, odour, congestion, or unsightly appearance.

4.2.3 Non-Conforming Uses

In accordance with the Urban and Rural Planning Act 2000, a use of land that legally existed at the time of the registration of this Municipal Plan will be allowed to continue irrespective of its conformity to the Plan or Development Regulations. Specific provisions concerning legal non-conforming uses are set out in the Development Regulations.

4.2.4 Land Development and Subdivision Proposals

(1) Site Suitability

When reviewing a proposed land development, Council will consider the site's suitability in terms of soils, geology, location of watercourses and wetlands, steepness of grades, and overall environmental sensitivity. When considering approval, Council will ensure that the development will have minimal negative effects on water resources and surrounding properties.

(2) Professional Review

If in Council's opinion, a proposed development could result in undesirable environmental effects or could create problems for the development or nearby properties, Council may require an assessment of the proposed development by a certified planner, engineer, or similar professional.

Among other matters, the review shall evaluate the adequacy of the proposed site grading, drainage, stormwater control, and landscaping, as well as the potential of the development to negatively affect nearby properties and bodies of water due to storm drainage, erosion, or pollution.

(3) Land Needed for Environmental Protection

When approving a development, Council may require portions of the proposed site to be set aside from development or vegetation clearing in order to reduce and control stormwater drainage and erosion. Council's authority to require land to be set aside for environmental purposes derives from Section 13(3) of the *Urban and Rural Planning Act 2000*. Land needed for such purposes will not be included in the calculation of land for public use as set out in Section 37(1) of the *Act*.

(4) Land for Public Use

In accordance with Section 37 of the *Act*, for each subdivision approval, Council may require the developer to convey an area of land to the Town for open space or other public use. This conveyance would be equal to up to ten per cent of the gross area of the land to be developed. Alternatively, in lieu of land dedication, Council may decide to accept a sum of money that is equivalent to the value of the land that would have been conveyed.

(5) Coordination with Surrounding Development

Subdivisions and other developments will be coordinated with surrounding existing and proposed developments, the street network, and municipal infrastructure.

Such developments may be required to provide for access to adjacent undeveloped lands.

(6) Municipal Services and Access

The provision of municipal services and access must be appropriate to the type and scale of development. Council will ensure that a new development will make efficient use of existing streets and infrastructure and will not create unreasonable servicing demands or costs.

(7) Public Input

Council may seek input from nearby residents and landowners when reviewing development proposals.

(8) Council Decision

Council will review each development application on a case by case basis and may:

- (a) Approve the development as proposed,
- (b) Approve the development subject to certain terms or conditions,
- (c) Defer a decision subject to more detailed information or requested modifications to the proposal, or
- (d) Not approve the development if it concludes that it will be unsuitable for the location, will be prohibitively expensive for the Town to service or maintain, or will create environmental or other problems that cannot be sufficiently corrected or mitigated.

(9) Subdivision Agreement

Council may require an applicant to enter into a subdivision agreement with the Town as a condition of approval.

4.2.5 Consolidation and Infill of Serviced Areas

- (1) Council will encourage intensification of development in areas that are accessible to piped water and sewer services. This can occur through infilling of vacant land along existing roads, approval of backlots in appropriate locations, and keeping new street development in close proximity to existing infrastructure.
- (2) Site plans for infill development and land use intensification must meet the approval of Council. Developments must be compatible with the existing neighbourhood character and in accordance with Council's development standards with respect to lot size, frontages, road widening, alignments,

installation of municipal services, environmental protection, retention of open space, and matters concerning current or future public works.

4.2.6 Public Streets

Subject to conditions to mitigate environmental impacts, public streets are generally permitted in all areas except within the Environmental Protection and Protected Watershed designations.

4.2.7 Public Access to Watercourses and Coastal Shorelines

Council will ensure that sufficient and appropriate public access is maintained to ponds, watercourses, and saltwater shorelines provided that such access does not unreasonably impinge on the use and enjoyment of abutting private lands.

4.2.8 Comprehensive Development

- (1) In order to accommodate a desirable but unconventional development (for example, a planned unit development), Council may permit a comprehensive development that, except for overall density and use classes, does not comply with the lot size, frontage, and minimum yard standards of the zone in which it is located.
- (2) A comprehensive development will not be permitted on a site that Council considers to be unsuitable for development due to insufficient area or other physical, locational, or environmental constraints.
- (3) Council may require a comprehensive development to provide for higher standards than normal for environmental protection, provision of land for open space or public use, and protection of heritage sites and scenic landscapes.
- (4) A comprehensive development must be compatible with adjacent land uses.

4.2.9 Adaptive Re-use of Existing Buildings and Properties

Council will encourage the adaptive reuse of existing buildings and properties for land uses that are permitted within the designation and would be compatible with nearby existing land uses.

4.2.10 Heritage and Archaeological Resources

- (1) Council will encourage the preservation of individual sites and buildings that have archaeological or heritage significance.
- (2) In reviewing development proposals, Council will give priority to ensuring that new buildings and site developments will be of a scale, mass, and architectural style that is compatible with, and will not detract from, nearby heritage sites and buildings.
- (3) Council will cooperate with landowners to identify new or enhanced uses for older buildings and make owners aware of public programs aimed at preserving built-heritage.
- (4) Archaeological sites are protected under the *Historic Resources Act, 1985*. If such a site is discovered, development will stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation will be notified and consulted on how the development should best proceed.

4.2.11 Discretionary Uses

Council may decide that a land use should be set out as a discretionary use in a particular zone in the Development Regulations, where:

- (a) the suitability of the use is not clear and may depend on the land use characteristics and circumstances of individual locations within the zone,
- (b) Council determines that the use could negatively affect the predominant uses of

the zone and, in order to mitigate this impact, it would be desirable to consult with the public prior to issuing, issuing subject to conditions, or refusing a development permit; or,

- (c) it is necessary to attach conditions to an approval to ensure that the use is developed in a way that is compatible with nearby uses and the predominant uses of the zone.

4.2.12 Mineral Exploration

- (1) Subject to other provisions of this Municipal Plan, mineral exploration that is not classed as a development (by virtue of drilling, appreciable ground disturbance, or construction of access roads) may be permitted anywhere in the Planning Area, provided that the Town is given previous notice.
- (2) In accordance with Sections 12 and 13 of the *Mineral Act*, no exploration of any type will be permitted on privately owned land without the consent of the landowner.
- (3) Mineral exploration that is classed as a development may be permitted in certain designations, provided that adequate provision is made for environmental protection, site reinstatement, landscaping, buffering, or mitigations of impacts on residential, commercial, industrial, institutional and recreational areas.
- (4) Mineral exploration will be permitted only if all necessary Provincial approvals have been obtained.

4.2.13 Mineral Working

- (1) Mineral working operations, where permitted, will be subject to terms and conditions to minimize impacts on environmentally sensitive areas and nearby existing development.

- (2) Mineral working operations will take measures to minimize negative impacts on water resources and other sensitive environmental resources.

4.2.14 Forest Resources and Trees

- (1) Forests will be preserved and protected for the production of timber-based products as well as the realization of important non-timber values such as fish and wildlife habitat, water quantity and quality, biodiversity, scenery, recreation and tourism.
- (2) Harvesting of forests and trees will respect the Town's objectives for environmental protection, preservation of scenery, outdoor recreation, storm water control, and drinking water protection.
- (3) In order to preserve a site's natural characteristics and attractiveness for development, Council may restrict, or set conditions on, tree removal in areas planned for future residential development.

4.2.15 Utilities

(1) Utility Easements and Facilities

Utility facilities, such as transmission lines, communication towers, storm water drains, water and sewer pipes and treatment facilities, energy generation facilities, and pollution control, may be permitted in all land use designations subject to conditions set by Council. Council may restrict, or place conditions on, the development of certain utilities within the Environmental Protection designation.

(2) Alternative Energy Facilities

Wind, small hydro, and solar energy generation facilities may be permitted in any land use designation subject to conditions set by Council, including the following:

- (a) The location and design of such utilities shall take into consideration potential impacts on nearby land uses, persons, and the natural environment.
- (b) Wind generators permitted within built-up areas will be limited to single turbines designed to serve individual properties.
- (c) To provide for adequate safety and comfort of persons and properties, Council will ensure that there is an adequate separation distance between any type of wind generator and nearby buildings and structures.
- (d) Energy utilities are subject to required approvals by relevant provincial and federal departments.

4.2.16 Provision for the Disabled and Elderly

Council will consider the mobility needs of disabled and elderly residents in the planning and design of municipal streets, buildings, and recreational facilities, and when approving commercial, public, and large residential buildings and facilities.

4.3 General Environmental Policies

Conservation values are intrinsic to this Municipal Plan. High priority is given to protecting sensitive areas and preventing storm water impacts, soil erosion, and watercourse sedimentation. Land use decisions will duly consider environmental sustainability and biodiversity objectives.

4.3.1 General Environment

(1) Protection of Sensitive Areas

Environmentally sensitive lands, including the water supply area, watercourses, riparian areas, wetlands, coastal areas, steep slopes, wet and unstable soils, and important habitat, will be protected from potentially damaging development.

(2) Consideration of Environmental Impacts

Potential environmental effects will be considered when reviewing development applications. At its discretion, or in accordance with other statutory requirements, Council may refer development proposals for advice and/or regulatory approval to Provincial and Federal departments such as Environment and Conservation, Government Services, Health and Community Services, Fisheries and Oceans Canada, and Environment Canada.

4.3.2 Soils and Drainage

Development shall be permitted only on lands with soil and drainage conditions that, in the opinion of Council, are suitable for the proposed use.

4.3.3 Watercourse and Wetland Protection

- (1) Development in the vicinity of a watercourse or wetland will be carried out in a manner that minimizes the potential for environmental impacts, protects natural drainage, and preserves existing public access to the water.
- (2) Conservation buffers will be established to protect watercourses from storm water discharges, erosion, sedimentation, and pollution.
- (3) Where it believes that a proposed development may affect a wetland, at its discretion, Council may:
 - (a) require the developer to have the wetland delineated by a qualified consultant;
 - (b) establish a sufficient buffer from the edge of the wetland, in which development may not be permitted;
 - (c) require such other conditions or restrictions to protect the wetland; and/or,
 - (d) refuse to approve the development if it believes that identified impacts cannot be sufficiently minimized or mitigated.

4.3.4 Habitat Conservation

Background

A diversity of waterfowl, including Black Ducks, Common Goldeneye, Canada Geese, and Green Wing Teals, inhabit the rich wetlands within Gambo's boundaries. The town is home to other avian species as well, including bald eagles, common terns, and various gull species. Gambo is also known to have the largest colony of double crested cormorants in Newfoundland.

In 2010, the Town of Gambo adopted its *Habitat Conservation Plan* to guide development and activities within designated wetland and wildlife Stewardship Zones and Habitat Management Units. Its goals are to conserve important wetlands, maintain wildlife (particularly waterfowl) use of these areas, and increase public awareness of the importance of wetland habitat for wildlife conservation.

The Gambo Stewardship Zone incorporates all wetland and waterfowl habitat within the municipal area, as well as the islands in Freshwater Bay that lie outside Gambo's boundaries.

In accordance with its Stewardship Agreement with the Province, the Town is committed to upholding a Stewardship ethic in all decisions involving existing habitat to minimize and eliminate the effects of human activities on Gambo wetlands.

Gambo has five Habitat Management Units within its municipal boundaries, comprising a total area of approximately 2,083 acres. These include:

1. Gambo Bog Management Unit – 1023.8 acres
 Located north of Gambo Pond and east of Gambo Brook, this Management Unit provides nesting habitat for Canada Geese and is used as a stopover feeding area by Brant Geese during their migration to Arctic breeding grounds.

2. Gambo Brook Estuary Management Unit – 214.4 acres

This Management Unit extends northward from the northern tip of the Gambo Bog Management Unit and includes valuable foreshore flats. It encompasses all aquatic habitats to the shoreline. It is another important area for Brant Geese.

3. Middle Brook Estuary and Marsh Point Management Unit – 660.7 acres

This Management Unit includes all waters within 500-600 metres of the shoreline from March Point to Dominion Point as well as the large marsh on Marsh Point. These waters are regularly frequented as a spring staging area for over 500 Canada Geese, and are also habitat for Common Mergansers, Common Goldeneye, and Bald Eagles. The Marsh Point wetland provides important nesting habitat for a mixed colony of 25-50 pairs of herring and ring-billed gulls.

4. Traverse Brook Estuary Management Unit – 93.8 acres

Located between Traverse First Pond and Freshwater Bay, the waters and marshes of Traverse Brook provide nesting habitat for Black Duck. It includes a 165-metre buffer from the shoreline, including the small islands off the shore, which play a critical role for nesting habitat.

5. Black Duck Pond Management Unit – 90.3 acres

Located in the northwestern portion of the Municipal Area, this management unit takes in Black Duck Pond and surrounding shore land. It is known habitat for Black Ducks and 4-10 pairs of Ring-Necked Ducks, which nest in the emergent vegetation on the western side of the Pond.

(1) Council will manage its Stewardship Zone and Habitat Management Units to maintain and enhance wetland habitat and waterfowl populations.

(2) Land uses and development activities in the Stewardship Zone will be managed so as to minimize impacts on wetlands, waterfowl, and wildlife

populations. Before being approved, development applications that, in the view of Council, may impact wetland habitat will be forwarded to staff of the Eastern Habitat Joint Venture for comment.

- (3) Within the Habitat Management Units, no development will be permitted that would have adverse impact on wetland habitat and waterfowl and wildlife populations. Development applications that, in the view of Council, may impact habitat will be forwarded to staff of the Eastern Habitat Joint Venture for comment before being approved.

4.3.5 Unstable Geology and Soils

Development in areas that are environmentally sensitive or hazardous due to wet or unstable soils, a high water table, or unstable geological conditions, may be restricted or subjected to terms and conditions to reduce potential impacts.

4.3.6 Coastal Land

Development in the vicinity of coastal shorelines shall be carried out in a manner that minimizes potential environmental impacts, protects natural features, and preserves existing public accesses to and along the shoreline.

4.3.7 Flood Risk Areas

- (1) Development may not be permitted, or may be subject to special conditions, on sites that in the opinion of Council are subject to local flooding.
- (2) In accordance with the Gambo *Building Development Controls in Floodplains Regulation 2011*, no buildings will be permitted in the area referred to as Zone B. This area is designated as Environmental Protection on Future Land Use Map 2.
- (3) In accordance with the Gambo *Building Development Controls in Floodplains*

Regulation 2011, all buildings to be constructed in the area referred to as Zone A must meet special restrictions and conditions as specified in the *Regulation*, as well as in the *Gambo Development Regulations, 2014-24* . This area is shown as an overlay on Future Land Use Map 2.

4.3.8 Steep and Unstable Slopes

Steep and unstable slopes will be subject to development restrictions or other conservation measures designed to minimize environmental impacts and hazards to properties resulting from development.

4.3.9 Storm Drainage

- (1) Development will not be undertaken in a manner that causes excessive increases in storm water runoff such that it could be detrimental to adjacent properties, steep or unstable slopes, nearby watercourses, or other sensitive areas.
- (2) In areas where there is concern that development may contribute to excessive storm water increases, Council may require developers and landowners to:
 - (a) Set aside open space areas where storm water can be discharged to naturally infiltrate into the soil.
 - (b) Maintain vegetated buffers between storm water drainage outlets and watercourses to minimize direct discharges into watercourses.
 - (c) Preserve existing trees or plant additional trees and shrubs to promote soil infiltration and capture sediments.
 - (d) Channel runoff to gardens and low-lying areas on the development site and on individual lots.
 - (e) Capture roof drainage in rain barrels.
 - (f) Take advantage of the topography to reduce storm drainage, for example, retain natural depressions in the landscape to accumulate runoff and promote soil infiltration.

- (g) Re-establish vegetative cover immediately on gravel surfaces, banks, drainage ditches, and other areas disturbed by construction activity.

4.3.10 Use of Discretionary Authority

Council may exercise its discretionary authority to prohibit, or set conditions on, development when, in its opinion, the development might result in undesirable environmental impacts, for example, excessive run-off onto adjacent properties, flooding, soil erosion, scouring or siltation of streams, or unpreventable exposure of contaminated soils.

4.4 Infrastructure Policies

4.4.1 Water Supply System

- (1) Council will maintain its water supply system, including intake, treatment plant, and distribution system, in good working order to ensure the availability of an adequate quantity and quality of water for residents, businesses, and public facilities.
- (2) Adequate fire flows will be maintained in all areas served by municipal water.

4.4.2 Sanitary Sewer System

Council will maintain the town's sanitary sewer system in good working order.

4.4.3 Storm Water Management

Council will maintain storm drainage ditches and facilities in good working order.

4.4.4 Water and Sewer Requirements for New Development

- (1) All water and sewer infrastructure associated with new land development must meet the minimum standards of the Town and be approved by the Town's engineer.

- (2) The costs of installing water and sewer services and connecting new lots to the municipal system will be the sole responsibility of the developer.

5.0 LAND USE DESIGNATIONS

Land use designations are set out on the Future Land Use maps. The policies in this section relate to the individual designations.

5.1 Environmental Protection

5.1.1 General Intent

- (1) In the Environmental Protection designation, highest priority is given to protecting sensitive areas from the adverse impacts of development.
- (2) The Environmental Protection designation will protect environmentally sensitive areas, including, but not limited to, lakes, rivers, streams, estuaries, riparian areas, coastal shorelines, wetlands, steep slopes, and habitat conservation areas.
- (3) Conservation buffers and other measures will be used to protect coastal beaches, salt marshes, waterfowl habitat, and other sensitive coastal resources from the impacts of development.
- (4) Approval of all coastal uses will be contingent on terms and conditions aimed at maintaining reasonable public access to and along the shoreline.

5.1.2 Land Use

- (1) Conservation uses, including buildings and structures associated with conservation, will be permitted.
- (2) At its discretion, Council may permit open space uses such as walking trails and boardwalks. Before approving such developments, it must be clearly demonstrated to Council that potential adverse effects on the site, adjacent freshwater and saltwater bodies, and aquatic and waterfowl habitat will be minimal. Also Council must be satisfied that a proposed development will not

unreasonably impede public access to or along the shoreline.

- (3) At its discretion, Council may permit transportation developments, for example, road crossings of streams, bridges, culverts, and storm water drains, but only if alternative locations are not possible and Council considers the proposed development to be in the public interest. Council will consult with the Department of Environment and Conservation, Fisheries and Oceans Canada, and other relevant agencies before approving any such development.
- (4) At its discretion, Council may permit certain developments in coastal areas if they are coastal-location essential and are not contrary to the public interest. Examples include docks, slipways, marinas and marine facilities.
- (5) Excavation and filling-in of land and water will not be permitted unless it is to redirect storm water or is a public work that has been approved by the Water Resources Division of the Department of Environment and Conservation.
- (6) Generally no residential development will be permitted in the Environmental Protection zone. However, at its discretion, Council may permit a single dwelling on a lot that existed prior to the adoption of this Plan but only if there is no opportunity on the lot to construct the dwelling outside of the Environmental Protection designation.

5.2 Protected Watershed

Gambo's drinking water is supplied from Dark Cove Pond located west of the community. It is located within a designated Dark Cove Pond-Goose Pond Watershed Area (Regulation 232/78) under the Water Resources Act.

5.2.1 General Intent

Land is designated Protected Watershed to protect the quantity and quality of water from Gambo's water supply area.

5.2.2 Land Use

- (1) Permitted uses in Protected Watershed areas include conservation uses.
- (2) Discretionary uses in the Dark Cove Pond-Goose Pond Water Supply area may include open space uses such as walking trails, forestry uses, transportation uses, and mineral exploration. These will be subject to high standards and conditions to ensure they will have no effect on the water supply.
- (3) No form of residential or other built-up development will be permitted in the Water Supply Area.
- (4) In accordance with Provincial forestry regulations, no woodcutting is permitted within prescribed buffer setbacks from Dark Cove Pond, Goose Pond and other watercourses. These required setbacks are outlined in Schedule C of the Development Regulations.

5.2.3 Department of Environment and Conservation

No form of development shall be permitted in the designated Protected Watershed areas without the approval and guidance of the Water Resources Branch of the Department of Environment and Conservation.

5.2.4 Watershed Monitoring and Enforcement

- (1) Council will closely monitor land uses and activities in the Protected Watershed designation to ensure they are being carried out in a manner that will not harm water quantity and quality.
- (2) Uses or activities that are found to be taking place in a manner deleterious to the water supply will be subject to an immediate stop-work order.

5.3 Residential

5.3.1 General Intent

- (1) Areas are designated Residential in order to accommodate new housing needs and preserve the amenity of existing residential areas.
- (2) Residential development will be generally limited to areas that can be economically connected to existing streets and piped services. Highest priority for development will be infill along existing streets. Council may also approve extensions of existing streets and new residential streets in close proximity to existing residential development. Backlot residential development may also be approved where it is deemed by Council to be appropriate, compatible with existing development, and not an impediment to efficient development of adjacent developable lands.

5.3.2 Guiding Principles

In guiding residential growth, Council will endeavour to achieve a balance between the following principles:

- (a) New residential development will maintain the Town's natural and scenic character.

- (b) New development will accommodate an appropriate mix of housing types to meet changing market conditions and socio-demographic needs of residents.
- (c) New development will ensure that municipal infrastructure and services can be delivered and maintained at a reasonable cost to taxpayers.

5.3.3 Land Uses

- (1) Permitted housing in areas designated Residential will include single dwellings and subsidiary apartments.

Accessory buildings are permitted on residential lots subject to standards and conditions required by Council.

A home occupation will be permitted within a residential dwelling or within an accessory building on the same lot, in accordance with conditions required by Council.

Small scale crop agriculture will be permitted.

Conservation and open space uses are considered to be complementary uses in the Residential designation, and will be permitted.

- (2) Residential uses that may be permitted in serviced areas at Council's discretion include double dwellings, townhouse dwellings, apartment buildings, mini-homes, boarding houses, and residential care facilities.
- (3) At Council's discretion, childcare uses, bed and breakfasts, communications, emergency services, energy generation facilities, kennels, small scale livestock agriculture, recreational open space, and transportation uses may be permitted.

5.4 Residential Seasonal

5.4.1 General Intent

- (1) Areas are designated Residential Seasonal in order to accommodate demand for recreational housing in a limited number of remote areas where municipal roads and services cannot be anticipated in the foreseeable future.
- (2) Except as otherwise decided by Council, the Town will not be responsible for developing or maintaining roads or other means of access in areas designated Residential Seasonal.

5.4.2 Land Uses

- (1) Permitted housing in areas designated Residential Seasonal will be limited to recreational dwellings.

Accessory buildings, conservation, open space, and crop agriculture uses will be permitted.

- (2) At Council's discretion, energy generation facilities and transportation use may be permitted in accordance with conditions that may be required by Council.

5.5 Mixed Development

The Mixed Development designation recognizes the existing mix of residential, commercial, and public uses that has evolved over time along J. R. Smallwood Boulevard and some adjoining streets.

5.5.1 General Intent

- (1) Council will carefully manage new development in this designation to allow a compatible mix of residential, commercial, light industrial and institutional uses.

- (2) Council will encourage the revitalization of Mixed Development areas that have suffered from economic decline by promoting and facilitating adaptive reuse and redevelopment of vacant and underused buildings and properties.

5.5.2 Land Uses

- (1) The Mixed Development designation will accommodate a compatible mix of land uses to enhance the potential of areas along J. R. Smallwood Boulevard, Pine Tree Road, and Park Road to function as hubs of community, commercial, and residential activity.

The designation will allow for the development of various types of housing, public buildings, recreational open space, home-based businesses, and low-impact commercial and light industrial uses.

- (2) Single dwellings, double dwellings, subsidiary apartments, and accessory buildings will generally be permitted except where they are deemed by Council to be inappropriate for the area due to incompatibility with existing commercial or other non-residential uses.

General assembly uses, indoor markets, offices, personal service uses, and shops will be permitted except where they are deemed by Council to be incompatible with existing residential uses.

Other permitted uses include home occupations, child care, small scale crop agriculture, cultural and civic uses, educational uses, emergency services, and medical services.

Open space and conservation are complementary uses that will be permitted.

- (3) Residential uses that may be permitted at Council's discretion include apartment buildings, mini-homes, townhouses, and residential care facilities.

Commercial accommodation uses, tourist cottage establishments, bed and breakfasts, boarding houses, and campgrounds may be permitted at Council's discretion if they are deemed to be suitable for the area and compatible with existing land uses.

Other uses that may be permitted at Council's discretion include catering, cemeteries, clubs and lodges, communication uses, drinking establishments, energy generation facilities, entertainment uses, funeral homes, garden centres, general services, indoor assembly uses, kennels, light industry, small scale livestock agriculture, outdoor assembly uses, outdoor markets, places of worship, recreational open space, commercial outdoor recreation, service stations, shopping centres, take-out food services, transportation uses, vehicle sales and services, and veterinary services.

5.5.3 Compatibility of Uses

- (1) In evaluating development proposals in Mixed Development areas, Council will pay particular attention to ensuring new development is compatible with existing uses and the general character of the area.
- (2) Where an area within the Mixed Development designation is predominantly commercial in character, proposed residential uses will not be approved if they are considered incompatible with that commercial character.
- (3) Where an area within or adjacent to the Mixed Development designation is predominantly residential in character, proposed non-residential uses will not be approved if they are considered incompatible with that character.

- (4) Before approving a non-residential development, Council must be satisfied that its requirements with respect to building setbacks, buffering between uses, off-street parking, outdoor storage, and other site related matters can be met.
- (5) Council may impose conditions to require a commercial or light industrial use to maintain an attractive appearance and minimize nuisance impacts on existing uses. These may address proper site layout, buffering, screening, and control or restriction of potentially noxious or hazardous activities.

5.5.4 Guidelines

The following principles will be pursued within the Mixed Development designation:

- (a) Adaptive reuse and redevelopment of vacant and underused properties and buildings will be encouraged to the extent that it is compatible with the area and, in Council's opinion, will contribute to revitalization of the area.
- (b) The preservation and enhancement of buildings of architectural or historic interest will be encouraged.
- (c) The appearance, scale, siting, and use of new buildings, as well as expansions and renovations to existing buildings, will have regard for, and not detract from, the character of the surrounding area.
- (d) Restoration and reuse of dilapidated buildings and sites will be encouraged.

5.5.5 Other Municipal Plan Requirements

Other requirements for public, commercial and residential development expressed elsewhere in this Plan shall, where relevant, apply to development within the Mixed Development designation.

5.5.6 Use of Discretionary Authority

If Council deems that a proposed development in the Mixed Development designation will adversely affect the character of the area, it may exercise its discretionary authority to refuse the application or set terms and conditions on the development.

5.6 Village Green

5.6.1 General Intent

The Village Green designation is established to enhance and preserve the character and function of this area as a centre for cultural, civic and tourism activity. The mixed-use character of the area will be maintained, with an emphasis on cultural and tourism uses. Proposed developments in the area will be permitted by Council only if they respect the surroundings and are compatible with the intended function of the area.

5.6.2 Land Uses

- (1) Permitted uses in the Village Green designation include conservation and open space, which are complementary to the general intent of the designation. All other proposed uses will be considered on a discretionary basis.

- (2) Residential uses that may be permitted at Council's discretion include single dwellings, double dwellings, townhouses, residential care facilities, subsidiary apartments, and accessory buildings.

Visitor accommodation facilities that may be permitted at Council's discretion include bed and breakfasts, commercial accommodations, and tourist cottage establishments.

Other uses that may be permitted at Council's discretion include catering, childcare, cultural and civic uses, drinking establishments, energy generation facilities, entertainment uses, clubs and lodges, cultural and civic uses, drinking establishments, energy generation facilities, entertainment uses, home occupations, indoor assembly, outdoor assembly, indoor markets, outdoor markets, recreational open space, shops, take-out food services, and transportation uses.

5.6.3 Maintenance and Enhancement of Village Green Area

Development applications in the Village Green designation will be considered on a case-by-case basis with respect to how the development will contribute to the maintenance and enhancement of the intended cultural and tourism character of the area.

5.7 Public Use

5.7.1 General Intent

Land is designated Public Use in order to permit the development of institutional and associated land uses.

5.7.2 Land Uses

- (1) Permitted uses in the Public Use designation include childcare, cultural and civic uses, and educational uses. Conservation and open space are permitted complementary uses.

- (2) Uses that may be permitted at Council's discretion include cemeteries, clubs and lodges, cultural and civic uses, general assembly, indoor assembly, outdoor assembly, places of worship, residential care facilities, recreational open space, and transportation uses.

Office uses may be permitted if they are accessory to a main use.

Subsidiary apartments and catering may be permitted in a main use if deemed by Council to be integral and complementary to the operation of that use.

5.7.3 Cemeteries

Cemeteries will be protected from incompatible abutting development.

5.8 Commercial-Light Industrial

5.8.1 General Intent

Areas are designated Commercial-Light Industrial to facilitate economic development and enhance Gambo's potential to facilitate business growth and development. The Commercial-Light Industrial designation allows for a range of commercial and light industrial uses, service uses, and assembly uses.

5.8.2 Land Uses

- (1) Permitted commercial, assembly, and services uses include catering, childcare, educational services, emergency services, general assembly, general services, indoor markets, medical services, offices, outdoor markets, personal services, take-out food services, shops, and veterinary services.

Light industrial and communications uses are permitted. Conservation and open space are complementary uses that will be permitted.

- (2) Apartment buildings and residential care facilities may be permitted at Council's discretion. Subsidiary apartments may be permitted if they are deemed to be necessary for the operation of a main use.

Visitor accommodation facilities that may be permitted at Council's discretion include campgrounds, commercial accommodations, and tourist cottage establishments.

General and hazardous industrial uses may be permitted at Council's discretion.

Other uses that may be permitted at Council's discretion include clubs and lodges, commercial outdoor recreation, cultural and civic uses, drinking establishments, energy generation facilities, entertainment uses, funeral homes, garden centres, indoor assembly, kennels, outdoor assembly, recreational open space, salvage yards, service stations, shopping centres, transportation uses, and vehicle sales and services.

5.8.3 Compatibility with Neighbouring Areas

- (1) New development will be permitted to the extent that it will not unreasonably affect nearby residential areas with respect to noise, dust, glare, vibration, smell, traffic, pollution, and related factors.
- (2) Council may impose conditions to require an industrial or commercial use to maintain an attractive appearance and minimize undesirable impacts on nearby residential areas. Conditions may address site layout, outdoor storage, parking areas, buffering, screening, and control or restriction of potentially noxious or hazardous activities. Required screening may include fencing, berms, and/or appropriate plantings of trees and shrubs.

5.8.4 Off-Street Parking and Loading

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

5.9 Open Space

Gambo has a wonderful array of natural assets, terrific scenery, and community green space. These include coastal shorelines, wooded hillsides, lakes, streams, wetlands, hiking trails, and community green space. These pleasant and peaceful places are used for a variety of recreational purposes, outdoor gatherings, quiet enjoyment, and tourist attraction. Many of these are also important ecological places supporting diverse species of plants, birds, wildlife, and aquatic life.

5.9.1 General Intent

Land is designated Open Space to preserve and protect natural areas and scenic resources, as well as to set aside land for community parkland, trails, and other passive and low-impact recreational uses.

5.9.2 Land Uses

- (1) Within this designation, permitted uses will include conservation and open space uses such as trails, community parks, and associated facilities.
- (2) Other uses that may be considered at Council's discretion include recreational open space, crop agriculture, cemeteries, outdoor markets, temporary take-out food services, energy generation facilities, and transportation.

5.9.3 Cemeteries

Cemeteries will be protected from incompatible development.

5.10 Municipal Park

The Municipal Park designation includes all land within the boundaries of David Smallwood Municipal Park. It is located on the north side of Pine Tree Road and is traversed by Middle Brook.

5.10.1 General Intent

The intent of the Municipal Park designation is primarily to preserve the natural Environment and resources within the boundaries of David Smallwood Park, and secondly to be developed and used as a tourism attraction and revenue generator.

5.10.2 Land Uses

- (1) Within this designation, permitted uses will include conservation and open space uses such as trails and passive recreational facilities.
- (2) Uses that may be permitted at Council's discretion include campgrounds, tourist cottage establishments, general assembly, outdoor assembly, recreational open space, and commercial outdoor recreation.

At Council's discretion, catering, shops, and take-out food services may be permitted if deemed by Council to be integral and complementary to a main use such as a campground, tourist cottages, assembly use, recreational open space, or commercial outdoor recreation use.

Other uses that may be permitted include energy generation facilities and transportation uses.

5.10.3 Development Criteria

Council shall ensure that facilities are designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.

5.11 Rural

5.11.1 General Intent

- (1) Areas are designated Rural to recognize their importance for natural resource uses, habitat management, outdoor recreation, open space uses, and certain industrial activities that may not be suitable in built-up areas of Gambo.
- (2) Urban encroachment into rural areas will be minimized in order to sustain resource-based activities and reduce the loss, fragmentation, and degradation of natural habitat.

5.11.2 Land Uses

- (1) Permitted uses within this designation will include conservation, crop agriculture, forestry, mineral exploration, and open space.
- (2) Developments that Council may permit at its discretion include cemeteries, campgrounds, communications, energy generation facilities, livestock agriculture, mineral working, recreational open space, salvage yards, and transportation.

A light or general industrial use, outdoor market, or shop may be permitted at Council's discretion only if it is accessory to an approved main use.

A single dwelling may be permitted at Council's discretion only if it is accessory to and necessary for the operation of a commercial agriculture use.

5.11.3 Environmentally Sensitive and Scenic Areas

Council may restrict or set conditions to land uses and resource extraction activities that it deems may adversely affect lands that are not conducive to development for environmental aesthetic reasons. Examples include steep or unstable slopes, geologically unstable areas, wetlands, and watercourses. In these areas, protection rather than development measures will take priority.

5.11.4 Mineral Working

- (1) Mineral working operations will be carried out in a manner that protects existing land uses and environmental and scenic resources. To this end, minimum separation distances and buffering requirements will be required between pits and quarries and nearby uses such as residential areas, public highways and streets, watercourses, wetlands, and large recreational developments.
- (2) Proposals for new mineral working operations shall be subject to an assessment of impacts on environmental and scenic resources and existing nearby land uses.
- (3) Council will establish standards in the Development Regulations aimed at reducing potential impacts of mineral working operations on nearby built-up areas and environmentally sensitive areas, and may require measures to:
 - (a) Protect watercourses, wetlands, steep slopes, and other environmentally sensitive areas.
 - (b) Restrict mineral working in public viewsheds and near existing and proposed residential areas, roads, and important recreational areas.
 - (c) Restrict operating schedules.
 - (d) Establish conditions for site management, upkeep, and rehabilitation
 - (e) Progressively rehabilitate pits and quarries at specified points in their development.

5.11.5 Forest Management

- (1) Forest harvesting and management activities will be subject to the requirements and supervision of the Forestry Branch of the Department of Natural Resources.
- (2) Logging activities shall respect the Town's objectives for environmental protection, municipal watershed protection, scenic preservation, and recreation areas.

5.12 Transportation

The transportation system in Gambo includes a hierarchy of arterial, collector, and local roads, as well as public trails and walkways.

5.12.1 Consideration of Environmental Impacts

New highways, streets, water crossings, and associated infrastructure will be located and constructed so as to minimize adverse impacts on environmentally sensitive areas and resources.

5.12.2 Arterial Road

(1) Purpose

The primary purpose of an arterial road is to provide safe and efficient traffic flow for vehicles travelling to and through the Planning Area. A secondary purpose is to distribute traffic within the Planning Area.

(2) Description

The Trans Canada Highway and the Bonavista North Highway (Route 320) are Gambo's two Arterial Roads.

The Trans Canada Highway traverses Gambo's municipal area for a distance of approximately 12 kilometres.

Route 320 provides access between the Trans Canada Highway and other Bonavista North communities such as Hare Bay and New-Wes-Valley. It traverses the municipal area for a distance of approximately 18 kilometres.

J. R. Smallwood Boulevard is the portion of Route 320 within Gambo's built-up area. For the purposes of this Municipal Plan, this 10-kilometre stretch is considered to be a Collector Road.

(3) Individual Accesses

Council will use its discretionary authority if necessary to prevent development of any driveway and other private access along the Trans Canada Highway or Route 320, where it deems that such access would adversely affect traffic safety and/or efficiency.

(4) Future Road Connections

Council will ensure that appropriate street reservations are reserved along Route 320 to provide for future road connections to backland areas with development potential.

5.12.3 Collector Roads

(1) Purpose

The primary purpose of collector roads is to distribute traffic between major points and local streets within the Town.

(2) Description

At present, J. R. Smallwood Boulevard and Pine Tree Road are the main collector roads within the Planning Area.

(3) Individual Accesses

Access to abutting properties on collector roads will not be restricted but will be properly planned to ensure they do not impede safety and traffic efficiency.

5.12.4 Local Streets

(1) Purpose

Local streets are intended to serve properties located on the road and generally are not used by traffic except to access these properties and adjoining local streets.

(2) Description

Local streets include all remaining streets not referred to as arterials or collectors.

(3) Future Road Connections

Council will ensure that appropriate street reservations are reserved along Local Streets to provide for future connections to backland areas with development potential.

5.12.5 Street Design and Construction

- (1) The location, design, and construction of public streets will meet Council's minimum requirements for public safety, traffic efficiency, access to adjoining land, and construction quality.
- (2) New streets shall be located such that there will be sufficient land for the development of lots on both sides in accordance with the development standards of the zone.
- (3) The layout of a new street will provide adequate reservations to accommodate road extensions and access to backland areas for future development.
- (4) The costs of constructing and connecting new streets to the municipal street system will be the sole responsibility of the developer.

5.12.6 Provision for the Disabled and Elderly

Streets, sidewalks, public walkways, parking areas, and access points to public and commercial buildings will be designed to facilitate easy access and movement by disabled and elderly persons.

6.0 IMPLEMENTATION

The Gambo Municipal Plan will be implemented over the next 10 years through decisions of Council. Of particular importance to Council are the following:

- Effective administration of the Municipal Plan
- Public participation
- Development Regulations
- The basis of development control, and
- The procedure for considering amendments to the Municipal Plan.

6.1 Administration of the Plan

The Gambo Municipal Plan is comprised of goals and objectives (Section 3 of this document), community-wide land use policies (Section 4), designation-specific land use policies (Section 5), and a program of implementation (Section 6). The Background Report (Section 2) provides information but does not form part of the legally binding Gambo Municipal Plan. All development applications will be evaluated as to their conformity to the policies in the Municipal Plan.

6.1.1 Map Interpretation

- (1) For the purpose of administering the Municipal Plan, the **Future Land Use Map (Maps 1, 2, 3 and 4)** shall be read only in conjunction with the goals, objectives and land use policies of the Plan.
- (2) The boundaries of the land use designations shown on the **Future Land Use Map** are general only and, except where they coincide with roads, shorelines, or other prominent physical features, are not intended to define exact limits. No amendment to the Gambo Municipal Plan shall be required to allow minor adjustments of the land use boundaries. Other than such minor boundary adjustments, no development shall be permitted that does not conform to the Plan.

6.1.2 Development Applications

- (1) Every person wishing to develop land for any purpose within the Gambo Municipal Planning Area must apply to Council for permission through the established procedure. Council shall require that all development applications conform fully to the Gambo Municipal Plan before proceeding. Council may refuse or approve the application and may set conditions on approval. The decision of Council may be appealed to the appropriate appeal board.
- (2) Once conformity to the Municipal Plan has been established, Council shall ensure that each development proposal is given an evaluation.
- (3) If Council suspects that a Provincial or Federal policy or statute may come into effect, it will refer the development proposal to the relevant government department or agency for approval or comments.
- (4) Council's final decision on an application will be based on the desire to guide the development of Gambo in the best long-term interest of residents.
- (5) Provisions regarding the appeal of Council decisions on development applications will be contained in the Development Regulations.

6.1.3 Subdivision Proposals and Agreements

- (1) Evaluations of proposed subdivisions of land for development will include the following:
 - (a) An investigation of the physical conditions and features of the site and the opportunities for and constraints on development.
 - (b) A demonstration of how the proposed subdivision will join with existing roads, how it will affect existing developments, and whether it will provide future access to undeveloped lands in the area.
 - (c) A demonstration that the proposed subdivision will be compatible with surrounding land uses, both existing and future.

- (d) An examination of proposed municipal services and the long-term public costs of providing and maintaining these services.
 - (e) Consideration of how storm water drainage will be managed to minimize increased run-off onto adjacent lands.
 - (f) Consideration of how the development may affect important and sensitive environmental resources.
- (2) Before major land developments are approved in the Gambo Municipal Planning Area, Council may require the developer to enter into a development agreement with the Town. Such an agreement shall establish the conditions under which development will proceed and shall be binding on both parties. Any conditions governing the development will be enforced by attaching them to the development permit.

6.1.4 Non-Conforming Uses

- (1) A building, structure, or other development that does not conform with the intent and permitted land uses of this Municipal Plan, but which legally existed before the registration date of the Plan, will be permitted to continue as a “non-conforming use” subject to the provisions of Section 108 of the Urban and Rural Planning Act.
- (2) Notwithstanding subsection (1), if a non-conforming use is discontinued for a consecutive period of twelve months, or such further period as Council considers fit, it shall not be recommenced and any further use of the land or building shall conform with the intent of this Plan and its Development Regulations.
- (3) A non-conforming use under this Municipal Plan:
 - (a) shall not be internally or externally varied, extended or expanded unless otherwise approved by Council,
 - (b) shall not be structurally modified except as required for the safety of the building, structure or development,

- (c) shall not be reconstructed or repaired for use in the same non-conforming manner where 50 percent or more of the value of that building, structure or development has been destroyed,
- (d) may have the existing use for that building, structure or development varied by Council to a use that is, in Council's opinion more compatible with this Municipal Plan and its Development Regulations
- (e) may have the existing building extended where, in Council's opinion, that extension is not more than 50 percent of the existing building
- (f) where the non-conformance is with respect to the standards included in the Development Regulations, shall not be expanded if the expansion would increase the non-conformity; and
- (g) where the building or structure is primarily zoned and used for residential purposes, may, in accordance with this Municipal Plan and its Development Regulations, be repaired or rebuilt where 50 percent or more of the value of that building or structure is destroyed.

6.2 Public Participation

The Municipal Plan is an expression of the goals and aspirations of the citizens of Gambo, therefore, the periodic review of the Plan provides the opportunity for public participation and input, and can be an invaluable tool for the successful implementation of planning.

Council will take advantage of opportunities to involve the public in decision-making processes with respect to future planning and development of the community.

6.3 Development Regulations

Pursuant to Section 35 of the *Urban and Rural Planning Act*, Council has adopted the Gambo Land Use Zoning and Subdivision Regulations (referred to as the Development Regulations) in order to implement the goals, objectives and land use policies of the Municipal Plan. The Development Regulations control the subdivision and development of all land within the Gambo Planning Area.

6.3.1 Council Responsibility

In accordance with Section 35 of the *Urban and Rural Planning Act*, the Development Regulations have been established to ensure that land is controlled and used only in accordance with the Gambo Municipal Plan.

6.3.2 Content

The Development Regulations:

- (a) divide the Planning Area into land use zones,
- (b) indicate permitted and discretionary uses of land in each land use zone,
- (c) set out municipal-wide and zone-specific requirements and standards for the subdivision and development of land,
- (d) set out the administrative procedures for dealing with development permit applications and the issuing of development and building permits,
- (e) set out the regulations respecting the non-conforming development and use of land,
- (f) set the minimum notice periods for Council decisions respecting discretionary land uses, non-conforming land uses, and variances,
- (g) set out the regulations and procedures respecting appeals of Council decisions, and
- (h) set out the regulations respecting the enforcement of permit requirements.

6.4 Development Control

6.4.1 Municipal Plan is Binding

The Gambo Municipal Plan is a legal document that is binding upon all persons and organizations, including the Council.

6.4.2 Council Responsibility

Council shall exercise appropriate control over development in the Gambo Planning Area in accordance with the Municipal Plan and the Development (Land Use Zoning and Subdivision) Regulations.

6.4.3 Subdivision and Development Applications

- (1) All persons wishing to subdivide or develop land for any purpose within the Planning Area shall apply to Council for permission on the prescribed application form and shall submit a detailed drawing of the proposal indicating the location and dimensions of the land and the development.
- (2) Council will examine the application on the basis of the Development Regulations. Council may approve the application, approve it with conditions, or refuse it.

6.4.4 Right to Appeal

An applicant who receives a refusal decision from Council on a development application may appeal that decision to the Appeal Board in accordance with the Gambo Development Regulations.

6.4.5 Provincial and Federal Referrals

If Council deems that a proposed development may be affected by the regulations of a Provincial or Federal department, the application will be referred to the concerned department for comments before a permit is issued.

6.5 Amending the Municipal Plan and Development Regulations

This Municipal Plan was prepared on the basis of existing and expected future conditions. It is Council's intention not to amend the Plan for a five-year period after its adoption, after which another Plan Review will be undertaken. Nevertheless, if conditions change in unforeseen ways during the planning period, Council may consider possible amendments to the Plan.

6.5.1 Municipal Plan Amendment

If Council decides to adopt an amendment to the Municipal Plan, in accordance with Section 25 of the *Urban and Rural Planning Act*, the amendment procedure will be the same as for the adoption of the Municipal Plan as a whole. This procedure is described in Section 1.1.2 of this Municipal Plan and outlined in Sections 14 to 24 of the *Act*.

6.5.2 Stand-Alone Amendment to the Development Regulations

- (1) If Council decides to adopt an amendment to the Development Regulations, which does not also require a change to the Municipal Plan, the amendment procedure will be in accordance with Section 35 (5) of the *Act*.
- (2) Council shall give notice of the proposed change in a newspaper circulated in the area and shall receive representations with respect to those changes before forwarding the adopted amendment to the Department of Municipal and Intergovernmental Affairs and for registration under Section 24 of the *Act*.