

# Town of Gander



## Municipal Plan 2009 - 2019

**Prepared by:  
ADI Limited  
and  
Newfoundland and Labrador  
Consulting Engineers Ltd.**

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## Canadian Institute of Planners Certification

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I certify that this Municipal Plan/Development Regulation has been prepared in accordance with the *Urban and Rural Planning Act, 2000*.

MCIP seal

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Lydia M. Lewycky, MCIP, RPP Date

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## 1.0 INTRODUCTION

### 1.1 Purpose of the Plan

The Gander Municipal Plan has been prepared to provide Town Council with a comprehensive policy document to manage of growth within the municipal planning area over the ten-year planning period 2009-2019. The Plan repeals and replaces the Gander Municipal Plan 2000 - 2010. This document has been prepared in compliance with the Urban and Rural Planning Act, 2000; and on the basis of the Background Report -2008 and the Town's five-year capital budget.

The Plan has been drafted following a comprehensive review of the 2000 - 2010 Municipal Plan and Background Report and other land use planning documents pertaining to the Town. All relevant planning issues have been reviewed, as required under the Urban and Rural Planning Act, 2000, including a survey and study of land use, population growth, economic base of the planning area, transportation, communication, and public services. The results of the work conducted for the review are presented in a report titled Gander Municipal Plan Review: Background Report, 2008.

The Plan contains goals, objectives and policies of Council regarding development of the municipal planning area for the next ten years. It is Council's aim, through the Municipal Plan, to promote the social and economic well-being of the community; use land, water and other resources efficiently and responsibly; in a sustainable and environmentally conscientious manner.

This Municipal Plan provides the basis for changes to the Town of Gander Development Regulations and the Land Use Zoning, Subdivision and Advertisement Regulations. Schedules A through D have also been reviewed and amended as required. Although the Municipal Plan does not commit the Town of Gander or the Province of Newfoundland and Labrador to undertake any of the proposals contained therein, it does prevent the undertaking of any development that is in contravention of any policy or proposal stated in the Municipal Plan.

The Planning Area governed by the Municipal Plan is that shown on the Future Land Use Map (FLU-1). Generalized future land uses are shown on Future Land Use Map (FLU-2). The designation of land use zones is shown on the Land Use Zoning Map (LUZ-2).

In addition to this Chapter, the Municipal Plan contains:

Chapter 2 - Goals and Objectives

Chapter 3 - Land Use Policies

Chapter 4 - Implementation

**Chapter 2 - Goals and Objectives:** This section outlines the Council's planning goals and objectives that will be pursued in the 2009 to 2019 planning period. It also suggests specific objectives that will enable Council to achieve these long term goals.

A goal is a visionary statement that reflects long term ideals related to specific areas of concern or interest. An objective is a short term step posed towards achieving the goal. An objective is an action oriented step that should be realistic and attainable.

**Chapter 3 - Land Use Policies:** A "policy" is described as an overall goal of the council for the growth, development and planning of the community. A policy is not highly detailed – but rather more "visionary" in nature. A policy is binding on the municipality and supersedes a proposal and zoning provision. Simply stated policies may be considered as "what are the right things to do."

Thus Chapter 3 contains policies that relate specifically to land use, growth and development. These policies are meant to guide development in a meaningful, organized and consistent manner. Policies are also provided for culture, leisure and recreation, community services, transportation, tourism, facilities and servicing.

**Chapter 4 - Implementation:** describes the steps required to implement the Municipal Plan including administration, development regulations, development schemes and a five-year capital works program.

## 2.0 GOALS AND OBJECTIVES

The “*Vision*” for the Town of Gander on which this Municipal Plan is based, states:

Gander is a progressive and modern town which encourages economic growth in a manner which utilizes its strategic assets to broaden its economic base for the benefit of all citizens. A safe and healthy community, Gander will continue to offer new opportunities and choices for employment, leisure and recreation, housing, education, health care, government services, shopping, culture and entertainment.

In order to achieve this vision, a number of goals are proposed providing the foundation for specific objectives and land use policies as described in the following sections.

This section describes the goals and objectives to be achieved through the Municipal Plan. They are derived from the examination conducted during the Municipal Plan review process, the conclusions of the Background Report and input from the Steering Committee and residents.

### 2.1 Community Structure and Character

**Goal:** To continue to expand and develop the Town of Gander in a manner that ensures a continuation of orderly development, economic use of municipal services and compatibility between land uses.

**Objectives:**

- To encourage a compact urban form which provides residents with access to schools, shops, and recreational areas.
- To strengthen the role of the Downtown area as the commercial and community focus of the Town through public investment and improvement initiatives.

- To adopt and implement the principles of the Town of Gander Downtown Redevelopment Study, 2006 [Tract Consulting Inc.].
- To encourage the provision of safe and accessible pedestrian access routes and pathways throughout the Downtown area and to link residential areas to the Downtown.
- To preserve and enhancement appropriate areas of open space and lands for passive recreation to support the fabric of the urban environment.

## **2.2 Economic Development**

**Goal:** To create an environment which encourages diversified and balanced economic growth and development in Gander and promotes the growth of employment opportunities.

**Objectives:**

- To support the continued viability of the Gander International Airport Authority as a major generator of commerce and industry in the Town.
- To encourage diversification of the local economy through the attraction of new businesses, industries, and the support of local entrepreneurship.
- To encourage the continued growth and development of Gander as a strong commercial and service centre for the region.
- To promote the Town as a communications and convention centre, drawing on its Airport and accommodations infrastructure and on its central location within the province.
- To promote the attractiveness of the Town as a place to live, drawing upon its mix of residential opportunities, services, facilities and geographical location.

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## 2.3 Commercial and Industrial Development

**Goals:** To strengthen commercial activity in the Town by encouraging an appropriate mix of retail, office and service activities that will serve the Town and surrounding Region.

To encourage the development of appropriate facilities in which retail, office and service activities may occur.

To maintain and encourage the industrial base of the Town.

### Objectives:

- To encourage a mix of retail, office and public uses in the downtown which strengthens its role as the community core.
- To ensure an adequate supply and variety of land in appropriate locations for various commercial activities.
- To encourage “big box” retail development to locate in areas appropriate to this use.
- To allow a range of compatible retail and services uses within neighbourhood commercial areas.
- To encourage the distribution of local convenience stores and personal services activities within reasonable walking distances of residential areas and in a manner compatible to the residential environment.
- To provide specific areas for highway service oriented commercial uses and discourage strip development and sprawl along major traffic routes.
- To ensure sufficient land is available to facilitate rural resource and industrial activities such as agriculture, forestry and mineral workings.

## 2.4 Housing

**Goals:** To encourage the provision of adequate quality, quantity and mix of housing that serves the needs of the population.

**Objectives:**

- To maintain the present high standard of housing in the community.
- To maintain a proactive role in facilitating the development of new residential subdivisions.
- To encourage the improvement of sub-standard dwellings and require removal of houses which cannot economically be improved.
- To encourage a mix of housing types in new developments, and through redevelopment of older housing stock.
- To encourage a mix of housing types within the municipality to meet the needs of senior citizens.
- To encourage the supply and development of good, affordable housing that meets the needs of economically disadvantaged resident groups such as families, single persons and seniors.
- To provide opportunities to enhance the attractiveness and viability of multiple-unit rental accommodations in residential and commercial areas.
- To provide opportunities for the development of innovative or specialized forms of housing; particularly housing for seniors.
- To provide appropriate buffering between residential and non-residential uses and prevent the establishment of incompatible uses within residential areas.

## 2.5 Culture, Recreation and Open Space

**Goals:** To enhance the personal and physical well-being of the community's residents.

To provide a range of leisure and recreation facilities that address the needs of all residents of Gander regardless of age, ability or economic position, and that are within the Town's financial capabilities.

To support the provision of cultural services and facilities that are accessible to all residents of Gander regardless of age, ability or economic position.

To promote the principles of healthy, active living for all residents of Gander.

### Objectives:

- To ensure that sufficient space, facilities and programs are provided to meet the year round recreational and leisure needs of the Town of Gander residents.
- To provide leisure and recreation facilities in the commercial downtown area that build upon and enhance an already established critical mass.
- To encourage and facilitate the provision of cultural opportunities in the downtown area.
- To encourage and facilitate the provision of leisure and recreation programs by community based groups that are responsive, accessible and affordable to all residents of Gander.
- To preserve areas of natural, environmental, cultural and historic significance.

- To maintain the integrity of Cobb's Pond Rotary Park and enhance its natural attractions through compatible development and interpretation programs.
- To continue to develop and integrate a system of parks, linear parkways and trails, open spaces and natural areas throughout the Town.
- To continue to develop and maintain a Town-wide interconnecting network of trails to provide valuable recreation and transportation opportunities.
- To provide for the clearing of snow along pedestrian routes and trails thereby promoting winter activity.
- To support the development of a safe system of pedestrian walkways which link residential areas to the downtown, to schools, parks and playgrounds throughout the Town.
- To determine a schedule for maintenance of recreation facilities, parks and open spaces based on the community's priorities.
- To monitor leisure and recreation trends and the needs of a changing demographic in Gander, through opportunities for resident input.
- To change the name of the recreation department to the Department of Recreation and Leisure Services recognizing a change in mandate.

## 2.6 Municipal Services

**Goal:** To maintain a safe and healthy community through the provision of a range of municipal services in the most economic manner and to give priority to items outlined in the Capital Works Program.

**Objectives:**

- To provide fire protection to all residences and commercial buildings through the provision of adequate residential fire flows.
- To extend services in the most economical fashion that are developed to environmentally acceptable standards.
- To ensure that adequate institutional, educational, health care, and social services are provided at suitable locations to meet the needs of residents.
- To examine the capacity, function and efficiency of the Town's existing sewage treatment plants [Beaverwood and Magee] to determine their viability and propose a long term solution.
- To close the current waste disposal site, when the Town of Gander begins sending its solid waste to the new Central Newfoundland Waste Management Site in Norris Arm North.

## **2.7 Transportation**

**Goal:** To provide a safe and efficient transportation network that serves the residents of Gander.

**Objectives:**

- To provide safe access to all commercial and industrial areas.
- To maintain existing roads through a regular maintenance and improvement program.
- To ensure that new development facilitates safe and efficient pedestrian and vehicular mobility.

- To improve accessibility for all residents of Gander and especially those with disabilities through the appropriate design of streets and sidewalks and public parking lots.
- To ensure safe circulation by providing sidewalks, where fiscally possible, primarily along collector streets and local streets, and secondly in other areas of high pedestrian usage.
- To develop a road system that minimizes adverse impact on the environment and aesthetic character of the Town.
- To re-examine major arterials within the Town, when traffic volumes and conditions warrant it to determine if signalized intersections are required.
- To communicate with the Department of Transportation and Works to determine the Department's priorities for the timing and development of the proposed Trans Canada Highway realignment.

## 2.8 Environment

**Goals:** To encourage a community philosophy that values and protects its natural environment.

To apply the principles of environmental stewardship to the use of land and human activity; to maintain and enhance a pleasant and safe environment in which to live, work and play for all Gander residents.

To protect Gander Lake, the source of the drinking water supply for the residents of the Town of Gander, Appleton and Glenwood.

**Objectives:**

- To identify and protect those areas of significant scenic, environmental and wildlife habitat value.

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- To sustain or enhance, where possible, the quality of the environment within the Town as it relates to urban development and human activity.
  - To ensure environmental protection through participation in programs of recycling, the use of environmental protection policies and protection of environmentally sensitive areas.
  - To enhance and promote the continued improvement of the general physical appearance of the Town through participation in programs such as the Tidy Towns program.
  - To support the Gander Lake Watershed Management Committee in the protection and safeguarding of Gander Lake Watershed and the Gander Lake Protected Water Supply Area.
  - To manage and protect the Gander Stewardship Zone which includes wetlands and surrounding uplands in the western and northern portions of the municipal planning area as well as Benton Lagoon.
  - To support and protect Soulis Pond, Cobbs Pond, and Home Pond; three ecologically sensitive water systems and management units within the Gander Stewardship Zone.
  - To recognize existing natural constraints to development and protect land unsuitable for development in its natural state.
  - To support the development of a regional solid waste management facility and participate in solid waste management including recycling programs in the Town.

## 2.9 Municipal Finances

**Goal:** To manage municipal expenditures and revenues so as to provide necessary municipal services and facilities within a framework of long term financial stability.

**Objectives:**

- To develop a Five Year Capital Works Program based on realistic funding available.
- To manage the Municipal Public Works Program to ensure the Town is provided with adequate services throughout the planning period.
- To encourage compact, phased development which ensures effective use of the Town's financial resources.
- To continue to manage and reduce the municipal debt load considering the Town's ability to meet its expenditures over the long-term.

**2.10 Municipal Plan Administration**

**Goal:** To ensure that future development is carried out within the general intent of the policies of the Municipal Plan and to provide a management structure that responds effectively to the needs of the residents of Gander.

**Objectives:**

- To adopt and enforce development regulations, land use zoning, subdivision, and advertisement regulations to ensure development conforms to the policies contained within the Municipal Plan.
- To recognize the legitimate development goals of landowners where they do not conflict with goals, objectives and general intent of this Municipal Plan.
- To take advantage of opportunities to educate and involve the public in matters pertaining to planning.

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## 3.0 LAND USE POLICIES

### 3.1 Introduction

The following policies with accompany in Future Land Use Maps constitute the land use component of the Gander Municipal Plan, 2009-2019. They have been prepared within the context of the Goals and Objectives outlined in Chapter 2.

The policies stated in this Municipal Plan have been prepared to ensure that the physical development of Gander takes place in an efficient and cost effective manner during the ten-year planning period. Socio-economic and environmental considerations have also been taken into account when preparing the policies and proposals surrounding land use, community facilities, transportation, and municipal services.

### 3.2 General Development Policies

The following policies are general in scope in that they can be applied to more than one land use designation and to different areas within the Municipality.

- 1) **Future Land Use** - Growth and development shall be directed in accordance with the Future Land Use Map (FLU- 2), as amended from time to time, and in accordance with the policies of this Plan.
- 2) **Capital Works** - Expenditures to service land, build roads, upgrade utilities or otherwise provide for growth and development shall be included in an approved 5 year budget which shall be reviewed by Council on an annual basis.
- 3) **Fire Protection** - Fire Fighting and fire safety criteria shall be taken into account when evaluating proposals for development.
- 4) **Downtown Redevelopment** - Council shall promote redevelopment projects in the downtown as an initiative in attracting new businesses, improving the visual appearance of the area and making use of existing lands for buildings, vehicular and pedestrian access.

- 5) **Building Design and Character** - Council shall consider the aesthetic character of site and building design in the approval of site plans within all land use designations.
- 6) **Home Based Businesses** - Through the Town of Gander Home Based Business Regulation, February 2008, Council shall encourage business development through home-based business startups, where such businesses will not have a negative impact on the character of the neighbourhood, by virtue of increased traffic, noise, lighting or signage.
- 7) **Airport Noise** - Residential subdivision developments proposed for areas within the 30 Noise Exposure Forecast contour (NEF) as defined by Transport Canada for the Gander International Airport Authority and illustrated on the Land Use Zoning Map (FLU-1), shall be considered in consultation with Transport Canada. The use of soundproofing materials may be required for building construction.
- 8) **Building Height Constraints** - The height of buildings in the vicinity of the Gander International Airport may be restricted in accordance with requirements set out by Transport Canada. (These requirements remain unchanged from those presented and approved in the 2000-2010 Municipal Plan.)
- 9) **Municipal (Wetland) Stewardship Agreement Area**- Any development to be carried out in areas which are part of the Municipal (Wetland) Stewardship Agreement Area shall comply with all conditions as set out in the Stewardship Agreement of 1999 and revised in 2007, between the Town of Gander and the Department of Environment and Conservation, Wildlife Division.
- 10) **Signage** - Council shall adopt and implement a policy to regulate the size, placement, design and nature of signs throughout the community.
- 11) **Preservation of Trees** -Mature trees in the built up area of the Town shall be identified, preserved or replaced where necessary. Such trees shall be

removed only if they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy, or if they will unduly inhibit construction.

- 12) **Access for Persons with Disabilities** - It is the policy of Council to ensure that the development of buildings and facilities, including parks and public walkways which are accessible to the general public, be designed to facilitate easy access and mobility for persons with disabilities.
- 13) **Mineral Exploration** - Mineral exploration activities may be permitted throughout the planning area provided such activities do not cause undue noise, ground disturbance or risks to the safety of residents of Gander.
- 14) **Waste Disposal Site Buffer** - Proposed development within 1600 m of the Gander Waste Disposal Site will be referred to the Department of Government Services and Lands for review and recommendations.

### 3.3 General Land Use

#### 3.3.1 Land Use Designations

**Policy:**

1. It shall be a policy of Council to manage the land uses of the Town of Gander in accordance with the land use plan designated Schedule A, Future Land Use Map-FLU-2; and the policies described herein. The land use designations include:
  - Residential
  - Commercial
  - Industrial
  - Airport
  - Rural Resource Area(s)
  - Public/Institutional
  - Open Space

- Recreation/ Tourism
- Comprehensive Development Area(s)
- Transportation

The specific policies that apply to each of these land use designations are described in the sections that follow. Additional sub-categories of land use designations are discussed in greater detail as warranted with respect to approval considerations.

### **3.3.2 Non-Conforming Uses**

#### **Policies:**

1. In accordance with Section 108 of the Urban and Rural Planning Act, 2000, it shall be a policy of Council that any land use already in existence at the time of approval of this Municipal Plan, that does not conform to the land use designations shown on the Future Land Use Map (FLU-2) (and described herein), will be permitted to continue. However, the resumption of a discontinued non-conforming use of land may not exceed 6 months after that discontinuance, unless otherwise provided by regulation under the Act or otherwise determined by Council.
2. The Act gives specific direction regarding non-conforming uses such that a building, structure or development that does not conform to the Municipal Plan and the Development Regulations shall be permitted to:
  - a. Continue so long as it is not internally or externally varied, extended or expanded without the approval of Council; and may not be structurally modified except as required for the safety of the building, structure or development;
  - b. Not be reconstructed or repaired for use in the same non-conforming manner where 50% or more of the value of that building, structure or development has been destroyed;
  - c. Have the existing use varied by permission of Council, to a use that is, in its opinion, more compatible with a plan and regulations applicable to it;

- d. Have the existing building extended by permission of Council, where, in Council's opinion that extension is not more than 50% of the existing building;
- e. Where the non-conformance is with respect to standards included in the Development Regulations, not be expanded if the expansion would increase the non-conformity; and
- f. Where the building or structure is primarily zoned and used for residential purposes, be repaired or rebuilt where 50% or more of the value of that building or structure is destroyed.

### 3.3.3 Subdivision Policies

#### **Policies:**

1. All proposed subdivision of lands for residential, commercial and industrial development shall be subjected to a comprehensive evaluation by Council. The content of this evaluation will be detailed in the Development Regulations and will include:
  - a. An investigation of all physical features of the site including but not limited to: vegetation, topography, drainage and soils; and the identification of opportunities and constraints for development. Where possible, the layout of proposed lots and roads should conform to the topography, and retain existing vegetation;
  - b. A demonstration of how the proposed subdivision relates to existing development and roads on adjacent lands, and provides for future access to undeveloped lands in the area;
  - c. An examination of compatibility between the subdivision and surrounding land uses, both existing and future;
  - d. An assessment of proposed municipal services and the public costs of providing and maintaining these services in the long-term; and
  - e. provisions for neighbourhood mail services, school bus stops and open space.

**2. Subdivision Agreement**

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

**3. Phased Development**

Development will be phased such that areas serviced with water and sewer are substantially developed before extension of services is carried out.

**4. Easements and Emergency Access**

Where land is required for utility easements or emergency access, such land may be obtained for the appropriate agency (eg. power, electrical and etc.) in the course of approving subdivision or other development applications.

**5. Soils and Drainage**

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

**6. Alterations to the Natural Environment**

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

**7. Protection of Watercourses and Fish Habitat**

Rivers, streams, ponds, and shorelines shall be protected from pollution. No development shall be permitted within a minimum 15 metres buffer, of any body of water or wetland without approval from the Department of Environment and

Conservation, Water Resources Management Division, and if fish habitat is affected, from Fisheries and Oceans Canada.

8. **Building Setback**

Adequate building setbacks from roads shall be required in order to preserve rights-of-way appropriate to the specific function of each street. Where sub-standard road widths exist, setbacks will be sufficient to allow future widening and landscaping, and to permit the parking and movement of vehicles on private property, clear of any road allowance.

9. **Access to a Public Street**

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

10. **Infill Development**

Council shall monitor all infill development and other small-scale proposals during the Planning Period to ensure that appropriate standards are maintained with respect to road widening, alignments, the installation of municipal services, and any other matter concerning current or future public works.

### **3.4 Residential Development Policies**

#### **General Intent**

Land is designated Residential throughout the Town to provide for a mix of developments and housing types in order to respond to the needs of residents of all ages, abilities and socio-economic backgrounds.

Housing developments should respond to the needs of their target markets, such that housing for young families will include the provision of open space and play lots in accordance with the Town of Gander Design Standards for Streets and Subdivisions,

while housing for seniors considers adjacent landscape qualities and proximity to services.

Permitted uses include detached and semi-detached housing and multiple housing dwelling units such as townhouses and apartment buildings and mobile (mini) homes. Criteria for the location and establishment of residential uses are outlined in the policies of this Plan and in the Development Regulations - Use Zone Tables, Schedule C.

Non-residential uses that are compatible with residential neighbourhoods may be permitted within the Residential designation.

**Policies:**

1. It shall be a policy of Council to encourage and support a mix of housing types within designated residential areas.
2. It shall be a policy of Council to encourage and support the design and development of high quality and innovative forms of housing.
3. It shall be a policy of Council to encourage and support the development of affordable housing and to recognize and support the programs of the Newfoundland and Labrador Housing Corporation (NLHC).
4. Within the area designated as Residential on the Future Land Use Map, areas shall be further categorized on the Zoning Map into the following zoning designations:
  - a. Residential Low Density (RLD)
  - b. Residential Medium Density (RMD)
  - c. Residential High Density-1 (RHD-1)
  - d. Residential High Density-2 (RHD-2)
  - e. Residential Mobile Home (RMH)
  - f. Rural Residential (RR)

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### 3.4.1 Multiple Dwelling Units

#### **Policies:**

1. Semi-detached houses and townhouses shall be integrated with single-detached housing rather than erected in separate locations.
2. Grouped dwellings defined as two or more dwelling units which are contained within two or more buildings located on a lot, may be permitted in the residential designation in the form of two unit dwellings, townhouse units, multiple unit dwellings (or any combination of these) in the form of condominiums, non-profit housing co-operatives and housing developments for senior citizens or other groups with special housing needs.
3. Multiple unit apartment buildings and other high density residential developments shall be appropriately located, and may be permitted in low density residential and the commercial downtown areas subject to the following conditions:
  - a. that they be located close to major or local commercial areas, and if possible near schools and recreational facilities;
  - b. that the development be located on, or adjacent to an arterial or collector street, so that higher volumes of traffic generated will not pass through lower density residential streets;
  - c. that they be compatible with surrounding land uses;
  - d. that sufficient parking is provided on site to accommodate tenants and visitors;
  - e. that landscaped buffer areas be provided on the lot periphery to screen the buildings and parking areas from adjacent lower density residential developments;
  - f. that adequate municipal services are available on the proposed site to accommodate the needs of the development;
  - g. that a landscaping plan be submitted which shows the placement of lawns, trees, shrubs, and pedestrian pathways.

### **3.4.2 Mobile Homes**

#### **Policy:**

1. Mobile homes (mini homes) shall be permitted only in appropriately zoned Residential-Mobile Home areas and shall be subject to the following criteria:
  - a. a site plan agreement will be required for each mobile home park development;
  - b. any mobile home park shall not be located closer than one kilometre from another such development.

### **3.4.3 Special Housing**

#### **Policies:**

1. It shall be a policy of Council to review special housing needs to accommodate the growing number of people of retirement age; and the need for affordable housing to accommodate people with low or fixed incomes.
2. It shall be a policy of Council to encourage and support the development of assisted living and long term care developments for aging seniors.

### **3.4.4 Commercial Uses in Apartment Buildings**

#### **Policy:**

1. It shall be a policy of Council to permit commercial uses in multiple unit apartment buildings subject to the following conditions:
  - a. the proposed uses are located on the ground floor of the apartment building;
  - b. the uses will not detract from the residential character of the area by virtue of generating excessive traffic, lighting, signage or noise.

### **3.4.5 Non-Residential Uses**

**Policy:**

1. It shall be a policy of Council that, subject to the discretion of Council, compatible parks, open space, recreation and uses such as churches, daycare centres, clinics, public and institutional uses, private or public educational uses and utilities shall be permitted within the Residential designations provided that:
  - a. non-residential uses shall be developed in a manner that is compatible with adjoining residential properties and preserves the character of the residential neighbourhood;
  - b. the dominant use within the area continues to be residential;
  - c. non-residential uses shall have sufficient off-street parking and properly located vehicular access points;
  - d. non-residential uses shall provide adequate landscaping and buffering between adjacent residential properties; and
  - e. any other conditions are adhered to which may be required by Council or the Development Regulations.

### **3.4.6 Home Based Businesses**

**Policy:**

1. It shall be a policy of Council that Home Based Businesses are a permitted use in residential areas in accordance with the provisions of the Town of Gander Home Based Businesses Regulations, 2008, and any provisions of the Development Regulations that may apply.

### **3.4.7 Neighbourhood Commercial Uses in Residential Zones**

**Policy:**

1. Local convenience stores and other local commercial uses which serve local neighbourhood needs, may be permitted in the Residential areas provided that the

commercial uses are clearly subsidiary to the residential uses and subject to the Land Use Zoning and Subdivision Regulations, and to the conditions outlined in the Commercial policies of this Plan (Section 3.5.5).

### **3.4.8 Rural Residential Development**

#### **Policy:**

1. Large lot, rural residential development shall be permitted on unserviced lots which front on the Gander Bay Road, north of Rowsell Boulevard. Commercial uses, as specified in the Development Regulations which legally exist at the time this Plan comes into effect shall be considered permitted uses. Home based businesses which do not detract from the rural - residential nature of the area may also be permitted in accordance with the Town of Gander Home Based Businesses Regulations, 2008; and any provisions of the Development Regulations that may apply.

## **3.5 Commercial Development Policies**

### **General Intent**

During its history, Gander has prospered as a regional service and retail centre for the Kittiwake Region. The last planning period has witnessed strong growth in the retail and service sectors. The completion of the Cooper Boulevard extension has allowed further development in the area of Roe Avenue. The introduction of “Big Box Stores” particularly large national [and international] chain stores generates both opportunities and challenges. Developments such as Wal-Mart locate where the economy is strong and growth is projected and their appearance inspires the influx of other national chains. Commercial uses will continue to be attracted to this area in the planning period, due to its proximity to the Trans Canada Highway, ample parking and attractive mix of retail businesses.

However, the location of “big box stores” and their proximity to Gander’s downtown creates pressure for more large scale development that detracts from the focus of downtown in terms of its design, aesthetic, pedestrian scale and sense of place. The retail

area considered Gander's downtown centre, is located primarily along Airport Boulevard between Cooper Boulevard and Elizabeth Drive and includes the Elizabeth Drive Shopping Centre and Town Square, and Armstrong Boulevard. Gander's downtown core has grown around a number of retail malls and large scale commercial operations such as car dealerships, national grocery and hardware store chains that are not traditional downtown activities. Much of Gander's downtown has the scale and function of highway commercial developments and shopping centres. The recent introduction of "big box stores" has further detracted from the nature and purpose of "downtown."

In 2006 Council approved the preparation of a study that would offer solutions to redevelop Gander's downtown resulting in a "more welcoming and pedestrian-friendly shopping district." The Town of Gander Downtown Redevelopment Study (by Tract Consulting Inc.) makes recommendations for the enhancement and revitalization of the downtown. Gander Town Council adopted the report in 2007, and a Steering Committee made up of the Chamber of Commerce, Town staff, and local business people was instructed to begin implementing the recommendations.

Recommendations to refine current land use designations in order to address the land uses that have been permitted in the planning period and to encourage like uses to be located in the most appropriate locations in the future will encourage and build upon existing critical mass.

The nature of Highway Commercial uses are also subject to change during the Planning Period should plans of the Department of Transportation and Works to realign the Trans Canada Highway come to fruition.

**Policies:**

1. Within the area designated as Commercial on Future Land Use Map (FLU-2) it shall be a policy of Council to encourage and support commercial development, improvement and intensification.

Plans, policies and implementation procedures shall give consideration to the following:

- a. Aesthetic improvements to sidewalks, parking areas, building facades, signage, street furniture and areas of landscaping including buffers; and
  - b. The improvement of traffic flow and pedestrian safety.
2. Within the area designated as Commercial on the Future Land Use Map, areas shall be further categorized on the Zoning Map into the following zoning designations:
- a. Commercial General (CG)
  - b. Commercial Downtown (CD)
  - c. Commercial Shopping Centre (CSC)
  - d. Commercial Highway (CH)
  - e. Commercial Local (CL)

### **3.5.1 Commercial General**

#### **General Intent**

Areas designated for Commercial General uses are meant to accommodate a range of uses which are not suited to a location in the Commercial Downtown area. Such uses include service oriented uses such as retail outlets and showrooms, building supply and automotive parts and repair outlets. Light industrial/commercial uses may also be permitted where such uses require warehouse space in association with a retail, office or service outlet. General Industry uses, limited to General Garage, may be permitted at the discretion of Council.(MPA#10, DRA#16, 2015) Other uses which may be permitted include public uses and buildings, utilities, light industry, offices, animal shelters (MPA#20,DRA#26,2017) and recreational open space. The location of Commercial General uses within the Commercial land use designation will be established in the Development Regulations.

#### **Policy:**

1. Within the area designated Commercial General (CG) on the Zoning Map, it shall be the policy of Council to encourage and support continued commercial development, improvement and intensification within the zone.

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### 3.5.2 Commercial Downtown

#### General Intent

The Commercial Downtown area represents the highest order of Gander's hierarchy of retail centres. Council recognizes the importance of this area to Gander's role as a regional service centre. The Town wishes to create a vibrant and sustainable downtown commercial core which encourages uses that attract people to the area for business, shopping, dining, entertainment and cultural and recreational experiences.

#### Policy:

1. Within the area designated Commercial Downtown (CD), it shall be the policy of Council to enhance and strengthen the Downtown by encouraging major new commercial and public uses to locate in the area.
2. It shall be a policy of Council to endorse and implement, as possible, the recommendations of the Town of Gander Downtown Redevelopment Study (by Tract Consulting Inc.), 2006.
3. Plans, policies and implementation procedures may consider the following:
  - a. A range of retail and service businesses, offices, and public, assembly and recreational uses shall be permitted in the Commercial Downtown area.
  - b. Complementary uses permitted include cultural, recreational, entertainment, and open space uses as well as accommodations facilities and apartment buildings. Residential uses in the downtown area may also be considered where such uses are complementary to surrounding commercial uses. Residential and office uses above commercial uses may also be permitted as a means of encouraging the revitalization of the downtown core.
  - c. Pedestrian Access shall have a high priority in future development of the Downtown which includes building design and landscaping, including the clear separation of pedestrian and vehicular movement. This shall be done

by encouraging infilling and greater consolidation of future development and redevelopment of existing properties.

- d. Through the elements of design and aesthetics, Council shall ensure that a high standard of building design, appearance and landscaping is maintained for downtown commercial, public and other properties. To achieve a revitalized and improved downtown, Council may:
  - i. implement the design and revitalization recommendations of the Downtown Redevelopment Study, 2006, which will provide a plan for street-scaping, urban design guidelines (for store fronts), improvements to parking and pedestrian safety and movement, public spaces, landscaping, and guidelines for improving the visual appeal of the downtown area;
  - ii. Work with the Gander Chamber of Commerce and business owners in the Commercial Downtown area to implement redevelopment and public improvement initiatives; and
  - iii. Support the beautification and tree planting initiatives of the Civic Enhancement Committee.
- e. Open space uses will be encouraged in the Commercial Downtown land use designation. The open space system is an important planning tool as it provides a structural framework for urban growth and development. As a framework it also provides continuity in the urban context by binding together otherwise disconnected and unrelated development areas, creating a sense of identity for the Town. Open space areas within Commercial Downtown will be linked to the integrated trail/walkway system. Council will consider the open space system as part of the overall plan for redevelopment of the Commercial Downtown area.

### **3.5.3 Commercial Shopping Centre**

#### **General Intent**

The lands designated for Commercial Shopping Centre uses have been identified in several locations. The first area includes existing uses of “big box stores;” east of Cooper Boulevard and north of Roe Avenue; the second area includes existing uses in the area west of Cooper Boulevard and south of Airport Boulevard.

Areas designated for Commercial Shopping Centre uses are meant to accommodate a range of uses which are suited to large shopping centre developments including “big box stores.” Such uses include service oriented uses such as retail outlets, professional medical offices, personal and general services outlets, and restaurants.

Discretionary uses which may be permitted include Light industrial/commercial uses where such uses require warehouse space in association with a retail, office or service outlet; automotive sales and showrooms, utilities, light industry, offices and recreational open space. The location of Commercial Shopping Centre uses within the Commercial land use designation will be established in the Development Regulations.

#### **Policy:**

1. Within the area designated as Commercial Shopping Centre (CSC) on the Zoning Map, it shall be a policy of Council to encourage and support continued commercial shopping centre development, and improvement and intensification within this zone.

### **3.5.4 Commercial Highway**

#### **General Intent**

Lands designated for Commercial Highway uses have been identified at several locations along the north side of the Trans Canada Highway. The first area includes existing uses between Cobham Street and the Gander Bay Road, the second, an area to the west of Gander Bay Road beyond the built up area of the Town; and a third area to the south of

the Trans Canada Highway between the James Paton Memorial Hospital and the Gander Tourism Chalet.

**Policy:**

1. Within the area designated as Commercial Highway (CH) on the Zoning Map, it shall be a policy of Council to encourage and support continued commercial highway development, improvement and intensification within this zone.

Commercial Highway development shall be limited to those uses which:

- a. Serve the travelling public;
- b. Require sites along arterial roads affording visual exposure and good vehicular access; and
- c. Rely on business from the travelling public.

Discretionary uses in the Commercial Highway zone, may be allowed at the discretion of Council, where appropriate and may include limited high density residential uses; and select commercial uses which are “subsidiary” to the existing approved use.

2. In considering development or building applications, it shall be a policy of Council to ensure that the following conditions are addressed:
  - a. Access points and off-street parking must be provided to the satisfaction of Council;
  - b. Where possible, shared accesses may be permitted to reduce the number of new accesses to the Trans Canada Highway;
  - c. The use of common or shared parking lots shall be encouraged; and
  - d. In recognition of existing adjacent residential uses, where any new commercial highway use abuts existing residential uses, the design shall incorporate buffer areas of planting or fencing on the periphery adjacent to the residential use.

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### 3.5.5 Commercial Local

#### General Intent

Local commercial operations are a convenience to residential neighbourhoods. Lands within the Commercial land use designation may be used to accommodate Commercial Local (CL) uses. Site Selection Criteria for Local Commercial uses will be identified in the Development Regulations.

#### Policies:

1. It shall be a policy of Council to allow local commercial uses in residential areas. Such uses include small shopping centres or individual outlets primarily for the purpose of providing convenience goods and services to Town residents, including convenience stores, shops, take-out restaurants and video outlets.
2. It shall be a policy of Council to permit Commercial Local uses in both the residential and commercial land use designations. Commercial Local use areas will be identified in the Development Regulations.

In addition to the provisions of the Development Regulations, Council shall consider the following conditions to minimize any adverse effects on surrounding residential or commercial areas:

- a. They are located with direct access to an arterial or primary collector road, preferably at an intersection;
- b. The use minimizes the impact of traffic, noise, signs, and lighting on adjacent residential properties;
- c. The area is appropriately zoned to accommodate the development;
- d. The provision of adequate buffering or landscaping of the use from adjacent commercial or residential uses;
- e. The provision of adequate off-street parking as required under Schedule D of the Development Regulations;
- f. Controls on the type, size, location and illumination of signs; and

- g. The provision for a public hearing so that any objections from adjacent owners may be considered.
3. It shall be the policy of Council to permit Commercial Local uses in apartment buildings provided that the use is carried out on the ground floor of the apartment building and is in accordance with policies set out in Section 3.4.5 Commercial Uses in Apartment Buildings.

### **3.6 Industrial Uses**

#### **General Intent**

The Future Land Use Map (FLU-2) identifies three areas for industrial use. The first is the McCurdy Drive and Carr Crescent area. Although existing development has largely reached the limit of available lands some opportunities for in-fill exist.

The second is the Gander Business Park located north of the Airport, and includes Baird Place industrial park. Due to a slow down of industrial development activity, a portion of Baird Place was re-zoned in the last planning period to Commercial Light Industrial; with the remaining lots retaining the Industrial General designation.

No permits for the construction or renovation of industrial developments have been issued in the past two decades. This trend is likely to continue in Gander in the near future.

To promote development on the serviced lots of Baird Place to Garrett Drive, land north of the Open Space Recreation (OSR) 20 metre buffer, will be designated Commercial General (CG). The intent is to guide future commercial development to this area before committing to infrastructure improvements on other lands for commercial general purposes. An area of land bounded by Baird Place; land designated Open Space Recreation (OSR); Public Institutional (PI); and Industrial General (IG) is designated Commercial Light Industrial (CLI) and will provide a reasonable transition from one use designation to another. Land north of Baird Place and the Commercial General (CG) designation is for Industrial General (IG) land uses. The intent is to create a hierarchy of land uses each representing a more intensive activity.

A third area along Airport Boulevard east of the Cooper Boulevard intersection is also designated for industrial development. This land is located on airport property currently administered by the Gander International Airport Authority. Additional lands have also been designated for commercial and industrial uses on the airport property under the Airport Master Plan prepared and administered by the Gander International Airport Authority.

Should the need for land for industrial uses materialize in the planning period, industrial uses may be accommodated in the area of McCurdy Drive/Carr Crescent or the lands administered by the Gander Airport Authority and designated industrial.

**Policy:**

1. Within the area designated as Commercial on the Future Land Use Map (FLU-2), areas shall be further categorized on the Zoning Map into the following zoning designations:
  - a. Commercial General (CG)
  - b. Commercial Light Industrial (CLI)
  - c. Industrial General (IG)
  
2. It is a policy of Council to provide areas primarily for less intensive industrial use and activity normally associated with previously prepared materials and with minimal levels of noise, dust, odour, vibration or smoke, and to preclude encroachment of land uses such as residential uses that could be adversely affected by the industrial and manufacturing environment. General industry may be permitted, subject to considerations regarding noise, traffic volume and safety, and aesthetic appearance.

**3.6.1 Commercial/Light Industrial**

**General Intent**

The purpose of this land use designation is to accommodate a mix of commercial and industrial uses which cater to the general public but are not compatible with typical

downtown or shopping centre businesses. Such uses require large lots and floor areas with good access for vehicular traffic. Commercial uses include building supply and furniture dealers, repair and rental shops. Light industrial uses such as wholesale and warehouse establishments, transport companies, recycling depots and industrial-oriented service uses such as industrial incubators, custom workshops or laboratories, equipment and parts dealers, safety supply dealers, etc. would also be permitted in this land use designation.

**Policies:**

1. It is a policy of Council to limit development, on lands designated Industrial, to uses that do not directly compete with the Downtown Commercial area.
2. It is the policy of Council that complementary uses may be permitted in the Commercial Light Industrial area provided they do not interfere with the intended function of this area. These shall be limited to office uses, service stations, public buildings and utilities, institutional uses, catering, recreation, and open space.
3. It is the policy of Council to a limit manufacturing uses to those that are not required to be registered under the provincial Environmental Assessment Act. (These uses are listed in Schedule A of the Act.)
  4. Lands designated for industrial use along Airport Boulevard shall be limited to light industrial uses subject to the following conditions:
    - a. the natural open space appearance of Airport Boulevard shall be maintained through sufficient set back off the street, and with the addition of large, landscaped front yards; and
    - b. driveway accesses will be shared where possible.

**3.6.2 Industrial General****General Intent**

Lands designated for Industrial General (IG) uses will ensure that an adequate supply of serviced land is available to meet the requirements of industries locating in Gander.

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**Policies:**

1. Within areas designated Industrial General, the predominant use of land shall be for the following:
  - a. Industrial uses including the manufacturing, fabricating, processing, assembly, and packaging of goods, foods and raw materials;
  - b. Warehousing and bulk storage of goods;
  - c. Transportation terminals;
  - d. Contractors yards;
  - e. Wood products industries (eg. sawmills);
  - f. Automobile scrap yards; and
  - g. Complementary uses that do not detract from and are compatible with the operation of industrial uses within this designation; such as offices associated with the permitted industrial use, open space and recreation facilities, garages and restaurants.
  
2. Recycling uses shall be permitted within the Industrial General land use designation. Recycling activities including: scrap metal yards, recycling of glass, paper and other products, may be permitted provided subject to the following conditions:
  - a. They do not result in unsightly premises;
  - b. They do not create an environmental health hazard, or other negative environmental impacts; and
  - c. Scrapyards and similar uses shall be kept at the rear of buildings and screened from view of the road by high solid fences.
  
3. It shall be a policy of Council to permit retail commercial uses in the Industrial General designation on McCurdy Drive and Carr Crescent provided that, in the opinion of Council, the use is compatible with surrounding industrial uses. Retail commercial uses may also be permitted in the Industrial General designation where they directly service the industrial uses or their employees or, they are accessory to the industrial use (ie. a factory sales outlet).

### **3.7 Airport Uses**

#### **General Intent**

Lands administered and managed by the Gander International Airport Authority are designated Airport to accommodate facilities and operations of the Gander International Airport.

#### **Policies:**

1. A full range of airport and related industrial and commercial uses, as well as military operations, shall be permitted within this designation. Decisions concerning the acceptability of development will be made according to the 1999 Airport Master Plan prepared by Transport Canada to guide development of airport lands for aviation, industrial and commercial uses on Transport Canada property which is administered and managed by the Gander International Airport Authority.
2. While the Town of Gander is unable to exert direct control over land uses on airport property, it shall work with the Gander International Airport Authority to ensure that development is compatible with the quality and character of present land uses and in accordance with the general intent of this Municipal Plan and the Town's Development Regulations.

### **3.8 Rural Resource Areas**

#### **General Intent**

Rural lands located outside the built-up area of the Town to the north and west of the Trans Canada Highway, are designated Rural (R) for rural resource uses. The intent of this designation is that the lands affected remain undeveloped or used for traditional rural based purposes.

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**Policies:**

1. Within the area designated Rural (R) on the Land Use Zoning Map (LUZ -2), permitted uses in this land use designation shall include forestry, agriculture, recreational open space and conservation.
2. Uses that shall be permitted at the discretion of Council include wood harvesting, aggregate extraction and mineral exploration, and industrial uses associated with the resource base, particularly those that need to be located close to raw material supplies or for some other reason cannot be located close to built-up areas.
3. While the Town of Gander is unable to exert direct control over forest management within the Planning Area, except on land it owns, it shall work with the Department of Forest Resources and Agrifoods to ensure that forestry activities are conducted in accordance with good management practices. The following policies of this plan shall also apply:
  - a. Logging activities within the Planning Area shall be in compliance with the Town's objectives for the protection of aesthetic areas, recreational areas, environmentally sensitive areas, and protection of the Gander Lake watershed;
  - b. Forest harvesters shall be encouraged to submit to Council forest management plans for lands within the Planning Area, and inform Council of proposed forest harvesting activities;
  - c. Timber harvesting shall be conducted in a manner which is consistent with guidelines of the Department of Forest Resources and Agrifoods and Fisheries and Oceans;
  - d. Forestry practices such as the removal of dead and dying trees, thinning of overcrowded stands, and tree-planting shall be encouraged and carried out on an ongoing basis within the Planning Area; and
  - e. Clear cutting of large forested areas south of the Trans Canada Highway shall be discouraged in order to protect the Gander Lake watershed.

4. Aggregate resource areas within the Planning Area shall be protected from conflicting land uses. Protective buffer areas of at least 300 metres shall be maintained around resource areas and active and abandoned quarries.
5. In order to protect the Gander Lake watershed, aggregate extraction and quarry areas shall be permitted only south of the Trans Canada Highway with the approval of the Town of Gander, the Water Resources Division of the Department of Environment and Lands, the Department of Mines and Energy, and the Gander Lake Watershed Management Committee.
6. The Gander Municipal Waste Disposal Site designated as Waste Disposal (WD); shall be closed to municipal solid waste, when the Central Newfoundland Waste Management Authority opens a new facility in Norris Arm North at the end of 2009. The Gander Municipal Waste Disposal Site shall be used for disposing of municipal solid waste material until that time. Recycling uses such as waste storage and sorting, and contaminated soils treatment facilities may be permitted in this area provided they do not interfere with the operation and maintenance of the waste disposal site.
7. Water Course Protection, especially ecologically sensitive waterway systems shall be protected from environmentally hazardous rural resource uses such as forest cutting, resource road construction, aggregate extraction, agricultural operations or industrial uses associated with the resource base.

No development shall be permitted in the Rural Resource land use designation:

- a. Within 15 metres of rivers or streams; and
  - b. Within 30 metres of the shoreline of any lake or pond.
8. Local Service District of Benton Protected Water Supply Watershed - All applications for development within the Benton Protected Water Supply Watershed shall be forwarded to the Department of Environment and Labour for review and recommendation.

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9. Municipal Stewardship Agreement Area - All lands within the Municipal Stewardship Area shall be managed in accordance with the terms of the agreement and any management plan prepared for this area.

### **3.9 Public/Institutional**

#### **General Intent**

Lands designated Public/Institutional (PI) shall be used for purposes that serve the general public.

#### **Policies:**

1. Within areas designated Public/Institutional, permitted uses of land shall include: schools, churches, hospitals, social and cultural facilities, correctional centres, libraries and utilities. Complementary uses may be permitted, provided that they shall not conflict with the satisfactory operation and development of land for institutional purposes. Such complementary uses may include day care centres, open space and recreational uses and facilities.
2. In establishing new areas for public/institutional uses, it shall be a policy of Council to permit public uses in all land use designations subject to the following conditions:
  - a. The site is located adjacent to arterial or collector streets;
  - b. The proposed development is compatible with surrounding land uses, and the protection of adjacent residential uses through controls on signage as well provision of for landscaping and buffering if required; and
  - c. The proposed area can be connected to the existing municipal water and sewer system.

### **3.9.1 Public Uses in the Downtown**

Council has embraced a mandate to promote Gander's Downtown as the community focus of the Town and to promote an attractive mix of commercial, institutional, entertainment, cultural, and recreational uses.

**Policy:**

1. It shall be a policy of Council to support and encourage public/institutional uses such as cultural facilities, government buildings, libraries, and museums to locate in the Commercial Downtown area.

### **3.9.2 Re-Use of Public Lands and Buildings**

Lands and buildings which are no longer required for public uses may be used for other purposes, such as residential or commercial uses, provided the land and buildings in question are re-zoned to an appropriate use consistent with the land use designation in which they are located.

**Policy:**

1. Where public lands or buildings have a Public/Institutional designation, an amendment to this Plan shall be required before they can be used for any commercial, residential or industrial use.

### **3.9.3 Education Facilities**

Given the stable enrolment levels in Gander's schools, it is not anticipated that any significant changes will occur with existing schools in the planning period.

**Proposal:**

1. It shall be a proposal of Council to encourage the continued community use of school facilities such as gymnasias, sports fields, auditoria, as well as classroom

and other facilities that are currently used for adult education courses and indoor community leisure and recreation pursuits.

### **3.9.4 Health Care Facilities**

As Gander's population ages, the Town may require additional health care services and supports meet the needs of its citizens.

#### **Policy:**

1. It shall be a policy of Council to support the provision of quality health care services for all Gander residents. This includes hospital and ambulance services, as well as the provision for additional nursing homes and other facilities that meet the needs of an aging population.

### **3.10 Open Space**

#### **Introduction**

Gander has an abundance of open spaces and parks developed in neighbourhoods as well in the rural areas within the planning boundary. Within the built up town limit, the open space system is linked by a series of walkways and walking trails, including the T'Railway, which runs through the Town and connects Cobb's Pond in the west and Gander Townsite in the east.

Within the various neighbourhoods of Gander, open spaces provide lands for small playgrounds, for walking, and act as buffers between residential areas and other potentially conflicting uses. They also provide habitat for wildlife. Outside the built-up areas, several areas of open space have been developed as nature reserves and parks.

Lands designated Open Space shall be used for purposes that serve several functions including the provision of opportunities for active and unstructured recreation; the separation of incompatible uses; and the protection of sensitive natural areas and wildlife habitats.

Lands that are unsuitable for urban development due to steep slopes, or which are necessary to protect sensitive waterways, wetlands and wildlife habitat are identified for conservation.

Two categories of open space uses are distinguished: Open Space Recreation (OSR) and Open Space Conservation (OSC).

### **3.10.1 Open Space Recreation**

#### **General Intent**

Lands designated Open Space Recreation (OSR) shall serve to accommodate the active and unstructured outdoor recreational needs of the residents and visitors to Gander.

#### **Policies:**

1. Within areas designated Open Space Recreation (OSR), permitted uses of land shall include: recreational facilities, parklands, golf courses, playgrounds, linear trail systems and pathways to serve pedestrians, cyclists, cross-country skiers and snowmobilers (in some locations). Daycare centres, retail outlets, and food services may be permitted in recreational facilities to support the primary recreational use.

### **3.10.2 Park Hierarchy**

#### **General Intent**

Land classified as open space recreation may be grouped according to a hierarchy of park types that respond to different community needs as follows:

**Neighbourhood Parks:** land to accommodate the needs of local or neighbourhood residents and include parkettes, tot-lots, playgrounds, sitting areas and small sports fields. The standard for provision of neighbourhood parks is 1.0 hectare per 1000 population with a catchment area of 0.8 kilometre radius.

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**Policies:**

1. Council shall ensure adequate neighbourhood parks are planned and provided in all new residential subdivisions. Council shall consider the following criteria in the development of neighbourhood open space recreation areas:
  - a. That they are located within walking distance of the neighbourhood residences to be served; or with a catchment area of 0.8 kilometres;
  - b. That they are linked to other open space areas, schools, amenities and neighbourhoods
  - c. That they include a mix of parks, playgrounds, sports and playing fields, trails and natural areas.

**Community Parks:** land to accommodate the active and unstructured recreation needs of a community, or more than one neighbourhood; and may include sports activities at the intermediate or major level, recreational facilities and structures, and cultural or natural areas such as linear parks. The standard for provision of community parks is 1.5 hectares per 1000 population with a catchment area is 3.0 kilometre radius.

**Regional Parks:** Land to accommodate the active and unstructured recreation needs and specialized pursuits of the residents of a municipality as well as the region; and may include watercourses and systems, golf courses, large areas of park land. These are intended to be large areas retained largely in a natural state and not necessarily located in the community. A regional park is often a tourist attraction. The standard for the provision of regional parks is 3.0 hectares per 1000 population.

**Policies:**

2. Council shall consider the following criteria in the development of regional open space recreation areas:
  - a. That the site provide for a wide mix of outdoor active and unstructured activities;
  - b. That the site incorporates areas of natural interest, corridors, vistas and physical features where feasible;

- c. That the site be easily accessible from arterial streets or highways; and
  - d. That the site contains sufficient parking for visitors.
3. T’Railway Park - The provincial T’Railway Park forms an important component of the open space system of the Town and can be used to link recreational areas in the west of the Town at Cobb’s Pond with those in the east at the Gander Townsite. No development other than that associated with the T’Railway Park shall be permitted within the T’Railway Park right-of-way, and in the Rural Land Use designation, no commercial or domestic cutting shall be permitted within 100 m of the T’Railway.
4. Integrated Trail System - The Town shall continue to develop and integrate a trails system that makes use of on-road and off-road opportunities and that provides pedestrian and bicycle linkages to a variety of destination points throughout the Town including the downtown commercial area, local neighbourhoods, developing residential subdivisions, and physical features such as Cobbs Pond, Whitman’s Pond and Peyton Pond. Trails will be designed in order to provide connectivity from one area to another. Maintenance and upgrading of walkways will remain a priority over the development of new trails or walkways.
5. Cobbs Pond Rotary Park - Cobbs Pond Rotary Park will continue to be the main regional park within the Town. Development of the Park will include areas for active recreation, nature interpretation and conservation of sensitive waterfowl habitat. Development will be consistent with the terms of the Municipal Stewardship Agreement and any management plan prepared as part of that agreement.
6. Beautification - Beautification initiatives make the local environment more visually attractive, provide enjoyment and comfort for residents and foster a sense of community pride. Gander’s parks and open space system can serve to enhance the image and character of the Town. To this end the Gander Civic Enhancement Committee has set out several beautification goals to improve and enhance the image of Gander. As a priority the Committee has determined 10 gateways to Gander that direct residents and tourists into the centre of Town. These gateways

require enhancement or refurbishment. The Committee has planted 200 trees with the goal of continuing this tree planting program in following years.

It shall be a policy of Council to encourage and support the work of the Civic Enhancement Committee to promote a more livable community.

7. Tree Planting and Maintenance - A program for the management of street trees and park trees will be conducted. This will include the planting of trees and the preservation and maintenance of existing trees both in established neighbourhoods and new development areas.
8. Playgrounds - the Town will continue a program of maintaining and upgrading existing playgrounds and tot-lots, and developing new facilities as required, which will be outlined in the Five Year Recreation Budget. Tot lots and playgrounds may be removed when no longer deemed necessary or fall into unacceptable disrepair. Other recreational policies are described below for the Open Space Recreation designation:
  - a. It shall be a policy of Council to ensure that in all future subdivision developments, a ten percent public dedication is enforced in accordance with the Town of Gander Design Standards for Streets and Subdivisions. In this manner Council will ensure that sufficient land (or cash in lieu of land) for recreational purposes is allocated in conjunction with growth of the Town.
  - b. Consideration should be given to creative playground equipment when either developing new areas or replacing existing equipment.

### **3.10.3 Open Space Conservation**

#### **General Intent**

Lands designated Open Space Conservation (OSC) shall serve to protect areas that are environmentally sensitive; or for other reasons are not conducive to development for active recreational uses.

**Policies:**

1. Within areas designated Open Space Conservation (OSC), permitted uses of land shall be limited to conservation uses with discretionary uses including the development of unstructured recreation facilities such as walking or nature trails, boardwalks, in association with interpretation programs; and cemeteries, provided they will not have an adverse impact on the environment of the site.
2. Areas that present severe physical constraints for development shall be avoided, such as steep slopes or poor drainage due to low, wet or marshy conditions. It would be expensive to service or develop these areas for urban types of uses. Disturbance of such lands can destroy valuable habitat, such as in the case of wetlands, and result in excessive erosion in the case of steep slopes. Open Space Conservation areas may also be designated as buffer areas between incompatible lands uses.

**3.11 Tourism and Recreation****Introduction**

The Town of Gander through its Department of Parks, Recreation and Tourism has a mandate to encourage more tourist activity and to attract conventions, tournaments, trade shows and special events to the Town; and to facilitate and co-ordinate the provision of recreation and leisure services that stimulate personal growth, healthy lifestyles, increase civic pride and improve the quality of life of the residents of Gander.

Within the regional tourism industry, Gander has an important role to play as an entry point and staging area for tourists to the region and the province. In addition to having a good supply of quality hotel accommodations, amenities and services, Gander has a good supply of recreational facilities and tourist attractions. These attributes make Gander a choice location for regional, provincial and national meetings, conferences and sporting events.

Over the past decades various facilities have been developed in Gander and programs initiated for the purposes of providing residents with a good mix of recreation and leisure

opportunities. Gander is in the enviable position of having a significant recreational infrastructure. Numerous groups provide a multitude of leisure and recreation programs for all ages groups in Gander.

### **3.11.1 Tourism**

#### **General Intent**

The Town of Gander has developed a number of tourism attractions and facilities, many of which are located in the area overlooking Gander Lake. This area has been identified as an area for future tourism and recreational development. In addition a number of organizations have emerged who play a role in the encouragement and development of the tourism industry.

#### **Policies:**

1. Recognizing the impact tourism has for the local economy, and that the potential exists to improve its role as a tourism destination, it shall be the policy of Council to support the efforts of tourism development endeavors in the region.
2. In an effort to increase tourism expenditures in the Town, it shall be the intent of Council to:
  - a. promote the history and protect the heritage of Gander; and
  - b. encourage and support local events, festivals and celebrations.
3. Within areas designated Tourism Recreation (R/T), permitted uses of land shall be limited to conservation uses and open space recreation, with discretionary uses including accommodations facilities, restaurants, camping/trailer parks, amusement parks, outdoor theatres and recreational facilities, provided they will be compatible with the natural character and environment of the site.
4. Development within the Tourism/Recreation land use designation shall meet the following criteria:

- a. Sites for commercial accommodations facilities and attractions shall have good vehicular access and parking;
- b. Compatibility of adjacent land uses will be considered in evaluating development proposals in this area. Conflicting land uses shall be separated by a third land use or a buffer strip;
- c. Adequate municipal services shall be available at proposed sites to meet the needs of each development.

### **3.11.2 Recreation**

#### **Introduction**

The 21st century poses challenges for adapting and designing sports and recreation facilities and providing recreation and leisure programs that respond to constantly evolving community needs due to an aging population. Facility design, availability, quality and location will determine programming options and ultimately influence participation rates of the Town's residents.

#### **General Intent**

The provision of recreation facilities is a huge financial undertaking that may create a financial burden for years to come. The municipality needs to assess the capital investment risk prior to embarking on the development of new buildings and structures. Investing in multi-purpose facilities that meet the needs of a broad spectrum of users of all ages, abilities and program types has merit as the population of the Town is aging.

Recent changes to the Department of Parks, Recreation and Tourism's function and the emergence of Destination Gander as the primary tourism driver, provides an opportunity for the Department to streamline its mandate and concentrate on the provision of recreation and leisure services. To this end, the image and name of the Department should reflect its primary purpose in serving the community's recreation and leisure needs.

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In order to provide the citizens of Gander with a wide array of recreation and leisure opportunities and facilities that will enhance overall health and well being of the community, several policies are required.

**Policies:**

1. Recognizing the importance of the provision of recreation and leisure services to the residents of the Town of Gander, it shall be a policy of Council to adopt the Recreational Infrastructure Needs Assessment, 2008; (ADI Ltd. and NLCEL Ltd.).
2. It shall be a policy of Council to change the name of the Department to the Department of Parks and Leisure Services.
3. It shall be a policy of Council to continue to develop, enhance and deliver high quality recreation and leisure services, programs, facilities and opportunities for the benefit and enjoyment of all Gander residents.
4. It shall be a policy of Council to investigate further the development of a multipurpose facility that responds to the recreation, leisure and tourism needs of the community and that is located in proximity to the existing recreation and cultural complex in order to support and enhance this existing critical mass.
5. It shall be a policy of Council to strive to provide ample and sufficiently varied and dispersed year round recreation opportunities for the residents of Gander.
6. It shall be a policy of Council to ensure that all municipal parks, open spaces and recreation facilities are adequately maintained.
7. It shall be a policy of Council to monitor demographic trends and leisure needs both at the municipal and neighbourhood level to endeavour to accommodate changing user needs by:
  - a. redesigning open spaces when and where required;
  - b. tailoring recreation programs and opportunities to the user requirements of the intended area served;

- c. developing new community facilities that are flexible in function to ensure adaptability to changing needs of the community.

### **3.12 Comprehensive Development Areas (CDAs)**

#### **General Intent**

Comprehensive development areas are set aside to ensure availability of land for specific land uses that will enable future growth and expansion.

#### **Policy:**

1. Comprehensive Development Area zones have been designated as three areas of the Town as shown on the Land Use Zoning map. These are as follows.

#### **3.12.1 Gander Lake Shore Area (CDA 1)**

In 1986, the Gander Town Council amended the Municipal Plan to create a Comprehensive Development Area for lands south of the Trans Canada Highway. The intent was for the area to be developed as a tourist and recreation area to take advantage of its natural rural characteristics and scenic views. In 1988, the Gander Lake Shore Development Scheme was prepared and was incorporated into the Municipal Plan.

In 2007/08, discussions in regard to the Municipal Plan Review, with Council, the Steering Committee, staff, developers, the Chamber of Commerce and residents, reveal changing goals and ideals for this development area. Though there is commitment to the development of this area according to some of the goals and objectives of the original scheme - to take maximum advantage of its potential for year-round tourism and recreation use, as well as implementing measures to ensure the protection of its natural character, environment, and scenic vistas; a goal to allow the development of housing has also been endorsed through the Municipal Plan Review.

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## **Environmental Protection**

As Gander Lake is the source of the Town's drinking water, this development area is within the Gander Lake Protected Public Water Supply Area. Any development of these lands must adhere to the Water Resources Act and all proposed developments activities within a protected public water supply area must require prior approval under Section 39 of the Water Resources Act. An environmental buffer with a minimum depth of 15 metres is stipulated by the Water Resources Act, and any development within that buffer must be approved under Section 48.

Furthermore the Watershed Management Plan (1996) stipulates a 150 metre buffer from the high water mark of Gander Lake must be incorporated into any development plans and those plans must be approved by the Gander Lake Watershed Management Committee. It is proposed that a 300 metre buffer be established between the high water of Gander Lake and any proposed development and that no development be allowed in the buffer. To this end, the buffer should be designated Open Space Conservation. In addition, a buffer of 60 metres is proposed between the Trans Canada Highway realignment and any land use development. This buffer should be designated Open Space Recreation to allow trail linkages to the Tourist Chalet and Aviation Museum; and Gander Golf Club to the west and the Thomas Howe Demonstration Forest to the east.

## **Access**

The realignment of the Trans Canada Highway proposed by the Department of Transportation and Works in 1997 has not yet been initiated. Providing safe and efficient vehicular and pedestrian access to the area, especially in regards to the Trans Canada Highway, is of paramount concern; and will be a costly endeavour. Therefore it is recommended that the realignment of the Trans Canada Highway and its timing be resolved with the Provincial Government prior to commencing development of this Comprehensive Development Area.

## Development Objectives

The objectives for the development of the area are as follows:

- a. To provide optimal locations for residential; and tourism/recreational; and open space recreational/conservation uses;
- b. To protect environmentally sensitive areas and the Gander Lake water supply by designating areas for conservation uses;
- c. To ensure compatibility of new land uses with each other, with existing uses, and with the natural character of this area;
- d. To ensure safe and efficient vehicular and pedestrian access to the area, particularly across the Trans Canada Highway;
- e. To develop land use policies and guide development of this area according to the principles of sustainable planning and incorporating, where possible and appropriate criteria of LEED Neighbourhood Development (LEED ND).

## Policies:

1. It is the policy of this Plan that existing and currently approved uses in the Development Area shall be permitted to continue in accordance with the specific land-use designations in this Plan.
2. Environmental Impact - When reviewing development proposals for this area, the conservation of environmentally sensitive areas, such as the Gander Lake watershed, will remain the highest priority of Council, and shall take precedence over all other proposed uses. All applications for development shall be forwarded to the Gander Lake Watershed Management Committee for review and recommendation.
3. Preservation of Tree Cover - Recognizing the environmental and aesthetic importance of protecting tree cover in this area, it is the policy of this Plan to require a forest/vegetation management plan to be submitted with all development proposals for the area.

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4. Planning and Design Guidelines - In order to ensure that future development complements the rural image of this development area, this Plan establishes the following criteria, which will be used by Council to assess development proposals for the Lake Shore Development Area (CDA 1):
- a. Site design should be sensitively related to the features of the existing landscape, including topography, vegetation, and scenic resources of the area.
  - b. Points of visual interest should be retained and accentuated.
  - c. Natural vegetation and habitat should be retained. Trees and natural landforms should be protected during construction activity.
  - d. Recreation areas should be intermingled with commercial accommodations facilities to provide guests with maximum opportunities for participation.
  - e. Storm drainage shall be managed in a manner which minimizes any impact on Gander Lake.

### **3.12.2 Comprehensive Development Area [CDA 2]**

Comprehensive Development Area 2 is located on land east of Cooper Boulevard and north of the Old Navy site. Before the Town can develop residential uses on these properties, ownership transfers must be arranged between the Town and the Transport Canada and the Department of National Defense, who have considerable land holdings in the vicinity.

#### **Policies:**

1. It is the policy of this Plan that CDA 2 be reserved for the long-term residential growth of Gander.
2. It shall be a policy of Council to enter into negotiations with the relevant Government Departments to transfer the ownership of land in CDA 2 to accommodate future residential expansion in the Town.

3. Boundaries of CDA 2 shall be set out more precisely when a Development Plan is to be prepared. In particular, precise boundaries to the northern and eastern limits of the area need to be determined.
4. Permitted land uses in CDA 2 generally include those that are permitted within the Rural Resource designation (See Section 3.8). However, permanent facilities that will prejudice the future development of the area for the Town's intended purposes shall not be permitted.
5. The preparation of a Comprehensive Development Scheme shall be required before any development is permitted in this area. Such a scheme must make allowances for the preservation and protection of wetland areas included in the Municipal (Wetland) Stewardship Agreement.

### **3.12.3 Comprehensive Development Area [CDA 3]**

Comprehensive Development Area 3 is located on land west of Cooper Boulevard and east of Magee Road. In the next 10 or 20 year planning period, another collector road may be required to provide additional access from Magee Road to Cooper Boulevard. It is proposed that this collector intersect with the existing Rowsell Boulevard at Magee. The land below the proposed collector is therefore designated CDA 3 to provide future lands for residential uses.

#### **Policies:**

1. It is the policy of this Plan that CDA 3 be reserved for the long-term residential growth of Gander.
2. Boundaries of CDA 3 shall be set out more precisely when a Development Plan is to be prepared. In particular, precise boundaries to the northern and eastern limits of the area need to be determined.
3. Permitted land uses in CDA 3 generally include those that are permitted within the Rural Resource designation (See Section 3.8). However, permanent facilities that

will prejudice the future development of the area for the Town's intended purposes shall not be permitted.

4. The preparation of a Comprehensive Development Scheme shall be required before any development is permitted in this area. Such a scheme must make allowances for the preservation and protection of wetland areas included in the Municipal (Wetland) Stewardship Agreement.

### **3.13 Transportation Uses**

#### **Introduction**

Gander's road network consists of major and minor arterials, collectors and local streets. Within the last planning period, the Department of Transportation and Works, extended Cooper Boulevard to intersect the Gander Bay Road. The extension of Cooper Boulevard relieves the Town of some through-traffic pressures in addition to reducing westbound traffic flow on the Trans Canada Highway to the Gander Bay Road/Magee Road intersection. Cooper Boulevard and Gander Bay Road (Route 330) are designated provincial routes but are maintained by the Town.

#### **3.13.1 Street and Road Hierarchy**

##### **General Intent**

The urban street classification for Gander includes Arterials that are classified major and minor; and Collectors that are classified residential and industrial/commercial. All other roads in Gander are considered local roads and provide access to residential, light industrial and commercial uses.

##### **Policy:**

1. It shall be a policy of Council to adopt the street and road hierarchy: Arterials, Collectors and Local Streets for the purposes of planning fiscal expenditures and the accommodation of certain land uses.

### 3.13.2 Arterials

#### General Intent

Arterial streets are classified into two categories: Major Arterials, which includes the Trans Canada Highway, Cooper Boulevard and Gander Bay Road; and Minor Arterials, which includes Magee Road.

Purpose - The primary purpose of arterials is to provide safe, efficient traffic flow for vehicles travelling within or through the Planning Area.

Access - Individual accesses onto arterials are meant to be limited in order that their efficiency is preserved for the long-term. They should be limited where possible to public road intersections.

#### Policies:

1. It is the policy of this Plan to that future access point(s) on Cooper Boulevard north of the Memorial Drive intersection shall be planned as part of the conceptual planning for residential uses associated with the area referred to as the Old Navy site; and that development of this site will ensure that an internal road network is designed for residential use of the land within the area.
2. It is the policy of this plan to permit Rural Residential uses on the Gander Bay Road north of Raynham Boulevard provided these uses shall be limited to one access point each onto Route 330.
3. It is the policy of this plan to limit motorist-related highway commercial services on the Trans Canada Highway outside of the Town's built-up area. Such uses shall meet site and design requirements of the Town, and shall be in compliance with regulations of the Departments of Health, Environment and Transportation and the Town's Development Regulations.

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### **3.13.3 Trans Canada Highway Realignment**

#### **Introduction**

A 1997 study by Sheppard Green Engineering Limited, to review options for the upgrading of the Trans Canada Highway through Gander proposed three options. The option preferred by the Department of Transportation and Works proposes the construction of a new section to bypass the Town to the south between the existing route and Gander Lake.

The Department of Transportation and Works has indicated it plans to proceed with the construction of a new route alignment for the TCH to bypass Gander within an estimated 8 to 10 years or approximately in 2016 to 2018 or within the planning period.

The proposed realignment of the TCH requires that an access ramp be built from Cooper Boulevard, that would provide access to the land south of the TCH; the Gander Lake Shore development area. Another ramp is proposed at the west end of the TCH, within the Town limit, in the vicinity of Magee Road. This development area south of the Trans Canada Highway is approximately 52 ha of land that will be difficult to develop until appropriate access can be provided and the realignment of the Trans Canada Highway confirmed.

Although the Department of Transportation and Works continues to support the realignment scheme, no definitive time frame for construction has been established. As 11+ years have elapsed since the realignment scheme was suggested and a report investigating traffic volumes and engineering issues commissioned, it may be prudent for Council and the representatives from the Department to revisit the issue. An updated traffic engineering study should be conducted. It may be prudent to forestall any proposals to develop the Gander Lake Shore Development Area (CDA 1) until such time as the issue of the Trans Canada Highway realignment is resolved.

#### **General Intent**

The Trans Canada Highway is a critical lifeline that continues to support the growth of the Town of Gander and its role as a regional service centre. In its current location and

configuration the Trans Canada Highway effectively services the residents and businesses of Gander. The Trans Canada Highway provides unobstructed thoroughfare allowing for the efficient transit of highway travelers while maximizing the exposure and accessibility to local Gander businesses.

However, Council recognizes that at some point in the future, Department of Transportation and Works may initiate improvements to the Trans Canada Highway.

**Policies:**

1. Until agreement is reached on the timing and nature of TCH improvements Council shall ensure that:
  - a. An adequate reservation is maintained between the existing Trans Canada Highway corridor and new development south of the highway to permit its possible expansion to a four-lane highway and the construction of associated access and exit ramps and overpasses; and
  - b. Development within the Gander Lake Shore Development Area does not inhibit future development of a bypass route for the Trans Canada Highway.

**3.13.4 Collectors**

**General Intent**

Collectors are categorized as Residential or Industrial/Commercial. Residential collectors include: Edinburgh, Byrd, Raynham, Morgan, Bennett, and Ogilvie and Rowsell in the future. Industrial/commercial collectors include: Elizabeth, Airport /James, Memorial, McCurdy and Roe.

Purpose - Collectors are streets that distribute traffic within different parts of the built-up town and to major arterial roads.

Access - Access to abutting properties on collectors should not be restricted but should be properly planned.

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**Policies:**

1. It shall be a policy of this Plan to complete the extension of Raynham Avenue to Cooper Boulevard; ensuring the alignment with the access road on the east side of Cooper Boulevard to the proposed development of the Old Navy site.
2. It shall be a policy of this Council to investigate the need for another residential collector north of Raynham in order to diffuse potential traffic volumes coming from Spruce Court Subdivision. An alternate residential collector can intersect with Rowsell Boulevard and Magee Road and provide access through lands designated CDA 3, to Cooper Boulevard.
3. It shall be a policy of this Plan to extend Ogilvie Street to McCurdy Drive via Carr Crescent providing a means of access to the Freedom Village Development and allowing the continued development of this area for residential purposes. This will provide a viable and safer means of access and an alternate to the Trans Canada Highway access.
4. It shall be a policy that Collector roads require at least one sidewalk and in special cases two.

**3.13.5 Local Streets**

**General Intent**

All other public roads in the planning area are considered local roads.

Purpose - The purpose of local streets is to serve abutting properties. They are not generally used by traffic except to approach abutting properties or adjoining local streets.

Sidewalks - Sidewalks may be required on local streets where unusually high traffic exists.

### 3.13.6 Public Walkways

**Policy:**

1. It is the policy of this Plan to require developers to pave public walkways that are intended to provide pedestrian access between streets or to recreational and other public use areas.
2. It is the policy of this Plan to require developers to erect fencing between such walkways and adjoining properties as deemed necessary.

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## 4.0 IMPLEMENTATION

### 4.1 General

The Municipal Plan will be implemented over the next ten years through decisions of Council and government agencies who have responsibility for various aspects of development that affect the Town. The successful implementation of the Plan involves:

- Administration of the Plan;
- Adoption of Development Regulations: land use zoning, subdivision and advertisement regulations;
- Preparation and adoption of development schemes; and
- Adoption of capital works budgets,

### 4.2 Administration of the Plan

All development approved within the planning area must conform to the policies of this Plan. Council will ensure that all development proposals are given a comprehensive review, including circulation to affected public departments and agencies.

All persons wishing to develop land for any purpose within the Gander Municipal Planning Area shall apply to Council for permission through the established procedure. Council may refuse or approve applications, with or without conditions. Decisions of Council made according to the provisions of this Plan and the accompanying Development Regulations may be appealed to the appropriate Appeal Board as established under Section 40 of the *Urban and Rural Planning Act, 2000*.

Council shall require that a Development Agreement for major land developments within the Planning Area be agreed to and signed by the developer and Council. This agreement shall establish the conditions under which development may proceed and shall be binding on both parties.

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

#### 4.2.1 Plan Review and Amendment

The administration and implementation of a Municipal Plan is a continuous process. As assumptions change due to emerging trends, changing technologies and shifting community needs, conditions in the Town may change during the planning period. It will be necessary to reflect these changes in the Municipal Plan. Amendments to the Municipal Plan may be initiated by Council from time to time. Any such amendment will be read with and form part of this Plan. After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Any revision should take account of development which can be foreseen during the following ten years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

#### Policy:

1. It shall be a policy of Council to conduct a review of the Municipal Plan every five years as required by Section 28 of the *Urban and Rural Planning Act, 2000*, to determine the need for amendments to the Municipal Plan.

#### 4.2.2 Future Land Use Map and Zoning Map Updates

For the purposes of administering this Plan, the Future Land Use Map(s) shall be read only in conjunction with the Goals and Objectives and Policies outlined in this document. The boundaries of land use designations shown on the Future Land Use Map are based on available mapping data and their accuracy is contingent on the accuracy of the base maps. Every effort was made to verify their accuracy. The boundaries of land use designations shown on the Future Land Use Map(s) are to be interpreted as “general” except where they coincide with roads or other prominent physical features are they intended to define the exact limits. It is intended that *no amendment of this plan shall be required to permit minor adjustments to these boundaries.*

The Future Land Use Map and Land Use Zoning Map form a land use database that requires continual update in order to facilitate the processing of development applications, decision-making and ongoing planning.

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**Policy:**

1. It shall be a policy of Council to ensure and facilitate the updating of the Future Land Use Map and the Land Use Zoning Map and their base layers to add new data as available through the issuance of building permits and approval of zoning amendments.

**4.2.3 Public Participation**

The Municipal Plan is an expression of the goals and aspirations of the citizens of the Town of Gander, 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.

**Policy:**

1. It shall be a policy of Council to take advantage of opportunities to involve the public in the planning and decision-making process with respect to future planning and development of the community.

**4.3 Regulations**

**General Intent**

Once this Municipal Plan has been adopted, Council will proceed to adopt Development Regulations pursuant to Section 36 of the Urban and Rural Planning Act, 2000. The Development Regulations will implement the goals, objectives and policies of the Municipal Plan.

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

**Policy:**

1. It shall be a policy of Council to adopt the following regulations to ensure the implementation of the Municipal Plan.

**4.3.1 Development Regulations - Land Use Zoning, Subdivision and Advertisement Regulations**

The existing Development Regulations have been modified in accordance with Section 35 of the *Urban and Rural Planning Act, 2000*, to incorporate the changes required by this Municipal Plan.

The purposes of zoning are to protect existing uses from potential injurious effects of incompatible development; and to guide and direct growth and development to appropriate locations as provided by the tenets of the Municipal Plan. Amendments to zoning instruments may need to be preceded by amendments to the Municipal Plan.

**Policy:**

1. In addition to the criteria set out in the policies of this Municipal Plan, Council shall give regard to the following matters when considering amendments to the Development Regulations:
  - a. That the proposal conforms to the intent of this Plan and with the requirement of all other pertinent municipal by-laws;
  - b. That the amendment proposed gives due consideration to:
    - i. the financial capability of the Town to absorb and costs relating to the amendment;
    - ii. the adequacy of water and sewer services to accommodate the proposed development or, if in an unserved area, the adequacy of the physical site conditions for private on-site water and sewer systems;

- iii. the adequacy and proximity of school, recreation and other community facilities;
  - iv. the adequacy of street networks in or adjacent to the development;
  - v. the potential for contamination of watercourses or the creation of erosion or sedimentation;
- c. Controls placed on the proposed development so as to reduce conflicts with any adjacent uses;
  - d. Suitability of the proposed site in terms of soils, topography, geology, location of watercourses and wetlands, and proximity to nuisance factors;
  - e. Provision for buffering, landscaping, screening, signing and access control to reduce potential incompatibility with adjacent land uses or traffic networks.

#### **4.3.2 Home Based Businesses Regulation**

A new Home Based Businesses Regulation was adopted by Council in 2008, which prescribes policies and standards for the conduct of a home based business. The Regulation states the uses permitted as a home based business and outlines the terms and conditions under which they may operate.

#### **4.4 Development Schemes**

Another means by which this Plan will be implemented is through the adoption of development schemes. The areas for which schemes are to be prepared are shown on the Future Land Use Map (FLU-2). The issues to be addressed are outlined in the Municipal Plan and Background Report.

Development schemes are brought into effect in the same way as a Municipal Plan, as established in Section 30 of the *Urban and Rural Planning Act, 2000*. Once adopted by Council and approved by the Minister, a development scheme becomes part of the Municipal Plan.

## 4.5 Public Works Program

### General Intent

In the coming planning period, the Public Works Program of the Town of Gander will concentrate on the maintenance and upgrading of existing infrastructure including streets, sidewalks, water and sewer infrastructure, town buildings and equipment.

The public works program will be adopted annually and implemented by Council. This will include a five-year program of work to be undertaken as required by the *Municipalities Act*.

In addition, funds have been allocated in the five year Public Works Program to allow the design and construction of a new Fire Station. Proposals to investigate replacing existing sewage treatment facilities and investigate the development of additional recreation infrastructure are not yet included in the 5 year public works program.

The following projects are seen as necessary to be undertaken during the Planning Period. These projects consist of road improvements, water and sewer services, and construction of the new Fire Station. Projects are listed in the chart below by year.

The Town uses a Pavement Management Plan to monitor and plan for street improvements. This Plan is reviewed and adjusted annually. Capital works projects for parks and recreation are expected to concentrate on the maintenance and upgrading of existing facilities. A recreation facilities maintenance plan will be prepared and implemented over the planning period.

### 4.5.1 Additional Studies

Development-related studies which Council may undertake during the planning period include:

- A Seniors Housing Market Study
- A Review of Residents' Needs for Affordable Housing

- Comprehensive Development Scheme for the Gander Lake Shore Comprehensive Development Area

<b>TOWN OF GANDER - Five Year Capital Works Program</b>			
<b>YEAR</b>	<b>CATEGORY</b>	<b>PROJECT</b>	<b>ESTIMATED COST</b>
2008	ROADS	Bishop St - curb, sidewalk & paving	\$315,500
		Lindbergh Road - curb, sidewalk & paving	\$240,000
		Airport Blvd - resurface	\$375,000
		Raynham Ave - repairs	\$91,000
	TOWN BUILDINGS	New Fire Hall - Engineering	\$305,000
	OTHER	Miscellaneous (vehicles; maintenance; upgrading)	\$500,000
<b>Total 2008</b>			<b>\$1,826,500</b>
2009	ROADS	Magee Rd. - sidewalk and paving	\$375,000
		Byrd Ave - repair	\$162,000
		Fraser Road - curb, sidewalk & resurfacing	\$580,000
	WATER/SEWER	Sewage Treatment Plant/ (4) pumping stations	\$240,000
	TOWN BUILDINGS	Town Hall -Renovations	\$185,000
		New Fire Hall - Construction	\$3,249,695
OTHER	Miscellaneous	\$440,000	
<b>Total 2009</b>			<b>\$5,231,695</b>
2010	ROADS	Airport Blvd - resurfacing	\$425,000
		Johnson Crescent - repair	\$87,000
	WATER/SEWER	Water Reservoir -painting	\$425,000
	OTHER	Miscellaneous	\$680,000
<b>Total 2010</b>			<b>\$1,617,000</b>
2011	ROADS	Airport Blvd - resurfacing	\$410,000
	OTHER	Miscellaneous	\$1,950,000
<b>Total 2011</b>			<b>\$2,360,000</b>
2012	ROADS	Magee Road	\$620,000
		Memorial Drive	\$500,000
		Rickenbecker Rd - resurfacing	\$220,000
	WATER/SEWER	Elizabeth Drive -storm sewer relining	\$225,000
	OTHER	Miscellaneous	\$270,000
<b>Total 2012</b>			<b>\$1,835,000</b>
<b>5 YEAR TOTAL</b>			<b>\$13,220,195</b>
* does not include allocation for Downtown Redevelopment Project or new large scale recreation facility			



