

TOWN OF BURIN MUNICIPAL PLAN 2010-2020

Gazetted: October 28, 2011

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Amendments: To see if there were any amendments to this document since it came into effect, please refer to:

[List of Amendments](#)

Town of Burin Municipal Plan Review 2010-2020

Municipal Plan



April 2011
L66110011

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April 2011



RESOLUTION TO ADOPT

TOWN OF BURIN

Municipal Plan 2010 - 2020

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Burin adopts The Town of Burin Municipal Plan 2010 – 2020.

Made and adopted by the Council of the Town of Burin, on the ___ day of _____, 2010.

Signed and sealed this _____ day of _____, 2010.

Mayor

Clerk

(Council seal)

NOTICE OF APPROVAL

I, _____, Minister of Municipal Affairs, under and by virtue of the power conferred by the *Urban and Rural Planning Act, 2000*, hereby approve the Burin Municipal Plan (2010-2020) adopted by the Town Council of Burin on the day of A.D.

Dated at St. John's this _____ day of _____, 2010.

Hon. Kevin O'Brien
Minister of Municipal Affairs

In the Presence of:

Mr. Corrie Davis
Director of Urban and Rural Planning

Canadian Institute of Planners Certification



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

MCIP seal

Lydia M. Lewycky, MCIP, RPP Date

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1.0 INTRODUCTION

1.1 Foreword

Once approved in accordance with the *Urban and Rural Planning Act, 2000*, this plan constitutes a legal document and shall be known as the *Town of Burin Municipal Plan 2010-2020*. The following text and the Future Land Use map constitute the Municipal Plan for the Burin planning area. This Plan repeals the *Town of Burin Municipal Plan 2000*.

The *Town of Burin Municipal Plan 2010-2020* establishes guidelines for the sustainable management of development on lands contained within the Burin Planning Area Boundary (PAB) by setting out a ten-year land use strategy. This Plan provides a policy framework for the land use zoning and subdivision regulations, to be administered by Council through development and subdivision permits.

The Plan, in guiding the physical improvement and sustainable growth of the community, indicates the location and timing of residential development and the general layout and scheduling of capital works to support development such as new water and sewer mains, new roads, and improvements to existing roads. It also identifies plans to address the environmental, social, cultural, economic, and governance needs of the community. As required under the *Urban and Rural Planning Act, 2000*, hereby referred to as “the Act,” all relevant planning issues have been reviewed in the preparation of the Plan and are presented in the *Background Study to the Town of Glovertown Municipal Plan 2010-2020*.

1.2 Plan Contents

The *Town of Burin Municipal Plan 2010-2020* proposes the allocation of land for various uses, and includes Council’s aims (vision, goals, objectives, and policies); the plan for the sustainable development of the community; and the timing and costs over the next decade of recommended capital works.

The Background Study was prepared to provide an accurate and up-to-date examination of current conditions and an analysis of key trends since the last Municipal Plan. The report also provides the basis for some of the rationale used for policies proposed in the Municipal Plan. It does not form part of the legal document.

1.3 Plan Preparation & Consultation

The policies and land use designations described in this Plan are not intended to remain static but are subject to continuous review and alteration as required in the light of changing economic, social, and technological developments.

By preparing the *Town of Burin Municipal Plan 2010-2010*, the Town of Burin is taking the opportunity to review its policies and formulate new ones which are more in keeping with the changes that have occurred and are likely to occur within the Town. This Review also provides an opportunity to update the provisions of the Development Regulations, in particular Schedule C, as required by the Act.

This Plan was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*. The Plan documents are based on land use analysis and other studies of the community and on Council's

perception of the land use problems facing the community, the opportunities for improvements to its physical environment, and the direction future growth should take. Community consultation has also played a major role in all aspects of this planning process.

Residents of Burin were consulted throughout the plan review process. On June 22nd, 2010 a Public Open House was held at the Muriel Isaacs Senior Citizens' Building to introduce the plan review process to the public and solicit feedback related to the community's priorities for the future directions of the Town. An invitation was mailed to all residents of Burin.

A Town Municipal Plan meeting was held on September 29th, 2010 to update the community on the status of the review process and to provide an additional opportunity for residents to provide further input in person. Again, an invitation was mailed to all residents.

1.4 Bringing into Effect

The Act sets out the process for bringing a municipal plan into effect. When Council is satisfied with a draft of the Plan, Council adopts it and notifies the Minister of Municipal Affairs. A public hearing is arranged as per Section 16(1) of the Act and notices are published announcing the time and place of the hearing. The commissioner appointed to conduct the hearing reports to the Minister of Municipal Affairs on any representations made, and Council then requests the Minister to approve the Plan. Notice of the Minister's approval is published in the *Newfoundland Gazette* and the local press and the Plan comes into effect on this date.

1.5 Plan Administration

After the Municipal Plan has received the Minister's approval, it is legally binding upon Council and all other persons, corporations and organizations.

Council will administer the Town of Burin Municipal Plan by carrying out the Plan's policies. There are several ways in which this is done:

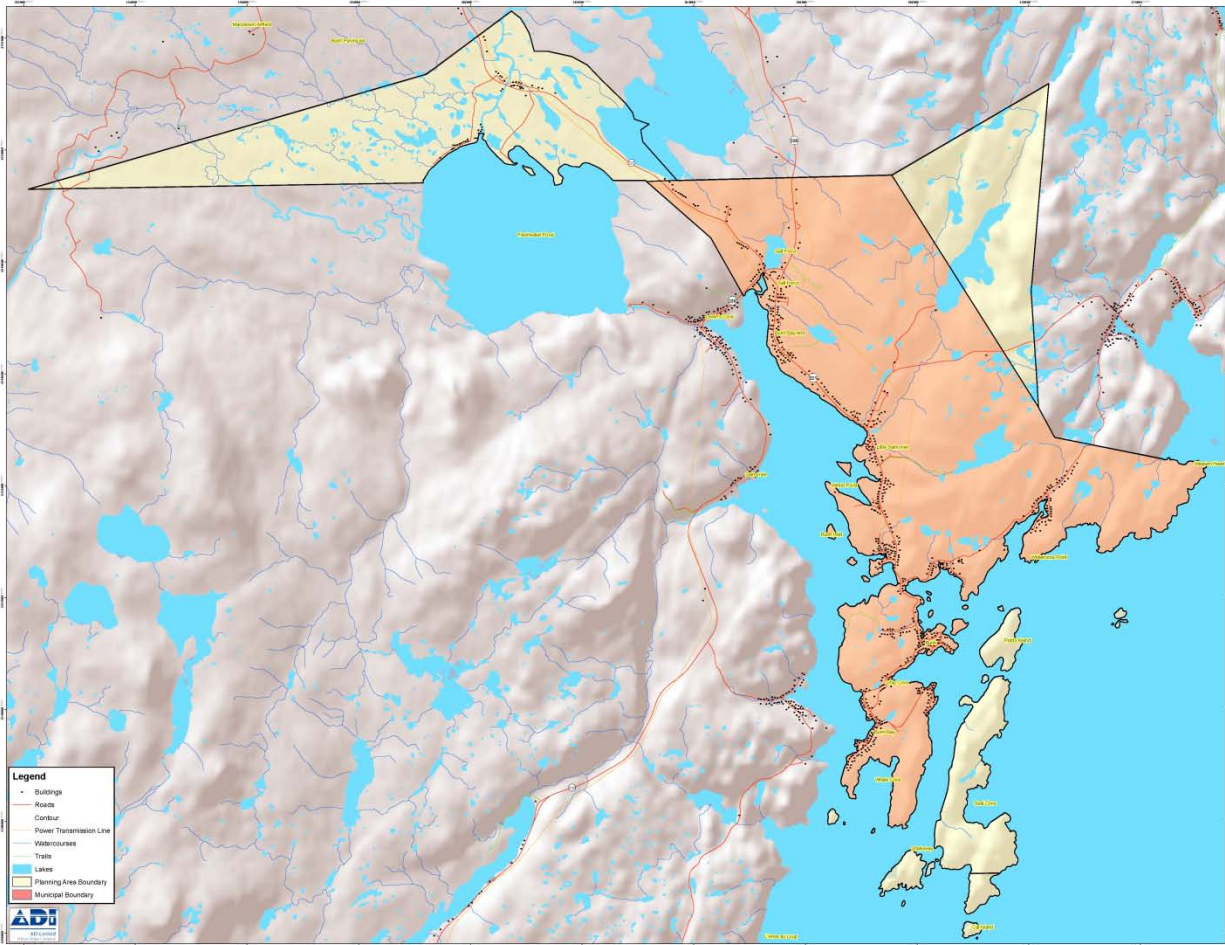
- by preparing land use zoning and subdivision regulations (prepared and approved at the same time as the Municipal Plan);
- by issuing development permits to people wishing to build or change the use of a building or to subdivide in accordance with regulations; and
- by undertaking the capital works and development schemes outlined in the Plan when the financial resources are available.

In five years time, Council will review this Plan and revise it to provide for the next 10-year period in accordance with Section 28(1) of the Act. Amendments may be made at any time prior to the five-year review in response to new development proposals or changed community priorities. These amendments must follow the process outlined in Sections 14 to 24 of the Act.

1.6 Planning Area Boundary

In addition to the Town of Burin, part of the land adjacent to Freshwater Pond and part of the Winterland Agricultural Development Area are included in the Planning Area. The Planning Area also includes the community of Port Au Bras, which was brought under the Town's Limit of Servicing Agreement in 2001. The Planning Area (as shown in Figure 1) is governed by Town Council, which exercises control over all development, watersheds and amenities of the municipality and surrounding lands.

Figure 1: Planning Area Boundary



2.0 PLANNING CONTEXT

The *Background Study to the Town of Burin Municipal Plan Review 2010-2020* sets out detailed information related to the Town of Burin since the last Municipal Plan was completed in 2000. While not included in the Municipal Plan directly, it is worth noting some of its key findings.

2.1 General Overview of Background Study

The population of Burin has declined by 23.4% between the 1991 and 2006 Canadian censuses. As of 2006, Burin's population was estimated at 2,483 persons. Factors influencing this population loss include an aging population, increasing death rates, declining fertility rates, and the outmigration of residents, especially youth, seeking opportunities elsewhere.

Three of the most significant population trends in Burin include a decline in pre-school and school age children (those aged between 0 and 24); the general aging of the working age population (those aged between 25 and 64); and an increase in the Town's senior population (those aged 65 and older).

In spite of the population loss, Burin has witnessed an *increase* in the number of households, which stood at 975 in 2006 (up from 875 in 1991). This means that in spite of a shrinking population, there is still demand in the Town for new development to accommodate an increasing number of households.

Burin's economy has diversified significantly over the years. Historically based largely on primary industries related to the fishery, the Town now plays an important role in the regional economy. Northern Burin is home to a large institutional hub of employment, including the regional hospital and other medical facilities, the College of the North Atlantic, and an elementary and middle school. Southern Burin remains closely linked to the Town's economic past, home to the Highliner Foods Secondary Seafood Processing Plant. However, the natural landscape and the abundance of heritage properties play a significant role in attracting an increasing number of tourists to the region. In spite of the Town's general success with diversifying its economy, there is nonetheless a perceived threat among many of the community members if the fish processing plant were to close down. As it currently stands, tourism, health sciences, and institutional and commercial services, seem to provide some of the best opportunities for Burin to grow its economy in the future.

2.2 Present Development Pattern

The Burin Planning Area consists of a series of communities linked by Highways 220 and 221. It also consists of rural and resource areas located to the west of Town in which the two water supply areas are located, and, the area along Tide's Brook and Freshwater Pond which serves as an outdoor recreation area as well as a natural resource area.

The land south of Path's End Cove (southern Burin) relates to the water and the harbour activities. Development clings to the rocky shores in a manner that reflects the traditional sea-going orientation of Burin. The roads, which link the various communities from Collin's Cove to Path's End, are imposed on the landscape out of necessity. These have been created by a change in transportation mode from marine-oriented to road-oriented transportation. Old Burin offers a fine example of a successful marine-

oriented community where the wealth generated by sea-going captains and merchants has been translated into large houses and merchants' premises, some of which are still evident.

The area from Path's End Cove to Salt Pond (northern Burin) is, in general, the "new" part of Burin. Here the development pattern is shaped by the main road. There is little development in depth beyond what is located along the main road, although new developments continue to expand onto new lands further from the main roads, including Greenhill and other such subdivisions to the east of Main Street. Where development has occurred off the main road there is evidence of a traditional land use pattern where "backlot" development has been permitted. As well, significant pressures exist for expanding the rear yards of properties onto Crown Lands in order to accommodate gardening activities. Council has indicated its desire to limit the use of Crown Lands for hobby gardening in order to preserve the lands for strategic residential development. Planned development, such as that at Black Duck Cove, is the result of attempts by the former Fishery Products International (now Highliner) to house its workers. At Greenhill, a 1970s-style subdivision was developed by the Newfoundland and Labrador Housing Corporation.

The locational advantage of Salt Pond in a vehicular-oriented Burin Peninsula has been exploited for regional-scale health and education facilities. Residential development radiates from the crossroads at Salt Pond toward Burin, Lewin's Cove and along the Winterland Road.

Between 2000 and 2009 an annual average of approximately 34 building permits were issued. The majority of these (65.9%) were issued for the construction of secondary structures such as sheds, fences, wharves and garages, while one-fifth (18.5%) were for new residential construction and 14.4% were for renovations to existing structures.

Recent development in Burin has followed similar patterns as historical development, with many new homes being constructed off Main Street. The majority of new construction occurred in the northern half of Burin, while a significantly larger proportion of renovations (40%) were issued for properties in southern Burin where the majority of the Town's historical properties are found.

In summary, Burin's present development pattern is a product of its history as an outport and the forces of change which have resulted from the development of the provincial highway network and the development of regional-scale community services and facilities along Main Street north toward Marystown.

2.3 Conceptual Basis for the Municipal Plan

Leading to the more specific objectives and policies, the development concept for the *Town of Burin Municipal Plan 2010-2020* is to continue with and reinforce the patterns of development that have occurred over the years, continuing with an emphasis on the development of residential subdivisions off Main Street within the comprehensive development areas and the continued development of the area around Salt Pond towards Marystown as the main commercial and institutional node of Burin, including the new "Burin Enhancement Park," to serve as a hub for medical and health-related businesses. A second key node, the peninsula between Little Burin Harbour and Ship's Cove, should continue to develop as the "heart of Old Burin," offering important employment opportunities for local residents and attractive destinations for tourists. Existing settlements are to be fostered as unique and historic

places that can provide a variety of opportunities for living and engaging in marine-oriented industrial and other commercial activities.

Burin, Pardy, and Shalloway Islands are to be retained as places where persons can enjoy recreation and engage in tourism related commerce. Major scenic areas, such as Cook's Lookout are to be protected while being developed as recreational walking and picnicking sites for the enjoyment of residents and visitors alike.

As the opportunity presents itself heritage conservation initiatives are to be fostered so that the older parts of Burin will remain for future generations to enjoy.

3.0 VISION, GOALS, AND OBJECTIVES

This section outlines the Town's planning vision, goals and objectives which will be pursued for the period 2010-2020. The vision statement establishes a broad picture of the community's future that Council attempts to achieve through the implementation of the policies outlined in the Plan. A goal is a desired state which reflects the long range desires of Council and is related to a major area of concern. An objective is a short-range step towards achieving the goal. It is concrete, realistic, action-oriented and attainable within a period of three to five years. The achievement of an objective should move the goal closer to reality. The community vision, goals, and associated objectives were determined through consultation with Council, stakeholders, and the public.

3.1 Community Vision

Consultation with Council revealed a desire to integrate the mission statement and values of the *Town of Burin Strategic Plan, 2008 to 2011 Planning Cycle* with the Municipal Plan review. By integrating elements of the Strategic Plan into the updated Municipal Plan, the Town will have two complementary documents to help guide future growth and municipal operations within the Town.

The Town of Burin is a vibrant community that blends the best of two worlds – a rich local history and a high quality of life. The Town strives to provide affordable, quality programs and services to residents, and is accountable to taxpayers as a means of providing sustainable local government services within its means.

3.2 Community Goals

The following six community-wide goals will guide the growth of Burin from 2010-2020. The six goals are based on the six key values identified in the Town's *Strategic Plan* and will guide the decisions and actions of Council over the course of the next ten years:

- Goal "A"** **Heritage** – to preserve and celebrate the historical legacy of our community.
- Goal "B"** **Affordability** – to manage growth, development and provision of services in a manner that results in the most reasonable and affordable rates possible for residents.
- Goal "C"** **Natural Resources** – to ensure that the natural environment remains a priority as the Town continues to develop, including minimizing the environmental impact of new development; preserving ecologically vulnerable areas; enhancing natural beauty where possible; and protecting the water supply.
- Goal "D"** **Public Safety** - to maintain a safe and healthy community by fostering an environment that enhances the physical, social, cultural, and economic well-being of the present and future residents of Burin.
- Goal "E"** **Support** – to foster a generous and supportive community by providing an adequate quality, quantity and mix of housing, commercial, employment, and recreational opportunities for all residents.

Goal "F" **Good Services** - to promote an orderly and economic pattern of growth and development and an efficient, safe, and economic network of transportation and utilities infrastructure.

3.3 Community Objectives

The general objectives which flow from the Community Goals are stated here. It is intended that these objectives apply to and form the basis for the policies which are expressed in this Plan. The Burin Municipal Plan has the following policy objectives:

Objective "A" to encourage the creation of community nodes which will focus development in the areas where municipal services are provided, most notably in the Salt Pond area, the "Town Centre," and in Ship Cove;

Objective "B" to avoid contributing to costly sprawl or ribbon development and to discourage development in areas where servicing is economically or physically not feasible;

Objective "C" to expand the community as a logical extension of existing development;

Objective "D" to continue the provision, maintenance and upgrading of existing community services and infrastructure as required and to encourage infill development in existing serviced areas;

Objective "E" to discourage development in areas requiring extraordinary operation and maintenance costs to the Town's account such as for water boosting and sewerage lift stations;

Objective "F" to ensure that new land development takes place with no additional capital costs for municipal services to the Town's account; to prevent urban development in protected water supply areas and on rural and resource lands;

Objective "G" to create a commercial land use policy which reflects the requirements of town wide and local consumer requirements and that reflects the concentration of major commercial and public facilities in the Salt Pond Area and focussed along Highway 221;

Objective "H" to respect the traditional forms of development and its mix in the coastal portion of the Town through protecting marine-based commercial and industrial activities, along with allowing an appropriate mix of traditional uses in the older settlements of Burin;

Objective "I" to identify and propose sites for recreational development;

Objective "J" to identify ecologically sensitive areas including those of cultural and historic value and develop a means of protection of the particular sites and their surroundings;

- Objective "K"** to encourage environmental improvements which will facilitate the development of a tourism industry;
- Objective "L"** to encourage the continued upgrading and rehabilitation of the urban area, including the landscaping of both private and public spaces;
- Objective "M"** to preserve the character of the planning area particularly the land and water views and the traditional seaport aspects of Old Burin and the other old settlements;
- Objective "N"** to reduce the adverse effects of ad hoc outdoor recreation and cabin development in the Freshwater Pond drainage basin;
- Objective "O"** to encourage appropriate tourism-related development and historic uses of Burin Island, Shalloway Island and Pardy Island.

4.0 THE LAND USE PLAN

The following policies, in concert with the Future Land Use Map, constitute the land use component of the *Town of Burin Municipal Plan, 2010-2020*. This land use component designates land within the Burin PAB for uses that are deemed most appropriate for future development. Included are all policies which are seen as necessary by Council to ensure that the physical development of the Town is undertaken in an efficient, economic, and sustainable manner during the ten-year period. The Land Use Plan is meant to complement the Goals and Objectives outlined in the previous section.

4.1 General Land Use Policies

These general development policies apply throughout the Burin Planning Area.

4.1.1 Community Structure

Policy G-1 It shall be a policy of Council to direct new development in accordance with the Future Land Use Map, as amended from time to time, and in accordance with the policies of this Plan. Generally speaking, new residential development will be located in areas of the Town that can be easily and economically serviced. New commercial and business development will be concentrated along Main Street in the vicinity of Salt Pond, as well as further south in the areas of Little Burin Harbour and Ship Cove.

4.1.2 Access Points

Policy G-2 It shall be a policy of Council to ensure access points to future development sites and the Comprehensive Development Areas are not developed. Major access points to future development areas off Highways 220 and 221 are set out on the Future Land Use Map.

4.1.3 Accessory Uses

Policy G-3 It shall be a policy of Council to permit incidental or accessory uses, buildings or structures whenever a use is permitted in a land-use classification. This may include accessory residential uses for non-residential uses.

4.1.4 Environmental Integrity

Policy G-4 It shall be a policy of Council that development in and around water courses within the Planning Area be carried out in such a manner that the fish habitat and natural drainage systems are protected. Unless proven to the contrary, it is assumed that all water courses contain suitable fish habitat and that development may occur only after referral to the Department of Environment and Conservation for consideration under Section 48 of the *Water Resources Act*.

Policy G-5 It shall be a policy of Council to encourage the preservation of natural features such as wetlands, mature forested areas, and natural shorelines, among other features, in order

to preserve natural ecosystems for future generations. New development shall be required to minimize impacts on the environment.

Policy G-6 It shall be a policy of Council that any development or land use activity will be separated from any lake, river or tributary by a buffer, the requirements for which will be set out in the Development Regulations. The buffer will be measured from the high water mark and the only permitted uses within the buffer area include hiking trails, marinas, wharves, and similar uses. Proposed development activity within the required buffer area shall be referred to the Department of Environment and Conservation for consideration under Section 48 of the *Water Resources Act*.

4.1.5 Heritage Conservation and Amenities

Policy G-7 It shall be a policy of Council to protect significant historic and archaeological resources. Development must occur in a culturally and historically appropriate fashion under Provincial and Town regulations and the amenities of Burin shall be preserved and enhanced through various programmes, including the application of appropriate regulations.

Policy G-8 It shall be a policy of Council to forward all plans for major development involving ground disturbance to the Provincial Archaeology Office for review prior to construction. There are three known archaeological sites located within the Burin PAB that are protected under the *Historic Resources Act*.

Policy G-9 It shall be the intention of Council to encourage the retention of the style, size, scale, colour and form of buildings in Burin. Council will encourage the preservation and restoration of heritage buildings and regulate the placement and size of signs. When reviewing applications for development, Council will consider whether the proposed development is complementary to surrounding buildings in terms of size, scale, style and form.

4.1.6 Home Occupations

Policy G-10 It shall be a policy of Council to permit home occupation uses as accessory to a residential use subject to regulations which protect the amenities of the residential area.

4.1.7 Municipal Services

Policy G-11 Except on a limited infill basis where the installation of municipal sewer and water services is not economically or physically feasible, it shall be a policy of Council to require that all development within the Town of Burin be required to connect to municipal sewer and water services.

Policy G-12 It shall be a policy of Council that all development requiring access shall have frontage on a publicly maintained street, all-weather roads, and be provided with adequate storm drainage.

Policy G-13 It shall be a policy of Council to require that, in the case of development or redevelopment for high density residential or other purposes, no additional capacity be provided in the water and sewer or storm drainage pipes or roadways to service such development. However, where such improvements or extensions are required, then Council will ensure that agreements are entered into between the developer and the municipality regarding the provision of such additional services by the developer, at no cost to the municipality.

Policy G-14 It shall be a policy of Council that the cost of providing services which open new land for development shall be borne by the developer, and that the cost of extending services by the Town, such as water mains or sewer lines, to partially serviced areas shall be charged against the land which benefits.

4.1.8 Non-Conforming Land Uses

Policy G-15 It shall be a policy of Council that existing land uses which are non-conforming at the date of the approval of this Municipal Plan, and subsequent amendments to the Plan or Development Regulations, shall be permitted to remain, expand or extend and have the use changed to another non-conforming use that is more compatible with the permitted use, subject to the requirements of the Development Regulations.

4.1.9 Open Space, Public and Institutional Uses – General

Policy G-16 It shall be a policy of Council to permit open space non-building uses, such as playgrounds, playing fields, neighbourhood parks, and recreational trails, within any of the land use districts set out on the Future Land Use Maps.

Policy G-17 It shall be a policy of Council to permit municipal service lines and public utility poles and lines, and small substations, in all land use designations as set out on the Future Land Use Map, subject to the appropriate regulations.

Policy G-18 It shall be a policy of Council to permit major structures associated with public utilities only in selected areas and where their impact is not deemed to be adverse to other uses.

Policy G-19 It shall be a policy of Council to permit other public, community, institutional or quasi-institutional uses which provide services to the general community under the various designations and zones under the Development Regulations, except as specifically provided elsewhere in the Plan, provided that:

- 1) such use is necessary in the area, that it can be made compatible with its surroundings, and that adequate measures are taken to ensure this compatibility;
- 2) adequate off-street parking is provided; and
- 3) the erection of permanent buildings shall be prohibited in areas designated as non-urban or rural community areas except for utility uses or those buildings directly related to rural or resource activities.

4.1.10 Screening, Buffering, Impact Mitigation

Policy G-20 It shall be a policy of Council that various forms of screening, buffering and impact mitigation may be required between uses when new development or substantial redevelopment occurs. The purpose of such mitigations is to reduce the impact of noise, dust, odours and unsightliness of certain types of uses on other uses and the community at large.

4.1.11 Subdivisions Serviced by Individual Private Wells

Policy G-21 In the case of new unserviced subdivisions or the addition of unserviced lots to existing unserviced subdivisions, it shall be a policy of Council to require that a groundwater assessment be completed in accordance with the guidelines set out in the *Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells* established by the Water Resources Management Division of the Department of Environment and Conservation in November 2009.

4.2 Specific Land Use Policies

The land resources of the Burin Planning Area shall be managed in accordance with the proposed land uses shown on the Future Land Use Map and the land use policies of this Municipal Plan. Land use designations include:

- Residential
- Commercial
- Mixed Development
- Industrial
- Public Use
- Public Utility
- Parks & Open Space
- Resource Lands
- Protected Water Supply
- Comprehensive Development Areas
- Transportation, Parking & Circulation

4.2.1 Residential Land Use Policies

General Intent

Lands have been designated Residential throughout the planning area to provide a range of housing types that respond to the various needs of local residents of all ages, abilities, and socio-economic backgrounds.

Housing developments should respond to the needs of their specific target markets. Housing for young families will include the provision of open space and play areas for children, while housing for seniors considers adjacent landscape qualities and proximity to municipal amenities and services.

Lands for residential development are shown on the Future Land Use Map. Within these lands, the principle housing type will continue to be the single-detached dwelling, but a range of housing types, densities, sizes, and affordability may also be considered. Non-residential uses that are compatible with residential neighbourhoods may also be permitted within the Residential designation.

Within the areas designated General Residential on the Future Land Use Map, areas shall be further categorized into the following zoning designations on the Zoning Map:

- 1) General Residential (R1)
- 2) Residential Medium Density (R2)
- 3) Residential Mobile Home (MH)
- 4) Residential Seasonal (RS)

4.2.1.1 *General Residential/Residential Medium Density*

Policy R-1 It shall be a policy of Council to encourage and support a mix of housing types within designated residential areas. Areas may be set aside for: primarily single-detached and double dwellings; various forms of multiple dwellings, including apartment houses; and, mobile home subdivisions or parks.

Policy R-2 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.

Policy R-3 It shall be a policy of Council to permit infill housing areas along existing roads that do not have municipal sewer and water services only after they fulfill the requirements of the Province and the Town.

Policy R-4 It shall be a policy of Council to permit local commercial uses such as convenience stores in residential areas provided the dominant use of the site continues to be residential and that Council is satisfied that the use does not conflict with neighbouring uses. Convenience stores should also be of good design.

Policy R-5 It shall be a policy of Council to permit other uses which are complementary to the proper functioning of any residential area. These other uses may include parks, churches and public utilities where they are compatible with residential areas, provided that steps are taken to protect the residential amenities of the area.

Policy R-6 It shall be a policy of Council to permit a marina under the Residential designation provided that it is compatible with the residential area. This can include wharf and stage with an associated boat haul-out, but does not include a commercial facility for the repair, maintenance or servicing of vessels or ancillary commercial uses.

Policy R-7 It shall be a policy of Council to prohibit the expansion of rear yards onto Crown Lands where it is of the opinion that the proposal is for hobby gardening.

4.2.1.2 *Mobile Homes*

Policy R-8 It shall be a policy of Council to permit mobile homes within residential areas. Mobile home developments of five units or less shall be required to conform to the single-detached dwelling standards, excepting minimum floor area, for that zone of the Development Regulations.

4.2.1.3 Seasonal Residences

Policy R-9 It shall be a policy of Council to permit seasonal residential or cottage uses on a discretionary basis in areas with adequate access and provision for waste disposal in the Rural zone and as a permitted use in the Seasonal Residential zone, provided that such uses do not conflict with the resource-based uses permitted in this designation of the Municipal Plan and under the Development Regulations.

Policy R-10 It shall be a policy of Council that any future cottage development in the cottage planning area located at Freshwater Pond shall be done under an approved cottage plan. Applications for other types of development within this area should be referred to the Land Management Division.

Policy R-11 It shall be a policy of Council to not issue a permit where it is of the opinion that the proposal is for a seasonal residence or cottage to be used as a year-round place of residence.

4.2.2 Commercial Land Use Policies

General Intent

Lands designated for Commercial uses can largely be found in the northern half of the planning area along Highway 220. Over the years, this area of the town has transformed into the primary commercial and retail hub of the community providing local residents with a wide variety of services, including retail shopping, medical services, educational opportunities, and food and restaurant services.

Burin has largely been passed over by major “big box” retailers, many of which have instead located in the regional service hub of Marystown. As a result, Burin has had to look in other directions to secure new business and commercial developments in Town. The concept of an Enhancement Park has been moving forward in recent years, as has an increased role for medical services facilities. Renovations to a former school located at the intersection of Highway 220 and Eagle Road will see a new Sears Outlet store, post office outlet, grocery/convenience store, and gas bar come to town, significantly strengthening local retail opportunities for residents.

The Commercial designation is applied to major concentrations of commercial and related development along major roads, in particular the area along Highway 220 and part of Highway 221 between the Hospital and in and around Salt Pond as shown on the Future Land Use Map.

The Commercial designation permits a wide array of commercial and compatible uses, including shopping centres, hotels, public and institutional uses, multiple residential, and accessory residential, together with certain light industrial uses, that provide services to residents of the region and the town. However, uses deemed to be potential nuisances to residential neighbourhoods may be regulated as discretionary uses.

Within the areas designated Commercial on the Future Land Use Map, areas shall be further categorized into the following zoning designations on the Zoning Map:

- 1) General Commercial (GC)
- 2) Commercial Neighbourhood (CN)

4.2.2.1 *General Commercial*

Policy C-1 It shall be a policy of Council to encourage and support commercial development, such as the “Burin Enhancement Park,” and improvements to existing commercial developments.

Policy C-2 When approving commercial developments, It shall be a policy of Council to give consideration to aesthetic improvements (such as sidewalks, parking areas, building facades, signage, street furniture, landscaping, and buffers), as well as impacts on traffic flows and pedestrian safety.

Policy C-3 It shall be a policy of Council to continue to promote the area along Highway 220 from the northern Town limit to the intersection of Eagle Road as the primary commercial hub of the area that serves the varied commercial, institutional, and retail needs of the community.

Policy C-4 It shall be a policy of Council to preserve the attractiveness of the main access route into Town by not allowing uses that would detract from the scenic nature of the area, such as scrap yards. Appropriate building setbacks, proper building design, outdoor storage, and landscaping provisions shall be required by Council to ensure an attractive entrance into Town is preserved.

4.2.2.2 *Commercial Neighbourhood*

Policy C-5 It shall be a policy of Council to ensure that adequate retail opportunities are provided in a convenient manner throughout the planning area.

Policy C-6 It shall be a policy of Council to permit free-standing commercial developments, and small neighbourhood shopping areas, in predominantly residential areas and in new comprehensive development areas.

Policy C-7 It shall be a policy of Council to permit residential uses, commercial garages, workshops, theatres, shops, and offices as free-standing uses or as uses in small malls under the Commercial Neighbourhood designation as permitted or discretionary uses. Commercial and light industrial uses that may be permitted under this designation must be compatible with nearby residential uses.

4.2.3 *Mixed Development Land Use Policies*

General Intent

The Mixed Development designation is intended to accommodate a rich mixture of commercial, fishing related industrial, public, and residential uses that have a long tradition in Burin. This designation will allow for continued development and restoration in the historic areas of “Old Burin” and will ensure that new development continues to strengthen the strong historic, marine-oriented character of the area.

- Policy MD-1** It shall be a policy of Council to continue to promote the area between Little Burin Harbour and Ship Cove as the “heart” of Old Burin with a wide range of services that cater to tourists and residents alike.
- Policy MD-2** It shall be a policy of Council that all development proposals shall be carefully considered as to their impact on the historic character of the community.
- Policy MD-3** It shall be a policy of Council to only permit uses which are typical of the area, be they residential, community service, commercial, or industrial in nature.
- Policy MD-4** It shall be a policy of Council to preserve buildings or sites within the Mixed Development designation which are identified as having historical or heritage significance.
- Policy MD-5** It shall be a policy of Council to require screening, buffering, or other forms of impact mitigation where an industrial or commercial use is permitted adjacent to an existing residential use.
- Policy MD-6** Notwithstanding the foregoing considerations, it shall be a policy of Council to not issue a permit where it is of the opinion that the proposal will have an adverse or detrimental effect on adjacent properties.

4.2.4 Industrial Land Use Policies

General Intent

Areas designated for Industrial uses provide lands that help support some of the economic development objectives of the Town. Lands reserved for industrial purposes are designated Industrial on the Futrue Land Use Map.

Two types of industrial land are important to Burin’s growth and development. The first is marine-oriented and the second is road-oriented. The marine-oriented land is a scarce resource as there is a limited amount of harbour frontage with sufficient backup areas available. Road-oriented land is available near Main Street at Salt Pond.

Road-oriented industrial land has been allocated to the rear of land fronting on Main Street between Salt Pond and the Burin-Marystown boundary.

Land for marine-oriented industrial purposes has been designated at Ship Cove and Old Burin around the harbour. This land will provide for industrial uses which require water frontage. Businesses which have a marine-oriented nature but which do not require water frontage shall also be located in the road-oriented areas.

- Policy I-1** It shall be a policy of Council to permit light industrial, manufacturing, and marine-oriented industrial uses, such as fish plants, ship building and repair, and other related and compatible activities within lands designated for Industrial uses.

4.2.5 Public Land Use Policies

General Intent

Lands designated for Public Use shall be used for purposes that serve the general public. Public uses such as schools and churches, cultural and civic centres, and special care residential facilities, under either public or private ownership, shall be permitted within or in close proximity to the Town Centre and the residential areas of Town.

Policy P-1 It shall be a policy of Council to encourage facilities and spaces for Public Use to locate within the core of the community or within reasonable proximity to community services (commercial, cultural, social and entertainment) to provide residents within easy walking distance access to such services. Uses which are complementary to a Public Use may be permitted by the Development Regulations.

Policy P-2 It shall be a policy of Council to encourage the continued development of the “Town Centre” (near Town Hall) to create a complete community node with a focus on government services. Appropriate building setbacks, proper building design, and landscaping provisions shall be required by Council to ensure an attractive “Town Centre.”

Policy P-3 It shall be a policy 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 may be used for adult education courses or indoor community leisure and recreation pursuits.

Policy P-4 It shall be a policy of Council to support the provision of quality health care services for all Burin 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.

4.2.6 Public Utility Land Use Policies

General Intent

Public works and utilities are needed in order to provide residents with a safe and healthy environment in which to live. It is not always possible to predict the location of these works and utilities and sometimes they must go in residential areas. The following policies will guide the location and installation of these services.

Lands that are used as major electrical substations, the Newfoundland Power Turbine Generating Plant, and municipal and water and sewerage system buildings have been designated “Public Utility.” Public Utility designations are necessary to deal with the particular needs to make these sites compatible with their surroundings.

Policy PU-1 It shall be a policy of Council to require that any use for public works and utilities demonstrates that such use is necessary in the area and that it can be made compatible with its surroundings and that adequate measures are taken to ensure this compatibility.

Policy PU-2 It shall be a policy of Council to permit land within any designation to be used for the provision of public works and utilities if the use of that land is necessary to the proper operation of the work or utility concerned provided that the design and landscaping of any development or any land so used is adequate to protect the character and appearance of the surrounding area.

Policy PU-3 It shall be a policy of Council to require that new public works and utilities, if needed, be constructed in a staged and orderly manner to provide an economic and logical sequence for growth related to the needs of the community and the financial resources available.

Policy PU-4 It shall be a policy of Council to require that municipal services be constructed and installed in accordance with a continuing five years forecast of capital expenditures.

4.2.7 Open Space Land Use Policies

General Intent

Burin has an abundance of open spaces and parks developed in different areas of the developed parts of the Town, as well as throughout the rural areas of the planning area. Key elements of the Town's network of open spaces includes Cook's Lookout Park and Salt Pond. Parks and open spaces have been allocated to serve the recreational needs of the residents of the Town and region. A significant amount of land has also been designated for conservation and buffer purposes. These lands will be dealt with under the resource lands category.

Major areas set aside for Parks and Open Space are set out on the Future Land Use Map.

Policy OS-1 It shall be a policy of Council to preserve lands to accommodate the structured and unstructured recreational needs of residents and tourists to Burin, whether publicly or privately owned.

Policy OS-2 It shall be a policy of Council to keep lands designated as parks or open space free of buildings and structures except for those buildings or structures necessary to serve the use of the area.

Policy OS-3 It shall be a policy of Council to permit cemeteries, because of their open character, as a special use in lands designated for Parks and Open Space.

Policy OS-4 It shall be a policy of Council to permit mineral exploration subject to municipal and provincial requirements. Depending upon the scale and type of exploration activity proposed, Council may require buffers around residential or environmentally-sensitive areas and may impose financial provisions to ensure adherence to permit terms.

Policy OS-5 It shall be a policy of Council to permit campgrounds for travel trailers, recreational vehicles, and/or tents as a discretionary use provided that such development occurs in a planned fashion and does not impinge upon the recreational purposes of the area. Also, a community recreational centre may be permitted in this designation.

4.2.8 Resource Land Use Policies

General Intent

This designation deals with lands that are generally located outside the urban development boundary of the Town. However, in some instances, particularly the areas requiring conservation and buffering, these designations apply to the urban area as well. These lands are treated as natural resources and as such are subject to the policies of this designation.

Within the areas designated Resource on the Future Land Use Map, areas shall be further categorized into the following zoning designations on the Zoning Map:

- 1) Rural
- 2) Mineral Workings
- 3) Environmental Protection/Conservation

4.2.8.1 General Resource

Policy RL-1 At some point in the future the situation may arise that lands designated as one or more of the resource lands may be needed for urban development. Therefore, it is a policy of Council that prior to any redesignation from a Resource category to urban development that, where warranted, the resource in question be removed.

4.2.8.2 Rural

Policy RL-2 It shall be a policy of Council that lands intended for Rural purposes be used for agriculture; forestry; mining; certain rural-based industrial uses; marinas; harbours and related uses; open space recreational uses; and certain residential uses.

Policy RL-3 It shall be a policy of Council to permit certain types of activities or uses related to mining, mineral workings, and mineral exploration under the Development Regulations. If allowed, the Town shall endeavour to ensure that their negative impacts on the environment and other land uses are minimized through regulation.

Policy RL-4 It shall be a policy of Council to permit accessory single dwellings to agricultural and forestry uses as distinct from seasonal residential uses or cottage uses within this designation.

Policy RL-5 It shall be a policy of Council to permit seasonal residential uses as a discretionary use in areas with adequate access and provision for waste disposal, provided that such uses do not place additional pressure on the Town's municipal services, nor conflict with the resource-based uses permitted in this designation of the Municipal Plan and under the Development Regulations.

Policy RL-6 It shall be a policy of Council to designate the three islands – Burin, Shalloway, and Pardy – as Rural Resource lands for the purpose of permitting resource-based uses as well as seasonal residential uses.

4.2.8.2 Mineral Workings

Aggregate extraction is permitted in the designated aggregate resource areas. According to the Newfoundland Department of Mines, Environmental Geology Section, the aggregate resources designated on this Plan are of significance to the Burin community. Their location is noted on the Future Land Use Map.

Aggregate extraction shall mean extraction by means of pits and quarries, as well as associated uses such as aggregate storage, stone crushing plants, concrete batch plants, asphalt batch plants, and accessory uses.

Policy RL-7 It shall be a policy of Council to permit small scale mineral working operations within the resource areas of the PAB as a permitted or discretionary use, provided they are conducted so that no nuisance or danger is caused to the general public and the scenic beauty of the surrounding area is preserved. In order to preserve the scenic beauty and amenity of the area, operations will generally be restricted to areas not exposed to public view.

Policy RL-8 It shall be a policy of Council to permit new uses which will not preclude the future use of mineral extraction of lands designated aggregate development areas. Forestry, recreational open space and agricultural activities are examples of such uses.

Policy RL-9 It shall be a policy of Council to require that all extractive industrial uses must satisfy the requirements of the Town and the Province related to water supply, waste water, solid and liquid waste disposal, and air and noise pollution control, concluding with provisions for site rehabilitation.

Policy RL-10 It shall be a policy of Council to view all regulated quarry development and aggregate extraction as an interim land use only, and to not permit conflicting land uses until extraction has depleted the resource or the use ceases operations.

Policy RL-11 It shall be a policy of Council to not permit any residential or commercial development in mineral extraction areas until extraction is complete and preliminary site restoration is carried out. As areas are mined and restored on a progressive basis, the mineral extractive designation may be removed in depleted areas and those areas may then be committed to other land uses. This process is also dependent on whether adequate buffer zones can be maintained between subsequent land uses and the extraction operations.

Policy RL-12 It shall be a policy of Council to require a 300m wide buffer around extraction areas, active and abandoned, but not resource-exhausted quarries and quarry development areas, to protect them from conflicting land uses.

4.2.8.3 Environmental Protection

The intent of the Environmental Protection designation is to have viable river systems; to provide fish habitat; to provide shelter for wildlife; to maintain vegetation that will assist in regulating and cleaning waterways and encourage appropriate fauna; to preserve and enhance sites of historic, cultural, aesthetic and scientific interest, both built and natural; and to provide appropriate levels of recreation activities near and on waterways, water bodies, and wetlands.

- Policy RL-13** It shall be a policy of Council to protect essential water resources and related ecological systems including prohibiting the infilling of wetlands.
- Policy RL-14** It shall be a policy of Council to prohibit hazards or uses which cause public nuisances, threaten public safety or violate pollution standards.
- Policy RL-15** It shall be a policy of Council to require an environmental evaluation process for any proposed development on Environmental Protection areas in order to establish both the nature and severity of the impact as well as the area to be affected.
- Policy RL-16** It shall be a policy of Council to encourage those uses found to be incompatible with environmental protection values and not requiring the Environmental Protection designation to relocate.
- Policy RL-17** It shall be a policy of Council to minimize the impact, or potential impact, of permitted uses by controlling density, design, precise location, construction materials, methods of construction and operation, tree cutting, dredging, and other activities.
- Policy RL-18** It shall be a policy of Council, except as otherwise noted in this Municipal Plan, to prohibit lands designated on the Future Land Use Map as Environmental Protection areas to be used for the purpose of a pit or quarry, a wayside pit or quarry or a new arterial road, new trunk sewer or new trunk water main on a new right of way or easement, a sanitary land fill site or groundwater taking project likely to have adverse impact on an Environmental Protection area without an amendment to this Plan.
- Policy RL-19** It shall be a policy of Council to permit the appropriate use of land within and contiguous to the Environmental Protection areas designated on the Future Land Use Map. The intent of this policy is that the following uses of land and buildings may continue:
- a) Agricultural operations and the expansion of the same under the Municipal Plan and Development Regulations, and policies and regulations of other government agencies;
 - b) Management and harvest of timber in accordance with sound forest management practices;
 - c) Use of wood and the harvest of timber for the owner's personal use;
 - d) Mineral exploration, subject to municipal and provincial requirements. Depending on the scale and type of exploration activity proposed, Council may require buffer areas around residential or environmentally sensitive areas, and may impose financial provisions to ensure adherence to permit terms;
 - e) Construction or expansion of a residence on a legally separated parcel of land existing at the adoption of this Plan, subject to other policies of this Plan, development schemes, and development regulations, and policies and regulations of other government agencies;
 - f) Construction or expansion of a building on existing cleared land providing that it does not physically or biologically affect the conservation area and is in conformity

of the Municipal Plan, Development Regulations, and policies and regulations of other government agencies;

- g) The main use of the area as a private garden or a private woodlot ancillary to the main use;
- h) The existing use of the area for public recreational purposes; or
- i) Legal non-conforming uses.

Policy RL-20 It shall be a policy of Council to require that any development within an Environmental Protection area be subject to an environmental review, the extent of which is determined by the nature of the development and the relevant Provincial requirements.

4.2.9 Protected Water Supply Land Use Policies

General Intent

The purpose of the Protected Water Supply designation is to ensure that land be excluded from any form of urban development in order to preserve the water quality of Big Pond, Long Pond, and Gripe Cove Pond. Section 39 of the *Water Resources Act* details activities that are prohibited from protected water supply areas.

Policy PW-1 It shall be a policy of Council to require that any development activities in the protected water supply, such as unstructured recreational uses, structures for erosion control or other environmental conservation purposes, receive prior approval of the Water Resources Division, Department of Environment and Conservation, with the maintenance of water quality as the overriding priority.

4.2.10 Comprehensive Development Area Land Use Policies

General Intent

Comprehensive Development Areas have been set aside to ensure availability of land for specific land uses that will enable future growth and expansion of the Town in a coherent and efficient manner. Significant blocks of land, which are indicated on the Future Land Use Map, have been designated for residential and community use, future town expansion, and industrial expansion. These blocks of land are suitable for large-scale residential development.

Policy CDA-1 It shall be a policy of Council to require that detailed planning and design of these sites are carried out prior to their development in order to ensure that the land, its associated services and open space provisions will be comprehensively planned.

Policy CDA-2 It shall be a policy of Council to permit maintenance and operation of existing uses on these lands.

Policy CDA-3 It shall be a policy of Council to permit single dwellings along existing public roadways subject to residential infilling requirements if it is necessary to the functioning of existing uses and if it does not conflict with future access requirements.

Policy CDA-4 It shall be a policy of Council to designate all CDAs for primarily residential development. Maintenance of access to all sites is required and shall be shown on the Zoning Map

where appropriate. All CDAs shall have a significant amount of open space designated for neighbourhood park purposes.

Policy CDA-5 It shall be a policy of Council to require that any CDA be rezoned to the appropriate land use designation before it is developed for any subdivision or other development beyond that permitted under this section of the Plan.

4.2.11 Transportation, Parking & Circulation

General Intent

The municipal road system is meant to facilitate the efficient movement of people and goods throughout the Planning Area. A hierarchical classification of roads is used for physical planning, development control, and to establish priorities for maintenance. The roads plan is shown on the Future Land Use Map. It is inherent in this Plan that the rights-of-way set forth in the Development Regulations be required in newly developing areas and were possible in areas presently built up.

4.2.11.1 Road Network

A hierarchical classification of roads is useful for physical planning, development control, and to establish priorities for maintenance. In this context, a division of functions among the existing and proposed roads is considered necessary.

Policy T-1 It shall be a policy of Council to adopt the street and road hierarchy: limited access highways; arterial roads; collector roads; and local roads, for the purpose of planning fiscal expenditures and the accommodation of certain land uses.

Limited Access Highways

Limited access highways are designated to permit the free flow of large volumes of traffic through the Planning Area and to inter-connect with the arterial road system of the municipality. There are no roads of this category in Burin at this time.

Arterial Roads

Arterial roads are designed primarily to facilitate the movement of large volumes of traffic between major land use districts and neighbourhoods in the planning area. They provide connections with bypassing or approaching highways and provide access to the main business and industrial areas. There are no roads of this category in Burin at this time.

Collector Roads

Collector roads function to link local streets with arterial roads and provide access to neighbourhood activity centres. They primarily serve as the major traffic routes within a residential neighbourhood or industrial or commercial area and thus carry relatively high volumes of traffic. A residential collector has potential for sustaining various retail and other commercial and community service establishments along its route. Collector roads in Burin include Main Street (Route 220); Winterland Road (Route 222); Harbour View Drive; and Salt Pond Drive.

Policy T-2 It shall be a policy of Council to permit collector roads to provide both traffic service and land service and full access to adjacent properties. Where possible, a collector road should link at both ends with another collector street or with an arterial road.

Policy T-3 It shall be a policy of Council to resolve identified traffic concerns along collector roads within the Planning Area.

Local Roads

Local roads have the primary function of providing access to abutting properties. The overall road system should be so designed as to minimized the amount of traffic on local roads resulting in maximum safety for pedestrians and allowing attractive residential development. All roads in the Planning Area, other than those mentioned above, are considered to be local roads.

Policy T-4 It shall be a policy of Council to resolve identified traffic concerns along local roads within the Planning Area.

4.2.11.2 Design Standards

Policy T-5 It shall be a policy of Council to require that roads in each of these classifications be designed and constructed in accordance with specific standards determined by the function each street will fulfill. This is especially true of the number and width of lanes and design of intersections. Projections regarding the use of abutting land will be made with the functional classification of the road in mind. This will ensure that these land uses will cause no serious interference with the flow of traffic and the nuisance caused by traffic in turn will be kept to a minimum.

4.2.11.3 Access

Policy T-6 It shall be a policy of Council that access be maintained to backlands. These access points are indicated on the Future Land Use Map and Zoning Map.

4.2.11.4 Truck Routes

Policy T-7 It shall be a policy of Council that all heavy trucks, other than those making deliveries to individual properties, will be routed to minimize impacts on residential areas as designated in this Plan.

4.2.11.5 Parking and Access Control

Policy T-8 It shall be a policy of Council to require that new development applications include a site plan showing how access and parking is to be arranged and that fulfillment of these plans be made a condition of approval.

4.2.11.6 Access Management Guidelines

Access management guidelines are based on the Transportation Association of Canada's *Geometric Design Guide for Canadian Roads*. These guidelines assist municipalities in effectively managing the provision of access to the public road system for new development, redevelopment, or retrofitting of existing facilities.

Policy T-9 It shall be a policy of Council to adopt the Access Management Guidelines provided by the Transportation Association of Canada *Geometric Design Guide for Canadian Roads* to effectively address future development and to rationalize existing situations.

5.0 IMPLEMENTATION

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. Of particular importance to Council are the following:

- a) effective administration of the Plan;
- b) the adoption of a five year capital works program, updated annually;
- c) the adoption of Land Use Zoning, Subdivision and Advertisement Regulations;
- d) the adoption of development schemes;
- a) the procedure for considering amendments to the Plan; and
- b) working in partnership with citizens, groups, and organizations to achieve the collective goals of the community.

5.1 Administration of the Plan

For the purposes of administering the Plan, the Future Land Use Map shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development applications will be carefully evaluated as to their conformity to the Plan. The full conformity of all proposals to the Plan shall be required by Council.

The boundaries of land use designations shown on the Future Land Use Map are meant to be general, except where they coincide with roads or other prominent physical features, where they are 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. Other than such minor changes, no development shall be permitted that does not conform to this Plan.

Once conformity to the Plan has been established, Council will ensure that all development proposals are given a comprehensive review which shall include circulation to all affected public departments and agencies. Council's final decisions will be based on the desire to guide the development of Burin in the best long-term interests of its citizens.

All persons wishing to develop land for any purpose within the Burin Planning Area shall apply to Council for permission through the established procedure. Council may refuse or approve applications, with or without conditions. The appeal of all Council decisions to the appropriate Appeal Board will be permitted in accordance with Part VI of the *Urban and Rural Planning Act, 2000*.

Before major land developments within the Planning Area are approved, a development agreement may be required which will be signed by both the developer and Council. This agreement shall establish the conditions under which development may proceed and shall be binding to both parties. Conditions governing development may also be enforced by being attached to the development permit.

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

5.2 Capital Works Program

The Town of Burin is pursuing a strategy of gradually reducing its capital debt, and this means minimizing its capital works programme until or unless there is a significant infusion of funding from government or private sources. As of 2010, 11% of the Town's operating revenues go towards financing the Town's debt.

Over the next planning period, anticipated capital projects to be undertaken by the Town are of a nature that involves ongoing improvements to existing infrastructure. While the Town does not have a 5-year Capital Works Plan in place, it does have estimates for Capital Works projects for 2011-2012. Given the total amount requested, it is likely the Town will not receive all funding in 2011-2012, but rather see some funding come through in subsequent years.

Priority	Project Title	Construction	Land Acquisition	Interest	Engineering	Total
1	Long Pond Filtration & CL2	\$370,885.61	\$0.00	\$0.00	\$55,632.84	\$426,518.45
2	Sewer System Upgrade	\$1,278,595.00	\$15,000.00	\$10,000.00	\$191,789.25	\$1,495,384.25
3	Forcemain Replacement (350mm)	\$953,833.00	\$0.00	\$5,000.00	\$143,074.95	\$1,101,907.95
4	Paul's Hill Slope Stabilization	\$319,507.50	\$0.00	\$5,000.00	\$47,926.13	\$372,433.63
	Total	\$2,922,821.11	\$15,000.00	\$20,000.00	\$438,423.17	\$3,376,244.48

5.3 Land Use Zoning, Subdivision and Advertisement Regulations

Once this Municipal Plan has been adopted, Council will proceed to adopt Comprehensive Land Use Zoning, Subdivision and Advertisement Regulations (known as Development Regulations) pursuant to Section 35 of the *Urban and Rural Planning Act, 2000*.

The regulations will be drawn up so as to implement the Goals, Objectives and Land Use Policies of the Municipal Plan. The document will contain general land use and subdivision regulations designed to control all land subdivision and development within the Burin Municipal Planning Area.

All land within the Planning Area will be covered by land use zones (residential, commercial, etc.) which will provide for such detailed requirements as lot size and coverage, building setbacks and parking regulations.

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 established under Part VI of the *Urban and Rural Planning Act, 2000*.

5.4 Adoption of Development Schemes

Another means by which this Plan can be implemented is through the adoption of Development Schemes. They can be prepared at any time during the Planning Period in order to amplify on policies contained in the Plan or to allow for development of particular land areas.

Development Schemes are prepared under the *Urban and Rural Planning Act, 2000* and therefore are subject to a Public Hearing and approval by the Minister, the same as a Municipal Plan. The Burin Municipal Plan does not require preparation of any Schemes at the time of Plan adoption.

5.5 Procedure for Amending the Municipal Plan

The administration and implementation of a Municipal Plan is a continuous process. During the planning period, conditions in the Town may change and, where necessary, amendments to the Municipal Plan may be adopted by Council.

In accordance with Section 27 of the *Urban and Rural Planning Act, 2000*, Council will charge a proportion of the cost of carrying out an amendment to the person or association of persons, who request an amendment. The proportion to be charged will be set by Council as part of its annual budget process in setting its Schedule of Rates and Fees. The costs may include, but are not limited to, research and preparation of amendments, public notices and consultation, administrative processing costs, and the costs associated with a Public Hearing.

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.

5.6 Procedure for Considering Re-Zonings

Development Regulations can be changed through text amendments (the addition of a permitted use within a use zone, additions to or changes in a condition, or a change in definition) or through map amendments (a change to the zoning map). In order for consideration of any proposals to amend the Development Regulations, Council shall require a clear proposal to be submitted that shows:

- 1) the location of the subject property, to scale, showing lot dimensions, area, street frontages;
- 2) the proposed means by which the site is/will be serviced;
- 3) the proposed location of all driveways and parking areas;
- 4) areas that are to be landscaped or left in a natural state;
- 5) the proposed location of all buildings on the site; and
- 6) identification of adjoining land uses, natural hazards, or sensitive natural areas.

When considering proposals for developments that necessitate amendments to the Development Regulations, Council shall have regard to the goals, objectives, policies, and programs outlined in this Plan, and whether or not the proposal is in conformance with the intent of the Municipal Plan, Development Regulations and all other Town policies and regulations.