

**COMMUNITY OF WEST ST. MODESTE
MUNICIPAL PLAN AMENDMENTS NOS. 1 to 6**

JUNE, 1992



**Community of West St. Modeste
Municipal Council**

URBAN AND RURAL PLANNING ACT
COUNCIL RESOLUTION TO ADOPT
MUNICIPAL PLAN AMENDMENTS NOS. 1 to 6

Resolved, pursuant to section 15 of the Urban and Rural Planning Act, that the Council of the Community of West St. Modeste adopt the Municipal Plan Amendments Nos. 1 to 6 which are attached hereto and are impressed with the Seal of the Council, signed by the Mayor, and certified by the Clerk.

Resolved further, pursuant to section 17 of the Urban and Rural Planning Act, that the Council apply to the Minister of Municipal and Provincial Affairs for the setting of the time and place of a Public Hearing to consider objections or representations to the Municipal Plan Amendments.

PROPOSED BY:

Stuart Pich

SECONDED BY:

Sylvain Naudy

Certified as a correct copy of a Resolution passed at a meeting of the Council of the Community of West St. Modeste on the 23 day of July, 1992.

Agnes Pich
Mayor

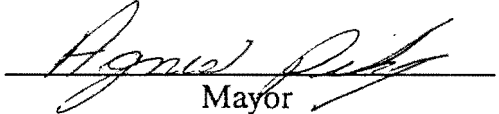
Patricia Pich
Clerk

SEAL AND SIGNATURE

Signed and sealed pursuant to section 15(3) of the Urban and Rural Planning


Act this 23 day of July, 1992.

(SEAL)


Mayor

CLERK'S CERTIFICATE

Certified that the attached Municipal Plan Amendments Nos. 1 to 6 is a correct copy of the Municipal Plan Amendments adopted by the Council of the Community West St. Modeste on the 23 day of July, 1992.


Clerk

INTRODUCTION

The West St. Modeste Municipal Plan came into effect on November 17th, 1989. The Council now proposes six amendments.

Amendments to municipal plans are prepared and adopted under the Urban and Rural Planning Act by the municipal council at any time after the municipal plan has come into effect.

The purpose of a municipal plan as set out in the Act is to contain proposals for such general development of the municipal planning area as can be foreseen for a period not exceeding ten years from the date of completion of the municipal plan and shall be designed to co-ordinate the public purposes of the council that bear upon urban development so as to achieve the common well being of the community and to conserve the financial and material resources of the municipal planning area. Municipal plan amendments must have the same purpose.

The process of preparing, adopting and bringing into legal effect a municipal plan amendment is the same as for a municipal plan. Briefly that is:

1. Preparation and adoption of the amendment by the municipal council.
2. The amendment is put on public display for four weeks.

3. A public hearing is arranged and a hearing commissioner appointed by the Minister. The hearing may be cancelled by the Minister in the event there are no representations made by the public.
4. The commissioner submits a report on the hearing and recommends a course of action to the Minister, if the hearing is not cancelled.
5. The Minister approves, or approves subject to changes or disapproves the amendment.

When a municipal plan amendment is approved by the Minister and comes into legal effect, the amendment becomes a part of the municipal plan. It is then legally binding on the municipal council and the public as is the municipal plan. As a consequence of the municipal plan amendment, an amendment may be necessary to the development regulations.

The rationale for change is given in the background to each amendment. Unless otherwise stated, the remaining policies in the plan text continue unchanged and these should be consulted in conjunction with these amendments.

BACKGROUND TO AMENDMENT NO. 1

The purpose of the amendment is to change the location of a proposed road which is shown on the Plan of Land Use, Map No. 2 as "Eventual Street Location". The reason for the change is to allow a better utilization of highway frontage.

AMENDMENT NO. 1

The West St. Modeste Municipal Plan, Plan of Land Use, Map No. 2 is amended by changing the location of the Eventual Street Location as shown on the attached portion of the map.

BACKGROUND TO AMENDMENT NO. 2

The purpose of the amendment is to change the land use designation from Rural and Public Buildings to Residential of an area of land fronting on the highway and south of the community hall. The Public Buildings area was originally designated for a post office which was located elsewhere. At the time of preparation of the municipal plan it was intended that future residential growth be located in a new subdivision central to the community. Council has been unsuccessful in initiating the subdivision to date and sees the rural area

as being suitable for immediate residential development. This is particularly the case as funding for water and sewer servicing has been approved for this area.

AMENDMENT NO. 2

The West St. Modeste Municipal Plan, Plan of Land Use, Map No. 2 is amended by changing the land use designations of "Rural" and "Public Buildings" to "Residential" as shown on the attached portion of the map.

BACKGROUND TO AMENDMENT NO. 3

The purpose of the amendment is to designate additional land in the east end of the community for commercial purposes. The area is presently designated as industrial, rural and recreation. There is a proposal to use a portion of the site for a multi unit senior citizen's housing project. Council feels this type of use can be compatible with commercial uses provided there are adequate buffers to separate it from other uses permitted in the area. The policies of the commercial designation are amended to permit on a discretionary basis multi unit senior citizen's housing.

AMENDMENT NO. 3

The West St. Modeste Municipal Plan is amended by changing:

- A. The Plan of Land Use, Map No. 2 from "Industrial", "Rural" and "Recreation" to "Commercial" and "Rural" as shown on the attached portion of the map.

- B. The text of the Municipal Plan at section 2.2 Commercial, Policies by adding a new section VI as follows:

"VI Multi unit group housing may be permitted on a discretionary basis provided it is adequately buffered and separated from adjacent uses to provide an acceptable level of amenity."

BACKGROUND TO AMENDMENT NO. 4

The purpose of the amendment is to change the location of a proposed road in order to allow for more efficient use of existing road frontage. The site is the northern highway intersection with the proposed subdivision road. The existing intersection appears to leave an undevelopable strip of land adjacent to the road and this amendment will solve that problem.

AMENDMENT NO. 4

The West St. Modeste Municipal Plan, Plan of Land Use Map No. 2 is amended by changing the location of a proposed road as shown on the attached portion of the map.

BACKGROUND TO AMENDMENT NO. 5

The purpose of the amendment is to change the land use designation of three separate sites from Conservation to Residential. The sites appear to be suitable and will be serviced in the near future. The sites are located at the road to the community gardens, Bone Cove and on the road to the public wharf.

AMENDMENT NO. 5

The West St. Modeste Municipal Plan, Plan of Land Use, Map No. 2, is amended by changing the land use designation from "Conservation" to "Residential" for three sites as shown on the attached portion of the map.

BACKGROUND TO AMENDMENT NO. 6

The purpose of the amendment is to designate additional land for commercial development as most of the existing commercially designated land is developed. Council

feels there is some potential for further commercial development as a result of continued growth of tourism activity at Red Bay. The area affected by the amendment is at the west entrance to the community and on the south side of the highway and is presently designated as Conservation. The site will become developable when the water and sewer system is extended to this area.

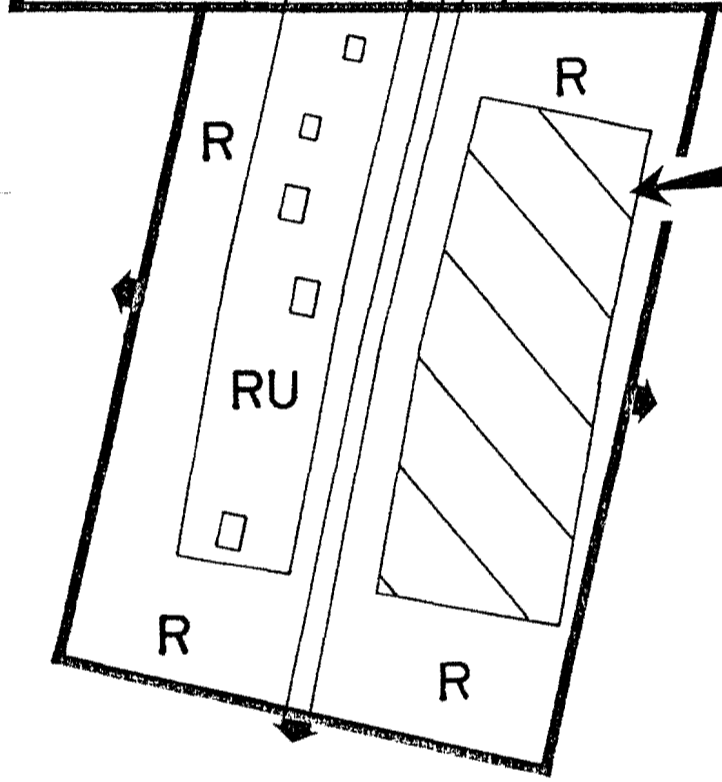
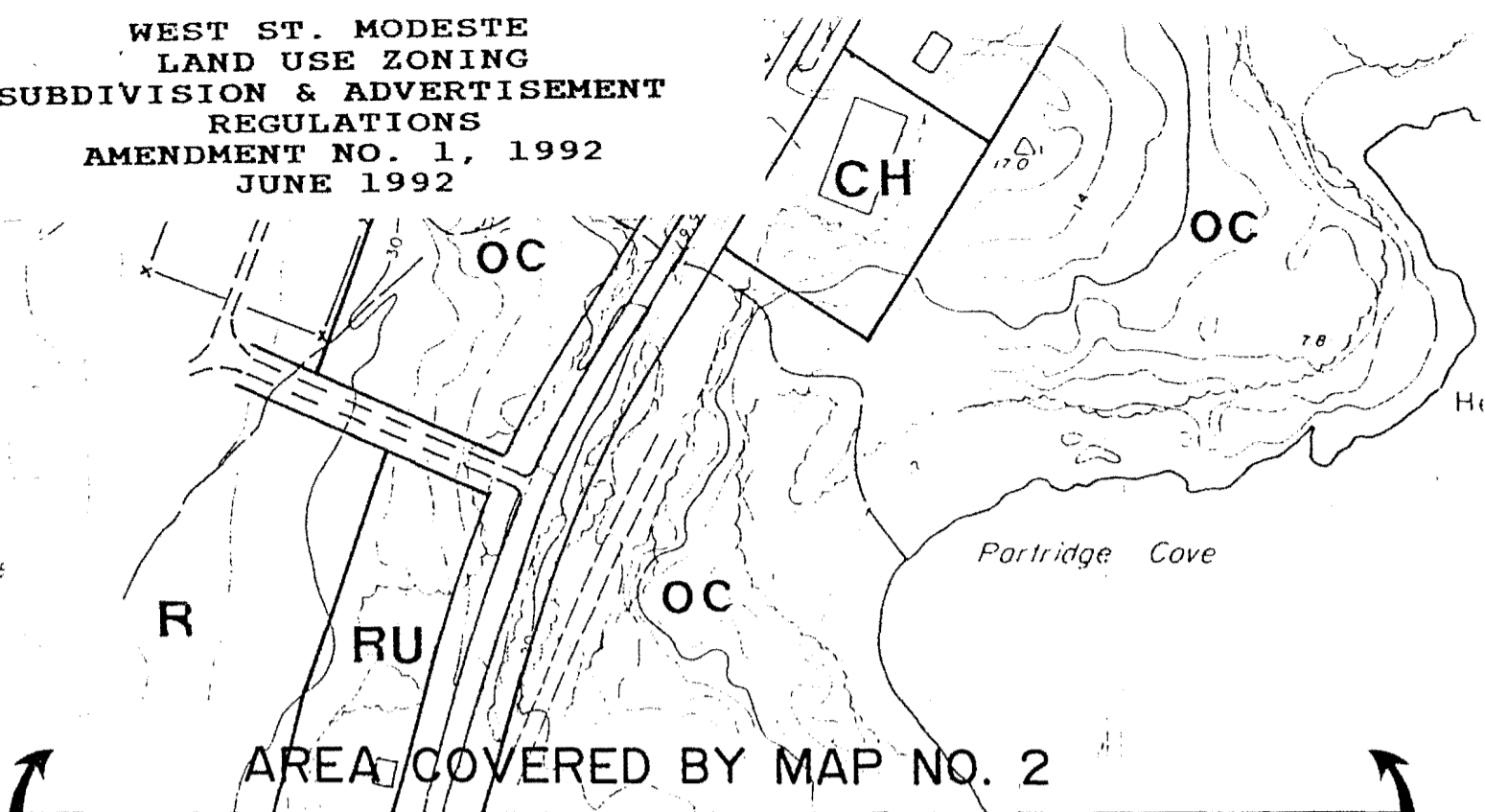
The area of the amendment does not appear on the area covered by the plan map of the community. It is in the area covered by Map No. 1 which is at a scale of 1:35,000. This scale is inadequate to illustrate this area of the community. As a result a new map is added which will properly illustrate this area.

AMENDMENT NO. 6

- A. The West St. Modeste Municipal Plan, is amended by adding a new Plan of Land Use, Map 3. The area covered by this map is deleted from Map 1 all as shown on the attached two copies of the maps.

- B. The West St. Modeste Municipal Plan, Plan of Land Use, Map No. 3 is amended by changing the land use designation from "Rural" to "Commercial" as shown on the attached copy of the map.

WEST ST. MODESTE
 LAND USE ZONING
 SUBDIVISION & ADVERTISEMENT
 REGULATIONS
 AMENDMENT NO. 1, 1992
 JUNE 1992



AMENDMENT NO. 1, 1992
 Change from Rural TO COMMERCIAL GENERAL

COMMUNITY
 OF
WEST ST. MODESTE
 ZONING PLAN
MAP NO. 3

Scale 1 : 2500

AREA COVERED BY MAP NO. 1

Residential Unserviced _____RU
 Rural _____R

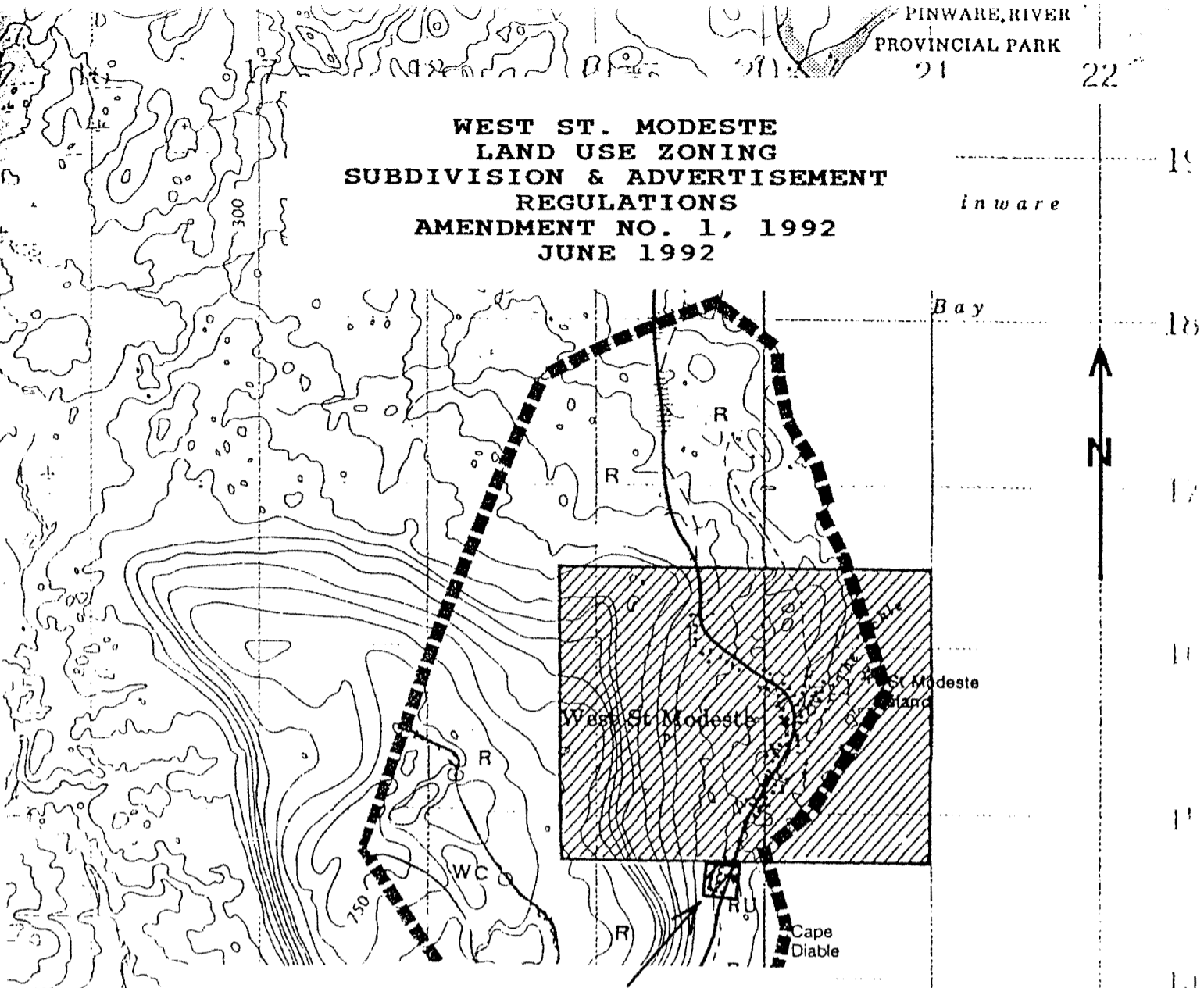
[Signature]
 10th day of NOV A.D. 1992
 MINISTER OF MUNICIPAL AND FINANCIAL AFFAIRS

DATED AT West St. Modeste
 THIS 23 DAY OF July A.D. 1992
[Signature] MAYOR
[Signature] CLERK

WEST ST. MODESTE
LAND USE ZONING
SUBDIVISION & ADVERTISEMENT
REGULATIONS
AMENDMENT NO. 1, 1992
JUNE 1992

in ware

Bay



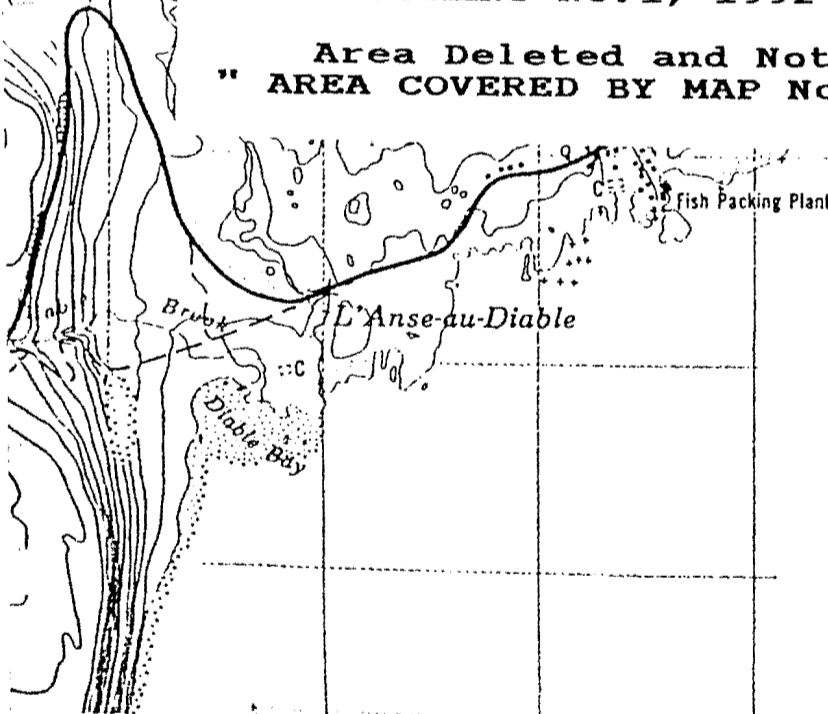
AMENDMENT No.1, 1992


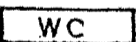

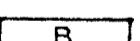

Area Deleted and Noted as
" AREA COVERED BY MAP No.3 "

COMMUNITY
OF

WEST ST. MODESTE
ZONING PLAN
MAP No. 1

SCALE - 1 : 35 000



- Area covered by Map No.2 -- 
- Watershed Conservation -- 
- Residential - Unserviced -- 
- Rural -- 
- Planning area boundary -- 

WM
10th Nov 1992
MAYOR

DATED AT West St. Modeste
THIS 23 DAY OF July A.D. 19 92
Agnes Pich MAYOR
Leticia Piche CLERK