

Town of Port Rexton

PUBLIC CONSULTATION NOTICE

Proposed Municipal Plan and Development Regulations Amendment No.2, 2024

The Town Council of Port Rexton is considering an amendment to the Port Rexton Municipal Plan and Development Regulations. In accordance with Section 14 of the *Urban and Rural Planning Act, 2000*, Council is seeking input from residents on the proposed change.

Council wishes to amend the Municipal Plan and Development Regulations by making a number of policy and regulatory changes that will enable new housing units to be constructed throughout Port Rexton by:

- Allowing accessory dwelling units to be constructed on existing residential lots in the form of garden suites and subsidiary apartments,
- Accommodating ancillary residential units such as worker's accommodation or supportive housing in the Commercial and Community Service land use designation and zone, and
- Recognizing modular housing as an acceptable form of construction.

Changes to the Development Regulations are also included to ensure conformity with recent changes to the **Urban and Rural Planning Act, 2000**.

The changes are being proposed to meet the Town's obligations set out in an agreement with the Canada Mortgage and Housing Corporation (CMHC) for funding under the Housing Accelerator Fund (HAF). The HAF is a national program that provides incentive funding to local governments to encourage initiatives that remove barriers to housing supply, accelerate the growth of supply and support the development of complete, low-carbon and climate-resilient communities which are affordable, inclusive, equitable and diverse.

The Town is seeking input from the public on these proposed changes. Residents may submit their questions or concerns by notifying Council in writing, by mail, facsimile or email no later than **3:00pm, Monday April 7th, 2025**.

The proposed amendment can be viewed at the Town Hall, or on the Town's Facebook page <https://www.facebook.com/TownofPortRexton> or website <https://www.townofportrexton.com/>. For further information, or to submit a comment, contact the Council office at:

P.O. Box 55
Port Rexton NL
A0C 2H0

Phone: 709-464-2006
Email: portrexton@bellaliant.com

**TOWN OF PORT REXTON
MUNICIPAL PLAN AMENDMENT
NO. 2, 2024**

**Text amendment to increase housing options
through the Housing Accelerator Fund (HAF)**



**Prepared by:
Elaine Mitchell, RPP, MCIP
November, 2024**

**RESOLUTION TO ADOPT
TOWN OF PORT REXTON
MUNICIPAL PLAN AMENDMENT NO. 2, 2024**

Under the authority of Section 16 of the **Urban and Rural Planning Act 2000**, the Town Council of Port Rexton adopts Municipal Plan Amendment No.2, 2024.

Adopted by the Town Council of Port Rexton on the x day of x, 2025.

Signed and sealed this x day of x, 2025.

Mayor: _____
Dean Bailey

Clerk: _____
Tina Toope

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 2, 2024 has been prepared in accordance with the requirements of the **Urban and Rural Planning Act, 2000**.



Elaine Mitchell, RPP, MCIP

MUNICIPAL PLAN AMENDMENT NO. 2, 2024

INTRODUCTION

The Town of Port Rexton Municipal Plan and Development Regulations have been in effect since October, 2023. The Town is now proposing to amend the current Plan and Development Regulations and this report has been prepared to explain the proposed change and serve as a basis for consideration by the general public before it is approved by Council and submitted to the Department of Municipal and Provincial Affairs for registration.

BACKGROUND

In September 2023, an application to the Canada Mortgage and Housing Corporation (CMHC) for funding under its Housing Accelerator Fund (HAF) was submitted by Otter Housing Association on behalf of the Town of Port Rexton. The HAF is a national program that provides incentive funding to local governments to encourage local initiatives that remove barriers to housing supply, accelerate the growth of new dwelling units, and support the development of complete, low-carbon and climate-resilient communities which are affordable, inclusive, equitable, and diverse.

The HAF application was successful, and an agreement was signed in early 2024. Approximately \$900,000 has been allocated for several initiatives including a project to upgrade and extend Batson's Road to a property proposed for development of a multi-unit residential building. The upgrading of Batson's Road will facilitate development of new building lots along Batson's Road and contribute to increasing the supply of accessible land for housing in the Town. Port Rexton Municipal Plan Amendment No. 1, 2024 and Development Regulations Amendment No. 1, 2024 have been approved by Council to redesignate and rezone the property from Rural to Village to accommodate a 12-unit development providing affordable housing that enables individuals and families to integrate into the community and came into legal effect on January 31, 2025..

Municipal Plan Amendment No. 2, 2024 is intended implement the HAF initiatives by encouraging new housing throughout Port Rexton through:

- accessory dwelling units in the form of garden suites and subsidiary apartments,

- ancillary residential units such as worker's accommodation or supportive housing in a commercial or institutional building in the Commercial and Community Service land use designation and zone, and
- modular housing as a construction form.

Municipal Plan Policy

The Community Vision set out in section 3.1 of the Municipal Plan recognizes the growth of Port Rexton.

Within the unique scenic and natural environment that defines Port Rexton, our desired future is one of a renewed, and revitalized community within the region, where our population increases to include people of all ages living, working and socializing together; where quality municipal services and opportunities for recreation continue to attract new residents, visitors, and business investment.

Achieving this vision requires a supply of available, adequate and affordable housing. Council wishes to strengthen its Municipal Plan and Development Regulations to provide opportunities for new dwelling units throughout the community.

CONSULTATION

Provincial Interests

As municipal piped services are not available in Port Rexton, all forms of new housing development will require the design and installation of an on-site septic system and well. The Department of Digital Government and Service NL were consulted to determine whether there are any special considerations related groundwater or septic disposal for multi-unit buildings, accessory dwelling units, and ancillary housing. A virtual meeting was held with the Manager of Operations, with the Government Service Centre (Clareville office), Department of Digital Government and Service NL, along with two environmental health officers and the design approval technician. This meeting clarified the following:

- all changes in the intensity of a use will require approval by the Government Service Centre to ensure that the on-site septic system is adequate,
- in most cases, the addition of an accessory dwelling unit will require an upgrade to the existing on-site septic system or the installation of a separate system of the new unit,

- additional land may be required to accommodate an additional septic system and disposal field on an existing lot to provide a separation from the existing system and well,
- multi-unit buildings will require a larger septic system which must be reviewed by the Engineering Division, Department of Digital Governance and Service NL (Mount Pearl office),
- there are septic systems pre-approved by the Provincial Government,
- the design approval technician conducts a review of buildings for fire and life safety and building accessibility, and
- recreational vehicles such as trailers or campers used from full-time residential occupancy must be connected to an approved septic system and well.

Public Consultation

The **Urban and Rural Planning Act, 2000** requires municipalities to provide the public with an opportunity to comment on proposed amendments to a Municipal Plan and Development Regulations.

An opportunity for public comment on the proposed amendment was provided by posting notices on the Town’s website and Facebook pages, at the Town Hall, the Post Office, the Port Rexton Freshmart, and Value Grocery store on March 21st with a deadline for comments by April 7th, 2025.

PORT REXTON MUNICIPAL PLAN AMENDMENT NO. 2, 2024

The Port Rexton Municipal Plan shall be amended as follows:

1. Adding Policy G-19 Construction Forms after Policy G-18 Salmon Cove River:

“Policy G-19 Construction Forms

It shall be the policy of Council to recognize all construction forms including modular housing.”

2. Add to section 3.3 Community-Wide Land Use Objectives, the following objective:
 - “• Support the development of housing which is inclusive and affordable.”
3. Replace the first objective in section 4.2.1 Village Objectives as follows:
 - “• Maintain the quality of residential areas by allowing for a range of housing types which are inclusive and affordable.”

4. Add Policy V-7 Accessory Dwelling Units in section 4.2.2 Village Land Use Policies:

“Policy V-7 Accessory Dwelling Units

Accessory dwelling units in the form of subsidiary apartments and garden suites will be permitted on lots with an existing dwelling unit subject to approval by the Government Service Centre, Department of Digital Government and Service NL.”

5. Replace policy CCS-1 Primary Uses, subsection 9) in section 4.3.2 Commercial and Community Service Land Use Policies as follows:

“9) Residential uses such as single dwellings, hostels, ancillary residential units in the form of worker’s accommodation or supportive housing in commercial and institutional buildings, seniors housing, and small apartment buildings.”

**TOWN OF PORT REXTON
DEVELOPMENT REGULATIONS
AMENDMENT NO. 2, 2024**

**Text Amendment to increase housing options
through the Housing Accelerator Fund (HAF)**



**Prepared by:
Elaine Mitchell, RPP, MCIP
November, 2024**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PORT REXTON
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2024**

Under the authority of Section 16 of the **Urban and Rural Planning Act 2000**, the Town Council of Port Rexton adopts Development Regulations Amendment No. 2, 2024.

Adopted by the Town Council of Port Rexton on the x day of x, 2025.

Signed and sealed this ____ day of _____, 2025.

Mayor: _____
Dean Bailey

Clerk: _____
Tina Toope

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No.1, 2024 has been prepared in accordance with the requirements of the **Urban and Rural Planning Act 2000**.



Elaine Mitchell, RPP, MCIP

TOWN OF PORT REXTON DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2024

BACKGROUND

This amendment to the Development Regulations is intended to implement Municipal Plan Amendment No. 2, 2024 by providing definitions, conditions, and standards to accommodate:

- Accessory dwelling units such as subsidiary apartments and garden suites on lots with an existing or proposed dwelling unit in the Village zone,
- Ancillary housing in the form of worker's accommodation and/or supportive housing in commercial and institutional buildings in the Commercial and Community Services zones,
- Fast tracking affordable housing development, and
- Modular housing.

MUNICIPAL PLAN POLICY

Municipal Plan Amendment No. 2, 2024 proposes to allow:

- Accessory dwelling units in the form of garden suites and subsidiary apartments,
- Ancillary residential units such as worker's or supportive housing in commercial and institutional buildings located in the Commercial and Community Service land use designation and zone, and
- Modular housing as a construction form.

DEVELOPMENT REGULATIONS

This amendment to the Port Rexton Development Regulations implements the changes to the Municipal Plan by:

- adding definitions to Section 2 Definitions for accessory dwelling units, garden suite, ancillary residential units, multi-unit residential building, and modular housing,
- Adding conditions and requirements for accessory dwelling units, and ancillary residential units,
- Clarify lot standards recognizing that the Government Service Centre, Department of Digital Government and Service NL sets lot standards necessary to accommodate wells and on-site septic systems.

This amendment also updates the Port Rexton Development Regulations to incorporate recent changes to the **Urban and Rural Planning Act, 2000**.

CONSULTATION

Consultation with provincial agencies and the public for this amendment was the same as that for Municipal Plan Amendment No. 2, 2024.

AMENDMENT

The Port Rexton Development Regulations shall be amended as follows:

1. Insert the following definitions in Section 2 in alphabetical order:

Accessory Dwelling Unit means a self-contained dwelling unit which is on the same lot as a main dwelling. An accessory dwelling unit may be attached to the main dwelling or a separate dwelling unit placed on the same lot.

Affordable Housing means housing that is determined to be affordable by a council.

Ancillary residential units means dwelling units within a commercial or institutional building where the dwelling units are accessory to the main commercial or institutional uses. Ancillary residential use may consist of worker's accommodation or housing units for vulnerable individuals or families.

Garden Suite means a self-contained dwelling unit located on the same lot as a single dwelling. The garden suite shall be placed on a fixed foundation and shall not be a recreational vehicle such as a trailer or camper.

Incentive or bonus zoning agreement means an agreement referred to in section 37.1 of the Urban and Rural Planning Act, 2000.

Inclusionary zoning means a type of land use zoning that allows a variety of housing options within a development, including affordable housing and multi-unit housing.

Modular Housing means a single or multiple section dwelling constructed in a factory and transported to a site for installation and occupancy. Modular housing shall be placed on a fixed foundation. Modular housing shall be certified to meet the National Building Code of Canada through the Canadian Standards Association. Modular housing shall not include recreational vehicles, such as a trailer or camper, or a mobile home.



Urban and Rural
Planning
Sec. 2(a.02)



Urban and Rural
Planning
Sec. 2(h.1)



Urban and Rural
Planning
Sec. 2(h.2)

Multi-Unit Residential Building means a building which may contain multiple dwelling units and may be in the form of an apartment building, stacked town house units, a seniors cottage complex, a four-plex or other housing forms but shall not include single dwellings and double dwellings.

2. Amend section 3.14 **Public Notice**, subsection 3 to delete “public advertisement in a newspaper circulating in the area or by any other means deemed necessary or appropriate by Council and replace it with “notices placed in at least two conspicuous places in the area affected and by one or more other means as outlined in Section 110.1 of the Act.
3. Amend section 3.30 **Notice of Variance** to delete “to all persons whose land is in the immediate vicinity of the land that is the subject of the variance” and replace it with “in at least two conspicuous places in the area affected and by one or more other means as outlined in Section 110.1 of the Act”.
4. Amend section 3.32 **Notice and Hearings on Change of Use** to delete “shall publish a notice in a newspaper circulating in the area or by other means” and replaced it with “shall place notices in at least two conspicuous places in the area affected and by at least one or more other means as outlined in section 110.1 of the Act to”.
5. Add subsection 8.6.14 Garden Suite to section 8.6 Conditions for Specific Uses as follows:

“8.6.14 Garden Suite

A garden suite shall be permitted on the same lot as a single dwelling subject to the following conditions:

1. A certificate of approval for either connection to the well and on-site septic system associated with the single dwelling or the installation of a separate well and on-site septic system to serve the garden suite has been issued by the Government Service Centre, Department of Digital Government and Service NL.
2. Building design and scale shall be compatible with the single dwelling.
3. A garden suite shall have a maximum floor area of 80 square metres.
4. An existing accessory building may be converted to a garden suite provided the living area, excluding the garage or storage area and any common spaces shared by both dwelling units, does not exceed 80 square metres.
5. The garden suite shall meet the minimum building line setback, side yard, flanking yard, rear yard and shall not exceed the maximum lot coverage.

6. The placement of the garden suite shall be adequately separated from the existing well and on-site septic system on the lot and wells and on-site septic systems on adjacent lots.
 7. Parking for the garden suite shall be provided to Council's satisfaction."
6. Add subsection 8.6.15 Ancillary Residential Units to section 8.6 Conditions for Specific Uses as follows:

"8.6.15 Ancillary Residential Units

Up to three ancillary residential units shall be permitted within any commercial or institutional building subject to the following conditions:

1. The ancillary residential units are clearly accessory to the main commercial or institutional use,
 2. The ancillary residential uses shall not be located at grade facing the front lot line,
 3. Each unit shall contain its own sleeping, sanitary and kitchen facilities and shall have a separate door which can be locked.
 4. Approval from the Government Service Centre, Department of Digital Government and Service NL is required to ensure that the well and on-site septic system are adequate and building accessibility, fire and life safety requirements are met."
7. Add "Garden Suite" as a permitted use in section 8.7 Village (V), subsection 8.7.1.
 8. Amend subsection 8.7.2 to replace "apartment building (greater than 4 units) with "Multi-Unit Residential Building (greater than 4 units).
 9. Amend subsection 8.7.3 as follows:
 - (a) Under single dwelling to delete "greater" so that the standard for minimum lot area (m²) is as follows:

"1860 m² or as determined by the Department of Digital Government and Service NL for lots serviced with on-site wells and septic systems."
 - (b) Delete "and subject to public notice" in the row labelled maximum building height so that the standard is as follows:

"Greater than 2 storeys, at discretion of Council."
 - (c) Add the following sentence at the end of the standards:

“Other permitted and discretionary uses shall conform with the standards in the Commercial and Community Services zone or as determined by the Department of Digital Government and Service NL for a well and on-site septic system.”

(d) Add “Ancillary Residential Unit” as a permitted use in section 8.8 Commercial and Community Service (CCS), subsection 8.8.1 Permitted Uses.

10. In Schedule C, the section labelled “Residential Dwelling Uses” insert a new row as follows:

“Multi-Unit Residential Uses	<ul style="list-style-type: none">• Apartment Building• Stacked Town House• Housing Complex• Four-plex”
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