

**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 11th day of June, 2025.

Signed and sealed this 11th day of June, 2025.

Mayor: Dean Bailey
Dean Bailey

Clerk: Cathy Piercy
Cathy Piercy



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

Elaine Mitchell



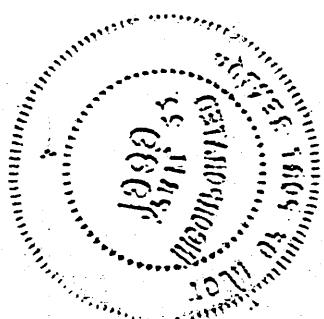
Elaine Mitchell, RPP, MCIP

YOGA PRACTICE
TRANSCENDENTAL MEDITATION
NOTES BY DR. J. S. MITCHELL
1967-1968

YOGA AND MEDITATION ARE NOT THE SAME THING. YOGA IS A SYSTEM OF PHYSICAL EXERCISES, MEDITATION IS A MINDFULNESS PRACTICE WHICH IS LEARNED AND PRACTICED OVER TIME.

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

Under the authority of Sections 16, 17 and 18 of the **Urban and Rural Planning Act 2000**, the Town Council of Port Rexton

1. Adopted Development Regulations Amendment No. 2, 2024 on the 11th day of June, 2025.
2. Gave notice of the adoption of Development Regulations Amendment No. 2, 2024 by notices placed in at least 2 conspicuous places in Port Rexton (Town Hall, Post Office, Port Rexton Freshmart) and by advertisement posted on the 13th day of June, 2025 on the Town's webpage and social media channels.
3. Set the 2nd day of July, 2025 at 7 p.m. at the Port Rexton Town Hall for the holding of a Public Hearing to receive objections and other representations for consideration by the Public Hearing Commissioner.
4. There being no objections or representations received in response to the Notice of Public Hearing, the hearing was cancelled.

Now under the authority of Section 23 of the **Urban and Rural Planning Act 2000**, the Town Council of Port Rexton approves Development Regulations Amendment No. 2, 2024 on the 9th day of July, 2025.

SIGNED AND SEALED this 9TH day of JULY, 2025.

Mayor: Dean Bailey
Dean Bailey

Clerk: Cathy Piercey
Cathy Piercey

Development Regulations/Amendment	
REGISTERED	
Number	3965-0006-2025
Date	August 21, 2025
Signature	<u>Cathy Piercey</u>



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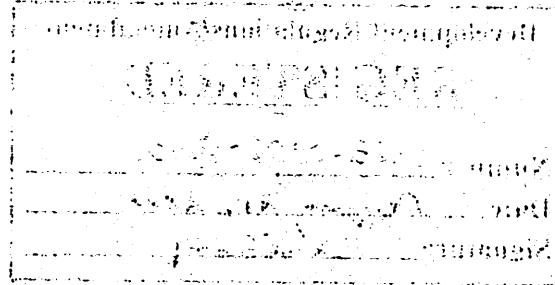
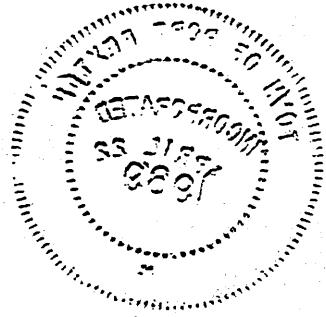
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TOWN OF PORT REXTON DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2024

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 Government Modernization and Service Delivery 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.

Council received one submission with respect to the Port Rexton Municipal Plan and Development Regulations Amendment No. 2, 2024 which was advertised on the Town's website and Facebook page and by posters placed at the Town Hall, Post Office, the Port Rexton Freshmart and the Value Grocery. Council met on April 18, 2025, considered this submission, and determined the existing requirement in section 8.7.3 of the Village zone be retained so that buildings greater than 2 storeys be subject to the discretion of Council and public notice.

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.

Urban and
Rural Planning
Sec. 2 a.02

Urban and
Rural Planning
Sec. 2 h.1

Urban and
Rural Planning
Sec 2 h.1

Urban and
Rural Planning
Sec 2 h.2

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.

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 Government Modernization and Service Delivery.
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 Government Modernization and Service Delivery 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 (m^2) is as follows:

"1860 m^2 or as determined by the Department of Government Modernization and Service Delivery for lots serviced with on-site wells and septic systems."

(b) 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 Government Modernization and Service Delivery for a well and on-site septic system.”

(c) 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

- Apartment Building
- Stacked Town House
- Housing Complex
- Four-plex”