

**TOWN OF PORT REXTON  
MUNICIPAL PLAN AMENDMENT  
NO. 1, 2024**

**Rural to Village  
Proposed Multi-Unit Residential Development  
Batson's Road**

**Prepared by:  
Mary Bishop, FCIP  
July, 2024**

**RESOLUTION TO ADOPT  
TOWN OF PORT REXTON  
MUNICIPAL PLAN AMENDMENT NO. 1, 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.1, 2024.

Adopted by the Town Council of Port Rexton on the 2<sup>nd</sup> day of October, 2024.

Signed and sealed this 2<sup>nd</sup> day of October, 2024.

Mayor: Dean Bailey  
Dean Bailey

Clerk: Tina Toope  
Tina Toope

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

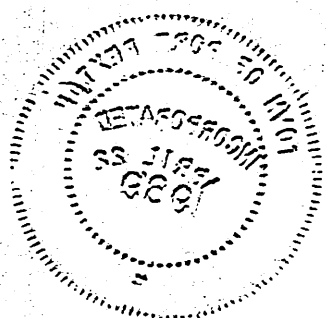
I certify that the attached Municipal Plan Amendment No. 1, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Mary Bishop

Mary Bishop, FCIP



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**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF PORT REXTON  
MUNICIPAL PLAN AMENDMENT NO. 1, 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 Municipal Plan Amendment No. 1, 2024 on the 2<sup>nd</sup> day of October, 2024.
2. Gave notice of the adoption of Municipal Plan Amendment No. 1, 2024 by advertisement posted on October 4, 2024 on the Town's social media channels and the Town Hall, Post Office, Port Rexton Freshmart and Value Grocer stores.
3. Set the date of Monday, October 21<sup>st</sup>, 4:00pm 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 submissions by the advertised deadline, Council cancelled the Public Hearing.

Now under Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Port Rexton approves Municipal Plan Amendment No. 1, 2024 on the 6<sup>th</sup> day of November, 2024.

SIGNED AND SEALED this 6 day of November 2024.

Mayor: Dean Bailey  
Dean Bailey

Clerk: Tina Toope  
Tina Toope

<b>Municipal Plan/Amendment REGISTERED</b>	
Number	<u>3965-004-2025</u>
Date	<u>7 JAN 2025</u>
Signature	<u>[Signature]</u>



MUNICIPAL PLAN AMENDMENT NO. 1, 2024  
TOWN OF PORT TOWN  
RESOLUTION TO APPROVE  
URBAN AND RURAL PLANNING ACT

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

1. Adopted Municipal Plan Amendment No. 1, 2024 on the 15th day of October 2024.

2. Gave notice of the adoption of Municipal Plan Amendment No. 1, 2024 by advertisement posted on October 4, 2024 on the Town's social media channels and the Town Hall Post Office for the public to view and make comments.

3. Set the date of Monday, October 21, 2024 at the Port Town Town Hall for the holding of a Public Hearing to receive objections and representations for consideration by the Public Hearing Committee.

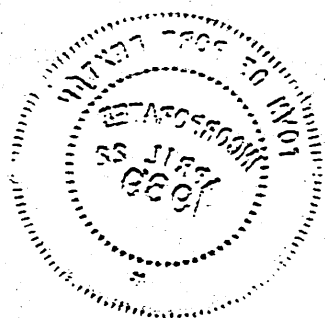
4. There being no objections to the above listed resolution, Council resolved the Public Hearing.

Now under Section 24 of the Urban and Rural Planning Act 2000, the Town Council of Port Town approves Municipal Plan Amendment No. 1, 2024 on the 15th day of November 2024.

SIGNED AND SEALED this 15th day of November 2024.

Mayor  
[Signature]  
[Name]

Clerk  
[Signature]  
[Name]



Approved by the Council  
on the 15th day of November 2024  
[Signature]  
[Name]

# **MUNICIPAL PLAN AMENDMENT NO. 1, 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 Minister 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 supply and support the development of complete, low-carbon and climate-resilient communities which are affordable, inclusive, equitable and diverse.

The application was successful and an agreement signed in early 2024. Approximately \$900,000 was received for a number of proposed 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 Batsons Road will also facilitate development of new building lots along Batson's Road and contribute to increasing the supply of accessible land for housing in the Town.

Land has been donated to the community for construction of the housing project and plans are currently being drawn up for the building and the site. The property is 1.62 ha in size and is located between Batson's Road and Big Pond, just north of the NL Power transmission line. The property which is for the most part forested, slopes towards Big Pond and the stream and wetland area feeding into it.

The intent of the development is to provide affordable housing that enables individuals and families integrate into or stay in the community. It will consist of twelve residential units within an energy efficient single building on the site as well as shared spaces for:

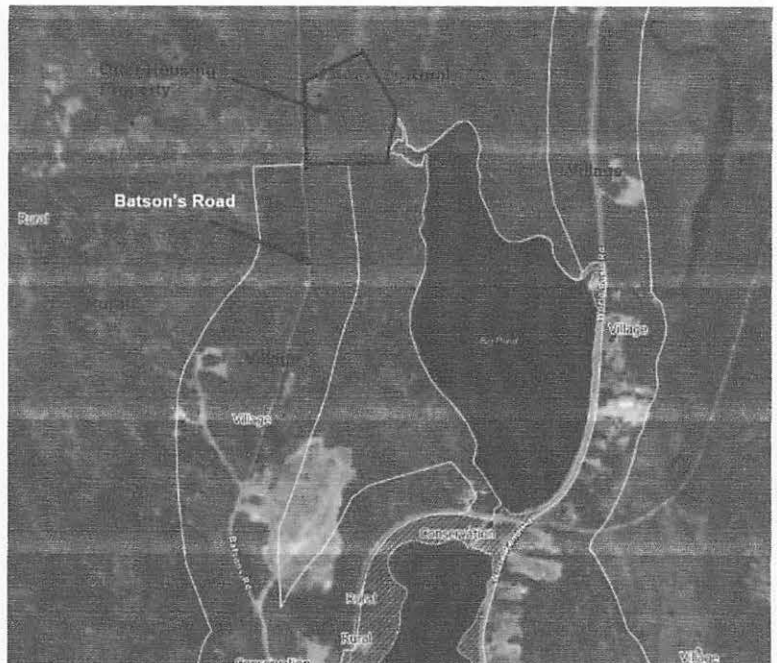
- Office use
- Community kitchen and living area
- Children's play area
- Internal shop/freezer/storage
- Workshop/garage
- Garden/greenhouse
- EV charging stations

As municipal piped services are not available in Port Rexton, the development will require the design and installation of an on-site septic system and groundwater well to service the building.

### **Municipal Plan Policy**

The site is designated Rural in the Municipal Plan and zoned Rural in the Development Regulations. Residential development is not a permitted use in the Rural Land Use Designation of the Plan. As a result, in considering the proposed use, an amendment to the Municipal Plan and the Development Regulations is required.

Council believes that the proposed development will help achieve the community's desired future set out in Section 3.1 of the Municipal Plan:



*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. Businesses in the community report challenges in hiring workers due to a lack of available housing within the Town.



To accommodate the proposed development, a redesignation of the property to the Village Land Use designation is required. Within this designation, a variety of housing forms are permitted. Apartment buildings exceeding 4 dwelling units such as the one proposed, are permitted at the discretion of Council.

The property proposed for development is adjacent to lands currently designated Village in the Municipal Plan south of the NL Power transmission line. In considering the change required to accommodate the proposed development, Council also proposes to extend the existing Village zone to include the property proposed for development, as well as land on the west side of Batson's Road. Land in this area appears to be suitable for development.

A small portion of the property is within 15m of the wetland area at the north end of Big Pond. The change proposed will exclude those portions of the property that are located within the 15m buffer around these waterbodies.

## **CONSULTATION**

### ***Provincial Interests***

Plan policy requires provincial agencies to be consulted where there are changes proposed that affect any area where there is a provincial interest. Several agencies were consulted as follows:

1. The lands proposed to be re-designated are within a larger area identified by the provincial Department of Fisheries, Forestry and Agriculture as a Domestic Cutting area. The Town consulted with the Department of Fisheries, Forestry and Agriculture in accordance with Municipal Plan Policy **G-16 Lands of Provincial Interest:**

*The Town shall consult with agencies of the Provincial Government responsible for managing the Regional Pasture and Domestic Cutting areas identified on the Future Land Use Map, where a development is proposed within or adjacent to these areas.*

The department advised that as the lands that are subject to the change are privately owned, there are no concerns with regards to domestic cutting.

2. As the development will require an on-site well and septic disposal system, 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 in unserved areas that will need to be addressed.



An initial referral was sent to the Clarendville office of the Government Service Centre on July 23 with followup on August 13. No response has been received as of October 2.

3. The Mineral Lands Division of the Department of Industry, Energy and Technology has been consulted to identify any concerns they may have with regards to the impact of the proposed development on an existing quarry on Batson's Road to the south of the proposed change.

The Department advised that it has no objection to the proposed change.

4. Crown Lands has been consulted to identify any provincial interests or concerns with respect to the proposed change on adjacent Crown Lands to the north of the proposed development.

The matter was referred to the Clarendville office of Crown Lands on July 23. The agency advises that the extension to Batson's Road must retain the 20m right-of-way that currently exists and that any change or realignment of the right-of-way must be done in consultation with Crown Lands.

### ***Public Interest***

The *Urban and Rural Planning Act, 2000* requires municipalities to provide the public with an opportunity to comment on proposed changes to Municipal Plans 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 Grocer stores on August 15 with a deadline for comments by September 3, 2024. Two written submissions were received.

The submissions noted the following concerns arising from the proposed development:

1. The impact on Batsons Road such as increased traffic. Specifically, the concerns are around how additional traffic from the development and any additional housing that may be constructed as a result of the proposed change could contribute to a deterioration of the gravel roadway, including safety for pedestrians.
2. The impact of the proposed change on the environment. Specifically, how the proposed development could contribute to deforestation, and impact on waterways and wetlands.

The submissions were tabled and discussed at a regular meeting of Council held September 4. The development will be required to meet all municipal, provincial and federal environmental regulations and should not add significantly to the traffic on Batsons Road. During construction, there may be additional traffic related to the construction, but this will be temporary. Council recognizes that there is a demand for housing of the type proposed in the community and that there is a lack of available land for development.

Concerned residents were invited to meet with members of Council and the Otter Housing Association to discuss their concerns. A meeting was held on September 18, 2024 at the Town Hall. One resident attended the meeting to discuss the Otter Housing project and the proposed change to the Municipal Plan.

**AMENDMENT No. 1, 2024**

The Port Rexton Municipal Plan shall be amended as follows:

1. By redesignating lands along Batson's Road from the Rural Land Use designation to the Village Land Use designation as shown on the attached Future Land Use Map.





Dated AUG 22, 2024

## Town of Port Rexton

Municipal Plan  
Amendment No. 1, 2024  
Future Land Use Map



From: Rural (RU)  
To: Village (V)



Dated at Port Rexton, Newfoundland and Labrador

This 16 Day of November  
2024

*Dean Bailey*

Mayor, Dean Bailey

*Tina Toope*

Town Clerk, Tina Toope

I certify that this Development Regulations amendment for the Town of Port Rexton has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:

*Mary Bishop*



Mary Bishop: RRP, MCIP, FCIP

Number 3965-004-2025  
Date 7 JAN 2025  
Signature *[Signature]*

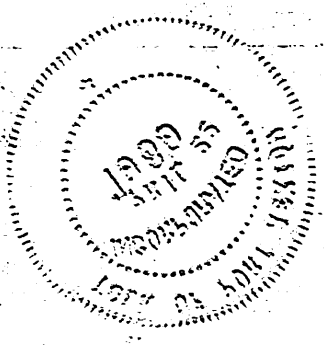


OFFICE OF THE ATTORNEY GENERAL

STATE OF NEW YORK

IN SENATE  
JANUARY 10, 1900

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JANUARY 10, 1900

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