

OFFICIAL PLAN FOR THE TOWNSHIP OF DAWSON

JULY 1998

PREPARED BY:
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DECISION
With respect to an Official Plan
Subsection 17(34) of the Planning Act

I hereby approve all the Official Plan for the Township of Dawson, adopted by By-law No. 48, subject to the following modifications:

1. Section 2.3.4(k) – Subdivision of Land, Page 8 is hereby modified by deleting it in its entirety and replacing it with the following:

“(k) In the Rural area a maximum of 3 new severed lots per original land holdings as of the date this plan was adopted, can be considered, exclusive of the retained part, provided all the above matters can be suitably addressed.”

2. Section 2.13.1 – Mobile Home Parks, Page 12 is hereby modified by deleting it in its entirety and replacing it with the following:

“An amendment to this plan will be required prior to the establishment of a mobile home park, this shall include addressing the adequacy of municipal servicing including water and sanitary sewage systems.”

3. Section 2.19.1 – Sensitive Areas, page 14 is hereby modified by deleting the words “rare and endangered” in the third line (replaced) with the following:

“endangered and threatened”.

4. Section 2.19.2 – Sensitive Areas, Page 15 is hereby modified by:

- a) adding the following phrase between the words “areas” and “or” in the first line:
“identified on Schedules “A-1” and “A-2,”;

- b) adding the following sentence at the end of the paragraph:

“Notwithstanding the above, no development shall be permitted in significant portions of the habitat of endangered and threatened species”.

5. Section 2.19.5 – Page 15 is hereby modified by adding the following after the word “Evaluator” at the end of the policy:

“, whose work is approved by the Ministry of Natural Resources”.

6. Section 2.20.1 – Waste Disposal Sites and Contaminated Sites, Page 15 is hereby modified by adding the following after the word “use” in the second sentence:

“, and are identified on Schedules “A-1” and “A-2”.

7. Section 3.3.14 c) Page 23 is hereby modified by deleting the first two lines and replacing the with the following:

“(c) a site plan agreement pursuant to Section 41 of the Planning Act, and/or other agreements, as required. The agreement(s) will address the following matters, but not limited to:”

8. Section 3.3.14, Page 23 is amended by deleting the subsection (d) in its entirety and re lettering the remaining policies accordingly.

9. Section 3.3.18 c) – Rural Area, Page 24 is hereby modified by deleting it in its entirety and replacing the with the following:

“(c) a site plan agreement pursuant to Section 41 of the Planning Act, and/or other agreements, as required. This shall include agreements governing hours of operation for forest products and sawmill operations that are adjacent to residential or sensitive land uses.”

Dated at Toronto this 8th of April, 2000.

“Originally signed by Audrey Bennett”
Director
Provincial Planning and Environmental
Services Branch
Ministry of Municipal Affairs and Housing

File No.: 59-OP-0062
Municipality: The Township of Dawson

Date of Decision: April 8, 2000
Date of Notice: April 11, 2000
Last Day of Appeal: May 1, 2000

Subject Lands: Entire Municipality

NOTICE OF DECISION
With respect to an Official Plan
Subsection 17 (34) and 21 of the Planning Act

A decision was made on the date noted above to approve all of the Official Plan for the Township of Dawson as adopted by By-law No. 48.

Purpose and Effect of the Official Plan

The Official Plan provide policies to guide future development to areas where it is most suited and to protect the physical and natural resources of the municipality. A copy of the decision is attached.

When and How to File a Notice of Appeal

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last day of appeal.

The appeal should be sent to the attention of the Area Planner, at the address shown below and it must, 1) set out the specific part of the proposed official plan amendment to which the appeal applies, 2) set out the reasons for the request for the appeal, and 3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00, payable to the Minister of Finance, Province of Ontario.

Who Can File a Notice of Appeal

Only individuals, corporations or public bodies may appeal decisions of the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. An appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of an individual who is a member of the association or group.

When the Decision is Final

The decision of the Minister of Municipal Affairs and Housing is final if a Notice of Appeal is not received on or before the last date noted above.

Other Related Applications: The Comprehensive Zoning By-law

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the Minister of Municipal Affairs and Housing at the address noted below or from the office of the municipality noted above.

Mail Address for Notice of Appeal

Minister of Municipal Affairs and Housing
Provincial Planning Services Branch

777 Bay St 14th Flr Toronto ON M5G 2E5

Submit notice of appeal to the attention of Peter Kakalettris, Area Planner
Tele: (416) 585-6014 or 1-800-935-0696 Fax: (416) 585-4245

THE CORPORATION OF THE TOWNSHIP OF DAWSON

BY-LAW NO. _

Being a by-law to adopt an Official Plan for the Township of Dawson.

WHEREAS the Council of the Township of Dawson deems it expedient to adopt an Official Plan for the municipality, in accordance with the provisions of the Planning Act 1990;

NOW THEREFORE the Council of The Corporation of the Township of Dawson HEREBY ENACTS:

1. The Official Plan for the Township of Dawson, being the attached text and schedules is adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for the approval of the Official Plan for the Township of Dawson.
3. This by-law shall come into force and take effect on the day of the enactment thereof.
4. This may be referred to as the "Official Plan Adoption By-law"/

ENACTED this 19th day of October 1999.

(Originally signed)

Lloyd J Hodges Reeve

P W GILES Clerk

I hereby certify that the above is a true copy of By-law No 48 as enacted by the Council of the Corporation of the Township of Dawson on the 19th day of October 1999.

(Originally signed)

P W GILES

Clerk: Patrick W Giles

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SECTION 1 - INTRODUCTION

1.1 BASIS

The Township of Dawson is located at the most westerly end of the Rainy River District and surrounds the Town of Rainy River. The Township of Dawson was recently established (January 1, 1997) as a result of a municipal restructuring process involving the former Townships of Atwood, Blue, Dilke and Worthington. The total land area of the Township is approximately 34,236 hectares. Located within the Township is the Village of Pinewood and the Village of Sleeman, the administrative, business and residential centres of the Township. Also, there is a residential settlement area just east of the Town of Rainy River and along the Rainy River are areas with a clustering of rural residential uses..

The Township of Dawson can be described as a Township comprised of primarily rural development having an economy based on natural resources. The Village of Pinewood is comprised of residential, commercial, institutional, industrial and recreational uses while the Village of Sleeman is comprised primarily of residential uses. The remainder of the Township is primarily a rural area comprised of a mix of agriculture, agriculture related uses and rural land uses including commercial, industrial and rural residential uses. The establishment of a strong and diversified economic base providing growth and future development opportunities throughout the Township is of importance to the Municipal Council and the residents of the Township of Dawson.

This is the first Official Plan for the new Township. There is a desire on behalf of the Township to provide for a formalized planning framework upon which future decisions on land use issues can be based. Also, the Provincial government is in the process of delegating planning authority and decision making powers to local municipal governments in various stages. It is anticipated that delegation of authority to approve consents, subdivision approval authority and exemption from minister's approval authority of Official Plan amendments should occur over the next two years. In order to be in a position to make informed decisions on planning matters, the Township of Dawson finds itself in need of an Official Plan to guide future development and provide a mechanism for decision making and control against land use conflicts and undesirable development.

The current population in the Township of Dawson is 662 persons (1991 Census Canada). For the most part, Dawson has experienced a stable population, however, the decrease in population of 7.8 %, or a loss of 56 persons between 1986 and 1991 (Census Canada). The population of Dawson in 1991 represented 3% of the total population of the District. Due to the small population of Dawson, it is difficult to project with confidence the future population of the Township. However, if it is assumed that the Township maintain the same proportionate share of the District's population over the next 30 years, information from the Ministry of Finance *Ontario Population Projection to 2021* for regions, counties and districts in the Province can be used to extrapolate a population projection for the Township of Dawson.

It is anticipated that the population in Dawson will remain relatively stable and the Township will experience an overall low growth rate. The following table highlights the population growth projections over the next 30 years:

POPULATION PROJECTION	
YEAR	POPULATION
1991	662
2001	780
2011	840
2021	930

The above projections represent a growth of 1.3% per year over the 30 year time frame or an increase in population of 268 persons over 30 years. It is estimated that 107 new dwelling units are required to accommodate this growth. The population projections should be confirmed every 15 years to ensure they remain relevant and reflect the current trends in the Township. Due to the small size of population of Dawson any one factor, i.e. mortality rate, birth rate, economic conditions, migration, etc. can have a significant impact on the population and will affect the population projections. While a population projection for 30 years has been provided above as an overall projection for the Township, the planning time frame for this Official Plan is 15 years in order for the Plan to evolve and respond over time to changing growth and development issues, political climate, economic trends and the dynamics of the Township.

The Villages of Pinewood and Sleeman will continue to be the residential and commercial centre for the Township. Approximately one quarter of the population (166 persons) presently resides in the Villages with the remainder living in the rural area of the Township. It is expected that both Villages will continue to be the centre for residential development. However, the Rural area is an important residential area and will also continue to be a desired location for rural residential development. Other community facilities and commercial development are also considered appropriate for development in the Village of Pinewood and the Village of Sleeman.

It is also anticipated with the opening of the OSB Plant nearby in the Township of Chapple, Dawson will experience some growth in the commercial and industrial sector associated with spin-off economic opportunities from the OSB Plant. Areas along the highway corridor will benefit from the majority of the commercial and industrial development.

Agriculture and natural resource industries are also an important component of the local economy. The maintenance and enhancement of the rural character and environment of the Township is important to the residents of Dawson. In the Rural areas, opportunities are available for rural residential development consistent with the rural character of the Township. Rural residential development in the form of rural subdivisions may also be permitted provided the development can be safely serviced

by private individual septic and water systems. Areas with vistas of the Rainy River, other scenic locales and areas in proximity to former historical rural residential settlement areas are examples of locations in the Township that may be appropriate for rural estate residential subdivision development, subject to servicing, design and other locational considerations.

Within the village and rural areas of the Township, there are uses that have existed prior to this Plan which may not be compatible with future residential development or other sensitive uses, but which are of economic importance to the Township, i.e. industrial uses. Future development in proximity to these uses should be designed to consider these existing uses so that they can continue to function without conflicts or adverse impacts on the new use. Alternatively, new industrial uses may be proposed adjacent to existing residential uses or sensitive uses. These new industrial uses should be designed to ensure that land use conflicts with adjacent users are minimized.

Decisions regarding land use planning matters will be guided by the policies contained in this Plan. This Plan will be reviewed every 5 years to determine if the population and growth projections remain relevant and the policy guidelines and framework for development continues to reflect the needs of the Township. As the Township grows and experiences various types of development and change, amendments may be required to address the changing needs of the Township.

1.2 GOALS OF THE PLAN

1.2.1 The goals and objectives of this Plan form the foundation of planning principles and provide direction to guide future development and provide direction for the preparation of detailed policies and programs and include the following:

- (a) protect the identity and character of the Township while providing opportunities for residential growth and appropriate economic development;
- (b) establish policies which manage and direct physical change and the effects on the social, economic and natural environment, of the Township;
- (c) recognize the historical and cultural fabric of the Township and foster the rural lifestyle and quality of life experienced by the residents of the Township;
- (d) secure the health, safety, convenience and welfare of the residents of Dawson Township;
- (e) ensure the Township's resources are rationally used and that both natural and cultural heritage features are protected including water resources, mineral resources, forest resources, natural heritage resources and cultural and archaeological resources;
- (f) provide policies which will encourage the expansion and diversification of the local economic base;
- (g) provide policies that guide development that is compatible with the natural environment;
- (h) provide a guiding framework for decisions of Council, local boards, committees and other authorities;
- (i) provide Official Plan coverage throughout the Township; and
- (j) provide policies that have regard to the Provincial Policy Statement in consideration of local conditions and circumstances.

1.3 OBJECTIVES

- 1.3.1 The Township is committed to actively seeking and encouraging new development that maintains the quality of life, protects the identity and characteristics of the Township and maintains or improves the health of existing businesses and diversifies the economy. This Official Plan represents a step in this process.
- 1.3.2 The Township shall encourage patterns of development which facilitate the provision of local services with minimal or no impact on local finances.
- 1.3.3 The Township shall have regard for the importance of natural resources including agricultural lands, water resources, forest resources and mineral resources.
- 1.3.4 The Township shall encourage the creation of housing which is affordable and meets the needs of a full range of households in the Township and shall encourage that an adequate supply of land is available to meet the housing needs of its residents.
- 1.3.5 The Township shall have regard and consideration for the natural amenity features of the Rainy River and Lake of the Woods which provide opportunities for the establishment of water related tourist operations and activities and are considered desirable locations for residential development.
- 1.3.6 With this Plan, the Township has achieved the goal of establishing a policy framework for the future that addresses the circumstances facing the Township of Dawson and has regard for the Provincial Policy Statement in consideration of local conditions and circumstances.

1.4 OFFICIAL PLAN

- 1.4.1 This document constitutes the Official Plan of the Township of Dawson and has been prepared in accordance with the provisions of The Planning Act.
- 1.4.2 This Plan applies to all lands within the municipal boundary of the Township of Dawson.

Section 2 – General Provisions

2.1 GENERAL

- 2.1.1 The following land use policies apply to all lands in the Township of Dawson unless specifically mentioned for exclusion.
- 2.1.2 This Plan will not accept ownership or responsibility for the operation or maintenance of communal water and sewage systems. Developments proposed to be serviced by communal water or sewage systems shall be permitted on the basis that the communal servicing system will be owned, operated and managed by another public body other than the Township or will be privately owned, operated or maintained by a condominium corporation or single owner subject to an agreement with the Township. Developments proposed to be serviced by communal water or sewage systems will require an amendment to the Plan.

2.2 LAND USE COMPATIBILITY

- 2.2.1 As much as possible land use conflicts should be avoided. The encroachment of sensitive land uses and industrial uses on one another is discouraged. Buffering and separation distances in accordance with the Provincial guidelines shall be incorporated through site specific zoning by-laws amendments when industrial uses are proposed in proximity to sensitive uses or when residential uses and other sensitive uses are proposed in proximity to existing industrial uses to minimize potential adverse effects, such as noise, odour, vibration, particulate and other contaminants, on the sensitive use(s). Mitigation measures such as setbacks, fencing and landscaping may be required to minimize potential adverse impacts on the sensitive use(s).
- 2.2.2 New residential development and other sensitive uses proposed adjacent to the rail line shall be setback 30 meters from the rail line. Noise and vibration impact assessments may be required for development proposals of residential or institutional uses within 300 meters of a railway right-of-way subject to the approval of the Province and/or the rail operator.
- 2.2.3 Development will generally be directed away from hazardous lands or sites unless it can be demonstrated that the hazard will not result in public health, safety or potential property damage, that no new hazards are created or existing hazards aggravated, and no adverse environmental impacts will result from the development to the satisfaction of the Province and the Township.
- 2.2.4 Development on, or adjacent to lands affected by man-made hazards, including mine hazards or mineral resource operations and contaminated sites, will be permitted if rehabilitation or restoration measures to address and mitigate the hazard have been implemented and there is no adverse effect. If necessary, an environmental audit or decommissioning report shall be undertaken and a site restoration plan prepared and implemented by a qualified consultant in accordance with the Province's guidelines and in consultation with the Township prior to development approval being granted.
- 2.2.4 No development shall be permitted that results in the degradation of the quality integrity of an ecosystem including air, water, land and plant and animal life. Where the quality and integrity of an ecosystem has been diminished, the Township shall encourage its restoration of remediation to **healthy conditions**.

2.3 SUBDIVISION OF LAND

- 2.3.1 The subdivision of land by plan of subdivision shall be permitted provided that:
- (a) the plan is considered to serve the public interest;
 - (b) the plan is not deemed premature;
 - (c) the lands can be provided with adequate services and utilities. The applicant shall provide a report prepared by a qualified consultant indicating that there is adequate ground water quality and quantity

is available to meet the Ontario Drinking Water Objectives to service the subdivision when lots less than 1 hectare in area are proposed by the plan; and

- (d) the development is not likely to adversely affect the economy or financial position of the Township if such subdivision is approved.

2.3.2 It is the intent that plans of subdivisions for residential purposes will be permitted within the Village and Rural areas of the Township in conformity with the policies of this Plan. Plans of subdivision for industrial and commercial uses will be permitted if such plans are located in an area suitable for development and in conformity with the policies of this Plan.

2.3.3 The subdivision of land by consents is the primary means of development in the Township and shall be permitted in accordance with the policies of this Plan and provided that:

- (a) the retained and severed lot(s) can be adequately and safely serviced by private individual septic systems and a potable water supply. The Northwestern Health Unit should be consulted prior to consent approval being given to obtain support for the consent proposal;
- (b) the soil, drainage conditions and topography are suitable for the proposed use and permit the proper siting of buildings and the installation of private septic disposal systems;
- (c) the lands front onto a public road that is maintained year round by the Township and is of an acceptable standard of construction;
- (d) where access is proposed from a provincial highway, the Province shall be consulted prior to consent approval being given to obtain input and support regarding access and entrance permit requirements;
- (e) no traffic hazard is created by the consent and safe access/egress to the retained and severed lot(s) is feasible;
- (f) the consent does not result in land use conflicts with existing nearby uses;
- (g) the requirements of the Minimum Distance Separation I criteria will be adhered to when a consent is being proposed in proximity to existing livestock operations;
- (h) the lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
- (i) adequate protection and preventative services for persons and property are available including health, welfare, fire and police;
- (j) the consent does not result in land locked parcel(s) being created; and
- (k) in the Rural area a maximum of 3 new severed lots per land holding as of the date of this Plan was adopted, can be created, exclusive of the retained part, provided all of the above matters and other policies of this Plan can be suitably addressed.

2.3.4 The following may be considered as conditions of consent by the Township:

- (a) that any necessary land for road widening, allowances or easements be dedicated to the Province or the Township;

- (b) that the applicant improve road access, grading, drainage, etc. to a standard satisfactory to the Township and/or the Province; and
- (c) any other condition reasonable to the granting of the consent.

2.3.5 Notwithstanding the policies of this section, consents may be granted for the following technical purposes:

- (a) boundary corrections or adjustments;
- (b) discharge of mortgage;
- (c) road widening and road allowances; and
- (d) easements.

2.4 PROVINCIAL HIGHWAYS

2.4.1 In addition to the requirements of the Township of Dawson, all development adjacent to provincial highways is subject to the setback requirements and permits of the Ministry of Transportation. In addition, the management and removal of storm water on properties adjacent to provincial highways requires the approval of the Ministry of Transportation.

2.5 ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES

2.5.1 The Township of Dawson shall encourage the conservation, protection and rehabilitation of archaeological and cultural heritage resources, and encourage public awareness, participation and involvement in the conservation of these resources.

2.5.2 Development proposed in area known to have a potential for archaeological resources shall be assessed by qualified archaeologist licensed under the Ontario Heritage Act to determine the nature and extent of the resource prior to development approval being granted. Any archaeological assessment report conducted by a licensed archaeologist must be in compliance with the guidelines set out by the Province.

2.5.3 If an archaeological assessment determines that significant archaeological resources are present on a site, the resource shall be documented and conserved to the satisfaction of the Province through excavation or on-site preservation prior to final approval of the development proposal. A zoning by-law protecting the identified archaeological resource may be considered by Council.

2.5.4 The Ontario Heritage Act may be utilized to conserve, protect and enhance any identified cultural heritage resources in the Township. Council may by by-law designate for protection and conservation individual properties and/or districts of historic and/or architectural value or interest.

2.5.5 A Local Architectural Conservation Advisory Committee (LACAC) may be established under the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act. In addition, similar heritage advisory

committees may be established to advise and assist Council on other matters of cultural heritage conservation and heritage facilities.

2.5.6 Council shall consult the appropriate government agencies, including the Ministry of Citizenship, Culture and Recreation and the Ministry of Consumer and Commercial Relations when an identified human cemetery including a marked or unmarked human burial is affected by land use development. The provisions under the Ontario Heritage Act and the Cemeteries Act shall apply.

2.5.7 Council may investigate and adopt further measures available from other legislation, for the purposes of cultural heritage resource conservation pursuant to The Municipal Act, the Environment Assessment Act and the Aggregate Resources Act.

2.5.8 Council will lead the community in restoring, rehabilitating, enhancing and maintaining cultural heritage resources owned by the Township as examples of stewardship of such resources in fulfillment of heritage conservation goals. Where feasible, relevant by-laws, programs and public works undertaken by the Township will have regard for heritage objectives and policies of this Plan.

2.6 ACCESSORY USES

2.6.1 Where a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to the use will also be permitted.

2.6.2 Guest cabins and accessory dwellings above boat houses are not a permitted accessory use and in any land use designation.

2.7 DRAINAGE

2.7.1 The management and removal of storm water on private property is the responsibility of the property owner and must be managed to the satisfaction of the Province and the Township in accordance with the Drainage Act, if applicable. No development shall be permitted which would interfere with or reduce the drainage capacity of any natural watercourse or where the watercourse represents a hazard to the proposed development.

2.7.2 A storm water drainage report or other water quality assessment which demonstrates that the function and quality of existing watercourses and the quantity and quality of ground water resources is not adversely affected may be required prior to approving development which impacts on these resources. Where adverse impacts are anticipated, mitigative measures during and after construction to control sedimentation, erosion and flooding will be required.

2.7.3 Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, is subject to the approval of the

Province in accordance with the provisions of the Lakes and Rivers Improvement Act and/or the Public Lands Act and the Ontario Water Resources Act.

2.8 CROWN LANDS

2.8.1 The Ministry of Natural Resources is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township with respect to the use and disposition of Crown Lands.

2.8.2 Authorization for occupation or use of Crown Lands is required from the Province.

2.8.3 The Township recognizes that resource management activities on Crown Lands are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.

2.9 HOME INDUSTRIES AND HOME OCCUPATIONS

2.9.1 Generally, home occupations shall include home based occupations or professions which are conducted entirely within a dwelling unit, while home industries are conducted primarily within an accessory building.

2.9.2 Neither home industries or home occupations shall be offensive or create a nuisance as a result of noise, odour, traffic generation or other means.

2.9.3 The home industry or home occupation shall be secondary to the main use of the property and not generate adverse or incompatible effects with the surrounding area.

2.9.4 The severance of a dwelling unit from a home industry may be considered appropriate if adequate buffering is available between the dwelling and the home industry to provide protection to the residential use and shall be in accordance with the consent policies contained in Section 2.3 of this Plan.

2.10 GROUP HOMES

2.10.1 Group homes are permitted in all areas where residential uses are permitted.

2.11 GARDEN SUITES

2.11.1 Garden suites shall be permitted as temporary accommodation for a maximum of ten (10) years pursuant to Section 39 of The Planning Act in conjunction with an existing residential dwelling. An agreement may also be required between the homeowner and the Township with the following provisions:

- (a) the garden suite shall not be permitted to separate by consent from the main residential dwelling on the lot;

- (b) the design, mass and location of the garden suite should compliment the main residential dwelling and streetscape;
- (c) the garden suite should utilize and connect to the services used by the main dwelling provided clearance from the Northwestern Health Unit is obtained to permit the garden suite to connect to the septic system servicing the main dwelling; and
- (d) the name of the person who is to live in the garden suite; and
- (e) when the garden suite will be removed.

2.12 BED AND BREAKFAST

2.12.1 Bed and Breakfast establishments may be permitted in areas where residential uses are permitted, and based upon the following criteria:

- (a) a Bed and Breakfast establishment shall have sufficient site area to accommodate onsite outdoor amenity area, adequate on-site parking and provide adequate buffering for any adjacent use;
- (b) a Bed and Breakfast establishment shall be located in an existing residential dwelling; and
- (c) should external expansion be required to the existing dwelling to accommodate the proposed tourist facility, the character of the residential use should be maintained.

2.13 MOBILE HOME PARKS

2.13.1 Mobile home parks shall be permitted subject to an amendment to this Plan and provided the development can be safely and adequately serviced with water and sanitary sewage services.

2.13.2 The development of mobile home parks and any future expansion of a mobile home park shall be subject to site plan control pursuant to the requirements of Section 41 of The Planning Act, and will include, but not be limited to, the following considerations:

- (a) entrances and exits and road widenings;
- (b) on-site parking for residents and visitors;
- (c) on-site open space and recreational activity areas;
- (d) landscaping, fencing and buffering;
- (e) size, orientation and spacial separation of the mobile home sites;
- (f) emergency access;
- (g) on-site servicing including water and sewage works, grading and storm water management; and
- (h) outside storage.

2.14 WAYSIDE PITS AND QUARRIES

2.14.1 Wayside pits and quarries shall be permitted throughout the Township except for

the following:

- (a) in Village of Pinewood and Village of Sleeman;
- (b) within 300 m of an existing residential use; and
- (c) where severe environmental disruption will occur.

2.14.2 The opening of wayside pits and quarries shall be permitted without an amendment to this Plan provided that the Township of Dawson is given adequate notice and an opportunity to comment regarding the opening of the pit or quarry.

2.14.3 The Ministry of Transportation shall ensure that wayside pits and quarries used for its purposes are rehabilitated in consultation with the Township.

2.15 PORTABLE ASPHALT PLANTS

2.15.1 Portable asphalt plants used by a public road authority or their agents, shall be permitted throughout the Township, subject to the approval of the Ministry of the Environment and Energy, except for the following locations:

- (a) in the Village of Pinewood and Village of Sleeman;
- (b) within 300m of an existing residential use; and
- (c) where severe environmental disruption will occur.

2.15.2 Portable asphalt plants shall be permitted without an amendment to this Plan provided the Township of Dawson is given adequate notice and an opportunity to comment regarding the location of the plant.

2.15.3 Portable asphalt plants shall be removed from the site upon completion of the road project and the site shall be rehabilitated to its former condition.

2.16 AGGREGATE RESOURCE AREAS

2.16.1 Located in the Rural area of the Township are aggregate extractive sites that are a local source of aggregate, however are not considered to contain significant or large deposits of aggregate. Existing mineral aggregate operations shall be protected from incompatible land uses.

2.16.2 Development adjacent to existing aggregate operations will be permitted provided that the development does not restrict access to the aggregate resource. If access to the aggregate resource is restricted as a result of the development, the development may be permitted provided that:

- (a) the use of the resource is not feasible; or
- (b) the development or use serves a greater long term public interest; and
- (c) issues of public health, safety and environmental impact are addressed.

2.16.3 Rehabilitation of exhausted pits and quarries is encouraged and may be implemented through a site rehabilitation plan. Site rehabilitation plans shall be

prepared to the satisfaction of the Province and the Township.

2.16.4 No areas of the Township have been identified by the Ministry of Natural Resources as containing areas of high and moderate potential for aggregate resources. The Township may undertake an Aggregate Resource Inventory to identify such areas of high or moderate potential for aggregate in conjunction with the Ministry of Natural Resources. Areas for high and moderate aggregate resource potential will be added to this Plan with appropriate policy direction by an amendment, and the placing of such areas on Schedule “A-1” in an “Aggregate” designation.

2.17 MINERAL RESOURCE AREAS

2.17.1 Areas of mineral resource potential shall be determined in consultation with the Ministry of Northern Development and Mines. The development of land in areas of mineral resource potential will be permitted provided that future access to the resource is not restricted. If access to the resource is restricted, the development may be permitted provided that it can be demonstrated to the satisfaction of the Township that:

- (a) the use of the resource is not feasible;
- (b) the proposed use serves the greater long-term public interest than the resource; and
- (c) if appropriate, issues of public health, safety and environmental impact are addressed.

Sites containing a known mineral resource occurrence have been identified on Schedule “A-1” as “Mineral Occurrence”.

2.17.2 Mineral exploration activities are encouraged and future mineral mining operations will be protected from incompatible land uses.

2.17.3 Rehabilitation of mineral resource lands will be required after extraction and other related activities have ceased to the satisfaction of the Province and the Township.

2.18 FORESTRY

2.18.1 Forest resources provide a significant economic, social and environmental benefit in the form of:

- (a) income from forest products;
- (b) recreation;
- (c) education;
- (d) soil and water conservation;
- (e) wildlife habitat;
- (f) buffers between land uses; and
- (g) natural amenities.

- 2.18.2 Property owners are encouraged to seek the assistance of the Ministry of Natural Resources in the management of their forest resources.
- 2.18.3 The maintenance of forest cover along river and stream banks is encouraged and reforestation in areas where forest resources have been depleted is encouraged.
- 2.18.4 Certain areas of the Township are highly susceptible to damage caused by forest, brush and/or grass fires. Forest fire prevention and hazard reduction activities are desirable for environmental, economic and social reasons.
- 2.18.5 Development of land adjacent to or within high fire risk areas should incorporate design measures and construction techniques which will minimize damage resulting from a forest, brush or grass fire. Such measures may include identifying access and escape routes, layout of fire breaks, use of fire resistant construction materials and building and property maintenance.

2.19 SENSITIVE AREAS

- 2.19.1 Sensitive areas are natural areas that may be impacted by development and have been identified for natural and ecological functions and include such areas as wetlands, wildlife and fish habitat areas, sites with rare plant species and areas that have life science or earth science values related to protection, scientific study or education.
- 2.19.2 Development may be permitted in sensitive areas or adjacent to sensitive areas provided that it is demonstrated to the satisfaction of the Township that there will be no negative impact on the natural feature or ecological function of the natural feature and possible mitigation measures that may be required to protect against negative impacts are subject to the approval of the Township.
- 2.19.3 Agricultural activities are permitted to continue in sensitive areas and on adjacent lands.
- 2.19.4 New utilities/facilities should be located outside of the sensitive area.
- 2.19.5 The Ministry of Natural Resources is responsible for identifying and classifying wetlands. Presently no wetlands have been classified in the Township as provincially significant. Provincially significant wetlands will be added by an amendment, at the time they are classified by the Ministry of Natural Resources or a Qualified Wetland Evaluator.

2.20 WASTE DISPOSAL SITES AND CONTAMINATED SITES

- 2.20.1 Development shall be prohibited on all waste disposal sites located in the Township, including closed sites. Waste disposal sites are considered an industrial use.
- 2.20.2 Development proposed within 500 meters of an existing or closed waste disposal

shall be restricted unless it can be demonstrated that there is no evidence of leachate, methane gas migration or other contaminants present in the soils or ground water supply to the satisfaction of the Ministry of Environment and the Township.

- 2.20.3 Prior to approving development to allow residential, institutional, recreational or parkland uses on lands which may have been contaminated by previous uses, a Record of Site Condition may be required to determine the extent of possible contamination, prepared by a qualified consultant in accordance with the Ministry of Environment guidelines and accepted by the Ministry of the Environment. If site restoration is required, it shall be completed prior to development approval being given and in accordance with a site remediation plan prepared consistent with the Ministry of Environment guidelines.

SECTION 3 - LAND USE POLICIES

3.1 GENERAL

- 3.1.1 Land use designations have been established for Township of Dawson. These land use designations have related functions and do not ordinarily conflict with one another. The Land Use Plan as detailed on Schedules "A-1" and "A-2", and "A-3" illustrate the land use designations. Schedules "A-1" and "A-2", and "A-3" should be read together in conjunction with the policies of Section 3.
- 3.1.2 The intent of this section of the Plan is to promote the optimum land use function by minimizing land use conflicts and providing an attractive development pattern consistent with existing land uses and economic development of the Township.

3.2 VILLAGE AREA

- 3.2.1 The Village area is that area located within the Village of Pinewood and the Village of Sleeman and is shown on Schedule "A-2" and "A-3".
- 3.2.2 It is the objective of this Plan to:
- (a) ensure that an adequate supply of land to accommodate residential growth and the demands for residential development in the Villages for at least ten (10) years is provided;
 - (b) ensure that new residential development or redevelopment is physically compatible with the surrounding area and land use conflicts are minimized;
 - (c) ensure, wherever possible, in the design of residential developments, the protection and enhancement of the natural environment and amenities;
 - (d) to encourage residential development to locate in the designated Village area;
 - (e) encourage the provision of a sufficient level and variety of commercial activity within the Township to satisfy the consumer demands of the residents;
 - (f) ensure that commercial development does not have negative impacts on adjacent land use, particularly residential uses; and
 - (g) minimize the impact of industrial uses on surrounding areas, particularly on residential uses and on the natural environment.

Permitted Uses

- 3.2.3 The permitted uses in the Village area include residential uses, rooming, boarding and lodging houses including bed and breakfast establishments, garden suites, group homes, home occupations and home industries.
- 3.2.4 Community recreational facilities, churches, nursery schools and day care and senior centres, medical centres, elementary and secondary schools, other public and private institutional uses may be permitted in the Village area provided there

is no adverse or negative impact on the surrounding residential uses with respect to noise, traffic, parking, etc.

- 3.2.5 Local convenience commercial uses, retail business uses, offices, personal services, restaurants, hotels, and automotive and equipment sales, service and retail and tourists related commercial uses may be permitted within the Village area. The commercial uses shall be of a size and scale that is compatible with the surrounding residential uses and shall be subject to site plan control pursuant to Section 41 of The Planning Act.
- 3.2.6 Industrial uses which are not noxious or offensive in nature or would not create a nuisance are permitted in the Village area and would include manufacturing, processing, assembling, fabricating, servicing and storage of goods and raw materials, warehousing, wholesaling and service sector industries including transportation and communications.

Residential Development

- 3.2.7 It is the intent of this Plan that the Village area will be the focus for residential development in the Township. Residential development or redevelopment shall be either by plan of subdivision or by consent. Consents to sever individual parcels will be permitted when development by plan of subdivision is not necessary to implement the policies of this Plan and the provisions of Section 51(24) of The Planning Act.
- 3.2.8 The following standards of residential amenity shall be provided for with any residential development or redevelopment:
- (a) the provision of adequate access and parking for the development;
 - (b) the provision of on-site landscaping, parks and amenity areas;
 - (c) the provision of adequate separation distances and the placement of buffer features between residential uses and different types of land uses; and
 - (d) the development is to be adequately served by community facilities such as parks, commercial uses, churches and school sites.
- 3.2.9 New lots for residential uses in the Village area should be of an appropriate size and configuration to permit the installation of a private water supply and private sewage disposal system approved by the Northwestern Health Unit and shall not be smaller than 0.4 ha (1 acre) in area.
- 3.2.10 The Township may require appropriate measures, i.e. fencing, berming, etc. to reduce the effects of noise, dust, visual intrusion, vibration and other undesirable impacts of new residential development or redevelopment adjacent to Highway 11, the CN Rail line and other environmentally incompatible land uses in consultation with the Province.

Institutional Development

3.2.11 Institutional uses that provide local public services such as schools, public offices, churches, medical centres and day care and senior centre facilities may be permitted in the Village area in accordance with the following:

- (a) adequate parking is provided;
- (b) adequate buffering is provided;
- (c) the soil and ground water conditions are suitable for the provision of a potable water supply and private sewage disposal system; and
- (d) an agreement pursuant to Section 41 of The Planning Act may be required;

Recreational/Open Space Development

3.2.12 Recreational uses and development shall compliment the natural environment and the Village area.

3.2.13 The Township shall encourage accessibility for the physically challenged in the design and development of parks, open space areas and recreational facilities.

Commercial Development

3.2.14 When considering an application to establish a commercial use or uses, the Township shall have regard for the following:

- (a) the compatibility of the proposed use with the surrounding area;
- (b) the ability to provide adequate setbacks and appropriate landscaping and buffering provisions to adjacent residential and institutional uses;
- (c) the physical suitability of the site for the proposed use;
- (d) the adequacy of the road system to accommodate access;
- (e) the suitability of the site to accommodate parking and loading facilities;
- (f) the convenience and accessibility of the site for both pedestrian and vehicular traffic;
- (g) the suitability of the soil and ground water conditions regarding the provision of a potable water supply and private sewage disposal system; and
- (h) the adequacy of utilities to service the proposed use(s).

3.2.15 Commercial uses are subject to site plan control pursuant to Section 41 of The Planning Act.

3.2.16 The Township may consider accepting cash-in-lieu for parking spaces from new commercial developments or commercial redevelopments if adequate parking exists in the vicinity of the proposed development.

3.2.17 Residential uses may be permitted above or behind commercial uses subject to the following criteria:

- (a) the residential use shall not detract from the prime function of the commercial use;
- (b) amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
- (c) parking shall be provided for the residential use in conjunction with the requirements for the commercial use.

3.2.18 Effort shall be made to minimize the number of entrances and exits to and from roads and to segregate service and customer traffic. Where appropriate, access or service roads, and joint entrances between commercial uses shall be encouraged to minimize potential traffic conflicts.

Industrial Development

3.2.19 The industrial uses are intended to promote development through the expansion of the existing industrial base and stimulation of new industrial growth.

3.2.20 Industrial uses shall have regard for the proximity of residential uses, exposure to major roadways and Highway 11 and the degree to which the industrial use affects the physical and aesthetic characteristics of the natural environment.

3.2.21 Industrial uses are subject to site plan control pursuant to Section 41 of The Planning Act.

3.2.22 Wherever industries abut residential, institutional, recreational or other similar uses, adequate buffering will be required by measures such as landscaping, plantings, fencing and separation distances in order to minimize the impact of the industrial activity including visual appearance.

3.2.23 Industrial uses which are exposed to Highway 11 shall be developed in an attractive manner to provide a positive statement to the Township. To achieve this, building and site design shall have consideration of the following design standards:

- (a) open storage shall be prohibited unless it can be landscaped and screened to shield the open storage areas from view and will not detract from the intended character of the area;
- (b) parking and loading areas will generally be restricted to side and rear yards;
- (c) all industrial activities will be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use will be suitably screened and buffered from the Highway;
- (d) development or redevelopment of industrial uses shall comply with the applicable standards of the Ministry of the Environment and Energy regarding emissions and noise; and
- (e) where possible, joint entrances or service roads shall be encouraged to

minimize traffic conflicts.

3.3 RURAL AREA

- 3.3.1 It is the intent of this Plan to protect the rural character and environment of the Rural area of the Township. The Township is capable of supporting development that is resource and non-resource based. It is not realistic to attempt to precisely define where these uses may best occur. Rather, a general Rural land use designation in which these uses can be accommodated in accordance with the specific policies of this Plan, would allow flexibility in determining the appropriate uses of land.
- 3.3.2 The Rural area is characterized as a low density, multi-purpose area in which a variety of land uses can be accommodated in a compatible manner consistent with the rural character of the Township
- 3.3.3 It is the intent of the Rural land use designation to:
- (a) maintain the low density rural character of the Township;
 - (b) provide flexibility by permitting a variety of land uses;
 - (c) to allow development of natural resources and economic activities in a manner compatible with the rural character; and
 - (d) to protect existing agricultural operations from incompatible land uses, encourage the preservation of agricultural lands for agricultural purposes and ensure their long term viability.
- 3.3.4 While land in the Rural designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding uses and appropriate for the site before development approval is given. Development within the Rural area shall not conflict with existing livestock operations and will comply with the Minimum Distance Separation I criteria, as amended from time to time. In addition, new and/or expansions to existing livestock operations will comply with the Minimum Distance Separation II criteria, as amended from time to time.

Permitted Uses

- 3.3.5 Permitted uses in the Rural area include rural residential dwellings, farm related residential dwellings, agriculture, greenhouses, horticulture, recreational uses, institutional uses, commercial uses and industrial uses including extraction and processing of peat for horticulture or fuel purposes, waste disposal sites, pits and quarries. It is also the intent of the Rural designation to permit and encourage such rural uses as forestry, mining and mineral exploration, resource management and conservation uses.

Residential Development

- 3.3.6 Limited rural residential development will be permitted in the Rural designation

on existing lots of record and on lots created through the consent and subdivision process in accordance with the policies of this Plan (Section 2.3) and provided that:

- (a) new rural residential uses should be a reasonable distance and oriented away from industrial uses and railway lines to minimize the adverse effects of odour, dust, noise, vibration and other contaminants. The Province and/or CN Rail should be consulted to obtain input with respect to separation distances and buffering requirements for residential development adjacent to industrial uses and/or railway lines;
- (b) new rural residential uses adjacent to aggregate operations shall be located a minimum of 60 meters from the side and rear lot lines abutting the aggregate operation. Existing lots of record that cannot accommodate this standard shall be reviewed on a site specific basis and may be considered appropriate provided the intent of the separation distance and buffering is maintained;
- (c) new rural residential uses will not conflict with existing agricultural facilities and will comply with the Minimum Distance Separation I criteria, as amended from time to time;
- (d) new lots for rural residential uses should be an appropriate configuration and minimum area necessary for the use permitted and the installation of a private water supply and sanitary sewage disposal system approved by the Northwestern Health Unit. As a guideline, new rural residential lots should be 1.2 hectares (3 acres). However, where rural residential development on less than 1.2 hectares (3 acres) is considered, particularly along the Rainy River shoreline, 0.4 hectares (1.0 acre) lots may be permitted, provided it can be demonstrated to the satisfaction of the Health Unit and the Township that adequate area is available to permit the installation of a private septic system and potable water supply in accordance with the Northwestern Health Unit requirements; and
- (e) rural residential development shall be of a scale and density that is appropriate for the Rural area and not result in a concentration of development that may lead to the demand for services over and above what the Township provides to the Rural area.

3.3.7 Plans of subdivisions for rural residential purposes or vacation homes greater than 5 lots shall require a planning justification study that addresses the need and scale of the proposed development based on the following considerations:

- (a) demand for the type of development proposed;
- (b) the amount of developable land available within existing rural residential areas;
- (c) an evaluation of other sites available to accommodate the development within other areas of the Township;
- (d) an evaluation of servicing considerations and the identification of the most appropriate means to service the development in consideration of long term servicing impacts, and impact on surrounding land uses;

- (e) the scale and design of the development is compatible with the surrounding development and rural character in general;
- (f) any necessary infrastructure and public facilities can be provided or are available to service the development in an efficient manner.

Agricultural Development

- 3.3.8 Agricultural parcels and farm operations shall be maintained in units which are large enough to maintain flexibility to adapt to changing economic conditions of the agricultural industry.
- 3.3.9 Permanent or portable farm help houses may be permitted for farm help where the size and/or nature of the farming operation makes the employment of such help necessary and where these additional dwellings do not have significant negative effect on the tillable area of the farm or its viability. Farm help houses shall be constructed/erected in close proximity to the principal farm buildings so that the farm help house is considered to be an integral part of the farming operation. The farm help house may share services with the principle residence provided clearance is obtained from the Northwestern Health Unit that the septic system serving the principal residence has adequate capacity to accommodate the farm help house. A farm help house shall not be constructed/erected with the intention of severing it from the farming operation in the future.
- 3.3.10 Consents involving agricultural lands on the Rural area are generally discouraged.

Institutional Development

- 3.3.11 Institutional uses that provide local public services such as schools, public offices, and churches may be permitted in the Rural area in accordance with the following:
 - (a) adequate parking is provided;
 - (b) adequate buffering is provided where necessary;
 - (c) the soil and ground water conditions are suitable for the provision of a potable water supply and private sewage disposal system;
 - (d) an agreement pursuant to Section 41 of The Planning Act may be required.

Recreation/Open Space Development

- 3.3.12 Lands used for public or private recreational purposes may be permitted in the Rural area in accordance with the following provisions:
 - (a) development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions and traffic generation; and
 - (b) a site plan agreement pursuant to Section 41 of The Planning Act may be required.

3.3.13 In areas intended for recreational use in the vicinity of the Rainy River shoreline, the Township shall cooperate with the Ministry of Natural Resources or other relevant agencies, in their efforts to establish recreational facilities and a functional water oriented open space network.

Commercial and Industrial Development

3.3.14 Commercial and industrial uses providing personal, professional or retail services, or relating to agriculture or a natural resource, and recreational commercial uses may be permitted in the Rural area provided that:

- (a) only dry uses are permitted on lots services by private individual sewage and water services. Dry uses are considered to be uses which use water for domestic purposes only and which result in the production of domestic sewage. Domestic sewage includes sewage originating from human body waste, toilet waste, waste from showers and tubs, liquid and waterborne kitchen and sink water and laundry waste. Domestic waste does not include plant or chemical effluent used in a manufacturing process. Other uses may be permitted provided it can be demonstrated by the proponent to the satisfaction of the Health Unit or appropriate approval authority, that there is an adequate supply and source of water, an acceptable treatment of waste water is provided and there is no adverse environmental impact on surrounding uses;
- (b) the use is located on a provincial highway or on an open road maintained year round by the Township;
- (c) buffering to the satisfaction of the Township shall be provided where a commercial or industrial use is located adjacent to a residential or recreational use;
- (d) there is no adverse impact on the amenity and character of the rural environment;
- (e) adequate parking and loading facilities are provided;
- (f) a site plan agreement pursuant to Section 41 of The Planning Act is required.

3.3.15 Aggregate extraction operations shall be permitted in the Rural area provided that:

- (a) the operation is compatible with surrounding land uses;
- (b) adequate buffering is provided;
- (c) a site plan agreement pursuant to Section 41 of The Planning Act is required. The agreement shall address the following matters, but not be limited to:
 - i) hours of operation;
 - ii) location of proposed buildings, machinery and equipment;
 - iii) setbacks, landscaping and buffering;
 - iv) storm water management;
 - v) existing and anticipated final grades of excavation;
 - vi) access/egress;
 - vii) haulage routes;

- viii) improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
- ix) site rehabilitation.

- (d) there is a need for the aggregate extraction operations;
- (e) the Province is satisfied with respect to the disposal of liquid wastes, pumping operations and the control of air and noise pollution, among other matters;
- (f) no building, equipment, machinery or stockpiling of material is allowed
 - i) within 30 meters of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes;
 - ii) within 30 meters of the Village area;
 - iii) within 30 meters of any road or road allowance; and
- (g) no excavation of material is allowed:
 - i) within 60 meters of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes;
 - ii) within 60 meters of the Village area;
 - iii) within 30 meters of any road or road allowance; and
- (h) a quarry with blasting operations is to be setback a minimum of 450 meters from a residential building.

3.3.16 Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Township of Dawson and with the Ministry of the Environment and Energy through the issuance of a Certificate of Approval.

3.3.17 Related aggregate industrial uses such as asphalt plants, concrete batching plants and aggregate recycling operations may also be permitted provided they are compatible with adjacent land uses and setbacks and location of buildings, equipment and machinery is determined on a site specific basis in consultation with the Township and with the Ministry of the Environment through the issuance of a Certificate of Approval.

3.3.18 Lands used for forestry purposes as defined by the Forestry Act includes the production of wood and wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation and protection and production of water supplies. The processing of forest products is considered an industrial use and subject to the policies of 3.3.14.

3.3.18 Small scale processing of forest products, such as portable sawmill operations, are considered an industrial use and may be permitted provided that no equipment or machinery is located:

- (a) within 60 meters of a residential lot or a lot used for recreational, institutional or commercial uses;

- (b) within 30 meters of any road or road allowance.

3.4 AGRICULTURAL LANDS

3.4.1 It is the objective of the Agricultural area;

- (a) to encourage the preservation of agricultural lands for agricultural purposes;
- (b) to direct non-farm uses to the Village areas or Rural area;
- (c) to minimize the impact of non-farm uses on agricultural operations;
- (d) to protect and enhance the natural amenities, character and lifestyle or the agricultural area; and
- (e) to encourage the growth of the agribusiness industry in appropriate locations.

Permitted Uses

3.4.1 Permitted uses in the Agricultural area include:

- (a) agricultural uses such as the growing of crops, raising of livestock and other animals for food or fur, including buffalo, caribou, fish, etc. greenhouse operations, horticulture, peat extraction and farm related residential uses;
- (b) secondary agricultural uses secondary to farming operations such as home occupations, home industries and uses that produce value added agricultural products from the farm operation; and
- (c) agriculture related uses such as farm related commercial and industrial uses and those agricultural related uses that are required to locate in close proximity to farming operations. A site plan agreement pursuant to Section 41 of The Planning Act may be required for agricultural or farm related commercial and industrial uses.

3.4.2 Other compatible uses such as forestry, conservation, wildlife management uses and mineral exploration are permitted in the Agricultural area. Mining activities and mineral extraction are permitted in Agricultural areas provided the site is rehabilitated so that relatively the same area and the same average soil quality for agriculture is restored. Aggregate extraction is also permitted in the Agricultural areas in accordance with the provisions of Section 3.3.15 and provided the site is rehabilitated so that relatively the same area and same average soil quality for agriculture is restored.

Agricultural Development

3.4.3 Agricultural parcels and farm operations shall be maintained in units which are large enough to maintain flexibility to adapt to changing economic conditions of the agricultural industry.

3.4.4 Non-agricultural uses which are not compatible with agriculture are not permitted

in the Agricultural area and are encouraged to locate in the Village and Rural areas.

- 3.4.5 Development within the Agricultural area shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time. New and/or expansions to existing livestock operations shall comply with the Minimum Distance Separation II criteria, as amended from time to time.
- 3.4.6 Permanent or portable farm help houses may be permitted for farm help where the size and/or nature of the farming operation makes the employment of such help necessary and where these additional dwellings do not have significant negative effect on the tillable area of the farm or its viability. Farm help houses shall be constructed/erected in close proximity to the principal farm buildings so that the farm help house is considered to be an integral part of the farming operation. The farm help house may share services with the principle residence provided clearance is obtained from the Northwestern Health Unit that the septic system serving the principal residence has adequate capacity to accommodate the farm help house. A farm help house shall not be constructed/erected with the intention of severing it from the farming operation in the future.
- 3.4.7 Consents involving agricultural lands are generally discouraged and shall be permitted provided:
- (a) the severed and retained lots are intended for agricultural use and are of a size appropriate for the agricultural use;
 - (b) the consent is for an agriculture related uses;
 - (c) the consent is for a residence surplus to a farming operation as a result of farm consolidation;
 - (d) the consent is for residential use for a member of the farm family who is employed on the farm;
 - (e) the consent provides for residential infilling; and
 - (f) the consent is for a retirement lot for the farmer who is retiring from active working life and has been farming on or before January 1, 1994 and has owned and operated the farm for a substantial number of years.
- 3.4.8 Residential infilling in the Agricultural area shall be permitted between two existing non-farm residences on separate lots which are situated on the same side of the road and not more than 100 metres apart. The creation of lots through residential infilling in the Agricultural area shall not interfere with or have negative impacts on the normal farming practices of surrounding agricultural operations.
- 3.4.9 Lots created for residential uses in the Agricultural area shall be of a size large enough to accommodate the residence, plus on-site individual water and septic disposal systems and should be located in such a way to avoid the most productive portion of the farm and be in accordance with the Minimum Distance Separation I criteria.

3.5 HAZARD LANDS

- 3.5.1 For lands designated Hazard Lands on Schedules "A-1", "A-2" and "A-3", the permitted uses shall be shoreline protection works, floodplain protection works, fisheries management, wildlife management, waterfowl production, forestry, agriculture, mineral exploration and public and private parks.
- 3.5.2 Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in the Hazard Land area, is subject to the approval of the Province in accordance with the provisions of the Lakes and Rivers Improvement Act and/or the Public Lands Act and the Ontario Water Resources Act.
- 3.5.3 Along portions of the Rainy River, McGinnis Creek, Wilson Creek, Miller Creek and Pinewood River shoreline, Leda clay soils may be present at various locations. The Ministry of Natural Resources should be consulted to determine the locations where these clays are found and should also be consulted prior to development being approved where Leda clay soils are known to be present to provide input regarding the need for possible mitigation and protection measures to ensure that matters of public safety are addressed and the potential for property damage is minimized.
- 3.5.4 Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansions to such uses will, however, be discouraged unless they involve the following:
- (a) reconstruction and/or minor alterations to existing buildings or structures, storage sheds, in-ground swimming pools which are approved by the Province; and
 - (b) additions or extensions, including new structures to existing agricultural operations which are not likely to incur significant flood damage or will not result in impediments to flow or floodwater storage, which are approved by the Province.
- 3.5.5 Any applications to re-designate Hazard Lands will be carefully reviewed and shall not adversely impact on the natural environment. The Township shall, in conjunction with the Province, require the proponent of an application to submit a study prepared by a qualified specialist to address the following considerations:
- (a) a description of the natural environment, hazard condition and existing physical characteristics;
 - (b) a description of the proposed development and potential effect on the natural environment and hazard condition;
 - (c) a description of the costs and benefits in terms of economic, social and environmental terms of any engineering works and/or resource management practices needed to mitigate the hazard condition and

- potential effects; and
- (d) an evaluation of alternatives including other locations for the proposal.

3.5.6 Hazard Lands may not be considered acceptable as part of a parkland dedication pursuant to The Planning Act.

3.5.7 Property owners are encouraged to provide a coordinated approach to the use of land and management of water in areas subject to flooding and erosion in order to minimize social disruption in consultation with the Province.

SECTION 4 - COMMUNITY SERVICES AND FACILITIES

4.1 GENERAL

- 4.1.1 The intent of this Plan is to maintain a level of public service that is appropriate for the rural character and environment of the Township of Dawson.
- 4.1.2 The objectives of this section of the Plan is to provide policies that will ensure adequate services are provided that recognize the Township's financial capabilities and not place undue strain on the Township's financial resources.
- 4.1.3 The use of alternative development standards is encouraged for new development and redevelopment provided that the standard of development allows for flexibility and adaptability in design and enhances the liveability of the proposal, provides cost efficiency in the delivery of services and supports the principles of environmental sustainability.

4.2 ROADS

- 4.2.1 Safe and efficient movement of people and goods within the Township and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the Township but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Township.
- 4.2.2 The classification of roads in the Township are as follows:
 - (a) Provincial Highways - this system of roads applies to all numbered provincial highways under the jurisdiction of the Ministry of Transportation. The primary purpose of provincial highways is to move people and goods between centre and through the Township. Access to provincial highways is restricted to allow for this primary purpose. Entrance permits are required from the Ministry of Transportation for any new entrance/access onto a provincial highway; and
 - (b) Township Roads - this system of roads applies to all roads under the jurisdiction of the Township of Dawson. The Township is responsible for the maintenance of all roads within its jurisdiction. The primary purpose of Township roads is to facilitate local travel and areas for development. Direct access to Township roads is normally permitted from any abutting lot provided there are adequate sight lines, suitable grades and the access will not cause traffic hazards.
- 4.2.3 It is the intent of this Plan to restrict development of new roads and restrict new development to the existing road system maintained year round unless future development proceeds by plan of subdivision or an access or service road is required to accommodate new development along the Highway 11 corridor.
- 4.2.4 Should the construction of a new road or extension of an existing road be warranted, the road shall be designed and constructed to meet approved standards and the road shall be suitable for assumption into the Township road system.

- 4.2.5 The Township of Dawson is not responsible for the costs associated with the design and construction of new roads or the extension of existing roads or the costs of providing entrances from existing or new roads. These costs are the direct responsibility of the proponent for the new road, road extension or entrance.
- 4.2.6 Unless it is clearly in the public interest, private roads will not be assumed by the Township into the Township road system.
- 4.2.7 Year-round maintenance will be provided on all Township roads (excluding seasonal roads) under the jurisdiction of the Township of Dawson and as per the Township's Roadway Services Standards.
- 4.2.8 Class 1 roads under the jurisdiction of the Township are maintained only on a seasonal basis, i.e. during the summer months, and are considered to be summer roads only. All new development on Class 1 roads or seasonal roads will be restricted.
- 4.2.9 The right-of-way width of Township roads shall generally be a minimum of 20 meters (66 feet). As a condition of development approval, the Township may require the dedication of road widenings to achieve the 20 meter (66 feet) road right-of-way widths where they presently do not exist.

4.3 WATER SUPPLY

- 4.3.1 The source of water supply in the Township is from private individual wells. It is intended that the responsibility for water supply in the Township will be with each property owner.
- 4.3.2 Currently, individual private wells serve as an adequate supply of water for the Village and Rural areas of the Township. It is intended that lot sizes remain large enough to ensure that private wells remain the source of water throughout the Township.
- 4.3.3 There is a desire to provide a piped water distribution and treatment system to service the Village of Pinewood and the development area east of the Town of Rainy River in the future, provided the provision and maintenance of these services does not result in undue financial strain on the Township.

4.4 SEWAGE DISPOSAL

- 4.4.1 Private individual septic tanks and tile field systems are the means of sewage disposal in the Township. Each individual property owner is responsible for the provision of private sanitary sewage disposal approved by the Northwestern Health Unit.
- 4.4.2 It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems.
- 4.4.3 There is a desire to provide a piped sanitary sewer distribution and treatment system to service the Village of Pinewood and the development area east of the Town of Rainy River in the future, provided that provisions and maintenance of these services does not

result in undue financial strain on the Township.

4.5 NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL

4.5.1 No additional solid waste disposal sites or expansions to the existing facilities are anticipated over the life of this Plan.

4.5.2 If additional solid waste disposal sites are required or an expansion to an existing facility is required, these sites should:

- (a) avoid areas of high ground water;
- (b) maintain an adequate separation and buffer from all existing development;
- (c) avoid pollution of the ground water and watercourses; and
- (d) be approved by the Ministry of the Environment and Energy.

4.5.3 Liquid waste disposal sites may be permitted subject to an amendment to this Plan and provided the applicant has demonstrated to the satisfaction of the Ministry of the Environment and Energy that the facility may be established without adverse impacts on surrounding land uses and the natural environment.

4.6 COMMUNITY FACILITIES AND SERVICES

4.6.1 The existing services provided by the volunteer fire departments, the Ontario Provincial Police and other provincial agencies are considered adequate to meet the needs of the residents of the Township.

4.6.2 The existing public and separate school facilities serving the residents of the Township fulfill the educational needs of the residents for the foreseeable future.

4.6.3 The existing recreation and open space facilities that are available to the residents of the Township are considered suitable. However, with increased population growth, in both permanent and temporary population, additional recreational and open space facilities may be required.

4.6.4 It is the intent of this Plan to encourage the provision of additional public and private recreational and open space facilities at appropriate locales for use by the Township residents and tourists, especially along the shoreline of the Rainy River.

4.6.5 It is the intent of this Plan, that new public and private recreational opportunities shall not provide an undue financial burden on the Township.

4.6.6 UNION GAS

4.7.1 Union Gas is a major utility that is regulated by the Ontario Energy Board Act. Union Gas facilities are permitted in all land use designations.

4.7.2 The location of all new permanent buildings, structures and excavations on lands adjacent to transmission and distribution facilities shall be determined in consultation with Union

Gas.

SECTION 5 - IMPLEMENTATION AND ADMINISTRATION

5.1 THE TOWNSHIP'S ROLE IN IMPLEMENTATION

5.1.1 This Official Plan shall be implemented by means of the powers conferred to the Township of Dawson by The Planning Act and other statutes which may be applicable. In particular, the Plan shall be implemented through:

- (a) the preparation, adoption and enforcement of zoning by-laws where deemed appropriate;
- (b) the preparation, adoption and enforcement of other land use planning provisions such as property maintenance and occupancy standards by-laws, interim control, temporary use by-laws, holding by-laws and minor variances where deemed appropriate;
- (c) the consent and subdivision approval process; and
- (d) the site plan control process.

5.2 PUBLIC SECTOR AND PRIVATE SECTOR

5.2.1 The activities and undertakings of the Provincial and Federal Governments, and the private sector shall serve to implement the policies and objectives of this Plan. It is also intended that the construction of public works within the Township shall conform to the policies of this plan.

5.3 NON-CONFORMING USES

5.3.1 Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it will be permitted provided that:

- (a) there is no change in use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
- (b) the use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation or similar characteristics;
- (c) there is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
- (d) the use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and
- (e) where the existing use is discontinued for more than one (1) year, it will be permitted only in accordance with the policies of this Plan.

5.3.2 It is the intention that non-conforming uses will cease to exist in the long term.

5.3.3 Extensions or enlargements of the land, building or structure of a legal non-conforming use may be permitted provided that:

- (a) the proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
- (b) the extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.

5.3.4 The repair or replacement of a legal non-conforming use may be permitted provided that:

- (a) the repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
- (b) the repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

5.4 PUBLIC PARTICIPATION

5.4.1 The Township intends that the public be involved in the formulation and implementation of planning policies. To this end, the Township shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment and development applications pursuant to the provisions of The Planning Act.

5.4.2 The Township may forego public notification and public meetings in connection with a technical official plan amendment if such amendment will not affect the provisions and intent of the Official Plan, or amendments thereto, and may include the following matters:

- (a) altering the number and arrangement of any provision;
- (b) correcting punctuation or altering language to obtain a uniform mode of expression;
- (c) correcting clerical, grammatical, dimensions or typographical error;
- (d) effecting changes in format; and
- (e) consolidating previous amendments into the parent document.

5.5 OFFICIAL PLAN - AMENDMENTS AND REVIEW

5.5.1 No developments or activities shall occur which contravene the intent and policies of this Plan.

5.5.2 Developments or activities deemed beneficial to the Township, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.

5.5.3 The Official Plan shall be amended to reflect the policies of the Township and the changing needs of the Township.

5.5.4 The Plan shall be subject to a continual review by the Township. Whenever it is necessary to refine existing policies or amend, delete or add policies based on new information or trends, this shall be done by amendment to the Official Plan.

5.5.5 The Official Plan shall be subject to a formal review by Council at least once every 5 years pursuant to Section 26 of The Planning Act.

5.5.6 Prior to considering an amendment to this Plan, the Township shall pre-consult with the Ministry of Municipal Affairs and Housing and any other person or public body that Council considers to have an interest in the amendment, pursuant to Section 17(21) of The Planning Act, to ensure that provincial interests are considered.

5.6 ZONING BY-LAW

5.6.1 When deemed appropriate, a Zoning By-law may be prepared to conform with the Official Plan. The Zoning By-law divides the lands within the Township into zones, each of which will have regulations to control the use of the lands and use, character and location of buildings and structures built upon the land.

5.6.2 A Zoning By-law is one of the main methods of implementing the Official Plan policies and lands are zoned for purposes compatible and in conformity with the Official Plan.

5.6.3 Any amendments to a Zoning By-law shall be in conformity with the Official Plan.

5.6.4 Council may conserve and protect archaeological resources by adopting zoning by-laws pursuant to Section 34(1) (3.3) of The Planning Act, to restrict land use activities on a site containing known significant archaeological resources.

5.7 STREAMLINING REVIEWS OF PLANNING APPLICATIONS

5.7.1 The Province has implemented a "one window" planning service for provincial review and approval of municipal planning applications at the Ministry of Municipal Affairs and Housing. The "one window" approach will allow for a coordinated provincial input at the pre-adoption stage. The Ministry of Municipal Affairs and Housing will rely on the expertise of other ministries as required.

5.8 PARKLAND DEDICATION

5.8.1 The dedication of lands or acceptance of cash-in-lieu of the land dedication for recreational purposes as a result of new development or redevelopment of land shall be in accordance with the following requirements:

- (a) the development or redevelopment of land for residential purposes may require a land dedication to the Township at a standard of 5% of that land being developed or redeveloped or cash-in-lieu based on 5% of the value of the land; and
- (b) development or redevelopment of land for commercial or industrial purposes may require a land dedication to the Township at a standard of 2% of the land being developed or redeveloped or cash-in-lieu based on a value of 2% of the land.

5.8.2 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Township and satisfy the following criteria:

- (a) be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
- (b) be located within the community context to provide convenient pedestrian and vehicular access;
- (c) provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.;
- (d) have adequate access;
- (e) be provided with basic service requirements; and
- (f) be developed in accordance with the Township's parkland standards.

5.9 IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES

5.9.1 The Township of Dawson may wish to implement Community Improvement Policies where appropriate and these shall include:

- (a) participation in and support for Federal and Provincial community improvement programs;
- (b) enforcement of the Property Maintenance and Occupancy Standards By-law;
- (c) encouragement of activities aimed at developing the economic viability and attractiveness of the Township.

5.10 FEES

5.10.1 Pursuant to Section 69 of The Planning Act, the Township of Dawson may prescribe tariff of fees through a Tariff of Fee By-law for the processing of applications made in respect of planning matters, such as Official Plan amendments, consents or any other planning matter.

5.10.2 The Tariff of Fee By-law shall prescribe the fees to be charged for processing applications in respect of planning matters and shall also indicate the authority to which the fee is payable.

5.11 MINOR VARIANCE

5.11.1 The Township may recommend minor variances for relief from regulations to a Zoning By-law, in accordance with Section 44 of The Planning Act, the rules of procedure and regulations issued by the Minister under The Planning Act and the policies of this Plan.

5.11.2 The Township may also recommend minor variances to other by-laws, such as Interim Control by-laws and the Property Maintenance and Occupancy Standards By-law where it is deemed appropriate.

5.12 TEMPORARY USE BY-LAWS

5.12.1 Pursuant to Section 39 of The Planning Act, the Township of Dawson may approve the use of land, buildings or structures for a temporary use not considered to be of a permanent nature which shall be for uses that will not preclude the future development of

any lands for their most appropriate use, as defined by the Official Plan.

5.12.2 The Township shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan, prior to approval of a Temporary Use By-law.

5.12.3 Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.

5.12.4 Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan as permanent uses, may be permitted by Temporary Use By-laws, subject to the above.

5.13 HOLDING PROVISIONS

5.13.1 In accordance with Section 36 of The Planning Act, the Township may approve a by-law which identifies a use of land but prohibits the actual development of this land until a later date when identified conditions have been met.

5.13.2 During the interim period, when the holding provision is in place, uses permitted on the affected lands are limited to existing uses only.

5.13.3 Prior to the removal of the holding symbol, the Township must be satisfied that the following conditions have been met:

- (a) that servicing requirements for the subject lands are in place;
- (b) that any impacts on surrounding lands can be mitigated through the use of site plan control or other design requirements; or
- (c) that a site plan agreement has been executed in accordance with the policies of this Plan and The Planning Act.

5.13.4 It shall be the responsibility of the applicant requesting the removal of the holding symbol to demonstrate that the conditions for the removal of the holding symbol have been satisfied.

5.14 INTERIM CONTROL

5.14.1 In areas where the Township wishes to review the existing land uses or establish new planning policies and where a study of land use planning policies for the area has been directed, the Township may approve an Interim Control By-law.

5.14.2 The Interim Control By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan may require an amendment or a Zoning By-law may be required to reflect the findings of the study and desired use.

5.14.3 Pursuant to Section 38 of The Planning Act the length of time the Interim Control By-law

is in effect shall be specified in the by-law and shall not exceed one (1) year from the date of approval of the by-law. The Interim Control By-law may be amended to extend the period of time the by-law is in effect provided the total period of time does not exceed two (2) years from the approval of the by-law.

5.15 SITE PLAN CONTROL

5.15.1 The Official Plan may be implemented through the use of site plan control subject to the provisions of Section 41, of The Planning Act. All of the area affected by the Official Plan shall be deemed to be a site plan control area with the exception of single and two unit residential dwellings and agricultural operations.

5.15.2 The goals of implementing site plan control are to:

- (a) ensure safe and efficient vehicular and pedestrian patterns;
- (b) ensure that development will not have a detrimental visual impact on adjacent uses;
- (c) ensure industrial and commercial developments do not reduce the enjoyment of adjacent lands; and
- (d) ensure parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact on traffic flows or create adverse visual impacts.

5.15.3 A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Township. Such site plans and/or drawings will show any or all the required information deemed necessary from the items listed in policy 5.15.4.

5.15.4 Prior to the issuance of a building permit, the applicant may be required to enter into a site plan agreement with the Township which may address one or more of the following matters:

- (a) widenings to any roads or highways that abut the lands subject to the application. Any proposed widenings requested must be shown on the site plan drawing;
- (b) provision of sufficient parking, access driveways, loading areas and similar matters;
- (c) the construction of walkways, ramps and pedestrian access;
- (d) proper lighting of buildings and lands;
- (e) the provision of adequate landscaping and buffering in the form of trees, shrubs, fences, and/or berms;
- (f) storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
- (g) the conveyance of any easements for the construction, maintenances and improvements of any drainage works and other public utilities;
- (h) adequate drainage and management of surface storm water and waste water from the lands, buildings or structures; and
- (i) the location of all buildings and structures to be erected and the location of all facilities and works to be provided in conjunction with the buildings and

structures.

5.16 PROPERTY MAINTENANCE AND OCCUPANCY STANDARD BY-LAW

5.16.1 The Township is committed to the maintenance and development of a safe, healthy and attractive environment. The Township may adopt a By-law pursuant to Section 31 of The Planning Act, which sets out standards for the maintenance and occupancy of property and prohibits the use of property which does not conform with the standards. The By-law shall require that all substandard properties be repaired in conformance with the By-law or be cleared of all buildings, debris, structures or refuse and left in a graded and leveled condition. The By-law shall specify the manner in which the By-law will be administered and enforced.

5.16.2 The above By-law may address the following items:

- (a) the physical condition of yards and passageways, including an accumulation of debris and rubbish and discarded motor vehicles and trailers;
- (b) the adequacy of sanitation, including drainage, waste disposal and garbage;
- (c) the physical condition of accessory buildings; and
- (d) the physical condition of all buildings and dwellings.

5.16.3 After passing the above By-law, a Property Standards Officer shall be appointed and a Property Standards Committee shall be established. The appointment and responsibility of the Property Standards Officer and Property Standards Committee shall be in accordance with Section 31 of The Planning Act.

5.17 AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION

5.17.1 From time to time, the names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or their successors, as conditions dictate.

5.17.2 From time to time Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to legislation as amended from time to time.

5.18 LAND USE BOUNDARIES

5.18.1 It is intended that the boundaries of the land use designations, shown on the attached Schedule, be considered as approximate and absolute only where bounded by public roads, rivers, streams or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the Schedules.

SCHEDULE A-1 LAND USE PLAN - TOWNSHIP OF DAWSON (Mainland)
SCHEDULE A-2 LAND USE PLAN – TOWNSHIP OF DAWSON (island area)

APPENDICES

APPENDIX A

Definitions

Agricultural uses: means the growing of crops, including nursery and horticulture crops; raising of livestock and other animals for food or fur, including poultry and fish; aquaculture; peat extraction; agroforestry, maple syrup production; and associated on-farm buildings and structures.

Areas of archaeological potential: means areas with medium or high potential for the discovery of archaeological resources. This potential is based on the presence of a wide range of geographic and historical features which influence past settlement. Archaeological potential is confirmed through an archaeological assessment.

Areas of mineral potential: means areas favourable to the discovery of mineral resources due to geology, the presence of known mineral deposits or other technical evidence. Areas of mineral potential are identified using acceptable scientific methodology.

Built heritage resource: means one or more buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community.

Contaminated sites: means sites that have been contaminated from past activities related to, but not limited to, industrial, transportation or utility purposes including municipal and MTO refueling yards, rail yards, waste disposal sites, land used for intensive agricultural uses such as green houses, commercial uses such as gas stations, auto repair shops, dry cleaning plants and lands where filling may have occurred..

Cultural heritage resource: means a defined geographic area of heritage significance which has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place and may include, but may include archaeological sites, cemeteries and unmarked burials, buildings and structural remains of historic and architectural value and man-made rural and village districts or landscapes of historic and scenic interest.

Garden Suite: means a small self-contained secondary dwelling sometimes referred to as a "granny flat" that is designed to be portable. Each unit must have its own kitchen, bathroom and living area. In most cases the water and sewer services are connected to those of the main dwelling. The garden suite must be able to be removed when it is no longer needed.

Group Home: means a housekeeping unit in a residential dwelling licensed by the Province in which a maximum of ten (10) residents, excluding staff, live as a family under responsible supervision.

Hazardous site/hazardous land: means unstable lands or areas subject to change as a result of naturally occurring hazards such as erosion, flooding, unstable slopes and steep banks, unstable soils or bedrock.

Home industry: means the use of part of a dwelling unit or an accessory building to a dwelling unit for an industrial use by one of the permanent residents of the dwelling unit which is secondary to the main use of the dwelling unit or agricultural operation and may include photography, upholstery, weaving, dressmaking, animal hospital, wood-working shop, carpentry shop, trucking operation, machine shop, blacksmith shop, etc.

Home occupation: means an occupation, trade, business, profession or craft which is clearly secondary to the main use of the dwelling unit and carried out entirely within part of a dwelling unit by at least one of the permanent residents of such dwelling unit and may include hairdressing, accounting/bookkeeping, medical/dental practitioner, drafting, word processing, etc.

Infrastructure: means physical structures that form the foundation for development. Infrastructure includes sewage and water works, waste management systems, electrical power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Livestock facilities: means livestock barns where animals and poultry are housed including beef feedlots and associated manure storage.

Minimum distance separation formulae: means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities and other land uses.

Natural heritage features: means features and areas such as significant wetlands, fish habitat, significant portions of a habitat or endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest which are important for their environmental and social values as a legacy of the natural landscape of an area.

Portable asphalt plant: means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

Residential infilling: means the creation of a lot in an area of agricultural activity between two existing non-farm residences on separate lots which are situated on the same side of the road and not more than 100 meters apart. The creation of lots through residential infilling shall not interfere with or have negative impacts on the normal farming practices of surrounding agricultural operations.

Residential intensification: means the creation of new residential unit or accommodation in existing buildings or on previously developed, serviced land and includes infill, accessory apartments and rooming houses.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Wayside pit or wayside quarry: means a temporary pit or quarry opened and used by a public road authority or their agent, solely for the purposes of a particular road project or contract of road construction or maintenance. Accessory aggregate processing operations such as crushing, screening, washing and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.

Wetlands: mean lands that are seasonally or permanently covered by water as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favored the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Woodlands: means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.

APPENDIX B

Background Report

Background report is only in written form and has not been attached hereto this version. Printed copies are available at the municipal office. 211 Fourth Street Rainy River On P0W 1L0 Phone/fax 807 852-3529 email gilesp@tbaytel.net .