

**STATEMENT OF COMPLIANCE TO  
NOTICE REQUIREMENTS**

In accordance with Section 17(7) of the Planning Act, 1983, I Les Gray, Clerk for the Township of Hudson, hereby CERTIFY that a Public Meeting was held on the 12<sup>th</sup> day of January..... 1993, in relation to the Official Plan of the Township of Hudson and that notice of the Meeting was given in accordance with Section 17(3) of the Planning Act, 1983.

I also CERTIFY that notice for the adoption of the Official Plan of the Township of Hudson was given in accordance with Section 17(8) of the Planning Act, 1983.

Dated: January 12th, 1993

Signed:

  
Mr. Les Gray  
Clerk  
Township of Hudson

# **The Plantario Group Ltd**

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**H A N D   D E L I V E R E D**

1 December 1992

Reeve and Members of Council  
Township of Hudson  
R. R. #1  
NEW LISKEARD, Ontario  
P0J 1P0

Attention:      Mr. Les Gray  
                    Clerk- Treasurer

Re:    Final  
      Official Plan Policy Report  
      Township of Hudson  
      Our File: 0672

Dear Reeve Beland and Members of Council:

We completed the final revisions to the Official Plan Policy Report and are pleased to provide herein, ten (10) copies of the Report for insertion in your binders. The existing Report should be discarded and replaced by this version.

By way of this letter, we are providing one (1) copy each to Plans Administration Branch (Toronto) and Ministry of Agriculture and Food (Elmvale).

Council may now proceed with the adoption of the Plan following the procedure set out in our letter of 28 July 1992.

Should you have any further questions, please do not hesitate to contact us.

Respectfully submitted,

THE PLANTARIO GROUP LTD.

Charles H. Windsor  
Enclosures  
c. c.:      As Noted

THE OFFICIAL PLAN  
OF THE  
TOWNSHIP OF HUDSON

PN: 0672  
DRAFTED: 15 April 1991  
REVISED: 16 June 1992  
REVISED: 30 October 1992  
REVISED: 30 December 1992

THE PLANTARIO GROUP LTD.  
EAST YORK, ONTARIO

## APPROVAL OF PLAN

This Official Plan of the Township of Hudson, which has been adopted by the Council of the Corporation of the Township of Hudson, is hereby approved.

**MINISTER OF MUNICIPAL AFFAIRS:**

January 12th 1993  
\_\_\_\_\_  
(Date)

  
\_\_\_\_\_  
(Signature)



## ADOPTION AND CERTIFICATION OF PLAN

This Official Plan of the Township of Hudson was adopted by the Council of the Corporation of the Township of Hudson by By-law No. ..706.. in accordance with Section 17 of the Planning Act, 1983, on the .12th... day of January....., 1993. .

### THE CORPORATION OF THE TOWNSHIP OF HUDSON

Signed:  (Reeve) Signed:  (Clerk) (SEAL)

-----

I hereby **CERTIFY** that this is the ORIGINAL/a DUPLICATE ORIGINAL of the Official Plan of the Township of Hudson as adopted by By-law No. 706.... of the Corporation of the Township of Hudson on the ...12th. day of January....., 1993. .

 (Clerk) (SEAL)

THE CORPORATION OF THE TOWNSHIP OF HUDSON

BY-LAW NO. 706.....

A BY-LAW TO ADOPT THE OFFICIAL PLAN OF THE  
TOWNSHIP OF HUDSON

WHEREAS Section 17(6) of the Planning Act, 1983, authorizes the council of a municipality to adopt an official plan by by-law;

AND WHEREAS the Council of the Corporation of the Township of Hudson is satisfied that the requirements of Sections 17(2), 17(3) and 17(5) of the Planning Act, 1983, have been met;

NOW THEREFORE the Council of the Corporation of the Township of Hudson ENACTS as follows:

1. The Official Plan of the Township of Hudson is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the Official Plan of the Township of Hudson.
3. The Clerk is hereby authorized and directed to compile and forward a record to the Minister of Municipal Affairs in accordance with Section 17(7) of the Planning Act, 1983, and provide notice of Council's adoption of the Official Plan of the Township of Hudson in accordance with Section 17(8) of the Planning Act, 1983.
4. This By-law shall come into force and take effect on the date of final passing hereof.

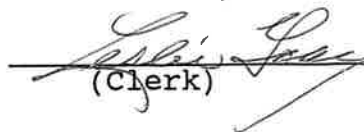
THIS BY-LAW read a first and second time this ...12<sup>th</sup>. day of January....., 1993. .

THIS BY-LAW read a third time and passed this 12<sup>th</sup>... day of January....., 1993. .

Signed:

  
(Reeve)

Signed:

  
(Clerk)

(SEAL)

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## **SECTION 1**

## **INTRODUCTION**

### **(1) TITLE OF PLAN**

This Plan may be cited as the "Hudson Township Official Plan".

### **(2) CONTENTS OF PLAN**

Sections 1 through 9 of the text, together with the following schedule:

#### **SCHEDULE A - LAND USE**

constitute the Hudson Township Official Plan.

### **(3) SCOPE OF PLAN**

#### **(a) PLANNING AREA:**

This Plan applies to all lands in the Corporation of the Township of Hudson.

#### **(b) PLANNING PERIOD:**

The policies and schedule contained in this Official Plan cover a Planning Period to the year 2006.

#### **(c) EFFECT ON PUBLIC SECTOR:**

Once this Plan is in effect, Section 24 of the Planning Act will require any public works undertaken in the Township and any by-law passed by the Council of the Corporation of the Township of Hudson for any purpose, with certain exceptions, to conform to this Plan.

#### **(d) EFFECT ON PRIVATE SECTOR:**

Although this Official Plan is a legal document, it cannot control or regulate the use of land by the private sector until such time as it is implemented by zoning by-laws passed pursuant to Section 34 of the Planning Act, and by other by-laws passed pursuant to the Planning Act and other Provincial statutes.

**(4) PURPOSE OF PLAN**

The purpose of this Plan is to provide a straightforward comprehensive policy framework to guide, in a consistent and predictable manner, the physical development of land throughout the Planning Period. This Plan was prepared to assist both the public and private sectors' decision-making in land use matters. The various levels of government may use the Plan to identify public undertakings which will be required and to assign appropriate budgets, as well as timing and locational priorities to such undertakings. Council will also be better able to assess proposals brought before it. The private sector, by being informed of the plan for development, may make decisions in the context of known public policies. In addition, this Plan will provide a basis for zoning and other issue specific by-laws which Council will enact to regulate the development of land.

THE OFFICIAL PLAN FOR THE  
TOWNSHIP OF HUDSON

This Official Plan for the Township of Hudson which was adopted by the Council of the Corporation of the Township of Hudson is hereby modified as follows:

1. **SECTION 2 BASIS AND OBJECTIVES**, Basis subsection 2(1)(b), page 3, is hereby revised by:
  - a) adding the words "AND CULTURAL HERITAGE" after the word "NATURAL" in the title and in the first line; and
  - b) replacing the word "and" in the third line with a comma and adding the words "and non-aggregate resources" after the word "aggregates" also in the third line.

## SECTION 2

## BASIS AND OBJECTIVES

### (1) BASIS OF PLAN

In preparing this Plan, it was necessary to undertake a number of planning studies of the Township. These studies examined factors which could affect the type, location and rate of development and other land use changes, and reviewed various capabilities to sustain or accommodate such potential changes in the Township. These findings were used as a basis for the policies and schedule contained in this Plan and are summarized as follows:

#### (a) IMPORTANCE OF AGRICULTURE:

Agriculture plays a major role in the Township's economy. Although the ratio of farm population relative to non-farm population will continue to decline, it is not expected that current agricultural production of hectareage of farmland will be significantly altered during the planning period. The Township is rural in nature and it is expected to remain so during the life of this Plan.

#### (b) IMPORTANCE OF NATURAL RESOURCES:

The various natural features in the Township, including forested areas, varying topography, lakes and streams, natural habitat and aggregates will continue to influence economic activities and land use in the Township, but to a lesser extent than agriculture.

#### (c) ENVIRONMENTAL PROTECTION:

All development must recognize the need to protect, maintain and/or improve identified significant environmental features and areas.

#### (d) IMPORTANCE OF RECREATIONAL DEVELOPMENT:

The Planning Area should provide important recreational and interpretative facilities. Demand for these types of facilities is expected to grow during the Planning Period.

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2.

**SECTION 2 BASIS AND OBJECTIVES**, Basis subsection 2(1)(h), page 4, is hereby revised by adding the words "and the Ministry of Northern Development and Mines" after the words "Ministry of Natural Resources" in the third line.

Lands containing features which cannot be duplicated elsewhere due to particular combinations of biological, geological, historical or archaeological factors involved in their creation should be thoroughly researched. No commercial recreation developments such as resorts or marinas are expected during the Planning Period.

(e) **SHORELINE DEVELOPMENT:**

The lakes, shorelines and shoreland areas provide attractive residential settings for those families preferring a water-oriented leisure lifestyle. The demand for residential development in these areas will come from Tri-Town area residents and tourists during the life of this Plan.

(f) **POPULATION PROJECTION:**

This Plan provides for a projection for the Township's population from the 1991 total of 439 persons to approximately 530 persons by 2006.

(g) **INFLUENCE OF NEARBY COMMUNITIES:**

The proximity of the Township to the Tri-Town Area will continue to result in pressure for non-farm related residential development. The Township provides an attractive rural setting for those families preferring a rural lifestyle. Township residents will continue to rely upon the Tri-Town Area as service centres to meet employment, recreational, social and retail needs.

(h) **INFLUENCE OF CROWN LANDS:**

With approximately 21% of the Planning Area being Crown land, the resource management policies and future programs of the Ministry of Natural Resources in consultation with the Municipality will have a major influence on the Planning Area.

(i) **PROVINCIAL POLICY STATEMENTS:**

This Plan recognizes the role and importance of Provincial Policy Statements in the future development of the Township

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3. **SECTION 2 BASIS AND OBJECTIVES**, Objectives subsection 2(2)(c), page 5, is hereby revised by adding the words "and the Ministry of Northern Development and Mines" after the words "Ministry of Natural Resources" in the third line.

4. **SECTION 2 BASIS AND OBJECTIVES**, Objectives subsection 2(2)(d), page 5, is hereby revised by:

- a) adding a comma and the words "cultural heritage impact assessments" after the word objectives in the last line; and
- b) adding the words "to mitigate adverse effects to the overall environment" to the end of this subsection.

## (2) OBJECTIVES OF PLAN

The following objectives are the policy statements upon which the general development policies, the land use policies and the land use designations for the Township are based:

## (a) MAINTENANCE OF MUNICIPAL FINANCIAL WELL-BEING:

Only development which will provide sufficient revenue to keep the additional cost of providing required municipal services to a minimum shall be permitted. In this respect, a healthy economic balance shall be maintained between the costs occasioned by development and the municipal tax benefits derived from such development.

## (b) PRESERVATION OF AGRICULTURAL LAND:

This Plan shall preserve accessible lands with high agricultural capability for agricultural purposes and protect established farming operations from the effects of development which would inhibit agricultural production.

## (c) MANAGEMENT OF NATURAL RESOURCES:

The land use management of most natural resources of the Planning Area will be in accordance with the policies and programs of the Ministry of Natural Resources. Areas of good forestry capability shall be preserved for forestry uses, with compatible uses such as certain recreational uses allowed where possible. Sand and gravel deposits shall be protected from development which would prejudice the economical development of these resources.

## (d) ENVIRONMENTAL PROTECTION:

Development shall be directed away from significant environmental features and areas and hazard lands. Development which proceeds shall coordinate with and facilitate implementation of related servicing strategies, watershed plans, groundwater protection objectives, and remedial action plans.

## (e) RECREATIONAL DEVELOPMENT:

This Plan intends to encourage recreational development provided that it is compatible with the natural environment.

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5. **SECTION 2 BASIS AND OBJECTIVES**, Objectives subsection 2(2)(i), page 6, is hereby revised by adding the words "and Policy Guidelines" after the word "Statements" in the second line.

• (f) **SHORELINE RESIDENTIAL DEVELOPMENT:**

This Plan would encourage water-oriented residential development provided that it is totally compatible with the natural environment and lake development capacity of the particular lake and area. The creation of new residential lots may be contingent upon the approval of lake capacity studies to justify the development.

(g) **ACCOMMODATION OF PROJECTED POPULATION:**

The population projection for the life of this Plan shall be accommodated primarily in the form of single detached dwelling units. Development shall be dictated by the location of land use constraints and resources throughout the Township. Scattered rural development shall be discouraged to minimize the overall impact on the environment and resources and allow for the more efficient delivery of services and protection of the aesthetic character of the area.

(h) **INDUSTRIAL AND COMMERCIAL DEVELOPMENT:**

Based on the past trends, it is not expected new commercial or industrial development will be required to serve either the existing or projected population. It is felt that the Township is adequately served by commercial and industrial establishments in surrounding communities. New commercial and industrial development will most likely be accommodated as a farm related development.

(i) **PROVINCIAL POLICIES:**

All development shall take into consideration existing and future Statements to ensure provincial concerns are recognized and implemented in an orderly manner.

(j) **MAINTENANCE OF BUILDINGS:**

Existing buildings and structures which are substandard should, over time, be repaired or removed. Methods for dealing with such problems include maintenance and occupancy by-laws, provisions for the enactment of which are contained in this Plan. It is intended, however, that undue hardship to affected property owners should not result from the enforcement of any such by-law.

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## SECTION 3

## SERVICE POLICIES

### (1) WATER SUPPLY AND SEWAGE DISPOSAL

This Plan requires all development proposed on private water supply and sewage disposal systems to be approved by the Temiskaming Health Unit and/or the Ministry of the Environment in accordance with the Environmental Protection Act, and/or the Ontario Water Resources Act.

It is preferred to have new development on a communal system, however, individual private services may be provided where the Applicant can show that no suitable receiver for effluent discharge from a communal sewerage system exists, no existing or potential groundwater quality or quantity problems are identified, and the site conditions permit individual, private systems.

Where residential development is proposed for more than four units on individual, private water and sewage, the Applicant must prove a communal system is not appropriate. Where development proceeds on individual, private services, an Environmental Impact Assessment Report shall be required to be prepared at the expense of the Applicant, and submitted to the Ministry of the Environment for review and approval. The Report should demonstrate potable groundwater quality, adequate groundwater yield, negligible groundwater quality interference, soil suitability and sufficient available area for effluent treatment.

Where a private sewerage system, which handles more than 4,500 litres per day is proposed, a Hydrogeological Impact Report shall be required which demonstrates soil suitability and sufficient available area for the effluent treatment, and site suitability. The Report shall be prepared by and at the expense of the Applicant, and submitted for review and approval by the Ministry of the Environment prior to construction.

This Plan requires development to comply with the following policies before such development shall be permitted:

#### (a) INDIVIDUAL PRIVATE SYSTEMS:

##### (i) Water Supply Systems

Each proposed water source and supply system shall meet the applicable quality and quantity guidelines

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of the Ministry of the Environment and the Ontario Drinking Water Objectives to the satisfaction of the Temiskaming Health Unit and/or Ministry of the Environment. If, in the opinion of the Health Unit and/or the Ministry, it appears that the operation of a proposed water supply system will impair the water supply to existing development and/or the natural environment in the vicinity, an assessment of local ground water conditions will be prepared by and at the expense of the applicant for review and approval by the Health Unit and/or the Ministry before approval will be given to the proposed system.

Water quality in the lakes area has been found to be questionable at best. Therefore, usage of lake water should be restricted to domestic usage, and drinking water should be obtained from a well or imported from a known source.

**(ii) Sewage Disposal Systems**

The preferred method of sewage disposal shall be a conventional leaching bed system. If, in the opinion of the local Health Unit, or where applicable, the Ministry of the Environment, a site appears to have unsuitable soil, drainage, or other conditions which could adversely affect the operation of a proposed sewage disposal system, soil and similar tests by a competent authority shall be required before approval will be given to the proposed system. Systems which consist of completely raised beds with a pumping chamber at the end of the septic tank to douse the system bed with effluent may be installed where poor percolative tests are encountered.

Industries requiring large amounts of water in its processes for cooling, washing production, or manufacturing which rely on septic tanks may not be permitted without the appropriate approval of the Ministry of the Environment.

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6. **SECTION 3 SERVICE POLICIES**, subsection 3(1)(a)(iv), page 9, is hereby revised by adding the following Sentence to the end of the second paragraph:

"As well, the development's impact on fisheries and fish habitat will be reviewed by the Ministry of Natural Resources"

(iii) **Substandard System Improvements**

Council shall actively encourage the participation of residents in any programs designed to upgrade or replace existing substandard individual water supply and/or sewage disposal systems.

(iv) **Waterfront Areas**

Council intends to control the size of the sewerage systems in waterfront areas by setting high standards, which may exceed the Ministry of the Environment and/or the local Health Unit to ensure the quality of the lakes and streams.

Where waterfront lot creation is proposed with a private sewerage system, approval of the development will be subject to a Lake Development Capacity Calculation. The Ministry of the Environment will assess the effects of the proposal on the waterbody, and development will be limited to the level which results in no change to the trophic category of the waterbody. ^

(b) **PRIVATE PIPED SERVICES:**

No residential development on private piped services shall be permitted in the Township. Consideration will be given to non-residential development proposals on private piped services if Council is satisfied from an environmental perspective that pressures for public assumption will not result.

Should a private piped service be developed, under special circumstances and be approved by the Ministry of the Environment, a condition for operation shall be included whereby on default of the operation, the Municipality shall take ownership of and assume responsibility for the operation of system.

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**(2) SOLID WASTE DISPOSAL****(a) OPERATION:**

The Corporation shall continue to use the existing active landfill site for solid waste disposal purposes, in accordance with the regulations of the Ministry of the Environment. Solid waste shall not be disposed of in any other location unless the site has been approved by the Ministry of the Environment.

The Municipality shall as a means of extending the life-expectancy of the existing site, review its Operations Plan for the purpose of developing policies for the implementation of a Recycling Plan which reduces the demand for new disposal areas.

**(b) ACTIVE AND CLOSED SITES:**

The active site is located in Lot 8, Concession II, while the closed site is located in the west half of Lot 8, Concession II.

Council shall give careful consideration to development applications on private services, or expansion of existing uses proposed within 500 metres of an active or closed waste disposal site because of potential hazards.

Before approving any such application, Council shall consult with the Ministry of the Environment, and upon the recommendation of the Ministry, require that the applicant provide additional information on one or more of the following:

- ground water quality;
- drainage from the waste disposal site;
- subsurface gases;
- animal pests;
- noise; and
- air quality.

Should Council, in consultation with the Ministry of the Environment, conclude that the proposed development is subject to any one of the above-noted hazards, the

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application shall not be approved in accordance with the Environmental Protection Act, unless effective remedial measures are available and will be undertaken by the Applicant.

(c) **FUTURE SITES:**

The existing active landfill sites shall be monitored on a regular basis in consultation with the Ministry of the Environment, and at least five (5) years prior to reaching capacity, studies will be undertaken to select a new location.

New operations require approval of the proposed site from the Ministry of the Environment as to the location, characteristics of the operation, buffer planting and screening, etc., in accordance with the Environmental Protection Act and the Environmental Assessment Act and the Regulations passed thereunder.

(3) **ROADS**

(a) **FUNCTION:**

Council shall ensure that the Township road system continues to facilitate the satisfactory movement of people, goods and through traffic in harmony with the Provincial highway system.

(b) **JURISDICTION AND RESPONSIBILITY:**

It shall be the responsibility of the Province to adequately maintain and improve, where necessary, the Provincial highway within the Township. All other existing roads within the Township, except privately owned roads, shall be the responsibility of Council.

Provincial roads shall be designed and maintained in accordance with the Ministry of Transportation standards. Municipal roads shall be designed and maintained in accordance with municipal standards and policies of Council.

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- It is not intended that existing roads which are not improved will be assumed by any public agency, unless it is clearly in the public interest and meets the Ministry of Transportation's standards for assumption. No responsibility for the provision of access, snow removal, maintenance or use by school buses on a seasonal or year-round basis is acknowledged for not improved roads.

(c) **ACCESS TO DEVELOPMENT:**

- The development of land shall be permitted only where access to and frontage on an improved road is available or established as a condition of a development approval. Access to an improved road under Provincial jurisdiction shall be subject to the Ministry of Transportation's "Access Control Policies". Access to an improved road under municipal jurisdiction shall be subject to Council issuing an entrance permit.

Notwithstanding the above, for not improved roads, Council may impose conditions for development based upon a study of the aspects of the particular road. All conditions must be met prior to any development taking place.

(d) **IMPLEMENTATION:**

The location of improved or not improved roads shall be identified in the Zoning By-law. Improved roads shall include Provincial highways and municipally maintained roads (acceptable to the Ministry of Transportation for subsidy purposes) which are maintained year-round. Other roads shall be classified as not improved.

- Where an individual requests the addition or extension of an improved road, or the reclassification of a not improved road to an improved road, such addition or extension, or reclassification shall be justified by a detailed study of the planning, financial and legal implication of the proposal on the Corporation. Where Council considers it appropriate, that is clearly in the public interest and feasible, in consultation with the Ministry of Transportation, the road will be assumed by Council and incorporated into its road network. No

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Official Plan Amendment will be required in this situation, however, an amendment to the comprehensive Zoning By-law shall be required.

- In those situations where Council does not wish to assume the road into its network, but still considers development appropriate based upon the Applicant's ability to meet selected criteria determined from the detailed study, an Official Plan Amendment would be required to specifically list the not improved road as a road on which development could take place. An amendment to the comprehensive Zoning By-law shall also be required.

(e) **LAND ACQUISITION FOR ROAD PURPOSES:**

Where land is required for road widening, road extensions, road right-of-way, prevention of landlocked parcels, bridge construction, intersection improvements, such land shall be obtained for the appropriate agency in the course of approving land severances, plans of subdivision and development application. Any proposals to widen, extend or improve roads in the Township should take into account the scenic factors and natural attributes of adjacent lands, particularly trees which may be on or near a road allowance.

(f) **IMPROVEMENTS:**

In order to maintain a satisfactory road system, the Province and Council shall pursue a program to maintain their roads in a good state of repair and undertake intersection, culvert and crossing improvements.

(i) **Roads**

It is intended that, wherever possible, improvements in the form of improved road alignments, surfaces, pavement widths and the establishment of adequate road allowances will be undertaken.

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(ii) **Intersections and Major Culverts**

It is intended that, wherever possible, as new traffic conditions warrant, improvements in the form of jog eliminations, sight triangles, regulation of turning movements, proper signage, installation of traffic signals, and marking of traffic lanes will be undertaken.

In addition, wherever possible, as new traffic conditions or structural conditions warrant, improvements in the form of major culvert repairs will be undertaken.

No development of lands shall be approved in close proximity to an intersection which is scheduled for improvement until the improvement has been sufficiently designed to determine the land required for such improvement.

(iii) **Minor Culverts**

It is intended that minor culverts requiring extensions or replacements shall be undertaken subject to the approval of the Township's Road Superintendent.

(4) **UTILITIES AND PUBLIC SAFETY**

(a) **REQUIREMENTS FOR DEVELOPMENT:**

Before giving its approval to any development proposal, Council shall be assured by the appropriate agencies that utilities (such as electricity and telephone), fire protection and police protection necessary to serve the proposed development will be provided without placing undue financial obligations on taxpayers. When small-scale development is involved, such as that resulting from land severance activity, the proposed development should be located in an area where such services already exist and are economically feasible to maintain.

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7. **SECTION 3 SERVICE POLICIES**, subsection 3(4)(c), page 15, is hereby revised by deleting the word "the" from the end of the first line.



(b) **UTILITY CORRIDORS:**

Council shall ensure that residents are aware of any new proposals for utility corridors. Any new development which is proposed in the vicinity of such facilities shall be designed so as to reduce any potential conflicts between the proposed use and existing facilities.

(c) **LANDS FOR EASEMENTS AND EMERGENCY ACCESS:**

Where land is required for utility easements, such as ~~the~~ pipeline or emergency access, such land shall be obtained for the appropriate agency in the course of approving land severances, plans of subdivision and development applications.

(5) **SCHOOLS**

(a) **ACCOMMODATION PLANNING:**

School boards having jurisdiction in the Township shall determine, in conjunction with Council, the size and timing of required new educational facilities or the need to close an existing facility. At such time as the school boards have completed long-range accommodation planning, their proposals may be added to this Plan by amendment.

(b) **REQUIREMENTS FOR DEVELOPMENT:**

Before any development generating additional pupils is approved, Council shall be assured that the necessary accommodation and any required school busing is provided.

(6) **PARKS AND RECREATION**

(a) **PARKLAND CONVEYANCES:**

Council shall require as a condition of approval for the division of land under Section 50 or 52 of the Planning Act that the owner convey 2% of such lands for park or

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public recreational purposes in the case of land proposed for commercial or industrial purposes and 5% in all other cases.

Lands having environmental problems may not be acceptable. All lands conveyed to the Township for park or other public recreational purposes shall be approved by Council. Where a watercourse adjoins such lands, adequate space for access to the lands shall be provided for maintenance and operation purposes.

**(b) CASH-IN-LIEU OF PARKLAND:**

As an alternative to Section 3(6)(a) of this Plan, Council may require the payment of money to the value of the land otherwise required to be conveyed in lieu of such conveyance. Such amount of payment of the value of the land shall be determined in accordance with the provisions of Sections 50 and 52 of the Planning Act.

All such monies collected by the Corporation shall be used in accordance with Section 50 of the Planning Act.

**(c) PARKLAND REQUIREMENTS:**

Due to the rural nature of the lands and the small scale and density of development in the Township, no lands for parks or public recreation purposes need be acquired. However, the development of outdoor recreation activities shall be encouraged throughout the Township.

Council shall expend monies to develop and maintain the existing recreational facilities which presently include a beach park and ball diamond on Pike Lake and an outdoor skating rink adjacent to the Municipal Building which also serves as a community hall.

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REVISED: 30 October 1992  
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8. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(1)(a), page 17, is hereby revised by adding the following after the words "3 lots" under the first point: "(i.e. 2 severed and 1 retained)".

9. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(1)(b), page 17, is hereby revised by adding the following to the end of the first paragraph:

"and shall ensure that there is a demand for the type and scale of development proposed."

10. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(1)(b)(i), page 17, is hereby revised by:

- a) deleting the word "should" in the first line of the second paragraph and replacing it with the word "will"; and
- b) deleting the words "waterbodies water quality" from the end of the second paragraph and adding the following:

"the quality of adjacent waterbodies. Council may require the developer to complete certain studies and analysis in order to justify the suitability of the proposed development."

## SECTION 4

## LAND DIVISION POLICIES

### (1) GUIDELINES FOR SUBDIVISION APPROVAL

#### (a) REQUIREMENTS FOR PLANS OF SUBDIVISION:

With the exception of land severances granted by the consent-granting authority, all other land division in the Township shall take place by registered plan of subdivision. A plan of subdivision shall conform to this Plan and shall normally be required in the following instances:

- where more than 3 lots are to be created on a land holding as recorded in the records of the land registry office on the date of adoption of this Plan;
- where a new road or an extension to an existing road is required; or
- where it is necessary to ensure that surrounding lands are developed in a proper and orderly fashion.

#### (b) GENERAL SUBDIVISION POLICIES:

It shall be the policy of Council to recommend to the Ministry of Municipal Affairs for draft approval only those proposed plans of subdivision which conform to this Plan. In considering a proposed plan of subdivision, Council shall be guided by the relevant objectives and policies of this Plan. ^

##### (i) Land Use Compatibility

The land use designations and policies of this Plan shall be utilized to ensure compatibility between the type of development proposed for the subdivision and the land uses, both existing and future, in the surrounding area.

Council <sup>will</sup> ~~should~~ seek the Ministry of Natural Resources' opinion as to waterbodies' ability to support proposed subdivisions, and the Ministry of the Environment's opinion on the potential impact of proposed subdivisions on ~~waterbodies's water~~ <sup>quality.</sup> B

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11. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(1)(b)(ii), page 18, is hereby revised by deleting the word "modified" from the second paragraph and replacing it with the word "designed".

(ii) **Development Patterns**

The development pattern of a proposed subdivision shall mesh with existing development and roads on adjacent lands. To ensure that undeveloped lands adjacent to the proposed subdivision will not become landlocked, or have difficulty obtaining access, the proposed development pattern shall make provision for right-of-way for access to adjacent lands. The rights-of-way shall be developed to municipal standards and dedicated as a public road. Wherever possible, the layouts of proposed lots and roads should conform to the topography of the site while utilizing energy planning design considerations.

Proposed subdivisions shall be modified to avoid interfering with diminishing wildlife and fish habitats and ensure the extensive use of tree planting and berming to enhance the natural environment.

(iii) **Provision of Services**

Council shall ensure that the proposed subdivision will be provided with all necessary services and amenities in accordance with the relevant policies of Section 3 of this Plan.

(iv) **Site Conditions**

Council shall ensure that the proposed subdivision can be developed in accordance with the relevant policies of Section 5(2) of this Plan. In particular, if any part of the proposed subdivision is located in an area where a problem area may exist, Council shall review the proposal in accordance with the policies of Section 5(2)(f) and 5(2)(g) of this Plan.

(v) **Zoning**

Proposed subdivisions shall not be zoned for their intended uses until draft approval has been received from the Ministry of Municipal Affairs.

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12. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(2)(b)(ii), pages 19-20, is hereby revised by deleting the last sentence.

**(c) SUBDIVISION APPLICATIONS:**

All applicants seeking approval of proposed plans of subdivision in the Township shall complete Council's "APPLICATION FOR PLAN OF SUBDIVISION" and shall comply with the conditions and procedures thereof.

**(2) GUIDELINES FOR LAND SEVERANCE APPROVALS**

It is a policy of this Plan that Council shall only recommend approval of those proposed severances which conform to this Plan and, in particular, to those policies set out below. When considering land severance proposals in the Township, the consent-granting authority shall be guided by these same policies.

**(a) CONDITIONS FOR LAND SEVERANCE CONSIDERATION:**

Prior to considering any land severance application, the consent-granting authority shall establish that a plan of subdivision is not necessary in accordance with the requirements of Section 4(1)(a) of this Plan.

**(b) GENERAL SEVERANCE POLICIES:****(i) Land Use Compatibility**

The proposed use of the lot to be severed shall conform to the land use designations shown on Schedule A hereto and the land use policies of this Plan. Where an amendment to an implementing zoning by-law is required for proposed uses of either the severed or the retained parcel, the proposed use shall be compatible with surrounding uses.

**(ii) Development Patterns**

To avoid the creation of landlocked parcels, no severance shall be approved which will result in the severed or retained parcel of land being landlocked, unless such landlocked parcel is to be consolidated with an abutting property which abuts and has access to an improved road in accordance with Section 3(3) of this Plan. ~~No severance shall~~

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~~be approved where access is not available via an improved road.~~

Direct access to an improved road under Provincial jurisdiction shall be discouraged where an alternative access to an improved road under municipal jurisdiction is available.

If such alternative access is not available, the consent-granting authority shall ensure that any approval of the severance will be conditional upon the issuance of an entrance permit by the Ministry of Transportation.

If access to an improved road under municipal jurisdiction is requested, the consent-granting authority shall require confirmation from the Municipality that the road in question is an improved road and that it is prepared to issue any required entrance permit.

Each application shall be reviewed to ensure no traffic hazard is created by its approval.

Where the need for road widening, extension or rights-of-way have been identified, the consent-granting authority shall ensure that the necessary land is to be dedicated as a condition of severance approval.

Severance applications which create scattered strips of development throughout the Township shall not be recommended by Council to the consent granting authority.

(iii) **Provision of Services**

Council shall ensure the proposed severance will be provided with all necessary services and amenities in accordance with the relevant policies of Section 3 of this Plan.

In particular, prior to approving any severance on private services, where the property contains an existing building, the consent-granting authority

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13. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(2)(b)(iii), page 21, is hereby revised by deleting the words "or where applicable, the Ministry of the Environment," from two locations in the second paragraph of this subsection.

shall require the confirmation of the local Health Unit ~~or where applicable, the Ministry of the Environment~~, that the existing water supply and sewage disposal facilities are functioning properly. If, in the opinion of the Health Unit ~~or where applicable, the Ministry of the Environment~~, such facilities are not properly functioning, the consent-granting authority shall ensure that any approval of the severance shall be conditional upon the improvement or replacement of malfunctioning facilities to the satisfaction of the appropriate authority.

The authority shall ensure that, the severance is approved by the Ministry of the Environment prior to approving any severance in the vicinity of an active or closed waste disposal site.

The authority shall be assured by the appropriate agencies that the necessary utilities, fire protection and police protection will be provided to the proposed lot prior to approving any severance. In addition, the severed lot shall be located in an area where such services are economically feasible to provide and maintain.

No severance which will generate additional pupils shall be approved if the necessary school accommodation is not available. The authority shall also consider school busing requirements in assessing the suitability of any severance which will generate additional pupils. Ideally, the proposed lot will be served by an existing school bus route and such bus will have additional capacity available.

No severance shall be approved unless as a condition of the consent, the Municipality acquires lands by conveyances, or money to the value of the lands otherwise required to be conveyed in lieu of such conveyance.

(iv) **Site Conditions**

Any lot created by severance shall comply with the relevant policies of Section 5(2) of this Plan.

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14. **SECTION 4 LAND DIVISION POLICIES**, is hereby revised by adding the words "under the Agricultural Code of Practice" to the following locations:
- (a) the end of the last sentence of subsection 4(2)(c), page 22; and

These policies shall apply to both the severed and retained portions of the subject property, but need not apply to portions which are to be consolidated with an abutting property.

**(v) Zoning**

Where a proposed severance does not conform to the implementing zoning by-law, the severance approval shall be conditional upon rezoning for the appropriate use.

**(vi) Exceptions**

Notwithstanding the above, consents may be granted for the following purposes without affecting the number of severances permitted from a land holding in Section 4(1)(a):

- to correct lot boundaries;
- to convey additional land to an adjacent lot, provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being used;
- to clear title; and
- to provide easements or rights-of-way.

In addition, consents may be granted to separate buildings or structures in existence at the date of adoption of this Plan, except a residential unit within the Agriculture designation, unless such unit is considered surplus through farm consolidation in accordance with Section 4(2)(c)(ii), but shall be included in the total number of severances permitted from a land holding in accordance with Section 4(1)(a):

**(c) SEVERANCES IN AGRICULTURE DESIGNATIONS:**

All new development shall comply with the Minimum Separation Distance requirements. *1*

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**(i) Non-Residential**

For lands designated Agriculture on Schedule A hereto, preference will be given to farm-related non-residential severances where:

- both the severed and retained portions are to be used for agricultural purposes and, in the opinion of Council and the consent-granting authority, both portions constitute economically viable farm units; or
  - the severed portion is to be consolidated with an abutting farm while the retained portion is to be used for agricultural purposes provided, in the opinion of Council and the Ministry of Agriculture and Food, the retained portion constitutes an economically viable farm unit.
- Where a separate site is required for the operation of commercial or industrial uses which are directly related to agriculture and require a location in proximity to farm operations, the severance shall be permitted provided such developments are:
- directed to those lands where soils exhibit lower agricultural capabilities;
  - small-scale operations servicing the needs of the local population; and
  - located on lots which are kept to a minimum size for the purpose for which it is being used.

**(ii) Residential**

For lands designated Agriculture on Schedule A hereto, only farm-related residential severances which provide a lot for an existing surplus residential unit created by the consolidation of two farms, provided the size of the new lot is kept to a minimum, will be permitted.

Additional dwellings for full-time farm help shall not be permitted to be severed, unless considered

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(b) the end of the last sentence of subsection 4(2)(d), page 24.

surplus through farm consolidation.

(d) **SEVERANCES IN RURAL DESIGNATIONS:**

146 All new development shall comply with the Minimum Separation Distance requirements.

(i) **Non-Residential**

For lands designated Rural on Schedule A hereto, preference will be given to non-residential severances where:

- both the severed and retained portions are to be used for agriculture or agriculturally related uses; or
- a separate site is required for commercial or industrial uses provided such developments are operations servicing the needs of the local populations; and are directed to those areas where lands exhibit low resource potential; and are kept to a minimum lot size for the purpose for which it is being used; and will not prejudice the future orderly development of adjacent lands; or
- a separate site is required for an extractive industrial operation, provided such developments are directed to only those lands where the resource is located and the site is rezoned.

(ii) **Residential**

For lands designated Rural on Schedule A hereto, preference will be given to residential severances which are:

- directed away from those lands containing viable farm operations;
- directed to those areas where lands exhibit low resource potential; and

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15. **SECTION 4 LAND DIVISION POLICIES**, subsection 4(2)(e)(ii), page 25, is hereby revised by:

- a) deleting the word "should" in the first line of the third paragraph and replacing it with the word "will"; and
- b) deleting the words "waterbodies' water quality" at the end of the second paragraph and replacing them with the words "quality of adjacent waterbodies".

- located on lots which are kept to a minimum size; and
- will not prejudice the future orderly development of adjacent lands.

(e) **SEVERANCES IN SHORELINE RESIDENTIAL DESIGNATIONS:**

(i) **Non-Residential**

For lands designated Shoreline Residential on Schedule A hereto, no non-residential severances shall be permitted.

(ii) **Residential**

For lands designated Shoreline Residential on Schedule A hereto, preference will be given to residential severances where the lots to be created will butt existing, developed shoreline residential lots on both sides and, therefore, not extend the present limits of shoreline residential development.

For all other new development and where existing development is to be extended, a plan of subdivision is required.

Council ~~should~~<sup>A</sup> seek the Ministry of Natural Resources' opinion as to waterbodies' ability to support proposed severances, and the Ministry of the Environment's opinion on the potential impact of the proposed severances on the ~~waterbodies' water quality.~~<sup>B</sup>

(f) **SEVERANCES IN SENSITIVE DESIGNATIONS:**

Once lands are designated Sensitive, no severances shall be granted.

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## SECTION 5

## GENERAL LAND USE POLICIES

### (1) STANDARDS AND AGREEMENTS

Council shall ensure, through the adoption of an implementing Zoning By-law in accordance with the Planning Act, that adequate standards are met for all development. Building conditions shall be regulated through the adoption of a Maintenance and Occupancy By-law in accordance with the Planning Act.

All areas in which development is to take place shall be adequately serviced in accordance with the standards set from time to time by Council.

### (2) SITE CONDITIONS

#### (a) LOT SIZE AND SHAPE:

Any lot to be developed shall be for a size and shape which is suitable:

- to accommodate the proposed use in accordance with the relevant lot area and lot frontage provisions of the implementing zoning by-laws;
- to permit the siting of any buildings, structures and other on-site amenities (including landscaping areas, buffering, entrances, parking and open space) in accordance with the relevant provisions of the implementing zoning by-laws; and
- to permit the installation of water supply and sewage disposal facilities which meet the requirements of the Ministry of the Environment and/or the local Health Unit and Council.

#### (b) DENSITY:

The maximum density of a residential development shall be controlled by implementing zoning by-laws.

#### (c) LAND USE COMPATIBILITY:

To ensure satisfactory compatibility between the proposed land uses and the existing land uses in the surrounding

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areas, Council shall verify that the proposed use complies with the relevant land use designations which set out the environmental objectives for this Plan.

All new land uses and the expansion of existing land uses in the vicinity of an active or closed waste disposal site shall be reviewed in consultation with the Ministry of the Environment. The Ministry may require an Environmental Impact Assessment Report, prepared by and at the expense of the Applicant, which demonstrates that the water supply is not negatively impacted and that other problems are not present, be submitted for review and approval by the Ministry.

The area of influence around certain facilities or land uses which are subject to emissions of a nuisance nature, where exposed to residential or other similar sensitive uses should be minimized through the use of environmental control measures to supplement practical emission controls.

**(d) VEGETATION CLEARANCE NEAR WATERBODIES:**

In order to minimize harmful nutrients from entering lakes and streams, and in order to avoid possible erosion, consultation with the Ministry of Natural Resources shall occur prior to selective clearing of vegetation above or below the high water mark fronting any property.

A work permit, issued by the Ministry of Natural Resources, is required prior to any work commencing along a shoreline in accordance with the Public Lands Act.

Any logging in the area of waterbodies should be conducted in such a way that the forestry surrounding the particular waterbody appears untouched and the resultant effects of logging operations is invisible to the users and residents of that waterbody, except where undertaken to perpetuate desirable species, to encourage regeneration or reduce fire hazards, in consultation with the Ministry of Natural Resources.

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**(e) SOIL AND DRAINAGE:**

Development should only be permitted on lands where soil and drainage conditions are, or can be made, suitable to permit the proper siting and development of the proposed uses. In addition, development should not pose any adverse effects on the soil or drainage of an adjoining property.

In consultation with the Ministry of the Environment, the Municipality may require the preparation of Stormwater Control and Management Plans in accordance with their Guidelines that appropriately address the protection and enhancement of predevelopment hydrological and water quality regimes.

The objective of the Stormwater Control and Management Plan shall be to prevent the loss of life, minimization of community disruption and property damage due to erosion and flooding, and the maintenance and enhancement of surface and groundwater resources sufficient for aquatic life, recreation and other uses.

**(f) CONSTRAINT AREAS:**

Constraint areas include all lands which have soils, topography, drainage or similar environmental features as well as features of conspicuous value such as biological, geological, historical and cultural interests, which may be hazardous to development, or where these features may be damaged or destroyed by development.

Constraint areas may be identified as development is proposed, or as a detailed study is undertaken. As a result, it may be necessary to create new land use designations in an amendment to this Plan to recognize these areas.

To ensure development compatibility in constraint areas, Council shall, in consultation with the Ministry of Natural Resources require that a study or an engineering report be conducted, at the expense of the applicant, to determine the impact of such development and its ability to enhance and, where necessary and possible, conserve or restore the natural features.

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16. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(2)(g), page 29, is hereby revised by:

- a) adding the words "AND NON-AGGREGATE MINERAL RESOURCE" between the words "AGGREGATE" and "AREA" in the title;
- b) adding the words "and non-aggregate mineral resource" between the words "aggregate" and "areas" in the first line;
- c) adding the words "aggregate or" before the word "mineral" in the first line and by deleting the word "aggregate" from the beginning of the second line;
- d) deleting the words "an aggregate" from the second line of the third paragraph and replacing them with the words "a resource";
- e) deleting the words "mineral aggregate" from the first point under the third paragraph;
- f) deleting the word "mineral" from the second point under the third paragraph; and
- g) deleting the words "mineral aggregate" from the third point under the third paragraph.

Where development is proposed on a shoreline, studies would be required on the development impact on water quality, fish and wildlife habitat and the existing vegetation.

(g) **AGGREGATE AREAS:**

Aggregate areas include all lands which have mineral aggregate potential or an actual pit or quarry established thereon.

The Township has been generally classified as having low aggregate potential, however, as development is proposed or as detailed studies are undertaken, it may be necessary to recognize selected areas by amendment to this Plan.

When considering any development applications which would take place in an ~~aggregate~~ area, Council shall assess each application as follows:

- whether ~~mineral aggregate~~ extraction would be feasible on the property;
- whether the proposed use will hinder future ~~mineral~~ extraction; and
- whether the proposed use is of a higher priority than ~~mineral aggregate~~ extraction in serving the long term interest of the public.

(h) **SITE DECOMMISSIONING:**

Where a change in land use is proposed and the present use has the potential to have caused environmental contamination, the site shall be decommissioned and/or cleaned up prior to receiving the Ministry of the Environment's recommendation for approval of the new use. The decommissioning/cleanup shall be undertaken in accordance with the Ministry's Guidelines.

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**(3) BUILDING REQUIREMENTS****(a) LOT COVERAGE:**

The portion of any lot permitted to be covered by buildings and structures shall be established by implementing zoning by-laws.

**(b) MINIMUM SETBACKS FROM ROADS:**

Setbacks of buildings, structures and other facilities from roads shall be provided, in accordance with implementing zoning by-laws. Such setbacks should be sufficient to allow appropriate landscaping and to permit the parking and movement of vehicles clear of any road allowance.

**(c) MINIMUM SETBACKS FROM WATERBODIES:**

With the exception of boathouses and similar water-oriented uses, all buildings shall be set back from waterbodies in accordance with implementing zoning by-laws. Council shall consult with the Ministry of the Environment and the Ministry of Natural Resources regarding all development adjacent to waterbodies. Setbacks for new development should be sufficient to preserve the visual impression that such waterbodies are undeveloped and to reduce the physical impact on the aquatic environment such as wetlands, fish habitat, water quality and quantity and flood plains.

**(d) MINIMUM SETBACKS FROM PROPERTY LINES:**

Setbacks of buildings, structures and other facilities from property lines shall be provided, in accordance with implementing zoning by-laws, to give some measure of privacy and to enhance compatibility with neighbouring land uses.

**(e) MINIMUM SEPARATIONS:**

The separation of buildings, structures and other facilities shall be controlled by implementing zoning by-laws.

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17. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(3), page 31, is hereby amended by adding the following new subsection:

**"(g) MINIMUM SETBACKS FROM PIPELINES:**

Setbacks of all buildings, structures and other facilities from the limits of TransCanada Pipelines' right-of-ways shall be provided, in accordance with implementing zoning by-laws.

**(f) MAXIMUM HEIGHTS:**

The maximum height of a building, structure or other facilities shall be controlled by implementing zoning by-laws.

**(4) SITE AMENITIES****(a) LANDSCAPING AREAS:**

The minimum areas required to be set aside on each lot for landscaping purposes shall be established by implementing zoning by-laws.

**(b) BUFFERING:**

Council may, as a condition of approval for the development of any non-residential use, require the developer to comply with the following additional requirements along that side of a lot which adjoins a non-compatible use:

- provision of increased building setbacks;
- provision of planting for trees, hedges and/or shrubs and/or fencing, berms; and
- limitations on location of parking areas and open storage.

**(c) AESTHETIC CONTROL:**

In addition to the policies of Section 5(2)(d), the development approval process should address the potential, resultant effects of development proposals on waterbodies relating to the aesthetic appearance of the shoreline and shoreline development, as visible from the lake. As well, any roads required to serve development should be located such that they are invisible from the waterbodies.

**(d) DRIVEWAYS:**

The location of driveways should not create traffic hazards because of concealment by curves, grades or other

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18. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(4)(f), page 32, is hereby revised by deleting the word "SPACE" in the title and replacing it with the word "STORAGE".

visual obstructions. Driveways should be limited in number and designed so as to minimize the dangers to vehicular and pedestrian traffic in the vicinity. Further requirements for the location, width and surface treatment for driveways on each lot may be established by implementing zoning by-laws.

(e) **PARKING:**

Off-street parking areas shall be provided for the applicable uses as required by implementing zoning by-laws.

(f) **OPEN ~~SPACE~~:**

Open storage shall be controlled by implementing zoning by-laws.

(g) **AIR QUALITY, NOISE AND VIBRATION:**

Residential areas, and other uses of similar sensitivity will be protected from situations of undesirable air quality and excessive noise/vibration. Applicants may be required to carry out noise and/or vibration assessments and determine control measures, which are satisfactory to the Municipality and the Ministry of the Environment in accordance with the Environmental Protection Act.

New residential development and new buildings for public assemble which abut, or are in close proximity to railway or highway rights-of-way will only be permitted in accordance with the Ministry of the Environment's Noise Guidelines. This may require studies to be undertaken by the Applicant to determine the impact of the rail line operation or highway, and may result in attenuation and safety measures such as setbacks, fencing and/or berms being a condition for the approval of a consent, plan of subdivision, etc. In addition, an Offer of Purchase and Sale/Lease Agreement may be used for providing notice regarding the potential for noise. the implementing zoning by-law shall be used to identify setback requirements.

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**(5) NON-CONFORMING USES**

Any land use in the Township which existed on the date of approval of this Plan, but which does not conform to the land use designations shown on Schedule A, should cease to exist in the long term. In special instances, however, it may be acceptable to permit the extension or enlargement of such uses in order to avoid unnecessary hardship. It is the intention of this Plan that such extensions and enlargements shall be dealt with through the use of Section 34(10) or Section 44 of the Planning Act.

**(a) SECTION 34(10) OF THE PLANNING ACT:**

In accordance with Section 34 of the Planning Act, any application for the extension or enlargement of an existing use which is not permitted by implementing zoning by-laws (hereinafter called a "non-conforming use") shall be dealt with in the following manner:

**(i) Feasibility of Acquisition**

Council shall determine the feasibility of acquiring the property concerned at the time of application or possibly at some future date and of holding, selling, leasing or redeveloping the property in accordance with the provisions of the Planning Act. At the same time, consideration shall be given to the possibility of relocating the use under consideration to a designated and zoned location where it would be able to function and produce under improved conditions in accordance with the policies of this Plan.

**(ii) No Amendment to Official Plan**

If, after investigation, municipal acquisition of the property does not appear to be feasible but the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider passing a zoning by-law amendment pursuant to Section 34(10) of the Planning Act. Such Amendment may then be passed without amending this Plan, provided it complies with the policies of Section 5(5)(a)(iii) of this Plan.

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**(iii) Report and Requirements**

Prior to making any decision on the application and, in particular, before passing a zoning by-law amendment, Council will obtain a report on various aspects of the matter and be satisfied that those of the following requirements which are relevant to the specific application for the extension or enlargement of the non-conforming use are, or will be, fulfilled in order to safeguard the wider interest of the general public:

- the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of any zoning by-law applying to the area;
- the proposed extension or enlargement shall be in appropriate proportion to the size of the non-conforming use;
- an application, which would affect the boundary areas of different land use designations on Schedule A, will only be processed under these policies if it can be considered as a "minor deviation" permitted under the flexibility of Section 8(1) hereof without the need for an amendment to this Plan;
- the characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic-generating capacity;
- no zoning by-law amendment shall be passed if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area;
- the neighbouring conforming uses will be protected where necessary, by the provision of

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areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and by regulations for alleviating adverse effects caused by outside storage, lighting or advertising signs. The above measures shall be applied to the proposed extension or enlargement and wherever feasible, shall also be applied to the established use in order to improve its compatibility with the surrounding area;

- traffic generation and parking conditions in the vicinity will not be adversely affected by the application and traffic hazards will be kept to a minimum by appropriately designed ingress and egress points to and from the site and by the improvement of sight line conditions, especially in proximity to intersections, so as to provide maximum safety for pedestrian and vehicular traffic;
- adequate provisions have been or will be made for off-street parking; and
- applicable services such as water supply, sewage disposal, storm drainage and roads are adequate, or can be made adequate.

(iv) **Notification of Ratepayers**

In cases where a zoning by-law amendment is not required, Council shall, prior to a final decision on the matter, notify all property owners in the area affected by each application for the extension or enlargement of a non-conforming use, in order to obtain their views.

(v) **Council Decision**

Council will not pass a zoning by-law amendment pursuant to Section 34(10) of the Planning Act before being satisfied as to the policies contained in Section 5(5)(a)(iii) hereof.

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19. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(7), page 36, is hereby revised by deleting the words "electrical lines" in the third line and replacing them with the words "electric power facilities".



(b) **SECTION 44 OF THE PLANNING ACT:**

Council may, under Section 43 of the Planning Act constitute and appoint a Committee of Adjustment to hear and make decisions under Section 44 of the Planning Act for authorizing minor variances from the provisions of an implementing zoning by-law; to permit enlargements or extensions of non-conforming uses; and to permit the change of a non-conforming use to another use if, in the opinion of the Committee, the proposed use is similar to or more compatible than the existing use, and provided the general intent and purpose of this Plan and implementing zoning by-laws are maintained.

Council may, under Section 44(3) of the Planning Act, empower the Committee to grant minor variances from the provisions of any by-law of the Corporation that implements this Plan, or from such special by-laws of the Corporation as are specified and that also implement this Plan.

(6) **CONVERSION OF USES**

The conversion from one permitted land use type to another within the same designation on Schedule A to this Plan will be carefully evaluated by Council. Such conversions will only be permitted when the conversion is in compliance with the policies of this Plan.

If a proposed use does not conform to the implementing zoning by-law, a by-law amendment to permit such use may be passed by Council and approved in accordance with Section 34 of the Planning Act prior to the conversion.

(7) **PUBLIC USES**

Except as provided specifically elsewhere in this Plan, it shall be the policy that road right-of-way and local utilities such as gas lines, pipelines, ~~electrical lines~~ and telephone lines and local public parks are permitted in all land use designations shown on Schedule A, provided that the location of such rights-of-way, facilities and parks are approved by Council; that it is necessary in the area; that it can be made

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20. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(7), page 37, is hereby revised by adding the words "where practical" after the word "surroundings in the first paragraph.

compatible with its surroundings; and that adequate measures are taken to ensure this compatibility.

Notwithstanding the above, all existing electric power facilities and the development of new electric power facilities operating at 50 kilovolts and above, or facilities that transform from above 50 kilovolts to less than 50 kilovolts, including all works as defined in the Power Corporation Act, shall be permitted in all land use designations shown on Schedule A and shall be considered to conform to the policies of this Plan, provided that such development satisfies the provisions of the Environmental Assessment Act and the Regulations passed thereunder.

Ontario Hydro shall be required to consult with Council regarding the location of new electric power facilities.

**(8) ACCESSORY USES**

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

**(9) CROWN LANDS**

The policies of this Plan are not binding on undertakings carried out on Crown lands by the Crown or its agents. However, Council will encourage senior levels of government to comply with the policies of this Plan, wherever possible. Therefore, the use of Crown lands in the Township will generally be in accordance with the Land Use Guidelines and other plans as constituted from time to time by the Ministry of Natural Resources. Where development is proposed on Crown lands, disposed of in fee simple, an amendment to this Plan will be required prior to the development of the lands unless such uses are already permitted under the appropriate designation in this Plan.

**(10) GROUP HOMES**

Group homes may be permitted in dwelling houses throughout the Township. Group homes, where three to ten residents

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21. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(10), page 38, is hereby revised by deleting the word "family" from both locations and replacing it with the word "household".

22. **SECTION 5 GENERAL LAND USE POLICIES**, subsection 5(11), page 38, is hereby revised by adding the following new paragraph between the fourth and fifth paragraphs:

"In addition, Council recognizes that there may be archaeological remnants of prehistoric and early historic habitation within the Township. Council will, therefore, encourage archaeological survey by archaeologists licensed pursuant to the Ontario Heritage Act, to ensure the preservation, rescue excavation, and conservation of significant archaeological resources which might be affected in any future development, in cooperation with the Ministry of Culture, Tourism and Recreation.

(excluding staff or the receiving ~~family~~<sup>↓</sup>) live as a family under responsible supervision consistent with the requirements of the residents, must be licensed or approved under Provincial statute and in compliance with all municipal by-laws.

(11) **HERITAGE CONSERVATION**

All new development permitted by the land use policies and designations contained in this Plan shall have regard for archaeological sites, buildings and structures of historical and architectural significance and areas and landscapes of historic, cultural and scenic interest which represent or reflect the patterns of settlement or use of the landscape over a long period of time.

Historical buildings, structures and landscapes all possess unique qualities which transcend mere facade restoration and strive to enrich the Township's cultural heritage and maintain a special identity within the Township.

More recently, sites in the Township have come under the scrutiny of the Ministry of Natural Resources Areas of Natural and Scientific Interest (ANSI) policy program. The ANSI policy arose out of the Provincial Parks Program and was initiated to identify areas of natural landscapes or features having values related to protection of natural heritage appreciation and scientific study or education that might not be represented in provincial parks. Wherever possible, such heritage/natural resources embodying life or earth science criteria should be considered for conservation protection and outdoor education and passive recreation resources.

Building and structures of historical and architectural significance will be incorporated into any site plan or design that may be prepared for new development within the Township.

Encouragement shall be given to conservation, protection, renovation, and rehabilitation depending on the nature of the heritage resources.

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**(12) ENERGY CONSERVATION**

When considering a development application, Council shall deal with the land use issues in a way which is sensitive to energy conservation in order to give the public both certainty and encouragement to propose energy conservation measures. Council shall support development proposals which have incorporated energy conservation measures (such as the solar orientation of streets, lots, and buildings and landscaping to reduce space heating/cooling loads) and have suggested innovative structural designs while complying with the relevant provisions of Section 3 of this Plan. In order to encourage more efficient proposal designs, Council shall support site specific zoning amendments or minor variances in order to accommodate the energy conservation measures.

**(13) EXISTING LOTS**

Existing lots of record, at the date of approval of this Plan may be used for the purpose for which they were created provided they meet the requirements of this Plan.

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## **SECTION 6**

## **LAND USE POLICIES**

### **(1) LAND USE PLAN**

The land resources of the Township shall be developed in accordance with the land use plan shown on Schedule A hereto and the policies contained in this Plan. Schedule A establishes the general pattern of development by dividing the Township into the following land use designations:

Agriculture  
Rural  
Shoreline Residential  
Sensitive

### **(2) AGRICULTURE**

The policies for areas designated "AGRICULTURE" on Schedule A hereto are as follows:

#### **(a) GENERAL POLICIES FOR AGRICULTURE DESIGNATIONS:**

##### **(i) Development Patterns**

The development pattern should be directed to the protection of good agricultural land for agricultural purposes on a long-term basis. Good agricultural lands shall be defined as lands having Class 2, 3 or 4 soil capability for agriculture, as defined by the Canada Land Inventory, which are accessible from the existing road system and additional areas where farms exhibit characteristics of ongoing viable agriculture.

Where the agricultural capability of a given site is in question, Council, in consultation with the Ministry of Agriculture and Food, shall have the site inspected and shall utilize the results of that inspection in determining the appropriate land use for the site.

The development pattern should also be directed away from lands exhibiting recreation resource or aggregate resource potentials. Where the resource potential of a given site is in question, Council, in consultation with the Ministry of Natural

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23. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(a)(i), page 41, is hereby revised by adding the words "the Ministry of Northern Development and Mines" after the words "the Ministry of Natural Resources" in the third paragraph.

24. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(b)(i), page 41, is hereby revised by deleting the words "determined by the Ministry of Agriculture and Food" from the second paragraph and replacing them with the words "defined in the Ontario Food Land Guidelines".



Resources and the Ministry of Agriculture and Food, shall have the site inspected and shall utilize the results of that inspection in determining the appropriate land use for the site.

(ii) **Development Requirements**

To ensure the adequate and economical provision of services and the proper development of each site in Agriculture designations, all development shall comply with the relevant policies of Sections 3 and 5 of this Plan. Land division within Agriculture designations shall be in accordance with the policies contained in Section 4 of this Plan.

(b) **POLICIES FOR AGRICULTURAL USES IN AGRICULTURE DESIGNATIONS:**

(i) **Uses Permitted**

The agricultural uses permitted in Agriculture designations may include farming operations and accessory buildings and structures and farm-related single detached dwellings.

A bona-fide farmer, ~~as determined by the Ministry of Agriculture and Food,~~ may have additional dwellings, for individuals working on the farm full-time, with the approval of Council. The services for all existing dwellings, plus the new dwelling, shall be subject to review and approval by the Ministry of the Environment or local Health Unit.

(ii) **Farm Building Location**

The location of new farm buildings and structures shall comply with the minimum distance separation requirements of the Ministry of Agriculture and Food and the implementing zoning by-laws.

(iii) **Zoning**

Agricultural uses will normally be placed in an agriculture zone by implementing zoning by-laws. Council may, where necessary, consider establishing

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a special agriculture zone for the control and protection of specialized farms. Other special agriculture zones may be applied to nurseries and similar agricultural uses which do not require as large an area as conventional farming operations.

**(c) POLICIES FOR CONSERVATION, FORESTRY AND RECREATIONAL USES IN AGRICULTURE DESIGNATIONS:**

**(i) Uses Permitted**

The conservation, forestry and recreational uses permitted in Agriculture designations may include conservation areas, forestry operations, snowmobile trails and riding trails and similar recreational uses which do not require buildings or other structures on the lands and do not alter the soil and/or topography adversely. Also permitted will be land uses considered to be appropriate by the Ministry of Natural Resources, only insofar as those uses shall apply to Crown properties.

**(ii) Zoning**

Conservation, forestry and recreational uses may be placed in an agriculture zone by implementing zoning by-laws.

**(d) POLICIES FOR RESIDENTIAL USES IN AGRICULTURE DESIGNATIONS:**

**(i) Uses Permitted**

The residential uses permitted in Agriculture designations may include farm-related single detached dwellings and home occupations and home industries.

**(ii) Restricted Locations**

Farm-related single detached dwellings shall be restricted as follows:

- development shall not be permitted in close proximity to any specialized farming

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operations such as piggeries, feed lots, poultry farms or fur farms; and

- development shall not occur on or near lands in close proximity to disposal operations in accordance with Section 3(2) of this Plan or other potentially incompatible uses.

(iii) **Home Occupations and Home Industries**

Home occupations and home industries shall be strictly regulated to ensure their compatibility with the residential use.

(iv) **Zoning**

Farm-related single detached dwellings, home occupations and home industries may be placed in an agriculture zone by implementing zoning by-laws.

(e) **POLICIES FOR COMMERCIAL AND INDUSTRIAL USES  
IN AGRICULTURE DESIGNATIONS:**

(i) **Uses Permitted**

The commercial and industrial uses permitted in Agriculture designations may include uses directly related to agriculture and necessary in proximity to farm operations. These uses include livestock assembly points, grain drying, storage for fresh produce, custom machining operations and aerial pesticide spraying operations and any other similar uses which may be deemed by Council, in consultation with the Ministry of Agriculture and Food, as necessary and appropriate in Agriculture designations.

(ii) **Uses Prohibited**

Uses that do not conform to the Health Protection and Promotion Act, 1983, the Environmental Protection Act and/or the Ontario Water Resources Act and any Regulations passed thereunder shall be prohibited.

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25. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(f)(i), page 44, is hereby revised by:

- a) adding a comma and the word "mining" after the word "quarrying" in the first paragraph;
- b) adding a comma and the words "mining operations" following the words "Pits and quarries" in the second paragraph;
- c) adding the following new paragraph between the second and third paragraphs:

"Mines and mineral processing plants shall only be permitted provided they are issued all necessary approvals pursuant to the Mining Act as administered by the Ministry of Northern Development and Mines.";
- d) adding the word "Temporary" to the beginning of the third paragraph; and
- e) adding the word "portable" before the word "concrete batching" and before the word "asphalt-making", also in the third paragraph.

(iii) **Restricted Locations**

Commercial and industrial uses shall be directed away from active agricultural lands, preferably directed to a Rural designation or grouped together and not scattered throughout Agriculture designations, alternatively such operations shall be small-scale with a limited number of employees to service the needs of the local population.

(iv) **Scale of Operations**

Lots shall be of adequate size to permit the location of the commercial or industrial use in an unobtrusive manner.

(v) **Zoning**

Commercial and industrial uses may be placed in separate zoning categories by implementing zoning by-laws.

(f) **POLICIES FOR EXTRACTIVE USES IN AGRICULTURE DESIGNATIONS:**(i) **Uses Permitted**

A The Extractive operations permitted in Agriculture designations may include quarrying and the extraction of sand, gravel and other mineral aggregates and wayside pits and wayside quarries. Accessory facilities may be provided for crushing, screening, aggregate storage and equipment maintenance.

B Pits and quarries and wayside pits and wayside quarries shall only be permitted provided they are issued a license by the Ministry of Natural Resources pursuant to the Aggregate Resources Act, 1990.

C D Processing operations, including concrete batching and asphalt-making, may be permitted, provided that these operations are compatible with surrounding land uses and will, in no way, retard the rehabilitation of the pit or quarry for other uses. E

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26. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(f)(ii), page 45, is hereby revised by adding a comma and the words "the Mining Act" following the words "Ontario Water Resources Act".
27. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(f)(iv), page 45, is hereby revised by replacing the word "and" with a comma and adding the words "and mining operations" to the end.
28. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(f)(v), page 45, is hereby revised by adding the following new paragraph to the end:
- "The Mining Act contains very stringent rehabilitation requirements that provide for rehabilitation plans to be submitted and approved, plus fees are to be paid to the Ministry of Northern Development and Mines to provide for any failure to rehabilitate the mining operation site."
29. **SECTION 6 LAND USE POLICIES**, Agricultural policies, subsection 6(2)(f)(vi), page 45-46, is hereby revised by:
- a) replacing the words "Pit and quarry" in the first line with the words "Pit, quarry and mine";
  - b) replacing the words "pit or quarry" in the first line of the second paragraph with the words "pit, quarry or mine"; and

(ii) **Uses Prohibited**

26 Uses that do not conform to the Health Protection and Promotion Act, 1983, the Environmental Protection Act, the Ontario Water Resources Act and/or the Aggregate Resources Act, and any regulations passed thereunder, shall be prohibited.

(iii) **Environmental Considerations**

Any operations determined to be located in constraint areas shall comply with the policies contained in Section 5(2)(f) of this Plan. All operations shall comply with the Ministry of the Environment's guidelines for blasting, noise and vibrations.

(iv) **Additional Regulations**

27 Council may enact additional regulations pursuant to the provisions of the Municipal Act to regulate the operation of pits ~~and quarries.~~

(v) **Rehabilitation**

All extractive operators shall ensure that rehabilitation of their site is carried out and substantially the same acreage and average soil capability for agriculture are restored on the site. This may be accomplished through the encouragement of sequential land use and progressive and alternate rehabilitation with the active area limited to a minimal practical size.

(vi) **Zoning**

28 A ~~Pit and quarry~~ uses shall be placed in an industrial zone which permits extractive operations by implementing zoning by-laws.

Any site where new ~~pit or quarry~~ uses are proposed or a major expansion to an existing site is proposed will require a zoning by-law amendment. No license shall be issued until an appropriate zoning has been obtained.

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29 c)

replacing the words "pits and quarries", in the second line of the fourth paragraph, with the words "pits, quarries and mines".



Wayside pits and wayside quarries may be placed in agriculture zones by implementing zoning by-laws so as to preclude the necessity of rezoning for new wayside pits or wayside quarry uses.

The permitted processing operations may be placed in a special extractive industrial zone by implementing zoning by-laws.

When considering zoning by-law amendments for expansions to and/or new ~~pits and quarries~~, Council, in consultation with the appropriate authority, shall evaluate these rezoning requests based on the following criteria: 27c

- impact of traffic densities and truck routes;
- proposed buffering/screening and the effect the buffering and screening may have on the lands;
- effect on drainage and water table;
- proximity to surrounding land uses;
- the impact of blasting and noise vibrations on surrounding land uses;
- setbacks from other uses and the effect setbacks may have on the surrounding lands;
- the physical characteristics of the site;
- the availability of sites for the disposal of wastes, and
- the conformity with other legislation and regulations.

(3) **RURAL**

The policies for areas designated "RURAL" on Schedule A hereto are as follows:

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30. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(a)(i), page 47, is hereby revised by:

- a) adding the words "and the Ministry of Northern Development and Mines" to the third paragraph, after the words "Ministry of Natural Resources" in the third paragraph; and
- b) adding the following new paragraph at the end of this section:

" In the southwest corner of the Township, generally centred around the Hammond (Twin) Lakes, the landscape was formed by a spillway delta during the last period of glaciation. The numerous geological landscape features have not been modified as a result of later glacial action and, as such, have important scientific, educational and natural heritage values. Council acknowledges the importance of the area's natural history and diversity. In order to protect and conserve this geological landscape, Council, in consultation with the Ministry of Natural Resources, will review all development applications as to their effect on the area of Natural and Scientific Interest."

(a) **GENERAL POLICIES FOR RURAL DESIGNATIONS:**(i) **Development Patterns**

The development pattern should be directed away from lands where existing farm operations exhibit characteristics of ongoing viable agriculture and lands exhibiting high resource potential.

Existing extractive operations are located in the north-west quadrant of Lot 5, Concession II and the south half of Lot 5, Concession I. Future development, incompatible with these extractive operations, shall be prohibited from the vicinity of these locations.

Where the resource potential of a given site is in question, Council, in consultation with the Ministry of Natural Resources, shall have the site inspected and shall utilize the results of that inspection in determining the appropriate land use for the site.

(ii) **Development Requirements**

To ensure that adequate and economical provision of services and the proper development of each site in Rural designations, all development shall comply with the relevant policies of Sections 3 and 5 of this Plan. Land division within Rural designations shall be in accordance with the policies contained in Section 4 of this Plan. All development shall comply with the minimum distance separation requirements of the Ministry of Agriculture and Food and the implementing zoning by-laws.

(b) **POLICIES FOR AGRICULTURAL USES IN RURAL DESIGNATIONS:**(i) **Uses Permitted**

The agricultural uses permitted in Rural designations may include farming operations and accessory buildings and structures and single detached farm-related dwellings.

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A bona-fide farmer, as determined by the Ministry of Agriculture and Food, may have an additional dwelling, for individuals working on the farm full-time, with the approval of Council. The services for all existing dwellings, plus the new dwelling shall be subject to review and approval by the Ministry of the Environment or local Health Unit.

(ii) **Zoning**

Agricultural uses will normally be placed in a rural or agriculture zone by implementing zoning by-laws. Council may, where necessary, consider establishing a special rural or agriculture zone for the control and protection of specialized farms. Other special rural or agriculture zones may be applied to nurseries and similar agricultural uses which do not require as large an area as conventional farming operations.

(c) **POLICIES FOR CONSERVATION, FORESTRY AND RECREATIONAL USES IN RURAL DESIGNATIONS:**

(i) **Uses Permitted**

The conservation, forestry and recreational uses permitted in Rural designations may include conservation areas, forestry operations, snowmobile trails and riding trails, gun clubs and similar recreational uses. Also permitted will be land uses considered to be appropriate by the Ministry of Natural Resources, only insofar as those uses shall apply to Crown properties.

(ii) **Zoning**

Conservation, forestry and recreational uses may be placed in a rural or agriculture zone by implementing zoning by-laws.

(d) **POLICIES FOR RESIDENTIAL USES IN RURAL DESIGNATIONS:**

(i) **Uses Permitted**

The residential uses permitted in Rural designations may include single detached dwellings

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related to a farm operation and those that are not related, plus home occupations and home industries.

(ii) **Restricted Locations**

Residential uses shall be restricted as follows:

- development shall not occur on lands adjacent to a lake, or on lands fronting a road where Shoreline Residential Zoning has occurred on the other side of the road; *second Tier*
- development shall not be permitted in close proximity to any specialized farming operations such as piggeries, feed lots, poultry farms or fur farms; and
- development shall not occur on or near lands in close proximity to disposal operations in accordance with Section 3(2) of this Plan or other potentially incompatible uses.

Notwithstanding the above, a single detached dwelling may be constructed on a lot which abuts a road where Shoreline Residential Zoning has occurred on the other side of the road, provided it is constructed on a lot of record at the time of adoption of this Plan.

(iii) **Home Occupations and Home Industries**

Home occupations and home industries shall be strictly regulated to ensure their compatibility with the residential use.

(iv) **Zoning**

Non-farm residential uses, home occupations and home industries may be placed in a rural zone by implementing zoning by-laws.

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(e) **POLICIES FOR PUBLIC AND INSTITUTIONAL USES  
IN RURAL DESIGNATIONS:**

(i) **Uses Permitted**

The public and institutional uses permitted in Rural designations may include such uses as cemeteries, churches, community halls, fire halls, parks, recreational trails and recreational facilities.

(ii) **Zoning**

Public and institutional uses may be placed in appropriate open space or institutional zones by implementing zoning by-laws.

(f) **POLICIES FOR COMMERCIAL AND INDUSTRIAL USES  
IN RURAL DESIGNATIONS:**

(i) **Uses Permitted**

The commercial and industrial uses permitted in Rural designations may include such uses as abattoirs, carpentry shops, electrical shops, metalworking shops, plumbing shops, welding shops, woodworking shops, sawmills, school bus agencies, commercial garages, trucking businesses, service shops and any other similar use which may be deemed by Council as necessary and appropriate.

(ii) **Accessory Residential Uses**

One residential unit may be permitted as an accessory use to a permitted commercial or industrial use, except where the nature of the main use would be hazardous for the close proximity of a residence. In such hazardous conditions, a residential dwelling may be permitted, but separated by a safe distance.

(iii) **Uses Prohibited**

Uses that do not conform to the Health Protection and Promotion Act, 1983, the Environmental Protection Act and/or the Ontario Water Resources

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31. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(g)(i), page 51, is hereby revised by:

- a) adding a comma and the word "mining" to the first paragraph, after the word "quarrying";
- b) adding a comma and the words "mining operations" following the words "Pits and quarries" in the second paragraph; and

c) adding the following new paragraph between the second and third paragraphs:

" Mines and mineral processing plants shall only be permitted provided they are issued all necessary approvals pursuant to the Mining Act as administered by the Ministry of Northern Development and Mines."

d) adding the following words after the word "including" in the first line of the third paragraph:

"mineral processing plants,"

Act and any Regulations passed thereunder shall be prohibited.

(iv) **Restricted Locations**

Commercial and industrial uses shall be directed away from active agricultural lands.

(v) **Scale of Operations**

Lots shall be of adequate size to permit the location of the commercial or industrial use in an unobtrusive manner.

(vi) **Zoning**

Commercial and industrial uses may be placed in separate zoning categories by implementing zoning by-laws.

(g) **POLICIES FOR EXTRACTIVE USES IN RURAL DESIGNATIONS:**

(i) **Uses Permitted**

31A The extractive operations permitted in Rural designations may include quarrying and the extraction of sand, gravel and other mineral aggregates and wayside pits and wayside quarries. Accessory facilities may be provided for crushing, screening, aggregate storage and equipment maintenance.

B Pits and quarries and wayside pits and wayside quarries shall only be permitted provided they are issued a license by the Ministry of Natural Resources pursuant to the Aggregate Resources Act, 1983.

C. → Processing operations, including concrete batching and asphalt-making, may be permitted, provided that these operations are compatible with surrounding land uses and will, in no way, retard the rehabilitation of the pit or quarry for other uses. D

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32. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(g)(ii), page 52, is hereby revised by adding a comma and the words "the Mining Act" following the words "Ontario Water Resources Act".
33. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(g)(iv), page 52, is hereby revised by replacing the word "and" with a comma and adding the words "and mining operations" to the end.
34. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(g)(v), page 52, is hereby revised by adding the following new paragraph to the end:
- "The Mining Act contains very stringent rehabilitation requirements that provide for rehabilitation plans to be submitted and approved, plus fees are to be paid to the Ministry of Northern Development and Mines to provide for any failure to rehabilitate the mining operation site."
35. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(g)(vi), pages 52 and 53, is hereby revised by:
- a) replacing the words "Pit and quarry" in the first line with the words "Pit, quarry and mine".
  - b) replacing the words "pit or quarry" in the first line of the second paragraph with the words "pit, quarry or mine"; and

(ii) **Uses Prohibited**

32 Uses that do not conform to the Health Protection and Promotion Act, 1983 the Environmental Protection Act, the Ontario Water Resources Act, and/or the Aggregate Resources Act, and any regulations passed thereunder, shall be prohibited.

(iii) **Environmental Considerations**

Any operations determined to be located in constraint areas shall comply with the policies contained in Section 5(2)(f) of this Plan. All operations shall comply with the Ministry of the Environment's guidelines for blasting, noise and vibrations.

(iv) **Additional Regulations**

33 Council may enact additional regulations pursuant to the provisions of the Municipal Act to regulate the operation of pits and quarries.

(v) **Rehabilitation**

All extractive operators shall ensure that rehabilitation of their site is carried out to a standard suitable for an acceptable after use and compatible with the adjoining land uses. This may be accomplished through the encouragement of sequential land use and progressive and alternate rehabilitation with the active area limited to a minimal practical size.

34 →  
(vi) **Zoning**

35A ~~Pit and quarry~~ uses shall be placed in an industrial zone which permits extractive operations by implementing zoning by-laws.

35B Any site where new ~~pit or quarry~~ uses are proposed or a major expansion to an existing site is proposed will require a zoning by-law amendment. No license shall be issued until the appropriate zoning has been obtained.

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- c) replacing the words "pits and quarries", in the second line of the ~~fourth~~<sup>fifth</sup> paragraph, with the words "pits, quarries and mines".

Wayside pits and quarries may be placed in rural zones by implementing zoning by-law so as to preclude the necessity of rezoning for new wayside pit or wayside quarry uses.

The permitted processing operations may be placed in a special extractive industrial zone by implementing zoning by-laws.

When considering zoning by-law amendments for expansions to and/or new ~~pits and quarries~~, <sup>35c</sup> Council, in consultation with the appropriate authority, shall evaluate these rezoning requests based on the following criteria:

- impact of traffic densities and truck routes to be used;
- proposed buffering/screening and the effect the buffering and screening may have on the lands;
- effect on drainage and water table;
- proximity to surrounding land uses;
- the impact on blasting and noise vibrations on surrounding land uses;
- setbacks from other uses and the effect setbacks may have on the surrounding lands;
- the physical characteristics of the site;
- the availability of sites for the disposal of wastes; and
- the conformity with other legislation and regulations.

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36. **SECTION 6 LAND USE POLICIES**, Rural policies, subsection 6(3)(h)(iii), page 54, is hereby revised by deleting the word "Ministry" in the third line and replacing it with the word "Minister".

(h) **POLICIES FOR WASTE DISPOSAL OPERATIONS  
IN RURAL DESIGNATIONS:**

(i) **Uses Permitted**

The waste disposal operations permitted in Rural designations shall include sanitary landfill sites.

(ii) **Sanitary Landfill Sites**

New operations require approval of the proposed site from the Ministry of the Environment and Council as to the location, characteristics of the operation, buffer planting and screening, etc., in accordance with the Environmental Protection Act and the Environmental Assessment Act.

(iii) **Re-use of Site**

36 — No use shall be made of lands which have been used for the disposal of waste until the approval of the ~~Ministry~~ of the Environment is obtained for the development of the site in accordance with the Environmental Protection Act.

(iv) **Zoning**

Waste disposal uses may be permitted in a separate waste disposal industrial zone by implementing zoning by-laws.

(4) **SHORELINE RESIDENTIAL**

The policies for areas designated "SHORELINE RESIDENTIAL" on Schedule A hereto are as follows:

(a) **GENERAL POLICIES FOR SHORELINE RESIDENTIAL DESIGNATIONS:**

(i) **Development Patterns**

A single tier of development shall be permitted in Shoreline Residential designations. Where one tier of development already exists between a road and a waterbody, no further development shall be permitted on the landward side of such road. Where

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the development pattern has not been established by existing development, future development shall occur as a single tier of buildings on the water side of an access road. Second tier development will not be permitted on the landward side of such road.

(ii) **Scale of Development**

No development, either by severance or by registered plan of subdivision, shall take place on any waterbody until the Municipality has obtained the recommendation of the Ministry of Natural Resources and the Ministry of the Environment's opinion regarding the Lake Development Capacity Calculation.

(iii) **Development Requirements**

To ensure the adequate and economical provision of services and the proper development of each site in Shoreline Residential designations, all development shall comply with the relevant policies of Sections 3 and 5 of this Plan. Land division within Shoreline Residential designations shall be in accordance with the policies contained in Section 4 of this Plan.

(iv) **Waterfront Docking and Storage Facilities**

The following shall be applied in Shoreline Residential designations where docking and storage facilities are proposed:

- uses shall be developed on appropriate soils;
- facilities should be located so as not to interfere with navigation and aids to navigation, or developed on potential beach areas;
- facilities shall be located so as to be protected from potentially damaging storms and high water conditions;

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- uses shall be located so as not to adversely affect fishery habitats;
- developers of such uses shall not rely on filling or dredging and floating structures will be encouraged where feasible;
- no sanitary facilities shall be located in any building or structure;
- facilities constructed shall not be larger in dimension than is necessary to carry on the proposed activity;
- facilities shall be located in front of the applicant's lot and within the boundaries of the projected side lot lines so as not to interfere with the adjacent landowner's property;
- extensive use of tree planting and berms shall be required to enhance the waterfront environment;
- for the use of Crown land including that which is under water, appropriate land tenure and work permits shall be obtained from the Ministry of Natural Resources according to the provisions of the Public Lands Act prior to commencing construction; and
- no work shall occur on shorelands without approval of the Ministry of Natural Resources, especially regarding the provisions of the Fisheries Act, R.S.C. 1991.

(b) **POLICIES FOR RESIDENTIAL USES IN  
SHORELINE RESIDENTIAL DESIGNATIONS:**

(i) **Uses Permitted**

The residential uses permitted in Shoreline Residential designations shall be limited to residential dwellings, used on a part-time bases, not requiring year-round municipal services and

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REVISED: 16 June 1992



37. **SECTION 6 LAND USE POLICIES**, Shoreline Residential policies, subsection 6(4)(b)(i), page 57, is hereby revised by adding the word "dwellings" after the word "detached" in the fifth line.

37 single detached on large lots where such services are already being provided, plus home occupations related to single detached dwellings.

(ii) **Location of Single Detached Dwellings**

Single detached dwellings may locate in areas where access to an improved road is provided. Where a part-time residential dwelling is converted to a single detached dwelling, the services for such dwelling shall be approved by the Ministry of the Environment, or the local Health Unit prior to conversion.

(iii) **Home Occupations**

Home occupations shall be strictly regulated to ensure their compatibility with the single detached uses.

(iv) **Uses Prohibited**

New public access points and boat launches shall not be required as they will impinge on the water quality and create additional boat traffic and/or congestion and related noise problems.

(v) **Zoning**

Residential uses permitted in Shoreline Residential designations shall be placed in a residential zones by implementing zoning by-laws.

(c) **POLICIES FOR PUBLIC USES IN SHORELINE RESIDENTIAL DESIGNATIONS:**

(i) **Uses Permitted**

The public and institutional uses permitted in Shoreline Residential designations includes existing public parks.

(ii) **Zoning**

Public parks may be placed in an open space zone by implementing zoning by-laws.

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38. **SECTION 6 LAND USE POLICIES**, Sensitive policies, subsection 6(5)(b)(i), page 58, is hereby revised by deleting the last sentence and replacing it with the following: "Forestry, outdoor recreational resources such as walking trails, and fish and wildlife management areas are permitted uses."

**(5) SENSITIVE**

The policies for areas designated "SENSITIVE" on Schedule A hereto are as follows:

**(a) GENERAL POLICIES FOR SENSITIVE DESIGNATIONS:****(i) Development Patterns**

Development shall be restricted on lands designated Sensitive. Lands designated Sensitive identifies those areas that contain features of intrinsic value where development should be entirely prohibited or should be discouraged unless appropriate measures are taken to protect both the feature and the development.

**(ii) Development Requirements**

To ensure proper development of each site in Sensitive designations, all development shall comply to the relevant policies of Sections 3 and 5 of this Plan. Land division within Sensitive designations shall be in accordance with the policies contained in Section 4 of this Plan.

**(b) POLICIES FOR SENSITIVE USES IN SENSITIVE DESIGNATIONS:****(i) Uses Permitted**

The main land uses permitted in Sensitive designations may include any land use determined by appropriate authorities to be of a significant biological, geological, historical and or cultural interest. Also permitted shall be conservation areas which may include display or interpretation areas developed to exhibit or explain a particular feature. As well, wildlife management areas, ~~including outdoor recreational resources such as walking trails, shall be permitted.~~

**(ii) Uses Prohibited**

No building of a permanent nature shall be permitted in Sensitive designations without the

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approval of Council, in consultation with the appropriate authority.

(iii) **Development Restrictions**

Where any form of development is proposed on lands designated Sensitive, the developer shall be required to demonstrate to the satisfaction of Council, in consultation with the appropriate authority, that such a use would not have a negative impact upon the sensitive features.

(iv) **Plan Amendment Considerations**

Where any lands within Sensitive designations are under private ownership, this Plan does not intend that such lands will necessarily remain under Sensitive designations indefinitely. It shall be construed as implying neither that such areas are free and open to the general public nor that such lands will be purchased by a public agency. If a public agency does not wish to acquire these lands at the time application for their redesignation for other purposes is duly completed and submitted, then such application may be given due consideration by Council.

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing restriction to development.

The inventory of sensitive features is an ongoing program and new sites may be identified from time to time requiring Schedule A to this Plan to be amended accordingly.

(v) **Zoning**

Areas designated Sensitive shall be placed in a Sensitive zone by implementing zoning by-laws. Such by-laws may contain general and specific provisions to regulate development in and adjacent to areas containing sensitive features.

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39. **SECTION 7 IMPLEMENTATION**, subsection 7(1) page 60, is hereby revised by adding a comma and the words "the Aggregate Resources Act" after the words "the Municipal Act".

## SECTION 7

## IMPLEMENTATION

### (1) GENERAL

This Plan shall be implemented by means of the powers conferred upon Council and other public agencies by the Planning Act, the Building Code Act, the Public Lands Act, the Municipal Act and such other statutes as may be applicable.

### (2) APPLICATION PROCESSING FEE BY-LAW

Council shall prescribe by by-law, pursuant to the Planning Act, a tariff of fees of the processing of its "APPLICATION FOR AMENDMENT TO OFFICIAL PLAN AND/OR ZONING BY-LAW" and "APPLICATION FOR PLAN OF SUBDIVISION" and any other application made in respect to planning matters.

Council shall continually monitor its by-law to ensure that the fees reflect the cost of processing each application and shall amend the by-law when necessary.

### (3) DEVELOPMENT CHARGES BY-LAW

Council may pass a by-law in accordance with the Development Charges Act, to assess and recover their anticipated expenses for new growth for both hard and soft services. Development charges may be levied against plans of subdivision, consents, plans of condominium, zoning by-law amendments, building permits and land exempted from part lot control.

### (4) LAND USE CONTROLS

#### (a) COMPREHENSIVE ZONING BY-LAW:

A comprehensive zoning by-law, passed pursuant to Section 34 of the Planning Act, shall be brought into effect by Council following adoption of this Plan. Such by-law shall zone land in accordance with the proposals contained in this Plan and will establish regulations to control the use of lands and the character, location and use of buildings and structures.

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**(i) Zoning of Conforming Land Uses**

Land uses existing on the date of approval of this Plan, which conform to the land use designations shown on Schedule A hereto, shall be zoned in accordance with the zoning policies of this Plan which pertain to the appropriate land use designations.

**(ii) Zoning of Non-Conforming Land Uses**

Land uses existing on the date of approval of this Plan, which do not conform to the land use designations shown on Schedule A hereto, may be recognized for their present use and standards in implementing zoning by-laws but the zoning on such lands shall not be further amended except in conformity with this Plan.

**(iii) Zoning of Undeveloped Lands**

It is not the intention of Council to zone all lands immediately to conform to the land use designations shown on Schedule A hereto.

Any undeveloped lands whereon a commitment to develop has been made may be zoned in accordance with the zoning policies of this Plan which pertain to the appropriate land use designation. Such commitment shall normally be in the form of an approved land severance and/or a signed subdivision or development agreement.

**(b) ZONING AMENDMENTS:**

When Council receives an application for a development which it considers at that time to be desirable, not premature and in conformity with the policies and designations of this Plan, Council may pass a by-law amending the zoning by-law. Council may, as a condition of development, require the owner of the land to enter into one or more agreements with the Corporation dealing with the provision, maintenance and use of certain facilities and matters as set forth in the Planning Act. All applications for zoning amendments must be accompanied by Council's "APPLICATION FOR AMENDMENT TO

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OFFICIAL PLAN AND/OR ZONING BY-LAW" and comply with the conditions and procedures thereof.

(c) **PARKLAND CONVEYANCE BY-LAWS:**

In accordance with Section 41(1) of the Planning Act, Council shall enact a by-law, applicable to the entire Township, requiring land to be conveyed or money to the value of the land otherwise to be conveyed in lieu of such conveyance, for development or redevelopment of commercial and industrial purposes in an amount not exceeding 2%, and in all other cases 5% for park or other public recreational purposes.

(d) **COMMITTEE OF ADJUSTMENT:**

Should Council determine a need for the services of a Committee of Adjustment, Council shall pass a by-law in accordance with Section 43(1) of the Planning Act to constitute and appoint a Committee.

If Council determines the need for the Committee to grant minor variances from the provisions of any by-law of the Corporation that implements the Official Plan, or from such by-laws of the Corporation as are specified and which implement the Official Plan, then a by-law shall be enacted in accordance with Section 44(3) of the Planning Act.

(e) **MAINTENANCE AND OCCUPANCY BY-LAWS:**

Council shall enact a by-law in accordance with Section 31 of the Planning Act to establish minimum standards for the following:

- the physical condition of buildings and structures;
- the physical condition of lands;
- the adequacy of sanitation; and
- the fitness of buildings and structures for occupancy.

The by-law may also require that substandard properties be repaired and maintained to comply with the standards; prohibit the use of substandard property; and require the

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demolition and clearing of such property where the owner does not intend to repair and maintain it.

Upon enacting a Maintenance and Occupancy By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the by-law.

Also, Council shall appoint a Property Standards Committee, in accordance with Section 31(11) of the Planning Act for the purpose of hearing appeals against an order issued by the Property Standards Officer.

The measures to be used generally in achieving a property maintenance program would include an education and public relations program to show residents the benefits of continued property maintenance, together with information showing that improvements can be made without increasing assessment.

Complimentary to the enforcement of property standards on private properties, the Corporation shall undertake to keep in a well-maintained condition all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, waste disposal sites and parks.

**(f) DEMOLITION CONTROL AREA BY-LAWS:**

Where a Maintenance and Occupancy By-law is in effect, Council may enact a by-law designating any area within the Township to which the standards of maintenance and occupancy applies to control the demolition of the whole or any part of any residential property within that area.

**(g) GRANTS OR LOANS TO REPAIR PROPERTY:**

Where a Maintenance and Occupancy By-law is in effect, Council may enact a by-law for providing grants or loans to the registered owner or assessed owners of land, in respect of which a notice has been sent, to help to pay for the whole or any part of the cost of repairs to be done, or the clearing, grading and levelling of the lands, on such terms and conditions as may be prescribed by Council.

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40. **SECTION 7 IMPLEMENTATION**, subsection 7(4)(b) page 64, is hereby revised by deleting the phrase "without an approval under" from the first paragraph, and replacing it with the words "unless authorized by".

## (4) GENERAL CONTROLS

## (a) BUILDING BY-LAWS:

Council shall review its Building By-law regularly and, where necessary and applicable, update the By-law pursuant to the provisions of the Building Code Act. Council shall also ensure that its Building By-law properly implements the policies of this Plan as reflected in the implementing zoning by-laws.

## (b) ENVIRONMENTAL IMPACT ASSESSMENT:

Nothing in this Plan shall allow an undertaking, subject to the Environmental Assessment Act, to proceed except in compliance with the Act. Council shall not issue any permit, approval or consent that may allow an undertaking, subject to the Act, to proceed without an approval under the Act.

Since the overall intent of this Plan is to protect the Township's amenities and resources, Council or the Provincial government may require investigations as to the effects of significant, proposed development.

These investigations shall be required in the form of an assessment of the impact on the environment and shall generally be required for all major or significant development projects including new roads, utilities and transmission lines, and commercial, industrial and recreational developments which may be expected to have a significant or cumulative impact. In determining what is a major or significant development, regard shall be had for the relationship to the surrounding area, the possible effects on water quality, the resultant impact of change that may be created and the need to preserve the general amenities of the area.

Notwithstanding the above, no such investigations shall be required for any undertaking subject to an environmental impact assessment pursuant to the Environmental Assessment Act. Where the Environmental Assessment Act is applied, the Report shall follow the form required in the Act. Where Council requires a report on a proposed development not subject to the Act, the Report shall include:

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## (a) BUILDING BY-LAWS:

Council shall review its Building By-law regularly and, where necessary and applicable, update the By-law pursuant to the provisions of the Building Code Act. Council shall also ensure that its Building By-law properly implements the policies of this Plan as reflected in the implementing zoning by-laws.

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Notwithstanding the above, no such investigations shall be required for any undertaking subject to an environmental impact assessment pursuant to the Environmental Assessment Act. Where the Environmental Assessment Act is applied, the Report shall follow the form required in the Act. Where Council requires a report on a proposed development not subject to the Act, the Report shall include:

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- a description of the environment assessed and affected;
- an analysis of the cumulative effects of the development;
- a description of the actions necessary to prevent or mitigate the adverse effects upon the environment; and
- an evaluation of the advantages and disadvantages of the undertakings in terms of the environment.

These investigative reports shall be prepared by the agency or developer concerned and, prior to the proposed development's approval, a copy of the report shall be submitted to Council and to all other parties who can justify an interest in the matter for their review and comment.

**(c) PUBLIC WORKS CONSTRUCTION AND LAND ACQUISITIONS:**

It is intended that the construction of public works and the public acquisition of land within the Township shall be carried out in accordance with the policies of this Plan. Implementation policies contained in this Plan involve the provision of municipal and community facilities, together with other programs which require public financing. The Plan outlines the nature and scope of these projects, directly or by implication, and would include, for example, development of parks and schools and road improvements.

Insofar as these municipal and community facilities are to be provided by the Corporation, it is intended that a list be compiled for all capital and environmental improvement projects, with cost estimates where possible relating to land acquisition, development and maintenance. A 5-year Capital Improvement Program will then be developed which the Council could carry out systematically, adopting initially the first year of the program as part of its budget and reviewed annually as part of the capital budget procedure.

The preparation of the program will involve the ranking of projects according to priorities. In order of importance, the general criteria for weighing and ranking

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proposals are:

- protection of life;
- maintenance of public health;
- protection of property;
- conservation of resources;
- maintenance of physical property;
- provision of public services;
- replacement of obsolete facilities;
- reduction in operating costs;
- public convenience and comfort;
- recreation value;
- economic value;
- social, cultural or aesthetic value;
- promotional value related to the effect on future development; and
- relative value with respect to other services.

(d) **PLANS OF SUBDIVISION:**

Council shall adopt an "APPLICATION FOR PLAN OF SUBDIVISION" form and require that all applications for a plan of subdivision be accompanied by a completed form in compliance with the conditions and procedures thereof.

(e) **OTHER LEGISLATION:**

Council shall review its existing legislation pursuant to the Municipal Act and other relevant Provincial statutes and update, revise or introduce new legislation, where necessary governing such uses as waste disposal sites, salvage yards, signs and business licensing to ensure such uses are properly regulated and controlled.

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## **SECTION 8**

## **INTERPRETATION**

### **(1) LAND USE BOUNDARIES AND ROADS**

It is intended that the boundaries of the land use designations shown on Schedule A be considered as appropriate and absolute only where bounded by roads, railways, waterbodies or other obvious geographical barriers. It is also intended that the location of roads, as indicated on Schedule A, be considered as approximate and not absolute. Therefore, amendments to this Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the locations of roads, provided the general intent of this Plan is preserved. Such minor deviations will not be reflected on Schedule A.

### **(2) QUANTITIES**

It is intended that all figures and quantities herein shall be considered as approximate and not absolute. An amendment to this Plan will not be required to permit any minor variance from any of the proposed figures or quantities stated herein, provided the general intent of this Plan is preserved.

### **(3) METRIC UNITS**

All measurements used in this Plan are expressed in metric terms.

### **(4) AGENCY NAMES AND RESPONSIBILITIES**

From time to time, the names of various government agencies may change. In addition, responsibilities may shift from agency to agency. The names of the various agencies responsible for the many 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 name change or function shift occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions dictate.

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**(5) LEGISLATION**

From time to time, Provincial legislation may be replaced by new legislation bearing a new name. In addition, every ten (10) years, all the statutes of Ontario are revised and all sections of the many Acts of the Legislature are renumbered to reflect any additions or deletions made in each Act in the previous decade. The names and sections of the various Acts used in this plan, except the Planning Act which was replaced by new legislation in 1983, are in accordance with the Revised Statutes of Ontario, 1980 (R.S.O. 1980) as of the date of adoption of this Plan. It is not intended to amend this Plan each time an Act is renamed or when new consolidations of the statutes are issued. Rather, this Plan shall be interpreted so as to refer to those Acts of the Legislature named or to their successors, as conditions dictate.

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## **SECTION 9**

## **ADMINISTRATION**

### **(1) PLAN INFORMATION**

Following approval of this Plan, Council will arrange to have this Plan reproduced and made available in order to inform the general public of the policies and proposals contained herein.

### **(2) PLAN REVIEW**

#### **(a) CONTINUING REVIEW:**

It is intended that this Plan will be subject to continuing review by Council. Should the basis or objectives of this Plan or other economic, social or technical conditions be significantly altered, the Plan will be amended to reflect the altered conditions.

#### **(b) 5-YEAR REVIEW:**

Not less frequently than every five (5) years following the approval of this Plan, Council shall hold a special meeting of Council, open to the public, for the purpose of determining the need for revision of this Plan, its policies and schedule.

Prior to this special meeting, notice shall be given in accordance with Section 26(2) of the Planning Act.

### **(3) PLAN AMENDMENTS**

#### **(a) CONDITIONS FOR AMENDMENTS:**

When development which would require an amendment to this Plan is proposed, such amendment shall only be considered if it is supported by substantial evidence to justify such an amendment. Applicants must complete Council's "APPLICATION FOR AMENDMENT TO OFFICIAL PLAN AND/OR ZONING BY-LAW" and comply with the conditions and procedures thereof.

#### **(b) PUBLIC MEETING AND NOTIFICATION PROCEDURES:**

Official Plan amendments shall be subject to the provisions of the Planning Act and the Regulations passed thereunder regarding the period for advanced notice of a

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public meeting; the means of notification for the public meeting; the persons to be notified regarding the intention to amend the Official Plan and the notification for subsequent meetings, should major changes be made to the proposed amendment. Council shall hold all public meetings and may schedule them so that third reading and the final passing of the by-law to adopt the Official Plan amendment can be completed at that time.

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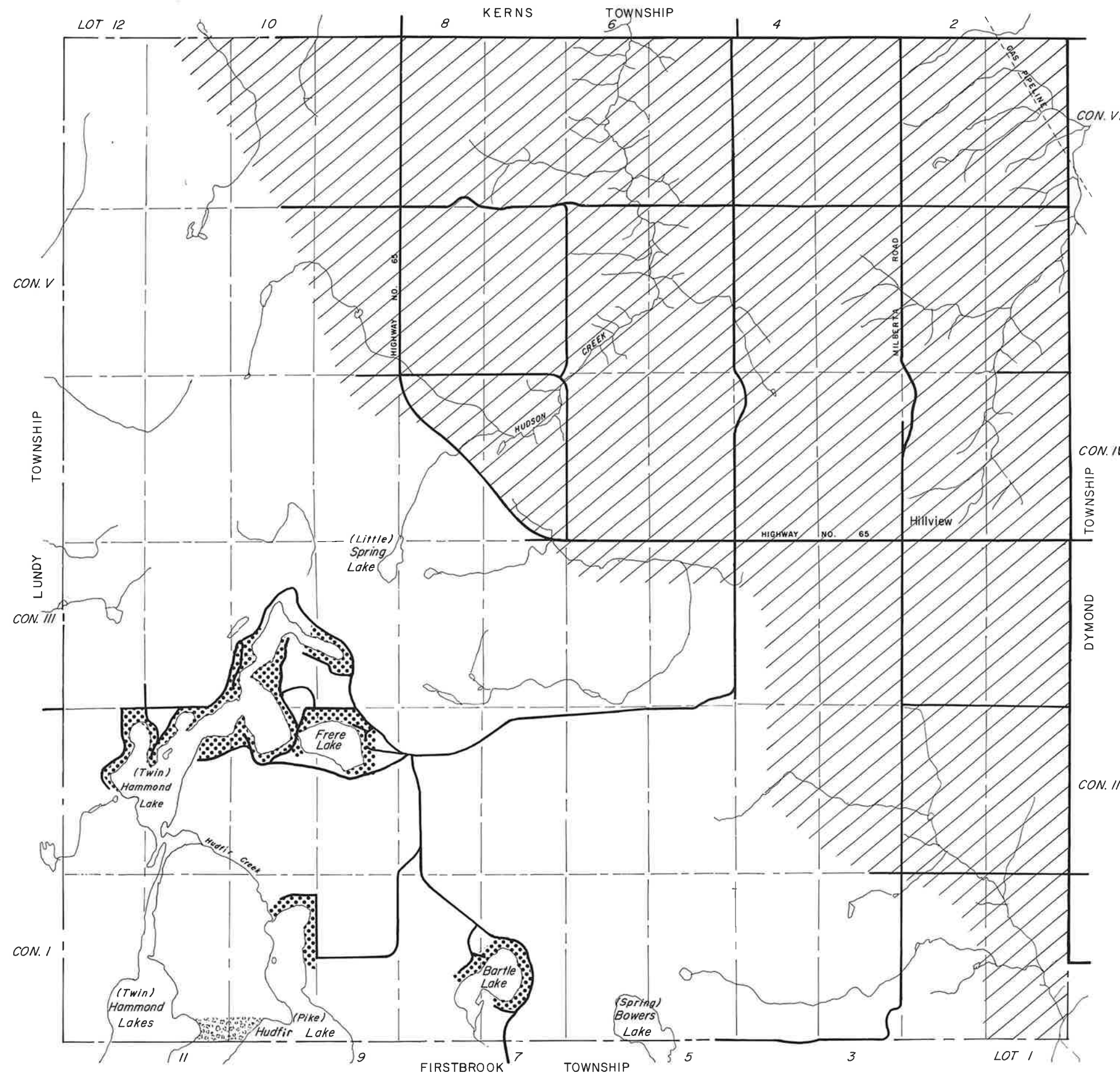
# SCHEDULE A

## Land Use

## Official Plan

### TOWNSHIP

### OF HUDSON



#### Legend



Agriculture



Rural

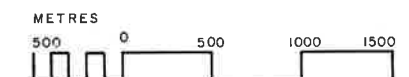


Shoreline Residential



Sensitive

NOTE: THIS SCHEDULE FORMS PART OF THE OFFICIAL PLAN OF THE TOWNSHIP OF HUDSON AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT



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 DRAFTED: 15 APR '91  
 DWG. NO. 0672-A

APPENDIX 1  
BACKGROUND PLANNING REPORT  
TOWNSHIP OF HUDSON

PN: 0672  
DRAFTED: 25 February 1991  
REVISED: 20 July 1992

THE PLANTARIO GROUP LTD.  
EAST YORK, ONTARIO

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### **APPENDIX 2 PUBLIC NOTIFICATION**

**REVISED: 20 July 1992**

## **SECTION 1**

## **INTRODUCTION**

### **(1) LOCATION**

The Township of Hudson, located in the District of Timiskaming, is situated approximately 10 kilometres west-north west of the Town of New Liskeard via Provincial Highway No. 65 and approximately 40 kilometres west of the Ontario - Quebec border.

The Township encompasses approximately 8,899 hectares of land and is bounded by Kerns Township to the north and Dymond Township to the east, with the unincorporated Townships of Firstbrook to the south and Lundy to the west.

Provincial Highway No. 65 transverses the Township in a westerly direction from its eastern boundary to its approximate centre, then runs in a northwest direction to its boundary.

The major area of development is the Twin Lakes area (which includes a number of other lakes), located in the southwest corner of the Township. The area consists of seasonal homes with a mixing of some permanent homes, a Church Retreat and a Municipal Park.

### **(2) HISTORICAL SETTING<sup>(1)</sup>**

The settlement history of Hudson Township commenced about a century ago with the area being surveyed. Prior to this time, small communities had been established as a result of extensive logging activities which were carried out within and beyond the Township.

With the increased growth of the logging industry, settlements developed in the surrounding area. The Township quickly realized it possessed rich, fertile land and lakes stocked with fish. These services were developed to enhance the logging industry. By 1896, the Town of New Liskeard, just east of Hudson Township, began to develop as a service and cultural centre to serve the needs of the surrounding logging and farming communities.

By 1906, the construction of a rail line from North Bay to New Liskeard, with an extension to Englehart, had been completed. The railway line was then known as the Temiskaming and Northern Ontario Railway and is now called the Ontario Northland. The urban centres continued to grow because of the



railway, as well as the airport in Haileybury, the steamboats on Lake Temiskaming and the development of winter roads. Farming and logging operations continued to expand because it was now easier to move the products to the urban centres.

The Township of Hudson was incorporated on 26 February 1904 as part of the Nipissing District and later became a part of the Timiskaming District in 1914.

The Highland Telephone Company erected the first poles and wires in the Township in April 1913. The first church was built in 1905, with a second built in 1907, to serve the residents of the Township. As well, silver was discovered in the Township as early as 1906. This find was from veins running westerly from the Town of Cobalt. The Hudson and Cobalt Mining Company was most active on Lot 6 and 7, Concession III. The mine was also, supposedly, rich in copper.

The Township was ravaged by major fires in the early 1800's and again in the early 1900's. These two events had a major impact on the development of the Township.

### **(3) ORIENTATION AND FUNCTIONS**

The Township has no central community to provide basic services for Township residents. Residents generally travel eastward to New Liskeard for their basic needs. New Liskeard also provides most major services as it is the major service centre in the Timiskaming area and forms part of the Tri-Towns community.

As discussed above, Hudson Township's historical development has been dependent on logging and farming. However, since the Township is rich in agricultural land, farming has become the major economic activity within the Township.

Today, the major function of the Township is as an agricultural community providing beef and dairy products to local markets. There are approximately 50 operational farms within the Township. Census data employment statistics for 1986 indicate that approximately 12% of the labour force in Hudson Township is employed by the primary sector which includes farming and forestry.

Agricultural based industries such as dairies, farm equipment sales, livestock sales, grain sales and government inspected slaughter houses which serve the needs of the Township's farmers, are located in other municipalities adjacent to Highway No. 11.

The second function of the Township is in the provision of a rural setting for those families preferring a rural lifestyle. According to the 1986 Census data, 85% of the labour force residing in the Township is employed in the secondary and tertiary industry sectors which includes manufacturing, construction, trade, transportation, and commercial businesses and personal services industries.

The third function of the Township is as a recreational area for the urban residents of the surrounding communities. Cottage development amounts to 44.7% of the total housing development in the Township. Recently there have been a number of requests to permit the conversion of the seasonal residences to permanent use. Cottage development is located on the five lakes in the southwest corner of the Township. This area is approximately 29 kilometres from the New Liskeard urban area.

#### **(4) REGIONAL INFLUENCES**

A March 1976 proposal entitled "Design for Development, Northeastern Ontario: A Proposed Planning and Development Strategy", prepared by the Ministry of Treasury, Economics and Intergovernmental Affairs provided an overview of the problems and challenges facing the local Planning Region and the necessary regional strategy required to alleviate the problems and meet the challenges associated with the region. The Report identified the three Tri-Town Communities and Kirkland Lake as Area Service Centres which would adopt a service role for the surrounding communities. Although the Report has no official status, many of the ideas have been developed.

The only other Regional Plan prepared which includes Hudson Township is the Ministry of Natural Resources' "Northeastern Ontario Strategic Land Use Plan", approved by the Minister of Natural Resources in April 1982. This Plan provides policy direction for the more detailed plans prepared by the Administrative Districts.

The Township of Hudson is located in the Ministry of Natural Resources Temagami District and a Land Use Guidelines Plan was prepared in 1983, outlining how public land could be used to achieve the Ministry's resource objectives and targets and how private lands might be influenced by these proposed actions.

## SECTION 1

## INTRODUCTION

### FOOTNOTES

1. SOURCES: Condensation of Tweedsmuir, History of Hudson Township, Hudson Women's Institute, May 1967

## **SECTION 2**

## **LAND USE AND DEVELOPMENT EVALUATION**

### **(1) LAND USE PATTERNS**

#### **(a) EXISTING TRENDS:**

The existing land use pattern in the Township of Hudson is shown on Plate 1, Land Use 1990.<sup>(1)</sup>

Development has been influenced by the establishment of a grid pattern road system and the local topography. Highway No. 65, which transverses the Township, was originally developed as a winter road to serve the logging industry which helped open up the area.

The predominant land use type found within the Township is rural or vacant land. Farm activities, including farm related residential uses, are scattered throughout the Township, except the southwest corner, based upon the road pattern. Approximately 46% of the total land area of the Township is occupied by farmland, consisting of an average farm holding of 115 hectares. The grid pattern road system developed in the past has created an organized pattern for present day parcels of farmland.

Geographical features affected the development of the grid pattern in the southwest corner of the Township. The lakes area has resulted in the road pattern following the lakeshore in those areas where development has taken place.

There are only two commercial/industrial businesses presently operating within the Township. One of the businesses is located on Highway No. 11, while the other is located within a short distance from Highway No. 11.

In the area east of the lakes there are two active gravel pit operations.

#### **(b) HOUSING TYPES AND CONDITIONS:**

The exterior condition of existing houses in the Township was examined during the land use survey. Houses were rated according to a 3-point scale as follows:

## SECTION 2 (1) (b)

## LAND USE AND DEVELOPMENT EVALUATION

- Poor - where structural and/or major cosmetic repairs are required;
- Average - where moderate cosmetic repairs are required;
- Good - where minor or no cosmetic and no structural repairs are required.

The following table summarizes the housing conditions of the Township.

**TABLE 2.1**  
**HOUSING CONDITIONS 1990<sup>(2)</sup>**  
**TOWNSHIP OF HUDSON**

HOUSING TYPE	POOR	AVERAGE	GOOD	TOTAL
Farm Related	24%	47%	29%	100%
Non-farm Related	14%	40%	46%	100%
Seasonal	16%	64%	20%	100%
<b>Township Total</b>	<b>18%</b>	<b>50%</b>	<b>32%</b>	<b>100%</b>

Table 2.1 illustrates that the majority of the housing units within the Township are in an average condition. Housing conditions were compared between the three groups. In the farm-related group, the average rating predominated, in the non-farm related group the good rating predominated, while in the seasonal group the average rating predominated. The reason for the non-farm related category having a greater percentage of good housing units is reflected by the fact most of the housing units were recently constructed. Generally the farm-related units are older requiring more repairs, while the seasonal homes are most often smaller and some remain in an unfinished state.

The seasonal housing group has the most housing units (135), while the non-farm related is next with 118, followed by the farm-related category with 49. All seasonal dwellings are located in the southwest corner of the Township in the area of the Twin Lakes.

According to the 1986 Census data, approximately 17% of the housing stock within the Township was constructed before 1946; 14% between 1946 and 1960; 24% between 1961 and 1970; 31% between 1971 and 1980; and 14% between 1981 and 1986.<sup>(3)</sup>

**(2) DEVELOPMENT PATTERNS****(a) SEVERANCE ACTIVITY:**

A total of 71 applications for land severance purposes were made during the period February 1974 and June 1990. Of this total, approximately 59% were approved; 28% were refused and 6% are pending.

The majority of applications (72%) were made during the 1974-84 period, peaking in 1975 when 11% of the applications were made and also in 1984 when 11% of the applications were made.

Most of the severance applications which were approved have resulted in the creation of non-farm related residential lots, primarily concentrated along Highway No. 65 and around the lakes.

**(b) SUBDIVISION ACTIVITY:**

There has been an absence of subdivision activity within the Township in the past, primarily due to the rural nature of the Township and the distances involved for the use of community services and facilities.

**(c) BUILDING ACTIVITY:**

As shown in Table 2.2, residential building activity has remained relatively constant during the 1986-90<sup>(4)</sup> period, averaging approximately 21 permits per year. During this period there was a total of 104 building permits issued. The permits were evenly dispersed with permanent dwellings utilizing 32, seasonal dwellings utilizing 35 and non-dwelling buildings 36.

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**TABLE 2.2**  
**PERMITS FOR NEW CONSTRUCTION 1986-1990<sup>(4)</sup>**  
**TOWNSHIP OF HUDSON**

PERMIT TYPE	1986	1987	1988	1989	1990
DEMOLITIONS:	Nil	1	Nil	Nil	Nil
PERMANENT:					
Dwellings	Nil	4	5	1	Nil
Additions	Nil	4	4	10	4
SEASONAL:					
Dwellings	2	1	Nil	1	6
Additions	5	6	4	9	1
NON-DWELLING BUILDINGS:					
Accessory	5	11	3	6	6
Business	Nil	2	1	1	1
<b>TOTALS:</b>	<b>12</b>	<b>29</b>	<b>17</b>	<b>28</b>	<b>18</b>
PERMITS NOT USED:	1	Nil	2	Nil	1

**(d) PROPOSED DEVELOPMENT ACTIVITIES:**

At present, there are no existing development applications on record for lands within the Township.



## **SECTION 2**

## **LAND USE AND DEVELOPMENT EVALUATION**

### **FOOTNOTES**

1. SOURCE: Land Use Survey conducted by The Plantario Group Ltd. July 1990
2. SOURCE: Housing Conditions Survey conducted by The Plantario Group Ltd., July 1990
3. SOURCE: Census of Canada, D.B.S., Ottawa, 1986
4. NOTE: The 1990 figures only extend to August 1990
5. SOURCE: Municipal Building Records, 1986-1990

## **SECTION 3**

### **DEVELOPMENT CONSTRAINTS AND RESOURCE EVALUATION**

#### **(1) PHYSICAL FEATURES**

The Township of Hudson is located in the physiographic district referred to as the Little Clay Belt (also known as the Timiskaming Clay Plain). The Little Clay Belt represents the southern portion of glacial Lake Barlow-Ojibway.

Lake Barlow-Ojibway was formed when glacial melt water was dammed up behind the large end moraine (still found at the southern end of Lake Timiskaming). Lacustrine sediments partially filled in the ancient Palaeozoic structural basin of the Temiskaming graben (downfaulted area) before the Canadian Shield rose and divided the Lake in two: Lake Barlow and Lake Ojibway. The Little Clay Belt is composed of the deposits left behind by Lake Barlow. The varied clays and silts, which reach depths in excess of 30 meters in places, form a relatively flat section which constitutes one of the best farming areas in the District.<sup>(1)</sup>

#### **(2) DEVELOPMENT CONSTRAINTS**

##### **(a) HAZARD LANDS:**

In consultation with the Ministry of Natural Resources, no areas in the Township were considered to have flooding, erosion or slope stability problems.<sup>(2)</sup>

However, it is important to recognize the potential of an erosion problem which could develop with the clearing of vegetation on lots along the shorelines of the lakes in the Township.

In future, as development proposals are evaluated or as more detailed studies are undertaken, potential new areas may be determined to contain hazard lands.

##### **(b) SENSITIVE LANDS:**

The Ministry of Natural Resources identified sensitive lands in the Township of Hudson based upon recent studies and evaluations.<sup>(3)</sup>

The sensitive lands are illustrated on Plate 2, Development Constraints and Resources and are discussed in depth in the Resource Management section herein.

(c) **WASTE DISPOSAL SITES:**

Although waste disposal sites are the result of man's use of land and not the result of the natural formation of land, the need for restricting development is just as important. The unknown effects of the storage of waste materials, together with the actual contents of a particular waste disposal site, make it necessary to restrict all forms of development on both active and closed sites, together with an area of sufficient distance surrounding a site, in an effort to reduce potentially hazardous environmental and health effects.

An active waste disposal site is located within the Township in the southeasterly part of the south half of Lot 8, Concession II. This site and any new sites which may be required from time to time should be protected as described above.

The closed waste disposal site is located in the southwest part of the south half of Lot 8, Concession II.

With the controlled access and strict enforcement of the "residents only" policy, the active site should have adequate capacity without any need for further expansion until the year 2000.

(d) **MUNICIPAL SERVICES:<sup>(4)</sup>**

As the Township is rural in nature, municipal water and sewer services are not in demand. Sewerage disposal is carried out by means of private septic tank systems, while potable water is provided by private wells. Cottages in the Twin Lakes area obtain water for domestic use from the lake by private pump systems.

The Temiskaming Health Unit reports that, generally, septic tanks within the Township appear to function satisfactorily.

Conventional leaching beds are recommended and used throughout the Township where light to heavy clay exists. Filter beds are found in the Twin, Frere and Bartle Lakes area where the ground is sand and gravel in nature. These beds are permitted due to the small lot size, short retention time of the soil, and seasonal cottage use.

The average depth of private drilled wells in Hudson Township is 30 to 40 metres. Some, however, do reach a depth of 130+ metres.

As the land in the Township is primarily used for farming, water contamination from manure piles and animal waste is probable. The Ministry of Health will analyze water samples at the owner's request, should such contamination be suspected.

Water quality in the lakes area has been found to be questionable at best. Usage of lake water should be restricted to domestic usage. Drinking water should be obtained from a well or imported from a known source.

**(3) RESOURCES****(a) MINERAL RESOURCES:**

The geology and mineral resources within the Township are of no real economic significance. The geology of the Township consists of a mix of the following: clay and silt; outwash and channel fill; stratified eskers, kame terraces and kame deltas; fibrous peat, muck and muskeg; and unsubdivided granitic, meta sedimentary, metavolcanic and intrusive diabiastic rocks. Essentially, the resource management lands north of Highway No. 65 (illustrated on Plate 2, Development Constraints and Resources) would be useful for educational and interpretive purposes and possibly recreation such as hiking and picnic areas.

**(b) AGGREGATE RESOURCES:<sup>(5)</sup>**

Generally, the Township's aggregate potential is considered to be relatively good with significant deposits in the vicinity of the resource management lands south of Highway No. 65 and those in the Twin Lakes area. These areas are illustrated on Plate 2, Development Constraints and Resources.

The Twin Lakes area has potential for scientific and educational value, representing an interesting and diverse post glacial outwash and deltaic complex with defined esker systems.

The value of this area is the depositional history of the area and the resulting mosaic of aggregate deposits.

During the land use survey, two active gravel pits were located in the Township. One is located adjacent to Crown land in the south half of Lot 5, Concession II. the other is located on Crown land in the south half of Lot 5, Concession I.

Areas where potentially significant aggregate deposits have been identified should be protected for possible future extraction and, therefore, may act as constraints to future permanent structural development. Protection should be provided until such time as detailed studies conclude that any identified aggregate resource areas have no aggregate potential or that the aggregate available for economic extraction has been depleted.

According to the Ministry of Natural Resources, as of 1 January 1992, Hudson Township will be designated under the Aggregate Resources Act.

The Ministry of Natural Resources has indicated that the aforementioned resource management lands south of Highway No. 65 and in the Twin Lakes area are being studied and evaluated as Areas of Natural and Scientific Interest (ANSI) as part of a Comprehensive Management Plan for all natural resources on Crown land in the Temagami Area for 1993. Should this assessment and evaluation conclude that these areas become ANSI areas, it may pose constraints to development.

**(c) RESOURCE MANAGEMENT LANDS:<sup>(6)</sup>**

**(i) Areas of Natural and Scientific Interest (ANSI)**

In discussions with the Ministry of Natural Resources, only two of the six earth science ANSI target areas have the potential to be recognized on a regional scale. These are:

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Hammond Lake Esker Complex - Located in the Twin Lakes area, is a kettle and esker complex unmodified by the overriding lake wave action. The site contains a hummocky feature identified as a interlobate moraine. The site is a good representation of kettle kames and stratified outwash deposits along with minor dune features.

Fisher's Rock Diabase Intrusion - Located north of Highway No. 65, the vertical face exposes igneous intrusive contact (diabase stock) intruded into Huronian sediments. The sedimentary beds are rotated due to intrusion. Other features include: incipient metamorphism in sediments, and feldspar metacrysts formed by contact with metamorphism in the sediments.

The ANSI policy arose out of the Provincial Parks program and was initiated in 1983 to identify areas of natural landscapes or features having values related to protection, natural heritage appreciation, and scientific study or education that might not be represented in Provincial parks.

Provincial Parks and Areas of Natural and Scientific Interest are two separate, but parallel, means used by the Ministry to protect and manage Provincially significant natural features and landscapes. Although existing Provincial parks protect a significant portion of these representative life and earth science values, there are landscapes and features outside parks that warrant protection. The ANSI policy was designed to address this shortfall by protecting significant features which contribute to the representation goals of the parks system as identified in Ontario Provincial Parks Planning and Management Policies (1978). ANSI also include areas of scientific interest other than representation targets of Provincial Parks.

A reconnaissance survey of the Site Region encompassing Temagami was completed in 1983 to determine landscape representation needs and to identify key ecological areas that represent the

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different landscape units. This resulted in a list of selected natural areas.

The Ministry is in the process of refining this information based on field survey work in 1989 and 1990. The objective is to compare and grade areas to determine levels of significance and to identify the best examples of natural landscapes, communities and biota for protection and conservation purposes.

Life Science ANSI targets are based on a conceptual framework that adopts a hierarchical approach for organizing ecological diversity. It recognizes Site Regions and Site Districts as the major ecological divisions in Ontario. Within a particular region, progressively finer ecological units are recognized, including biophysicographic patterns or landscapes, site classes, biotic communities, plants and animals.

The five primary criteria used are:

- Representation - representation of the natural features of the site. The dominant landform-vegetation features are emphasized.
- Diversity - diversity is appraised in terms of the number and range of vegetation-landform features or habitats. The representation value of a site increases in proportion to the diversity of habitats within the site.
- Condition - the degree to which past disturbances to the main feature have occurred. The less disturbance, the greater the value of the site.
- Ecological Considerations - size of the area, shape, proximity to wilderness areas, buffering from adjacent land uses, and watershed location are weighed. The larger and more isolated an area, the greater its value.

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- Special Features - rare or endangered species, nesting sites or colonial birds, species of phytogeographic interest, concentrations of breeding or migratory waterfowl are of interest.

For Hudson Township, there are approximately six earth science sites that have the potential to be managed as ANSI areas. It is likely that the evaluation and decision regarding approval of any areas for the District will not happen until completion of the comprehensive planning process.

Earth Science ANSI targets are based on a conceptual framework that identifies rock types, fossil assemblages, and associations of landforms representative of Ontario's past and present geological environments. ANSI will be selected to protect those outstanding rock and fossil localities and landform associations not already represented in Provincial Parks. To select these areas, existing geological information is evaluated, regional and theme studies are conducted, and representative areas are mapped and described. Areas with similar features are then compared against one another to identify potential ANSI.

The primary criteria for the evaluation of selected Earth Science features are:

- individual rock formations;
- fossil assemblages;
- geomorphic environments; and
- major intervals of geologic time.

Secondary criteria for the evaluation of selected Earth Science features are:

- type sections (stratotypes) - specific points or intervals in a sequence of rock strata that constitute the standard for definition and recognition of stratigraphic unit or boundary.
- type morphologies - specific features or group of features that constitute the standard for

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definition of a morphologic unit (an erosional or depositional feature identified by its topographic features).

- site diversity - features with the candidate area should illustrate distinctive stratigraphic and topographic traits and combinations of features should illustrate the sequential evaluation of Ontario's land and waterscapes.
- interpretive value - areas should be suitable for teaching and interpreting natural processes and natural history. It should be suitable for scientific research which will promote further understanding of Ontario's earth science diversity.

Tertiary criteria for the evaluation of selected Earth Science features are:

- environmental quality - areas that best display a specific feature or specific combination of features should be found within a natural setting, with minimal evidence of disturbance.
- environmental sensitivity - fragility or susceptibility to natural and human-induced environmental changes must be considered.
- threatened or endangered features - features known to be limited in number and distribution within Ontario should be identified.

(d) **RESOURCE MANAGEMENT WILDLIFE AREAS:**<sup>(7)</sup>

(i) **Sport Fish:**

The major waterbodies in the Township are the Twin Lakes, the northern one-third of Pike Lake, Bartle Lake, Spring Lake and Hudson Creek. Twin and Pike Lakes support walleye, smallmouth bass and northern

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pike populations. Twin Lakes also contains whitefish. The headwaters of Hudson Creek and Spring Lake contain remnant native brook trout populations. Bartle Lake is regularly stocked with brook trout by the Ministry of Natural Resources. All of these waterbodies are local sport fisheries.

**(ii) Wildlife:**

There are no known moose or deer concentration areas located in the Township.

All Crown land and some private lands in the Township are covered by a Registered Trapline. The remaining private land is covered by a Private Lands Fur Management Area Agreement.

Pike Lake is locally important as a waterfowl nesting area and is also frequented by fall migrants for resting and feeding.

Two known bird nesting areas which would be very sensitive to future development include a heron colony and an osprey nest.

**(e) FOREST RESOURCES:**

The Temagami Forests program is actively managing both private and Crown lands in Hudson Township.

The private land is being managed through a Woodlands Improvement Act Agreement. In addition, the Crown retains the rights to the pine on certain privately owned parcels.

Currently, there are no areas allocated for harvesting in Hudson Township. Three former harvesting areas are still available to individuals for fuelwood extraction after a personal use permit is obtained. Site preparation and planting activities are scheduled for 1991 and 1992 on Crown lands.

A Comprehensive Management Plan for all natural resources on Crown Land being prepared for the Temagami Area for 1993 will dictate what forestry activities occur where.

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**(f) WATER RESOURCES:**

The notable waterbodies within the Township include Twin Lakes, Frere Lake, Pike Lake, Bartle Lake, Spring Lake and Little Spring Lake located in the southwest quadrant of the Township.

The notable watercourses within the Township include Hudson Creek in the upper middle section of the Township and Pine Creek and Hudfir Creek in the southwest corner of the Township between Twin Lakes and Pike Lake.

In addition, the Township is drained by municipal and farm drains in the northeastern quadrant of the Township.

As discussed earlier, the water quality in the lakes has been found to be questionable at best, and the usage of the lake water should be restricted to domestic usage, with drinking water obtained from a well or imported from a known source.

The average depth of private drilled wells in Hudson Township is 30 to 40 metres. Some, however, do reach a depth of 130+ metres.

As the land in the Township is primarily used for farming, water contamination from manure piles and animal waste is probable. The Ministry of Health laboratory in Timmins will analyze water samples at the owner's request, through the Temiskaming Health Unit, should such contamination be suspected.

The trophic status of a lake is its capacity to sustain the growth and reproduction of plant and animal life. It can be measured and described in terms of water chemistry, which includes total dissolved solids concentrations, phosphorous concentrations, or dissolved oxygen deficits; in biological terms, which includes chlorophyll (concentrations, densities of plankton, or bottom fauna); or in physical terms, such as mean depth or annual temperatures.

According to the Ministry of the Environment, there are three indicators or criteria by which the trophic state (nutritional status) of a water body may be assessed.

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These are: the phosphorous loading of a water body measured in the spring, the chlorophyll concentrations determined in the summer time, and secchi disc reading taken during open water season to determine the water clarity of a body of water.

The levels wherein these criteria are considered to be indicative of the various levels of lake trophic state are I to IV. Anomalous readings may be obtained at different times in a year, whereby the different criteria indicate different things demonstrating that the criteria are not absolutes.

For instance, the phosphorous loading may indicate a Level II lake trophic state, whereas the chlorophyll and secchi disc readings may indicate a Level I trophic state, for the same lake.

The following table indicates the trophic levels for Twin Lakes, Frere Lake, Pike Lake and Bartle Lake as a result of tests done in the spring of 1990. The Program was completed for phosphorous loading and secchi disc and chlorophyll through a self-help program where lake residents took water samples that were tested by the Ministry specialists.

TABLE 3.1  
LAKE TROPHIC LEVEL  
TOWNSHIP OF HUDSON

TEST /LAKE	TWIN LAKES	FRERE LAKE	PIKE LAKE	BARTLE LAKE
Chlorophyll and Secchi Disc	Level 1	Level 3	Level 3	Level 1
Phosphorous Loading Levels	Level 1	Borderline Level 2-3	Not Taken	Not Taken

Lake levels indicate the following water quality: a Level I Lake is excellent water quality; a Level II Lake is

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good water quality; a Level III Lake is fair water quality; and a Level IV Lake is poor water quality.

The 1990 Ministry testing revealed that for the first time in several years Frere Lake had moved from a Level IV Lake. As well, during the period 1983 to 1987, Pike Lake was at the end of the Level II scale approaching a level III status.

The Ministry concluded that no additional building development of any kind could take place on a lake with a level III or Level IV rating.<sup>(8)</sup>

**(g) AGRICULTURE RESOURCES:<sup>(9)</sup>**

The Township contains soils rated as Class 2, 3, 4, 5, 6 and 7 according to the Canada Land Inventory of Soil Capability for Agriculture. Soil capability for agriculture is classified in order of highest to lowest potential (Class 1 through 7, plus Organic). Only soils determined to be Class 1 to 4 are considered capable of sustaining perennial use for field crops.

Within the Township, approximately 31% of the soils are rated as Class 2, while 3% of the soils are rated as Class 3 and 34% as Class 4 land.

The Class 2 soils within the Township have moderate limitations that restrict the range of crops or require moderate conservation practices. The soils are deep and hold moisture well. Under good management, they are moderately high to high in productivity for a fairly wide range of crops.

The Class 3 soils within the Township have moderately severe limitations that restrict the range of crops or require special conservation practices. The limitations are more severe than for Class 2 soils. They affect one or more of the following practices: timing and ease of tillage; planting and harvesting; choice of crops and methods of conservation. Under good management, they are fair to moderately high in productivity for a fair range of crops.

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The Class 4 soils within the Township have severe limitations that restrict the range of crops or require special conservation practices or both. The limitations seriously affect one or more of the following practices: timing and ease of tillage; planting and harvesting; choice of crops; and methods of conservation. The soils are low to fair in productivity for a fair range of crops, but may have high productivity for a specially adapted crop.

According to 1986 Census data, approximately 4,062 hectares of land are used for agricultural purposes by the 35 operating farms located within the Township. The majority of farm land in the Township is used for field crops such as oats, barley, mixed grains and hay. The types of farm operations established in the Township include 28 cattle farms, 2 pig farms and 12 poultry farms.

The Township's improved farmland, as a percentage of total farmland, has fluctuated during the past 20 years. In 1966 approximately 49% of the Township's total farmland was improved farmland and by 1971, this figure grew to 53%. Between 1971 and 1976 improved farmland, as a percentage of total farmland, decreased to 43% even though the total farmland increased by 57%. In 1986, the improved farmland accounted for 56% of the total farmland even though the total farmland decreased by 39%. During the 1970s, through the use of N.O.R.D.A. and A.R.D.A. grants, the availability of low interest loans, and due to advanced tile drainage technology, improved farmland, as a percentage of the Township's total farmland, rose to 56%. Today it is estimated that 40% of the Township's improved farmland is equipped with tile drainage.<sup>(10)</sup>

The average value of a farm (1986) in the Township is approximately \$196,000.

#### (4) CROWN LANDS

Approximately 3,136 hectares or 21% of the total area of the Township consists of Crown owned land. This does not include two Ministry of Transportation aggregate permits encompassing 97 hectares.

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## **SECTION 3(4)**

## **DEVELOPMENT CONSTRAINTS AND RESOURCE EVALUATION**

There are two land use permits near Twin Lakes. One is a septic tile field with an area of 0.25 hectares and one is a tennis court with an area of 1.0 hectares.

All Crown land and some private lands in the Township are covered by a Registered Trapline. The remaining private land is covered by a Private Lands Fur Management Area Agreement.

The Temagami Forests Program is actively managing both private and Crown lands in Hudson Township.

The private land is being managed through a Woodlands Improvement Act Agreement. In addition, the Crown retains the rights to the pine on certain privately owned parcels.

The Crown land is largely concentrated in an area surrounding Twin Lakes and the extreme northwest corner of the Township. Currently there are no areas allocated for harvesting in Hudson Township. Three former harvesting areas are still available to individuals for fuelwood extraction once a personal use permit is obtained. Site preparation and planting are scheduled for 1991 and 1992 on Crown land.

A Comprehensive Management Plan for all natural resources on Crown land is being prepared for the Temagami Area for 1993. It will dictate what forestry activities occur where since the Ministry is interested in retaining existing forest cover and promoting sound forest management practices in the Township.

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## FOOTNOTES

- (1) SOURCE: Ontario Department of Economics and Development, Northeastern Ontario Region Economic Survey, 1966, Toronto, 1966, page 6
- (2) SOURCE: Meeting with Ministry of Natural Resources, 11 February 1991
- (3) SOURCE: Meeting with Ministry of Natural Resources, 11 February 1991
- (4) SOURCE: Report on the Adequacy of Municipal Services in the Township of Hudson, G. D. Walsh, C.E.T., New Liskeard, 12 October 1990
- (5) SOURCE: Letter from Ministry of Natural Resources dated 28 December 1990
- (6) SOURCE: Letter from Ministry of Natural Resources dated 28 December 1990
- (7) SOURCE: Letter from Ministry of Natural Resources dated 28 December 1990
- (8) SOURCE: Telephone conversation with Jan Lindquist, Ministry of the Environment, 5 March 1991
- (9) SOURCE: Soil Capability for Agriculture, Canada Land Inventory, Ottawa, 1968
- (10) SOURCE: Census of Canada, D.B.S., Ottawa, 1966, 1971, 1976, 1981 and 1986



## SECTION 4

### MUNICIPAL AND COMMUNITY SERVICES EVALUATION

#### (1) TRANSPORTATION

##### (a) ROADS:<sup>(1)</sup>

The Township is serviced by a grid system of gravelled surface Municipal roads with mainly north-south flow, two treated surface roads and one paved surface Provincial Highway. The Ministry of Transportation has no proposals for intersection improvements for the section of Highway No. 65 traversing the Township.

Provincial Highway No. 65 enters the middle region of the Township at Lot 1 between Concessions III and IV and continues westerly across Lots 2, 3, 4, 5 and 6 and swings to the northwest across Lots 7 and 8, Concession IV. The highway traverses straight north across Concessions V and VI between Lots 8 and 9. This highway serves as the major means of road access from the Township to the major centres to the east. The length of Highway No. 65 within the Township is approximately 10.5 kilometres with most of the right-of-way width 4.5 metres.

The Ministry of Transportation completed the resurfacing of Highway No. 65 within the limits of the Township during the summer of 1988 and has no proposals for intersection improvements or highway realignments for this section of highway. The Ministry has not designated Highway No. 65 as a Controlled Access Highway at this point in time. New entrances, therefore, may be permitted at locations acceptable to the Ministry upon review of the development applications.

The Municipal road system generally provides access to agricultural land, residences and the seasonal cottage areas. Further access to various locations is also provided via private roadways (cottages), trails (farmland) and access roads (forest) that are not normally maintained by the Township.

Approximately 46.0 kilometres or 68% of the Municipal roads have a granular surface. The balance of the Municipally maintained 21.5 kilometres of road has some form of bituminous surface. Hot mix asphalt covers approximately 9.0 kilometres of roadway primarily in the Twin Lakes and Old Highway No. 65 areas. Cold mix

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asphalt is found on 3.5 kilometres of the Twin Lakes Road while Prime Double Prime Surface Treatment is found on the Pike Lake and Milberta Roads.

In accordance with the Ministry of Transportation's Municipal Road Appraisal the following general observations, comments and recommendations are made:

- a) **Right-of-Way:** Right-of-ways throughout the Township appear to be well maintained. Clearing of the roadside vegetation to provide for widening in the Twin Lakes area, particularly the westerly 4.5 kilometres, would be strongly recommended.
- b) **Horizontal Alignment:** Isolated rock outcrops and other natural formations cause very few problems with horizontal alignment of the roadways. Perhaps the worst alignment problem that could be readily corrected, occurs at the intersection of Concession Road V between Lots 6 and 7. Other major realignment undertakings to be considered would be in the north half of Lot 2, Concession IV on the Milberta Road and along the Twin Lakes Road from the Cottage Roads intersection to the westerly limit.
- c) **Vertical Alignment:** As is the case with the horizontal alignment, very few locations could be classified as problem areas. Natural terrain in the north half of Lots 1 and 2, Concession VI area, as well as the Twin Lakes area dictates what alignment must be followed. Major construction would be required to correct these alignments.
- d) **Drainage:** Generally, the drainage network throughout the Township is adequate to provide for the surface run-off. Isolated locations such as the roadway in Lot 9 between Concessions V and VI which accepts run-off from the Provincial Highway ditches and the low area along the north half of Lot 1, Concession VI may be noted as trouble spots; however, very little may be done at this time to correct the problem.
- e) **Surface Conditions:** The roads' surface widths, including shoulders, vary from 6.0 metres to 11.0+

metres throughout the Township. The roads can be described as being in good condition and well maintained. Additional gravel and cold mix patching are applied, as required, as part of the Township's normal road maintenance.

- f) **Level of Service:** Roadways throughout the Township received moderate to high traffic volumes. As could be identified by the type of surface, the "Milberta Road" and the "Twin Lakes Road" are the most travelled with a noted increase in traffic volumes on the roadway between Lots 4 and 5 running from Concession IV to VI.

Municipal roads within the Township have been classified with regard to the Ministry of Transportation standards. It is recommended that the Township prepare a long-range plan to ensure that the roads will be maintained to at least their present condition with improvements where feasible.

While it is not certain as to what funding will be available from the Ministry to carry out such a program, the Municipal budget should allow for annual gravelling and ditching of selected sections of roadway. Priority should be given to those roadways with poor structural adequacy, or those with a high level of usage and high maintenance demands.

**(b) ROAD SIGNAGE:**

All approaches to the Provincial Highway are "stop signed" with adequate day lighting triangles. Stop or yield signs are also noted at most other intersections, clearly visible and allowing for the steady flow along the more major of the intersecting roadways.

Load restriction signs at "4 Tonne Per Axle" are also posted at various locations throughout the Township. These load restrictions are in effect primarily during the spring, however, they may be posted as required.

Information or advanced notice signs such as "curve ahead" or "intersection ahead" are also generously placed at sufficient distances to provide the motorist with adequate reaction time.

(c) BRIDGES AND MAJOR CULVERTS:

While there are presently no bridges located within the Township, four major culvert installations were identified:

- a) The Multi-Plate Culvert located on the north half of Lot 1, Concession V at the boundary between Hudson and Dymond Townships appears to be in very good condition. Vegetation is quite heavy at both the inlet and outlet ends of the installation. This growth has stabilized and should continue to stabilize the side slopes of the area and prevent any significant erosion of the surrounding ground.
- b) The Large Riveted Corrugated Steel Culvert located on the north half of Lot 6, Concession VI at the boundary between Hudson and Kerns Townships also is in very good condition. Rock protection may be required to assist in erosion protection, however, vegetation on both the fore and back slopes of the surrounding area is providing sufficient protection during low run-off periods.
- c) The Large Corrugated Steel Culvert located on the north half of Lot 5, between Concessions V and VI is in good shape. Again, vegetation is heavy on both fore and back slopes and has provided stability for the ground at this installation. Ponding or the development of a pool is evident at the inlet of this culvert, while slight erosion of the downstream end of the installation is also apparent. The installation of rock protection at both the inlet and outlet ends of the culvert should be considered at this location to assist in minimizing further erosion of the stream bed.
- d) The Timber Box Culvert located between the north half of Lots 6 and 7, Concession VI, is identified as being in fair to poor condition. This installation dates back to the early construction of "Old Highway No. 65" as the alignment once followed this bituminous surfaced roadway. While there are no road surface deflections to suggest the deterioration of the installation, visual inspection has revealed that portions of the timber

**SECTION 4(1)(c)**

**MUNICIPAL AND COMMUNITY  
SERVICES EVALUATION**

construction has begun to rot. Deterioration may very well accelerate now that rotting has started.

Suggestions were made that supplementary funding for the replacement of the culvert would receive priority over improvements to Twin Lakes or Milberta Roads.

**(d) RAILS:**

The Ontario Northland Railroad Commission provides passenger and freight rail service to Township residents from its New Liskeard train station.

There are no railway crossings involving municipal roads in the Township.

Ontario Northland Telecommunications owns 9.20 acres of land which is used for a telecommunications tower site. This tower is located in Lot 5, Concession IV. Ontario Northland has no plans to alter this use.

**(e) UTILITIES:**

A TransCanada PipeLine line crosses the Township in a northwest-southeast direction in the northeast portion of Lot 1, Concession VI. Planning is presently underway to twin the pipelines through the Township.

Northern Telephone Limited serves the entire Township through a number of easements within Hudson Township.

**(2) WATER AND SANITARY SEWERAGE SERVICES**

The Township does not provide piped municipal water or sanitary sewerage systems for its residents. Sewerage disposal is carried out by means of private septic tank systems while potable water is provided by private wells. Cottages in the Twin Lakes area obtain water for domestic use from the lake by private pump systems.

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**(a) SEWERAGE:**

The Temiskaming Health Unit reports that generally septic tanks within the Township appear to function satisfactorily.

Conventional leaching beds or "Class 4 Systems" are recommended and used throughout the Township where light to heavy clay exists. Often, acceptable fill and the addition of mantles around the bed are required. Class 4 systems require a minimum of a 3,600 litre tank and at least 300 feet of leaching bed (depending on the retention time) for a three bedroom home.

Filter beds are found in the Twin, Frere, Pike and Bartle Lakes area where the ground is sand and gravel in nature. These beds are acceptable according to Ontario Regulation 374/81, and are permitted due to the small lot size and short retention time of the soil and relative seasonal cottage use. The Temiskaming Health Unit does not recommend their installation.

Class 6 systems may also be installed. These consist of completely raised beds within a pumping chamber at the end of the septic tank to douse the septic bed with effluent. These systems are recommended for areas where poor percolation tests are encountered. There are no Class 6 Systems presently in use in the Township, however, this would provide an alternative form of disposal should the need arise.

The Health Unit uses the following standard when considering the development of a lot for residential purposes where septic tanks are to be used:

- only one dwelling unit allowed per lot
- minimum lot size should be 1,395 square metres where the source of drinking water is, or will be located on the lot, or 936 square metres where the source of drinking water is located off the lot
- minimum lot frontage should be 30 metres where the source of drinking water is located on the lot and 15 metres where the source of drinking water is located elsewhere

## **SECTION 2 (2) (a)**

## **MUNICIPAL AND COMMUNITY SERVICES EVALUATION**

Commercial developments are considered individually by the Health Unit depending on the type of use and its requirements. All premises producing a daily service flow of 4,500 litres or more is reviewed by the Ministry of the Environment.

The Ministry of the Environment found that Frere Lake is at capacity for development. Recent tests indicate there is in excess of 30 mg/m<sup>3</sup> of phosphorus present. It was also felt that the septic systems around the lake may not have an adequate retention time to remove much of the nutrients being found in the water. At this time, the Ministry is not prepared to allow any further development in this area.

### **(b) WATER:**

The average depth of private drilled wells in Hudson Township is 30 to 40 metres. Some, however, do reach a depth of 130+ metres.

As the land in the Township is primarily used for farming, water contamination from manure piles and animal waste is probable. The Temiskaming Health Unit, however does not keep any such records. The Ministry of Health laboratory in Timmins will analyze water samples at the owner's request through the Temiskaming Health Unit, should such contamination be suspected.

Water quality in the lakes area has been found to be questionable at best. Usage of lake water should be restricted to domestic usage. Drinking water should be obtained from a well or imported from a known source.

### **(3) WASTE COLLECTION AND DISPOSAL**

The Municipal waste disposal site is located in the south half of Lot 8, Concession II, Township of Hudson.

In past years, the site has also been used by the residents of the Township of Kerns. However, recently, notice has been served that access will be restricted to the residents of the Township of Hudson only.

At present, the site is approved for the receiving and disposal of domestic waste only. Landfilling is being carried

## **SECTION 4(3)**

## **MUNICIPAL AND COMMUNITY SERVICES EVALUATION**

out by the trenching and filling method in the native sandy soil conditions that are present at this location.

The waste disposal site is certified under a Ministry of the Environment Certificate of Approval to 64.4 hectares in size, which is being operated and maintained quite adequately.

Waste collection services are not provided. Township residents are responsible for transporting their waste to the site. Access to the site is controlled with a barrier gate which is open on Mondays and Wednesdays from 12 p.m. to 8 p.m. and on Saturdays from 8 a.m. to 4 p.m.

It is anticipated that, with the controlled access and strict enforcement of the "residents only" policy, the site should have adequate capacity, with no need for further expansion until the year 2000.

### **(4) PUBLIC PROTECTION**

#### **(a) FIRE:**

The Department has 21 volunteers. They work as part of the Mutual Aid for the District. The Township has a pumper and two tankers to fight fires with.

#### **(b) POLICE:**

Police services are provided by the Ontario Provincial Police from the Haileybury detachment.

### **(5) PUBLIC HEALTH AND SOCIAL SERVICES**

#### **(a) MEDICAL SERVICES:**

Medical and dental services and facilities are available in Haileybury and New Liskeard. The range of services and facilities provided include: a hospital; medical clinics; dental offices and nursing homes; and ambulance services from the Timiskaming Hospital in New Liskeard.

The Temiskaming Health Unit, based in New Liskeard, offers a full range of inspection, disease control,

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environmental sanitation, and preventative dentistry services to the residents of Hudson Township.

**(b) SOCIAL SERVICES:**

General welfare assistance is made available to Township residents through the Township's Municipal Office.

Other social services and facilities, including the Children's Aid Society, Adult Protection services, facilities for the mentally retarded (ARC industries), Senior Citizen's housing, and services offered through the Ministry of Correctional Services and Community and Social Services are provided in New Liskeard and Haileybury.

**(6) EDUCATION**

Elementary and secondary educational facilities, under the jurisdiction of the Timiskaming Board of Education and the Timiskaming Roman Catholic Separate School, are provided to students in New Liskeard. Thirty-six separate school and forty-seven public school children attend school from Hudson Township.

The Gwen School provides special educational facilities for the trainable retarded in New Liskeard. Northern College of Applied Arts and Technology and the New Liskeard College of Agricultural Technology provide post-secondary educational opportunities to area residents in mining and agricultural fields of study. These institutions are located in New Liskeard and Haileybury.

**(7) RECREATIONAL AND INSTITUTIONAL FACILITIES**

Recreational facilities include a beach park and ball diamond on Pike Lake, a shooting range on Twin Lakes Road, and an outdoor skating rink adjacent to the Municipal Building which also serves as a Community Hall.

Institutional facilities include a Municipal Office, a Municipal Garage, and a fire hall located in Lot 4, Concession IV. A church campground is located on Frere Lake.

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**SECTION 4**

**MUNICIPAL AND COMMUNITY  
SERVICES EVALUATION**

**FOOTNOTES**

- (1) SOURCE: Report on the Adequacy of Municipal Services in the Township of Hudson, G. D. Walsh, C.E.T., New Liskeard, 12 October 1990

**SECTION 5****DEMOGRAPHIC AND ECONOMIC EVALUATION****(1) POPULATION****(a) RECENT TRENDS:**

The Township's assessed population<sup>(1)</sup>, as shown on Table 5.1, is showing a decline in the last year of the assessment. Between 1986-1988, the population dropped by 32 persons. Except for this decline in population, Hudson Township had always shown a positive growth from one year to the next.

**TABLE 5.1**  
**RECENT POPULATION TRENDS 1978 - 1988**  
**TOWNSHIP OF HUDSON**

YEAR	ASSESSED POPULATION	POPULATION CHANGE ABSOLUTE / PERCENT	
1988	440	-32	6.8
1986	472	+16	3.5
1985	456	+ 5	1.1
1982	451	Nil	Nil
1981	451	+18	4.2
1980	433	+ 3	0.7
1979	430	+12	2.7
1978	442	Nil	

In 1986, Hudson Township made up 4.9% of Temiskaming District compared to 1.0% in 1976. The District's population is dropping at a much faster rate than that of the Township (see Table 5.2).<sup>(2)</sup>

Hudson Township's decline in population may be attributed to the increased growth of the larger centres within the District and the growth of large urban centres located outside the District of Temiskaming.

TABLE 5.2  
HUDSON TOWNSHIP POPULATION  
AS A PERCENTAGE OF TIMISKAMING  
DISTRICT POPULATION  
1966, 1971, 1976, 1981, 1986

YEAR	TIMISKAMING DISTRICT	HUDSON TOWNSHIP	PERCENT
1966	47,154	402	0.85
1971	46,485	436	0.94
1976	43,775	440	1.0
1981	41,288	450	1.1
1986	40,307	472	4.9

(b) AGE AND SEX DISTRIBUTION:<sup>(3)</sup>

Table 5.3 illustrates sex and age distribution of the Township's population during the 1966 to 1986 period. The data indicates that the labour force (20-64 years) is steadily increasing while the preschool, elementary and secondary school and elderly are declining.

TABLE 5.3  
POPULATION DISTRIBUTION BY SEX  
TOWNSHIP OF HUDSON  
1966, 1971, 1976, 1981, 1986

	PRESCHOOL (0 - 4)		ELEMENTARY & SECONDARY SCHOOL (5-19)		LABOUR FORCE (20-64)		ELDERLY (65+)		TOTAL
	No.	%	No.	%	No.	%	No.	%	
1966	55	13.7	174	43.3	142	35.3	31	7.7	402
1971	40	9.8	175	40.1	205	47.0	20	4.5	436
1976	35	7.8	165	37.5	215	48.9	35	7.8	440
1981	40	8.9	150	33.3	220	48.9	40	8.9	450
1986	30	6.3	140	29.5	270	56.8	30	6.3	470

The trend toward a decrease in the preschool age group may be attributed to the trend toward smaller families evident in Ontario and Canada as a whole. The decrease in the elderly age group may be attributed to outward migration of the elderly from the Township to local centres which provide services, facilities and accommodation for the elderly.

The labour force age group has grown within the Township. This increase may be attributed to maturing "baby boom" children. This trend is evident in Ontario and Canada as a whole.

Table 5.4 shows the Township's population distribution by sex for the 1966-1986 period. The table illustrates that both populations have remained relatively constant. The Township witnessed a 16.3% increase in male population and the female population increased by 20.0% during the 1966-1986 period. Between 1971-1981 the males had a decrease in population of 2.2%, while between 1971-1976 the females had a decrease.

**(c) HOUSEHOLDS AND HOUSEHOLD SIZE:**

Data showing the number of households and persons per household (household size) are shown in Table 5.5.<sup>(4)</sup> According to the table, the number of households in the Township increased by 25 during the 1978-1988 period. This represents an 8.4% increase in the number of households. This finding shows that older family siblings are moving out of the family home to their own homes.

Although a number of new homes has recently been constructed, the population has not increased. According to information concerning building permits and severance activity previously presented in this Report, the majority of residential constructions was non-farm related. Some of these new homes are the result of families moving to a rural location, however, this increase in population is countered by the loss of the younger population to institutes of higher education located outside the Municipality.

During the 1978-1988 period, household size remained constant at 1.5 to 1.6. Compared to the 1986 Provincial average persons per household of 2.8, the Township's

figure of 1.6 is considerably lower; yet has remained constant over a ten-year period. The lesser household size may be understated as a result of the Municipality counting cottagers as part of its households. It would normally be expected that a rural community would have a household size of 3+ persons per household.

**TABLE 5.4**  
**POPULATION DISTRIBUTION BY SEX**  
**TOWNSHIP OF HUDSON**  
**1966, 1971, 1976, 1981, 1986**

YEAR	#	%	PERCENT CHANGE
<u>1986</u>			<u>1981-1966</u>
Male	235	49.5	+ 4.4%
Female	240	50.5	+ 9.1%
<u>1981</u>			<u>1976-1981</u>
Male	225	50.1	- 2.2%
Female	220	49.9	+ 7.3%
<u>1976</u>			<u>1971-1976</u>
Male	230	52.9	0.0%
Female	205	47.1	- 4.9%
<u>1971</u>			<u>1966-1971</u>
Male	230	52.8	+13.9%
Female	206	47.2	+ 3.0%
<u>1966</u>			<u>1966-1986</u>
Male	202	50.2	+16.3%
Female	200	49.8	+20.0%

**TABLE 5.5**  
**HOUSEHOLD AND HOUSEHOLD SIZE**  
**TOWNSHIP OF HUDSON**  
**1978 - 1988**

YEAR	POPULATION	HOUSEHOLDS	CHANGE %/YEAR	PERSONS/ HOUSEHOLD
1988	440	296	+3	1.5
1986	472	293	+1	1.6
1985	456	292	+9	1.6
1982	451	283	+2	1.6
1981	451	281	+2	1.6
1980	433	279	+4	1.6
1979	430	275	+4	1.6
1978	442	271	Nil	1.5

(2) **EMPLOYMENT<sup>(5)</sup>**

(a) **EMPLOYMENT DISTRIBUTION:**

Table 5.6 provides data with respect to employment distribution among males and females by occupation. The data shown indicates clerical and related occupations provide the most jobs in the employment sector at 15.8%. The next three sectors are very close in percentages: primary occupations (12.2%); sales occupations (10.5%); and machine, product fabricating, assembling, and repairing occupations (10.5%). These four sectors account for 49.0% of the employed labour force residing in the Township.

The female labour force, which accounts for approximately 40.4% of the total labour force, is concentrated in the clerical and related occupations, whereas the male labour force, comprising 59.6% of the total labour force, is concentrated in the primary; construction trades; and machine, product fabricating, assembling and repairing occupations.

**TABLE 5.6**  
**EMPLOYMENT DISTRIBUTION 1986**  
**TOWNSHIP OF HUDSON**

EMPLOYMENT SECTOR	MALE	FEMALE	TOTAL
Clerical and related occupations	-	39.1	15.8
Health and medicine	2.9	8.7	5.3
Managerial, administrative and related occupations	5.9	-	3.5
Technological, social, religious, artistic and related occupations	8.8	-	5.3
Teaching and related occupations	5.9	8.7	7.0
Sales occupations	8.8	13.0	10.5
Service occupations	-	21.7	8.8
Primary occupations	17.6	4.4	12.2
Processing occupations	5.9	-	7.0
Construction trades occupations	14.7	-	8.8
Transport equipment operating occupations	11.8	-	7.0
Machine, product fabricating, assembling and repairing occupations	14.8	4.4	10.5
Other occupations	2.9	-	1.8
<b>TOTAL</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

NOTE: Primary occupations include farming, forestry and mining.

**(b) LABOUR FORCE ACTIVITY:**

According to the 1986 Census data, the Township's labour force (15 years of age and over) totalled 380. 87.5% of the males were employed and 66.7% of the females were employed. The unemployment rate was 13.6%; males accounted for 5.7%, while females accounted for 20.8%.



**(3) ECONOMIC BASE**

Primary industries are the largest category employers within the Township. These industries include farmers and forestry workers. Although clerical and related occupations employ the greatest number of residents, these positions are related to businesses located outside the Municipality.

**(4) INCOME<sup>(6)</sup>**

Census data for 1986 indicates the average household income for 1985 Township residents was \$41,605. This compares to the District average of \$28,202 and the Provincial average of \$38,022.

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## **SECTION 5(3)**

## **DEMOGRAPHIC AND ECONOMIC EVALUATION**

### **(3) ECONOMIC BASE**

Primary industries are the largest category employers within the Township. These industries include farmers and forestry workers. Although clerical and related occupations employ the greatest number of residents, these positions are related to businesses located outside the Municipality.

### **(4) INCOME<sup>(6)</sup>**

Census data for 1986 indicates the average household income for 1985 Township residents was \$41,605. This compares to the District average of \$28,202 and the Provincial average of \$38,022.

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## SECTION 5

## DEMOGRAPHIC AND ECONOMIC EVALUATION

### FOOTNOTES

- (1) SOURCE: Municipal Directory, Ministry of Municipal Affairs, Toronto, 1979 - 1989
- (2) SOURCE: Municipal Directory, Ministry of Municipal Affairs, Toronto, 1979 - 1989
- (3) SOURCE: Census of Canada, D.B.S., Ottawa, 1966, 1971, 1976, 1981, and 1986
- (4) SOURCE: Municipal Directory, Ministry of Municipal Affairs, Toronto, 1979 - 1989
- (5) SOURCE: Census of Canada, D.B.S., Ottawa, 1966, 1971, 1976, 1981, and 1986
- (6) SOURCE: Census of Canada, D.B.S., Ottawa, 1986

**SECTION 6****FINANCIAL EVALUATION****(1) REVENUES AND EXPENDITURES**

Table 6.1 compares the revenues and expenditures for the Township from 1985 to 1989. The table shows that revenues increased greatly between 1985 and 1989 with the exception of 1987. It appears the increase in revenues was related to the need to cover School Board increases.

Municipal expenditures generally matched municipal revenues between 1985 and 1989 although expenditures increased only slightly in 1988. Over-expenditures were the result of additional costs of ditching in 1989 and the purchase of equipment in 1987 and 1988, though budgets were generally over in all categories.

**TABLE 6.1**  
**PRINCIPAL REVENUES AND EXPENDITURES**  
**TOWNSHIP OF HUDSON**  
**1985 - 1989<sup>1</sup>**

REVENUE SOURCE	1985	1986	1987	1988	1989
Taxation	\$129	\$150	\$166	\$195	\$225
Unconditional Grants	45	47	52	56	56
Other Sources	130	164	157	151	164
<b>TOTAL REVENUE:</b>	<b>\$304</b>	<b>\$361</b>	<b>\$375</b>	<b>\$402</b>	<b>\$445</b>
<b>EXPENDITURE</b>					
General Municipal	\$227	\$257	\$289	\$280	\$305
School Boards	75	90	101	129	154
<b>TOTAL EXPENDITURES:</b>	<b>\$302</b>	<b>\$347</b>	<b>\$390</b>	<b>\$409</b>	<b>\$459</b>
<b>REVENUE LESS EXPENDITURES</b>	<b>\$ 2</b>	<b>\$ 14</b>	<b>\$-15</b>	<b>\$ -7</b>	<b>\$-14</b>

NOTE: All dollar amounts are in thousands of dollars.

**(2) TAXABLE ASSESSMENT**

The total assessment increased on a gradual basis each year from 1985 to 1989. There was a major jump in 1988, however, as the direct result of reassessment based on 1984 values. Residential/farm assessment set the overall trend as it increased gradually each year. Commercial/industrial assessment increased from 1985 to 1989, but only slightly, while business assessment increased between 1985 and 1989, again, only slightly.

Table 6.2 indicates that the Municipality relies heavily on residential/farm assessment (92.8% of total assessment) for its tax base. Although this trend is not ideal (a 60:40 residential/farm to commercial/industrial and business ratio is preferable), the dependence is neither unexpected nor unusual when compared to other major farming communities.

**TABLE 6.2**  
**TAXABLE ASSESSMENT**  
**TOWNSHIP OF HUDSON**  
**1977 - 1982<sup>(2)</sup>**

YEAR	TOTAL ASSESSMENT	RESIDENTIAL FARM ASSESSMENT	COMMERCIAL INDUSTRIAL ASSESSMENT	BUSINESS ASSESSMENT
1985	\$ 521	\$ 452	\$ 60	\$ 9
1986	\$ 526	\$ 457	\$ 60	\$ 9
1987	\$ 544	\$ 470	\$ 63	\$ 11
1988	\$15,996	\$14,833	\$935	\$228
1989	\$16,565	\$15,371	\$954	\$240

NOTE: All dollar amounts are in thousands of dollars.

**(3) LONG-TERM DEBT**

Table 6.3 shows the Municipality to be in a poor financial position because of its long-term debt; however, because the Municipality has loaned monies to residents (for drainage projects) which is to be repaid, it could be suggested that this is an overstated position.<sup>(3)</sup>

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TABLE 6.3  
LONG-TERM DEBT  
TOWNSHIP OF HUDSON  
1985 -1989<sup>(4)</sup>

YEAR	TAXABLE ASSESSMENT	LONG-TERM DEBT	PERCENTAGE OF TAXABLE ASSESSMENT
1985	\$ 521,000	\$138,000	26.5%
1986	\$ 526,000	\$113,000	21.4%
1987	\$ 544,000	\$ 72,000	13.2%
1988	\$15,996,000	\$ 49,000	3.1%
1989	\$16,565,000	\$ 32,000	0.2%

## **SECTION 6**

## **FINANCIAL EVALUATION**

### **FOOTNOTES**

- (1) SOURCE: Financial Reports 1985 -89, Township of Hudson
- (2) SOURCE: Financial Reports 1985 -89, Township of Hudson
- (3) SOURCE: Discussion with clerk, December 1990
- (4) SOURCE: Financial Reports 1985 -89, Township of Hudson

## SECTION 7

## FUTURE DEVELOPMENT

### (1) POPULATION PROJECTIONS

In order to determine the Township's future population, projections were calculated based on different assumptions.

The Township's average growth rate from 1978 to 1988 was a minus 0.05% per year, according to Table 5.1. The projection is based on this past population trend and assumes it will continue to the year 2006.

PROJECTION: <sup>(1)</sup>	1991	1996	2001	2006
	439	437	435	433

In absolute terms, the Township lost two persons in the period 1978 -1988. This would also result as a negative loss in population regarding a future trend.

Although the Township has increased its population size in relation to the District's population over the same period, the District's population has actually declined at a rate of 1.5% per year.

Notwithstanding the above population scenarios, it is felt that the Township's population will grow very slowly over the next 15 year period. This prognosis is based on the following considerations:

- people will continue to move to the rural areas from the local urban centres, but will leapfrog Dymond Township where severances are generally prohibited.
- conversion of seasonal dwellings will continue to take place on the lakes, until existing by-laws are enforced.
- the economic decline of the mid 1980's is over and the population has adjusted (such as the consolidation of farms).
- the Township will continue to serve as a dormitory community for the Tri-Towns as they grow in size.
- Provincial policy to diversify the local economy will result in a stabilization of the economy to some extent.
- Provincial policy to decentralize government offices will result in an influx of new jobs and the subsequent formation of new households.



Therefore, it is logically projected that the Township's population will increase. The Township's population could possibly increase by five persons per year, or approximately two new households. This would result in a 2006 population of 530, (1.1% per year increase).

**(2) MUNICIPAL SERVICES**

**(a) PIPED SERVICES:**

Based on the information presented in Section 4 herein regarding municipal services and the potential growth in population discussed above, it is not expected that municipal piped services will be required.

The population of the residentially developed farm and rural settled areas is not expected to increase to a level where services will be required.

Similarly, cottage development in the lakes areas is not expected to increase to a level where water and sewerage services will be required.

Therefore, development for residential purposes where septic tanks are to be used should meet the following minimum standards:

- only one dwelling unit per lot;
- minimum lot size of 1,395 square metres where the source of drinking water is, or will be located on the lot, or 936 square metres where the source of drinking water is located off the lot; and
- minimum lot frontage of 30 metres where the source of drinking water is located on the lot and 15 metres where the source of drinking water is located elsewhere.

Commercial developments are to be considered individually by the Health Unit depending on the type of use and its requirements. All premises producing a daily service flow of 4,500 litres of water or more is to be reviewed by the Ministry of the Environment.

**(b) ROADS:**

At present, the existing road system adequately serves the Municipality. The Municipal roads have been classified with regards to the Ministry of Transportation standards. However, it is recommended the Township prepare a long range plan to ensure that the roads will be maintained to at least their present condition with improvements where feasible. A five to ten year plan would be recommended.

While it is not certain as to what funding will be available from the Ministry to carry out such a program, the Municipal Budget should allow for annual gravelling and ditching of selected sections of roadways. Priority should be given to those roadways with poor structural adequacy, and a high level of usage with high maintenance demands.

New areas proposed for development should be required to provide a road system acceptable to Ministry standards as a condition of approval, before being assumed by the Municipality. In addition, the Municipality should not consider the assumption of any private roads into its system, until such time as the road has been constructed to Ministry standards.

In accordance with the Ministry of Transportation's Municipal Road Appraisal, recommendations for future development regarding right-of-ways, horizontal alignment, and major culverts discussed in Section 5 should be undertaken.

**(c) WASTE DISPOSAL:**

The Municipality has adequate capacity in its waste disposal site until the year 2000, notwithstanding, the projected population increase provided the "residents only" policy is enforced.

**(3) FUTURE DEVELOPMENT**

It is expected that the Township's population will continue to increase to the year 2006. To accommodate this population growth, it will be necessary for the future permanent

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residential development to locate in a dispersed manor, generally away from the better agricultural lands and the lakes.

The accommodation of the new dwellings could result in conflicting demands for land since the majority of the soils within the Township have high capability for agriculture and are to be protected in accordance with Ministry of Agriculture and Foods's Guidelines.

The projected increase of 90 persons to the year 2006 would require approximately 36 new dwellings based on a 2.5 persons per household figure. This would account for an average of two dwellings per year.

All lands which have high soil capability for agriculture and access to the road system, except those in the lake area should be designated Agriculture in the Official Plan. Permitted uses could include non-residential development which is primarily related to agriculture, and secondly, conservation and forestry uses. Residential development should be restricted to farm-related residential development, except where an excess residence is separated when a farm consolidation occurs or where a lot is needed for a retiring farmer.

Lands which do not exhibit high soil capabilities for agriculture, or which are isolated because of the lack of road access should be designated Rural in the Official Plan. Permitted uses may include agriculture and agriculturally-related uses; conservation and forestry uses; public and institutional uses; commercial and industrial uses; pits and quarry operations; recreational uses; waste disposal operations; and no-farm residential uses.

Based on the past trends, it is not expected new commercial or industrial development will be required to serve either the existing or projected population. It is felt that the Township is adequately served by commercial and industrial establishments in surrounding communities. New commercial and industrial development will most likely be accommodated as a farm related development.

Lands which contain features which cannot be duplicated elsewhere due to particular combinations of biological, geological, historical or archaeological factors involved in

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their creation should be designated Sensitive in the Official Plan.

Primarily, the Official Plan should continue to protect and enhance the Township's natural resources and particularly the lakes in the southwest corner of the Township. At the same time, the Plan should be flexible enough to accommodate future population growth with minimal influences on the lakes and shoreline areas, as well as the agricultural lands. Future population influencing the lakes would come from the resultant demand for residential development on the lakes, and tourists and fishermen.

Duly correlated with demand for residential development, the quality of the lakes and shoreline areas should be the guideline for the type of development permitted. The lakes and shoreline areas could be developed to accommodate particular demands once it has been assessed critically regarding seasonal development proposals and other recreational demands on the lakes.

A general overview of lakes in prime water-based areas in Ontario would suggest that certain lakes just cannot handle anymore development. Whether or not this is true, is a matter which needs investigation depending on the particular lake and related shoreline development proposals.

The methodology to determine a lakes's capacity (how much development a lake can support and how much it can withstand) is still evolving. Therefore, the Official Plan should state that before approving any development proposal adjacent to a waterbody, which would cause the total development on that waterbody to exceed the estimated development capacity, the Municipality shall conduct a study, at the applicant's expense, to accurately determine the remaining capacity of the waterbody. Any study of a waterbody capacity shall be undertaken in a manner consistent with the most recent accepted techniques for analyzing shoreline and lake capacities.

Current lake capacity methodology utilizes four components: planning from a land use point of view; water quality index; the fishing pressures and fish habitats found within a lake; and the boating activity and boat limit on a lake.

Unlike some carrying capacity studies used, the boat limit system for a particular lake does not relate to biological

REVISED: 20 July 1992

## SECTION 7(3)

## FUTURE DEVELOPMENT

capability. It is mainly an objective expression of socially acceptable standards for boating on lakes today. Lake capacity should, therefore, be based on the most sensitive parameters rather than a boat limit study.

The lake capacity methodology used should select the most sensitive of the calculations as the development standard for a lake in question.

The overall policy for use and shoreline development of lakes in the Township should be maintenance of environmental quality and recreation use. Therefore, the maximum degree of development should be moderate.

To accommodate these goals, the Township will be divided into the following land use designations in its Official Plan:

- Agriculture;
- Rural;
- Seasonal Residential; and
- Sensitive.

To outline the type of priority decisions needed on specific demands for developments, the following chart outlining possible courses of action for each lake's future development is included herein for discussion only.

The development actions are grouped by type and within each group a possible ranking is indicated with one being the first choice, two the second, and three the last. As an example, on Pike Lake first priority is given to seasonal development on lands on the eastern shoreline in Lot 10, Concession I, while first priority would be given to sensitive lands on the southwest shoreline in Lot 10, Concession I being left in a natural state for nesting and feeding areas for osprey and heron.

The alternative of doing nothing at all exists and has been ranked as 0 on the chart.

The trade-off between wildlife and/or seasonal or recreation development must be determined on an individual, lake by lake basis.

**REVISED: 20 July 1992**

TABLE 7.1  
POSSIBLE FUTURE DIRECTION FOR LAKE AND RESOURCE DEVELOPMENT  
HUDSON TOWNSHIP

TYPE OF ACTION	BARTLE LAKE	PIKE LAKE	FRERE LAKE	TWIN LAKE
<u>Development</u>				
- seasonal	2	2	3	3
- permanent	0	0	0	0
- tourist	0	0	0	0
<u>Development of Supply</u>				
- improve access	3	2	2	2
- boat access	0	0	0	0
- improve Level III & IV Lakes	-	-	1	-
- improve Level II & III Lakes	-	1	-	-
- maintain Level I Lakes	1	-	-	1
<u>Demand Pressure</u>				
- boating activity				
tourist	0	0	0	0
resident	3	3	3	3
- fishing activity				
tourist	0	0	0	0
resident	3	3	3	3
- fish habitats				
maintain	-	1	1	1
improve	1	-	-	-
<u>Ownership</u>				
- private use	1	1	1	1
- public use				
interpretation area/ANSI area	-	1	-	1
upgrade park	-	1	-	-

REVISED: 20 July 1992

## **SECTION 7**

## **FUTURE DEVELOPMENT**

### **FOOTNOTES**

- (1) SOURCE: The Plantario Group Ltd., 25 January 1991
- (2) SOURCE: The Plantario Group Ltd., 25 January 1991

**APPENDIX 2**  
**PUBLIC NOTIFICATION**  
**TOWNSHIP OF HUDSON**

**DRAFTED: 25 February 1991**  
**REVISED: 20 July 1992**

**THE PLANTARIO GROUP LTD.**  
**EAST YORK, ONTARIO**



## **APPENDIX 2**

## **PUBLIC NOTIFICATION**

This Official Plan was brought to the attention of the public by advertisement in the local newspaper on 12 June 1991 and 28 October 1992. Public meetings were held on 15 July 1991 and 9 November 1992.

Copies of the Notices of the Public Meetings (as published in the local newspaper) and Minutes of the Public Meeting are available from the Clerk.

**REVISED: 20 July 1992**

## **APPENDIX 2**

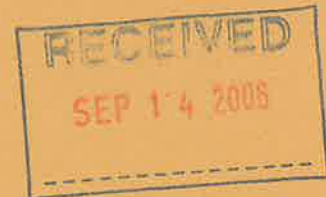
## **PUBLIC NOTIFICATION**

The Clerk is to insert here records of public notices and public meetings held concerning this Official Plan, plus any comments received, prior to submission of this Official Plan for approval.

**REVISED: 20 July 1992**

**PITS AND QUARRIES CONTROL BY-LAW**

**TOWNSHIP OF HUDSON**



**PN: 0670/4**

**DRAFTED: 11 September 2006**

**THE PLANTARIO GROUP LTD.  
EAST YORK, ONTARIO**

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**THE CORPORATION OF THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 2006-24**

**A BY-LAW TO REGULATE THE OPERATION OF PITS AND QUARRIES  
AND OTHER RELATED MATTERS IN THE TOWNSHIP OF HUDSON**

**WHEREAS** the Municipal Act, S.O. 2001, as amended, provides that the council of a municipal corporation may pass by-laws to regulate or prohibit matters, such as the operation of pits and quarries and other matters related thereto;

**AND WHEREAS** the Municipal Act, S.O. 2001, as amended, provides that the council of a municipal corporation may, as a part of the power to regulate and prohibit, provide for a system of licences, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration;

**AND WHEREAS** it is deemed advisable to implement Section 6(3)(g)(iv) of the Official Plan of the Township of Hudson;

**NOW THEREFORE** the Council of the Corporation of the Township of Hudson **ENACTS** as follows:

**SECTION 1**

**INTRODUCTION**

**(1) TITLE OF BY-LAW**

This By-law may be cited as the "Pits and Quarries Control By-law".

**(2) SCOPE OF BY-LAW**

**(a) LANDS SUBJECT TO BY-LAW:**

The provisions of this By-law shall apply to all patent lands within the corporate limits of the Township of Hudson.

For those applications located on Crown lands, permit applications shall be submitted to the Minister of Natural Resources.

**(b) CONFORMITY WITH BY-LAW:**

No person shall establish new, or enlarge an existing site for the purpose of operating a pit or quarry except in conformity with the provisions of this By-law. Where such operations are approved by Council, the conditions relating to the provisions of the By-law shall be written in an Operator's Agreement, as provided by Council for any such operation.

The applicant may request relief from complying with any provision of this By-law by submitting a written request to the Council, stating the relief sought and the reason such relief is required. The decision of Council shall be incorporated in the Operator's Agreement in respect to his property, unless such application is refused.

**(c) COMPLIANCE WITH ZONING BY-LAW:**

Nothing in this By-law is intended to make lawful any operation which would otherwise be unlawful by reason of its constituting the use of any land, building or structure for purposes prohibited by any by-law of the Corporation, nor shall it be deemed to authorize the establishment or alteration of any pit or quarry contrary to any by-law of the Corporation passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended.

An applicant for the approval of Council, must furnish information satisfactory to the Council describing the zoning by-law applicable to the site and adjacent lands.

No approval shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries, or until such time as an amendment to the zoning by-law to permit such use, is finally approved.

**(d) COMPLIANCE WITH OTHER RESTRICTIONS:**

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

**(3) INTERPRETATION OF BY-LAW**

**(a) SINGULAR AND PLURAL WORDS:**

In this By-law, unless the context requires otherwise words used in the singular number include the plural; and words used in the plural include the singular number.

**(b) SHALL IS MANDATORY:**

In this By-law, the word "shall" is mandatory.

**(4) EXEMPTION FOR WAYSIDE PITS AND WAYSIDE QUARRIES**

The provisions of this By-law shall not apply to wayside pits or wayside quarries. Applications for a wayside pit or a wayside quarry permit are the responsibility of the Minister of Transportation within the Township of Hudson.



## SECTION 2

## DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions shall apply:

- (1) **ACCESSORY USE** means a use which is incidental, subordinate and exclusively devoted to a main building, main structure or main use and located on the same lot therewith.
- (2) **APPLICANT**, means a person who has made application to the Council of the Corporation to amend the comprehensive Zoning By-law of the Municipality to permit the establishment of a new pit or quarry or to permit the extension of an existing pit or quarry.
- (3) **CORPORATION**, means the Corporation of the Township of Hudson.
- (4) **COUNCIL**, means the Council of the Corporation of the Township of Hudson.
- (5) **EXISTING**, means existing on the date of passing of this By-law.
- (6) **MUNICIPAL INSPECTOR**, means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.
- (7) **OPERATOR**, means the person who owns the right to extract material from a pit or quarry and shall also mean any person entitled by lease or otherwise to exercise such right.
- (8) **PERMITTED**, means permitted by this By-law.
- (9) **PERSON**, means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

## SECTION 2(10)

## DEFINITIONS

- (10) **PIT**, means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:
- (a) any excavation incidental to the erection of a building or structure for which a building permit has been issued by the Corporation;
  - (b) any excavation incidental to the construction of any public works;
  - (c) any asphalt plant, cement manufacturing plant or concrete batching plant; or
  - (d) any wayside pit, as defined herein.
- (11) **PLANTED BERM**, means a mound of earth which is planted with grass, shrubs, trees or other vegetation to prevent erosion. The planted berm shall serve to visually screen a pit or quarry operation from adjacent properties or streets.
- (12) **PLANTING STRIP**, means an area which shall be used for no purpose other than planting a row of trees or a continuous, unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting trees, shrubs, flowers, grass or similar vegetation.
- (13) **QUARRY**, means any open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:
- (a) any excavation incidental to the erection of a building or structure for which a building permit has been issued by the Corporation;
  - (b) any excavation incidental to the construction of any public works;
  - (c) any asphalt plant, cement manufacturing plant or concrete batching plant; or
  - (14) any wayside quarry, as defined herein.

## SECTION 2(14)

## DEFINITIONS

- (14) **STREET**, means a public thoroughfare under the jurisdiction of either the Corporation or the Province of Ontario. This definition shall not include a lane, a private right-of-way, a registered right-of-way or an original shore road allowance.
- (15) **WATERBODY**, means any natural watercourse or canal, other than a drainage ditch or irrigation channel.
- (16) **WAYSIDE PIT**, means a temporary open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used by a public authority solely for the purpose of a particular project or contract of construction.
- (17) **WAYSIDE QUARRY**, means a temporary open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral, opened and used by a public authority solely for the purpose of a particular project or contract of construction.
- (18) **YARD**, means a space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.
- (19) **ZONING BY-LAW**, means any by-law of the Corporation passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended.

## **SECTION 3**

## **APPLICATIONS**

### **(1) APPLICATION FOR APPROVAL**

Every person wishing to establish a pit or a quarry shall make a written request to the Council of the Township of Hudson for the establishment of such use. The application shall contain the material and reports outlined herein, unless otherwise provided herein.

### **(2) SITE PLANS**

Every application for an approval shall include a site plan in accordance with the requirements of Section 6(3) hereof.

### **(3) MATTERS TO BE CONSIDERED BY COUNCIL**

In considering whether an approval should be issued or refused, the Council shall have regard to:

- the effect of the operation of the pit or quarry on the environment;
- the effect of the operation of the pit or quarry on nearby communities;
- any comments provided by the staff of the Township of Hudson;
- the suitability of the progressive rehabilitation and final rehabilitation plans for the site;
- any possible effects on ground and surface water resources;
- any possible effects of the operation of the pit or quarry on agricultural resources;
- any planning and land use considerations;
- the main haulage routes and proposed truck traffic to and from the site;
- the quality and quantity of the resource on the site;
- the applicant's history of compliance with previous Operator's Agreements, if such Agreement had previously been issued to the applicant;

- such other matters as are considered appropriate.

**(4) ADDITIONAL INFORMATION**

The Council may require an applicant to furnish additional information in such form and manner as is considered necessary, and, until the information is furnished, further consideration of the application may be refused.

## **SECTION 4**

## **DEVELOPMENT PROVISIONS**

### **(1) USE OF LAND**

No person shall use any lot for the purpose of a pit or quarry except in accordance with the most recent Operator's Agreement for such lot, as approved by Council.

### **(2) LOCATION OF OPERATIONS**

No excavation, building, structure, stock pile or plant shall be made on any lot except in compliance with the applicable Zoning By-law for the subject property and with Section 6(3) hereof. This requirement does not apply to any excavation, building, structure, stockpile or plant that existed prior to the passing of the comprehensive Zoning By-law.

### **(3) PROVISIONS FOR SCREENING**

When required in accordance with the applicable Zoning By-law for the subject property, every operator shall provide, and thereafter maintain, planting strips. Any trees planted in compliance with the above shall be of a species and type capable of attaining a minimum height of 5.0 metres.

All screening material and the location of such screening shall be shown on drawings prepared in accordance with Section 6(3) hereof.

Where a Noise Study, conducted in accordance with the provisions of the D-Series Guidelines of the Ministry of the Environment, recommends a planted berm, an operator may construct and maintain a planted berm in lieu of the planting strip required above. The planted berm shall have a minimum vertical height of 1.5 metres from base to crest. Such berm shall be sloped and vegetated in such a way as to prevent erosion.

### **(4) ERECTION OF WARNING SIGNS**

Every operator shall erect and maintain signs, at 20.0 metres intervals along the perimeter of his lands, clearly identifying the use of such lands as a pit or quarry and warning the public of the dangers of trespassing. Such signs shall conform to the standards set by Council.

The location of all warning signs shall be shown on drawings prepared in accordance with Section 6(3) hereof.

**(5) ERECTION OF OPERATOR'S SIGNS**

Every operator shall erect a sign in a conspicuous location, no more than 10.0 metres from any and all street entrances of the site, and of no less than 2.0 metres long by 1.0 metre wide. The sign will display, in a legible manner, the following information:

- the operator's name;
- the operator's mailing address; and
- the operator's telephone number.

The location of all operator's signs shall be shown on drawings prepared in accordance with Section 6(3) hereof.

**(6) PROTECTION OF WATER RESOURCES**

No person shall establish a new pit or quarry or expand the operation of an existing pit or quarry in or adjacent to any waterbody without first having obtained the consent of the Ministry of the Environment.

Where water is to be removed or used in the process, a Permit to Take Water from the Ministry of the Environment will be required.

**(7) ENTRANCES**

Every operator shall locate his entrance and exit so as to provide an unobstructed view in both directions along the street. All entrances shall be approved by the Township Road Superintendent, prior to their use, in accordance with the Township's design and safety standards.

Every operator shall erect and maintain a gate at each entrance and exit from his site which shall be kept closed and locked when the pit or quarry is not in operation.

The location of all entrances shall be shown on drawings prepared in accordance with Section 6(3) hereof.

**(8) FENCING**

Where required, every operator shall erect, and thereafter maintain, a fence which is 2.0 metres in height and constructed of a chain link material or equivalent. The fence may be located along the perimeter of the subject property or around work areas.

Every explosive storage building shall be fenced with a chain link fence of 3.0 metres in height, with a gate which can be locked. The fence shall be located within 5.0 metres of the building, but not closer than 2.0 metres.

Where the Council has determined the need for fencing, the location of all fences and buildings shall be shown on drawings prepared in accordance with Section 6(3) hereof.



## **SECTION 5**

## **OPERATING PROVISIONS**

### **(1) HOURS OF OPERATION**

No person shall operate a pit or quarry or operate any machinery or equipment, except water pumping equipment used in connection therewith, or detonate any explosives on any Sunday or Statutory Holiday, or between the hours of 8:00 p.m. and 7:00 a.m.

### **(2) CONTROL OF BLASTING NOISE AND VIBRATION**

No person shall operate a pit or quarry or any machinery or equipment used in connection therewith unless in accordance with the recommendations of a Study, prepared in accordance with the Ministry of the Environment D-Series Guideline, for the control of blasting noise and vibration.

### **(3) TRANSPORTATION OF MATERIALS**

Every operator shall be responsible for ensuring that no truck or other vehicle hauling material to or from his pit or quarry is loaded to such a level that material spills therefrom onto a street.

Every operator shall be responsible for maintaining the streets used by vehicles going to and from his pit or quarry in a clean and safe condition by removing all material which falls from the load or from any parts of the vehicle. Such responsibility extends a distance of 450.0 metres along the street in any direction from an entrance road to such pit or quarry.

Every operator shall be responsible for ensuring that all vehicles are loaded and routed in a manner so as to comply with any by-laws of the Corporation respecting load limits.

All transportation routes to be used for trucking materials to or from the subject site, shall be approved by Council and shown on drawings prepared in accordance with Section 6(3) hereof.

### **(4) MAINTENANCE OF INTERNAL ROADS**

Every operator shall cause all internal roads within his pit or quarry to be treated with a dust-controlling substance at regular time intervals and whenever requested by the Municipal Inspector. A Certificate of Approval for a Waste Management System shall be

required from the Ministry of the Environment for the dust control equipment if any dust control substance other than clean water is used. If water is used as the dust control substance and a volume of water greater than 50,000 litres per day will be used, the operator shall obtain a Permit to Take Water from the Ministry of the Environment.

**(5) DISPOSAL OF WATERS**

No person shall discharge any waste, cleaning or washing water from a pit or quarry into any waterbody, nor divert or pump waters from any pit or quarry excavation without having first obtained the written approval of the Ministry of the Environment.

**(6) EXCAVATION BELOW WATER TABLE**

Notwithstanding any other permit or license issued under any other authority, excavation shall be terminated in any pit or quarry when the depth reaches the water table in the area, as proven by test borings, until written authorization to exceed such depth is granted by Council. Where authorization is granted and the de-water will exceed 50,000 litres per day, a Permit to Take Water from the Ministry of the Environment will be required.

**(7) USE OF EXISTING WATERBODY OR GROUNDWATER**

Where an applicant proposes to remove and use, as part of his operation, water from a waterbody or from the groundwater, Council, in consultation with the Ministry of the Environment, shall require the applicant to have a Hydrology Study carried out in accordance with the Ministry's D-Series Guideline in order to assess the impact that the utilization will have on the water supply of adjacent land owners and adjacent surface waterbodies.

**(8) EXPLOSIVES**

All explosives kept on-site shall be stored in a building used exclusively for explosives storage purposes and shall be appropriately identified as an explosive storage building. This building shall be locked, except when it must be opened to obtain explosives for daily use, to store additional explosives, or to undertake routine inventory or inspection.

## **SECTION 6**

## **REHABILITATION**

### **(1) FACE OF EXCAVATION**

Every final excavation face of a pit shall be sloped to no more than 30 degrees off horizontal and shall be sloped into the pit from the excavation setback limits.

Every waterbody resulting from the operation of a pit shall have its banks sloped to not more than 30 degrees off horizontal.

Every final excavation face of a quarry shall be sloped or benched into the quarry from the excavation setback limits.

Any pit or quarry that has not been in operation for a period of twelve consecutive months shall have the floor and sides leveled and graded in accordance with the slopes set out herein.

### **(2) TOPSOIL AND SUBSOIL**

Every operator shall, as aggregate is being extracted from the site, undertake to:

- (a) collect and retain on the site all existing topsoil;
- (b) collect and retain in the site existing subsoil sufficient for the purposes of rehabilitation; and
- (c) ensure that all stockpiles of topsoil and subsoil shall have stable slopes and shall be vegetated to prevent erosion.

The topsoil and subsoil may be stockpiled in the form of a berm for the purposes of Section 3(3) hereof.

Every operator, in respect to the topsoil and subsoil referred to above, shall:

- (a) ensure that a sufficient depth of topsoil is used to grow and maintain vegetation adequate for rehabilitation purposes, including erosion control on the site; and
- (b) ensure that a sufficient quantity of subsoil is available for grading, sloping and other rehabilitation of the site.

## **SECTION 6(2)**

## **REHABILITATION**

The operator shall grade and replace the topsoil and subsoil as shown on drawings prepared in accordance with Section 6(3) hereof.

### **(3) DISPOSAL OF WASTES**

Prior to the final rehabilitation of any site, all wastes shall be removed or otherwise disposed of in accordance with Ministry of the Environment Regulations.

## **SECTION 7**

## **IMPLEMENTATION**

### **(1) REQUIREMENT TO ENTER INTO AN AGREEMENT**

Prior to Council's approval to permit the establishment of new pits and quarries or an extension to an existing pit or quarry, it shall require the applicant to enter into an Operator's Agreement with the Corporation.

### **(2) CONDITION TO ENTER INTO AN AGREEMENT**

No Operator's Agreement will be entered into until all necessary permits and licenses have been obtained by the applicant from the appropriate authorities and they shall be attached to form part of the Agreement. The Agreement shall reference the studies and reports prepared by the applicant, where necessary.

### **(3) SITE PLANS**

The Operator's Agreement shall be accompanied by site plan(s) containing the following information:

- (a) a key map showing the location of the site;
- (b) a general description of the site, including lot and concession lines, if any;
- (c) the shape, dimensions and hectarage of the site;
- (d) the use of the land and the location and the use of the buildings and other structures within 150.0 metres of the site;
- (e) the location, dimensions and use of the buildings and other structures existing or proposed to be erected on the site;
- (f) the location of the excavation setback limits;
- (g) the location of fences and any significant natural features;
- (h) the location of planting strips and the species and types of the trees and/or the location of planted berms, their height and slope;

## **SECTION 7(3)(i)**

## **IMPLEMENTATION**

- (i) the topography of the site, including existing and estimated final contours and spot elevations;
- (j) every entrance to, and exit from, the site;
- (k) all roads on the site;
- (l) the water table and any existing and proposed drainage facilities on the site;
- (m) the location of water wells within 150.0 metres of the site;
- (n) the maximum depth of excavation and whether it is intended to excavate below the water table;
- (o) the sequence of direction of operation;
- (p) the progressive rehabilitation and final rehabilitation plans; and
- (q) the route vehicles will travel along those streets which are municipally maintained when hauling materials within the Township.

The information required above shall be presented under four headings on at least four separate site plans as follows:

- (a) Existing Features;
- (b) Sequence or Direction of Operation;
- (c) Rehabilitation Plans; and
- (d) Transportation Routes

and shall be at a scale of 1:2000 or 1:5000.

## **(4) STATEMENT OF COMPLIANCE**

All Operator's Agreements shall contain a clause wherein the operator and the property owner states his/their intentions to comply with all provisions contained in the Agreement,

including any operation or rehabilitation provisions set out on the site plans referred to and all provisions of this By-law.

**(5) CONDITION OF AGREEMENT**

Any preventive measures, such as monitoring wells or retention ponds, recommended by the Hydrology Study referred to in Section 5(7), or noise recorders recommended by the Noise Study referred to in Section 4(3) hereof shall be appropriately incorporated as conditions into the Operator's Agreement.

**(6) REGISTRATION OF AGREEMENT**

The Operator's Agreement, including site plans, referred to above shall be registered against the title of the lands to which it applies and shall be effective against both the property owner and the operator.

## **SECTION 8**

## **ADMINISTRATION**

### **(1) APPOINTMENT OF MUNICIPAL INSPECTOR**

Council shall, from time to time, appoint by By-law a Municipal Inspector who shall be charged with the duty of enforcing the provisions of this By-law.

### **(2) INSPECTION OF PREMISES**

The Municipal Inspector, or any other officer of the Corporation, acting under the direction of Council is hereby authorized to enter, at all reasonable hours, upon any property or premises used in connection with a pit or quarry for the purpose of carrying out his duties under this By-law.

### **(3) NOTICE OF VIOLATION**

Where the Municipal Inspector finds a violation in relation to any section, provision or clause of this By-law, shall in writing, notify the operator and owner of the subject land that the pit or quarry is being operated in violation of the By-law. The Notice shall state the section, provision or clause which is being contravened and provide a date of reinspection for compliance.

### **(4) VIOLATION AND PENALTIES**

Every operator who operates any pit or quarry in a manner contrary to any requirement of this By-law, or who causes or permits such operation, or who violates any provisions of this By-law or causes or permits a violation thereof, shall be guilty of an offence and, upon conviction therefore, shall forfeit and pay a penalty not exceeding Five Hundred dollars (\$500.00), exclusive of costs, for each such offence. Every such penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990, as amended. Each day of violation shall constitute a separate offence.

### **(5) CORRECTION OF VIOLATIONS**

The Council may direct by resolution that any such person violating the provisions of this By-law shall demolish and remove or correct any work as directed by the Council, at his or their own expense so that he or they are in compliance with the provisions of this



By-law. In the event of non-compliance with the resolution of the Council, Council may have such work carried out and place the cost of such work upon the collector's roll as a charge against the property owner, and the amount may be collected in the same manner as municipal taxes.

**(6) VALIDITY**

If any section, provision or clause of this By-law is, for any reason, declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, provision or clause so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, provisions or clauses of this By-law shall remain in full force and effect until repealed, notwithstanding, that one or more provisions thereof shall have been declared to be invalid.

## SECTION 9

## APPROVAL

THIS BY-LAW shall become effective on the date hereof.

THIS BY-LAW read a first and second time this....4....day of...October...., 2006.

THIS BY-LAW read a third time and passed this....4....day of...October...., 2006.

Signed: \_\_\_\_\_

  
(Reeve)

(SEAL)

Signed: \_\_\_\_\_

  
(Clerk)

**CEMETERY ZONING AMENDMENT**

**RURAL SPECIAL (RU-2) ZONE**

**TOWNSHIP OF HUDSON**

**BY-LAW 2007-19**

**PN: 0670/5**

**DRAFTED: 13 July 2007**

**REVISED: 2 August 2007**

**ENACTED:**

**THE PLANTARIO GROUP LTD.**

**EAST YORK, ONTARIO**

**THE CORPORATION OF THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 2007-19**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 97-09**

**WHEREAS** the Council of the Corporation of the Township of Hudson deems it advisable to amend By-law No. 97-09 (the comprehensive Zoning By-law of the Township of Hudson);

**NOW THEREFORE** the Council of the Corporation of the Township of Hudson **ENACTS** as follows:

1. Section 10 of By-law No. 97-09 is hereby amended by the addition of the following at the end thereof:

**“(5) USES PERMITTED IN RU-2 ZONES**

No person shall within any RU-2 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RU-2 uses, namely:

**(a) RESIDENTIAL USES:**

prohibited.

**(b) NON-RESIDENTIAL USES:**

a cemetery.

**(6) SPECIAL PROVISIONS FOR RU-2 ZONES**

No person shall within any RU-2 zone use any lot or erect, alter or use any building or structure unless in accordance with the provisions of Sections 3 and 10(2), except as provided for in the following provisions:

- |   |                 |
|---|-----------------|
| <b>(a) LOT AREA (minimum):</b>                | - 10.0 hectares |
| <b>(b) BUILDING AREA (minimum):</b>           | - 5%            |
| <b>(c) BUILDING SETBACK, FRONT (minimum):</b> | 5.0 metres      |
| <b>(d) BUILDING SETBACK, REAR (minimum):</b>  | 5.0 metres      |
| <b>(e) BUILDING SETBACK, SIDE (minimum):</b>  | 5.0 metres      |

(f) **EXCAVATION AREA:**

Notwithstanding any other provision herein to the contrary, no excavation for the burial of a body shall be permitted within the front, rear and side set backs established above.

2. Schedule A, attached to and forming part of By-law No. 97-09 is hereby amended by changing from CM-2 the zone symbol on the lands designated "ZONE CHANGE TO RU-2" on Schedule 'A' hereto.
3. Schedule 'A', attached hereto, is hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.
4. This By-law shall become effective on the date hereof subject to:
  - (i) the expiration of the time period specified for the filing of objections by the Notice of the Passing of this By-law, provided that no notice of objection has been filed within the time period specified; or
  - (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time specified in the Notice of the Passing of this By-law.

**THIS BY-LAW** read a first and second time this ..4... day of October, 2007.

**THIS BY-LAW** read a third time and passed this ...<sup>4</sup>... day of October, 2007.

Signed: \_\_\_\_\_

(Reeve)

(SEAL)

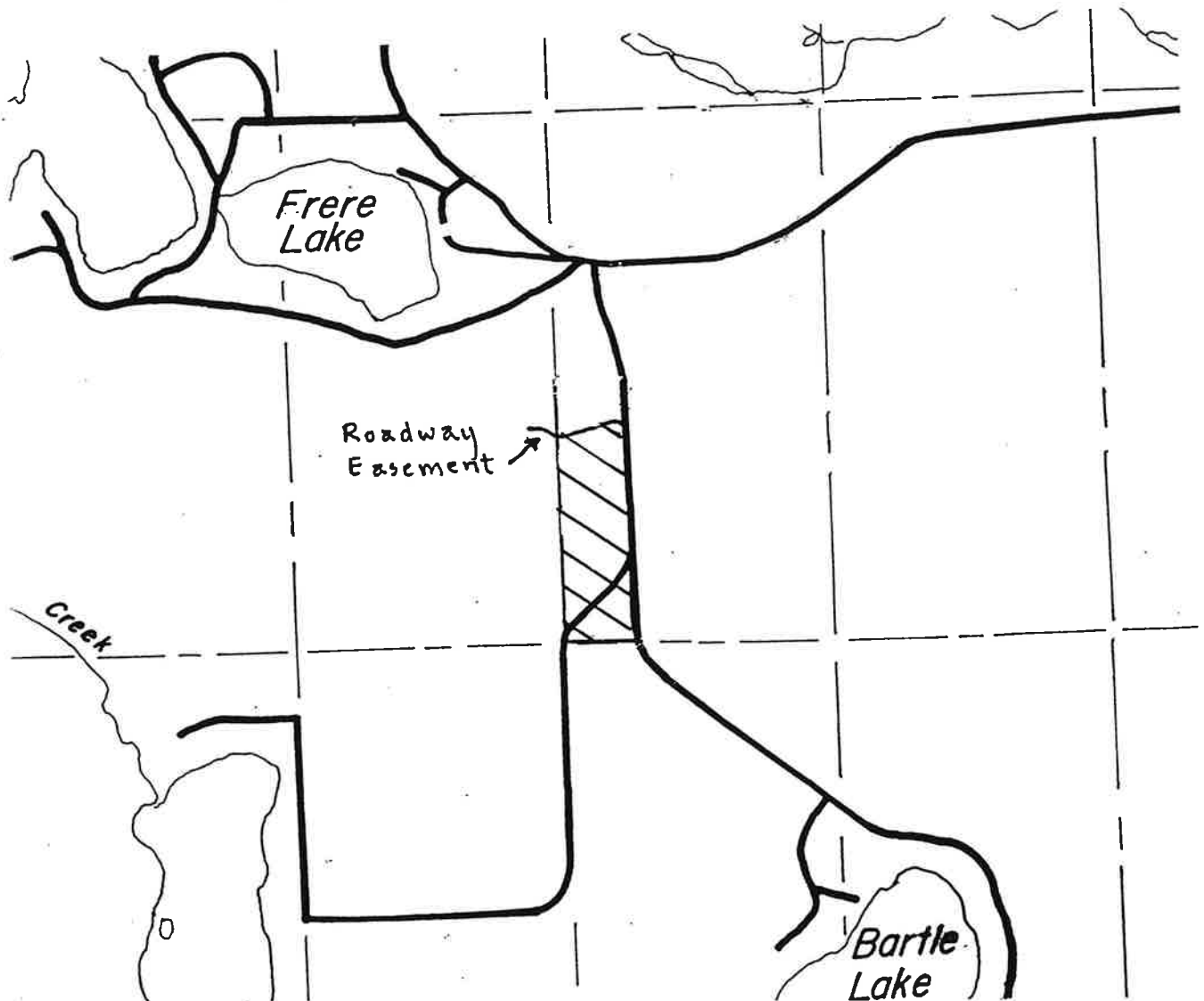
Signed: \_\_\_\_\_

(Clerk)

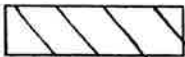
SCHEDULE 'A'

BY-LAW NO. 2007-19

SOUTH HALF OF LOT 8, CONCESSION II  
TOWNSHIP OF HUDSON  
DISTRICT OF TIMISKAMING



LEGEND



ZONE CHANGE TO RU-2



METRES

250 0 250



The Plantario Group Ltd.

9 Crescent Place - Suite 2109

EAST YORK, Ontario

M4C 5L8

(416) 698-3655

THIS IS SCHEDULE 'A' TO BY-LAW

NO. 2007-19 PASSED THE 4

DAY OF October, 2007.

(REEVE):

A handwritten signature in blue ink, likely belonging to the Reeve.

(SEAL)

(CLERK):

A handwritten signature in blue ink, likely belonging to the Clerk.

DWG NO. : 0670/5 - A

DRAFTED: 13 July '07

REVISED: 2 Aug '07

**OFFICIAL PLAN AMENDMENT NO. 4**

**TOWNSHIP OF HUDSON**

*By-Law 2006-21*



**PN: 0671/30**

**DRAFTED: 8 MAY 2006**

**REVISED: 6 September 2006**

**ENACTED: 28 December 2006**

**THE PLANTARIO GROUP LTD.**

**EAST YORK, ONTARIO**

## SWORN DECLARATION

### Subsection 17(28) of the Planning Act

**Applicant:** Township of Hudson  
**Municipality:** Township of Hudson  
**MMAH File No.:** 54-OP-0087-004

I, Edouard Landry of the City of Greater Sudbury solemnly declare,

1. That notice of the decision in respect of the above-noted matter made on December 5, 2006 was given as required by subsection 17(35) of the Planning Act on December 5, 2006.
2. That no appeal to the Ontario Municipal Board of the decision in respect of the above-noted matter made on December 5, 2006 was received under subsection 17(36) of the Planning Act within the time specified for submitting an appeal.


and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me

at the City of Greater Sudbury

this 15<sup>th</sup> day of February, 2007

  
Commissioner of Oaths

  
Declarant

Heather Marie Robertson, a Commissioner, etc.,  
Province of Ontario, for the Government of Ontario,  
Ministry of Municipal Affairs and Housing  
February 26, 2009



# DECISION

With respect to Official Plan Amendment # 4 to the Official Plan of  
the Township of Hudson  
Subsection 17(34) of the Planning Act

---

I hereby approve all of Amendment # 4 to the Official Plan of the  
Township of Hudson adopted by By-law No. 2006-21.

Dated at Greater Sudbury this 5<sup>th</sup> day of December, 2006

A handwritten signature in dark ink, appearing to read "L. Buckham", is written over a horizontal line.

Lynn Buckham  
Regional Director  
Northeastern Municipal Services  
Ministry of Municipal Affairs and Housing

## ADOPTION AND CERTIFICATION OF AMENDMENT

This Amendment to the Official Plan of the Township of Hudson was adopted by Council by By-law No. ~~2006-21~~ in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended, on the ....6.... day of ~~September~~....., 2006.

### THE CORPORATION OF THE TOWNSHIP OF HUDSON

Signed:

  
(Reeve)

Signed:

 (seal)  
(Clerk)

I hereby **CERTIFY** that this is the ORIGINAL/DUPLICATE ORIGINAL of Amendment No. 4 to the Official Plan of the Township of Hudson as adopted by By-law No. ~~2006-21~~ of the Township of Hudson on the ....6.... day of ~~September~~....., 2006.

Signed:

 (seal)  
(Clerk)

THE TOWNSHIP OF HUDSON

BY-LAW NO. 2006-21

A BY-LAW TO ADOPT AMENDMENT NO. 4 TO THE  
OFFICIAL PLAN OF THE TOWNSHIP OF HUDSON

**WHEREAS** the Council of the Corporation of the Township of Hudson deems it in the interest of the Municipality to amend the Official Plan for the Township of Hudson;

**NOW THEREFORE**, the Council of the Corporation of the Township of Hudson in accordance with Section 17(22) of the Planning Act, R.S.O. 1990, as amended, **ENACTS** as follows:

1. Amendment No. 4 to the Official Plan of the Township of Hudson is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of Amendment No. 4 to the Official Plan of the Township of Hudson.
3. This By-law shall come into force and take effect on the date of final passing thereof.

**THIS BY-LAW** read a first and second time this .....6..... day of September....., 2006.

**THIS BY-LAW** read a third time and passed this .....6..... day of September....., 2006.

Signed: \_\_\_\_\_

(Reeve)

Signed: \_\_\_\_\_

(Clerk)

(seal)

I hereby **CERTIFY** that the above is a true copy of By-law No. 2006-21... as enacted and passed by the Township of Hudson on the .....6..... day of September....., 2006.

Signed: \_\_\_\_\_

(Clerk)

(seal)

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**TOWNSHIP OF HUDSON**  
**OFFICIAL PLAN**

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REVISED: 6 September 2006

## **SECTION 1**

## **INTRODUCTION OF AMENDMENT**

### **(1) TITLE OF AMENDMENT**

This Amendment may be cited as "Amendment No. 4 to the Official Plan of the Township of Hudson".

### **(2) CONTENTS OF AMENDMENT**

Section 3 hereof, and the attached Schedule constitutes Amendment No. 4 to the Official Plan of the Township of Hudson.

## SECTION 2

## BASIS OF AMENDMENT

This Amendment is based upon an Application from a ratepayer.

When the Township Official Plan was first being developed, information on the higher agricultural capability of the land was provided by the Ministry of Agriculture and Food. This information was used in the preparation of the Official Plan designations which split the rural of the Township between the Agriculture (higher capability) and Rural (lower capability) designations. Additional lands were added to the Agriculture designation by Council which reflected lands which had been altered in terms of capability because of the presence of tile drains or municipal drains being installed in particular areas or because of the presence of an active, productive farm operation.

When the subject lands were considered, a tile drainage project had been completed for the land, and the Council recognized the agricultural use of the land by designating the land as Agriculture. However, since the preparation of the Plan, dwelling houses have been located on lots which existed at that time, and the land area of the industrial property has expanded twice with lot additions. One consent was also approved for a new residential lot.

The cumulative effect of this development has been to limit the use of the land for agricultural purposes because of the presence of non-farm land uses. As well, the type of farming most common in the area has changed over time with cash cropping now the most popular. No farm buildings exist on any of the properties involved with this Amendment. Also, the size of the parcels which have been developed on the subject lands, and the size of the parcel remaining are not particularly suitable for the type of farming activities currently practised in the area.

Given the presence of non-farm land uses in this area, and the lower capability of the land as determined by the Ministry of Agriculture and Food in their assessment of the land, it would be appropriate to change the designation of the subject land from Agriculture to Rural. In addition, there has been a reduction in the number of farms south of Highway No. 65 West, while there has been a concentration of farm properties to the north of the Highway.

The effect of this Official Plan Amendment will be to reduce the amount of land designated Agriculture south of Highway No. 65 West, while permitting a greater range of land uses on land originally determined not be of high agricultural capability.

This Amendment is based on the planning considerations discussed in the Appendices attached hereto.

Implementation and administration of this Amendment shall be in accordance with the provisions of Sections 7 and 9 of the Official Plan of the Township of Hudson respectively. The Amendment shall be interpreted in accordance with Section 8 of the Plan.

## **SECTION 3**

## **DETAILS OF AMENDMENT**

### **(1) TEXT CHANGE**

- (a) Section 5(2)(c) of the Official Plan for the Township of Hudson is hereby amended by deleting the last paragraph of this subsection and replacing it with the following new paragraph:

“Applicable Ministry of the Environment Guidelines include, but are not limited to, land use compatibility for; aggregate and non-aggregate resources; highways, railways and airports; sewage treatment plants; sensitive land uses; waste disposal sites; and industrial facilities.”

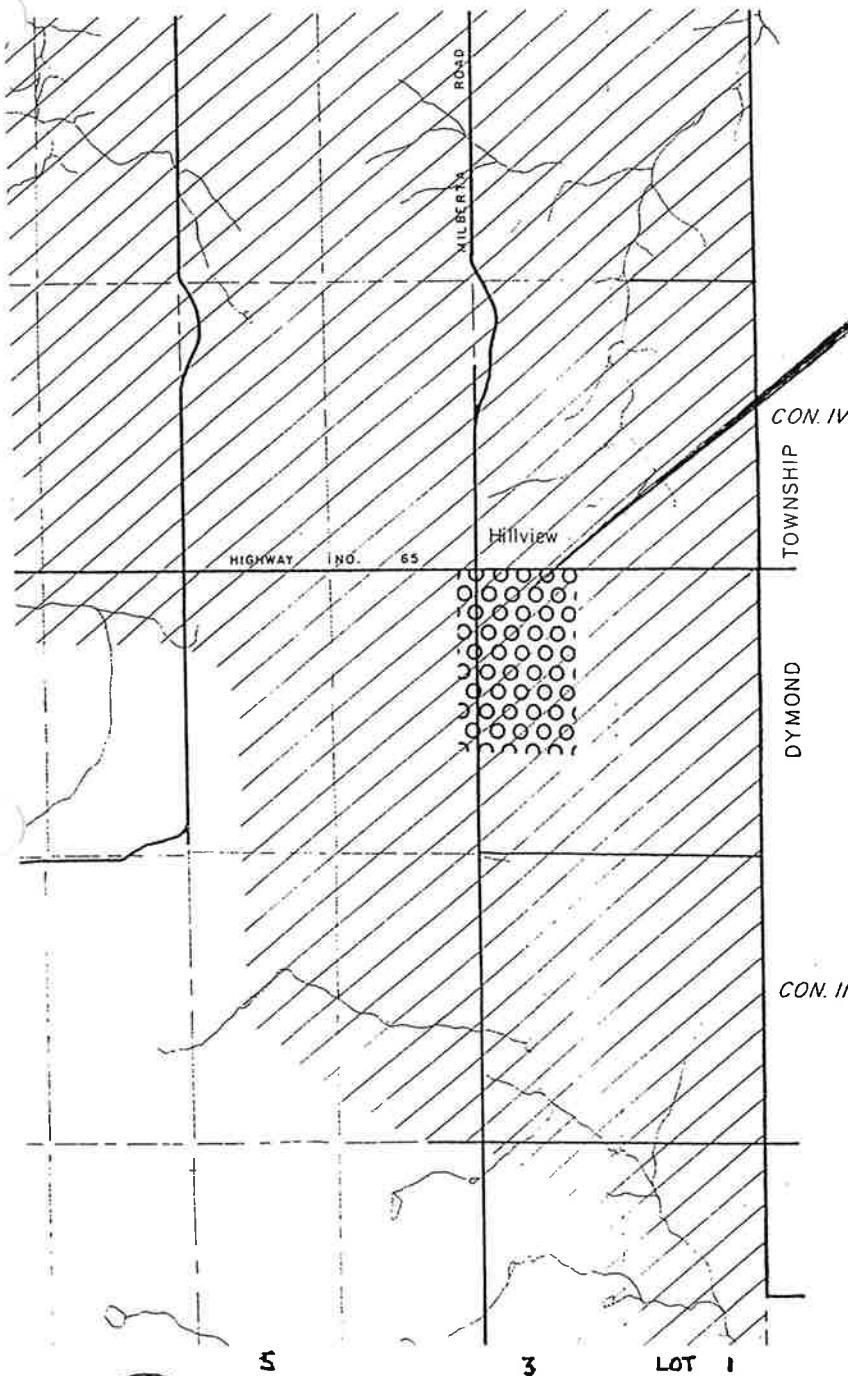
### **(2) SCHEDULE CHANGE**

Schedule A, Land Use, to the Official Plan of the Township of Hudson, as amended, is hereby further amended by changing from “Agriculture” to “Rural” the land use designation on the land designated “CHANGE FROM AGRICULTURE TO RURAL,” on Schedule ‘A’ attached hereto.

# SCHEDULE 'A'

TO AMENDMENT NO. 4  
FOR THE  
TOWNSHIP OF HUDSON  
OFFICIAL PLAN

*change from Agriculture  
to Rural*



## Legend

Agriculture

Rural

Shoreline Residential

Sensitive



METRES

1000 0 1000



The Plantario Group Ltd.

9 Crescent Place - Suite 2109  
EAST YORK, Ontario  
M4C 5L8  
(416) 698-3655

DWG NO.: 0671/30-OP-A  
DRAFTED: 8 May '06



## **APPENDICES**

### **AMENDMENT NO. 4 TOWNSHIP OF HUDSON OFFICIAL PLAN**

The following Appendices are not intended to form part of the approved Amendment, but are included for the purpose of supplying supplementary information in support of the policies and proposals contained within the Amendment.

**APPENDICES**  
**OFFICIAL PLAN AMENDMENT NO. 4**  
**TOWNSHIP OF HUDSON**

**PN: 0671/30**  
**DRAFTED: 8 May 2006**

**THE PLANTARIO GROUP LTD.**  
**EAST YORK, ONTARIO**

**APPENDIX  
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## **SECTION 1**

## **SUMMARY OF APPLICATION**

### **(1) LOCATION**

- the subject land is located in the southeast corner of the Township
- specifically, the subject land includes the lands in and around the west half of the north half of Lot 2, Concession III, on the south side of Highway No. 65 West

### **(2) SIZE**

- the land to be included in this amendment is a part of various parcels totaling an area of less than 35.0 hectares
- the subject land includes all of the following parcels
  - Parcel 13941 SST, being 27.4 hectares; Parcel 24774 SST, being 0.8 hectares; Parcel 22432 SST, being 0.29 hectares; all of which serves the industrial use located within the subject lands
  - Parcel 21025 SST, being 0.2 hectares;
  - Parcel 19691 SST, being 0.6 hectares;
  - Parcel 20968 SST, being 0.6 hectares;
  - Parcel 13941 SST, being 1.1 hectares; and
  - Parcel 16184, being 0.8 hectares.

### **(3) PRELIMINARY CONSULTATION**

During the preliminary discussion with the Ministry of Municipal Affairs, a file number was obtained for this Amendment (54-DP-060021). The Ministry raised issues such as Health Unit concerns with the development of a private sewerage system for the land which is to be severed, if this Amendment is approved.

## **SECTION 1(3)**

## **SUMMARY OF APPLICATION**

There was a question as to the location of any waste disposal sites within the area which is a concern of the Ministry of the Environment. The Township waste disposal site is located five township lots to the west and one concession to the south of the subject land and will not impact on this designation change.

The Ministry asked if there were any abandoned mine sites in the Township, particularly in the area of the subject lands. Mining took place in the early 1900's when silver and copper was found in and around Lots 6 and 7, Concession III. These mines have not been active for more than 70 years. No other mining activity was identified by the Ministry of Northern Development and Mines during the Official Plan's development or since.

The major concern of the Ministry was the consideration of the Ministry of Agriculture and Food in regards to this Amendment. Correspondence between the local Agriculture representative and the Ministry Planner responsible for this area was provided to the Ministry of Municipal Affairs and Housing. Also provided, was the original mapping prepared in the 1990's by the Ministry of Agriculture and Food's Planner showing those lands which the Ministry had identified as being of the higher capability for agriculture. The mapping clearly shows that the subject land was not classified as having a higher capability.

The final concern raised by the Ministry was about access to the highway. All existing uses have access approvals now, and the proposed consent to sever will be some 800.0 metres from the highway and require an access permit from the Township.

### **(4) PRESENT OFFICIAL PLAN DESIGNATION**

- the present designation for this area is Agriculture as designated on Schedule A to the Plan
- it is anticipated that the change will result in the Agriculture designation being removed from the subject land and a new designation of Rural be placed on the subject land
- the location of the Agriculture designation was determined from information provided by the Ministry of Agriculture and Food and the local knowledge of the Council of the day. The final area designated was a decision of Council, through assistance from the Planning Consultant working with Council

## **SECTION 1(4)**

## **SUMMARY OF APPLICATION**

- this change in land use from Agriculture to Rural will permit additional development of the subject lands through consents to sever land and will recognize the local land uses located on the subject land

### **(5) PRESENT ZONING BY-LAW ZONE**

- the subject land has three different zoning categories in place
- two of the zoning categories represent land use activities currently in place within the subject lands
- the first category recognizes the industrial land use by zoning the land as Commercial / Industrial (CM). The size of the area zoned was not compared to the size of the three parcels which form the industrial site
- the second category is Agriculture Special (AG-2) which recognizes the uses located on the land (residential) in accordance with site specific zone provisions different from the zone provisions of the abutting residential land uses
- the major category for the subject land is Agriculture (AG) which takes in the rest of the lands
- the zoning change to the mapping should reflect the same mapping changes as that which is being proposed in the Official Plan Amendment, with the exception of the two categories which recognize existing uses within the subject land
- there should be an evaluation to ensure the land owned by the industrial use, matches with the land which has been zoned CM on Schedule A. If there is any inconsistency, a change could be made as part of the larger change required for this amendment

### **(6) PRESENT LAND USES**

- most of the subject land is currently cleared as it was used for farmland in the past
- the other land uses consist of the industrial operation, and three dwelling houses

## **SECTION 1(6)**

## **SUMMARY OF APPLICATION**

- the dwelling houses all have access from Highway No. 65 West, while the industrial use accesses the property from the municipal roadway between Lots 2 and 3

### **(7) SITE CHARACTERISTICS**

- the land to which the designation change is associated is generally flat, with only a slight slope to the south
- a ditch runs along the southern boundary of the subject land, which serves to drain the area
- the soils of this area are clay
- the subject land is almost completely void of trees
- a large portion of the land has been used for a cash cropping operation

### **(8) PROPOSED USES**

- the proposed use for the land to which the designation change will apply is for a continuation of the existing uses, however, it is proposed that one additional consent to sever would be submitted for a parcel of land in the southwest corner of the subject lands

### **(9) PROPOSED SERVICES**

- where residential land uses are proposed, the applicant will utilize private water and sewerage systems
- the local Health Unit will be required to inspect the site of the lands to be severed and ensure that the unit meets current standards prior to construction

**(1) SURROUNDING LAND USES**

Generally this area of the Township has been considered prime farmland in the Official Plan, however, the land south of Highway No. 65 West was not placed in that category by the Ministry of Agriculture and Food. Supporting this has been the number of farm properties to the south of Highway No. 65 West decreasing continually since the development of the Official Plan, while the farm activity on the lands to the north has continued.

To the east of the subject land are a number of non-farm residential land uses. On the north side of Highway No. 65 West, there have been consents to sever granted, but in many cases, the lots have not been developed. There are restrictions regarding access to the Highway, which may now prevent some parcels from being develop.

**(2) LAND USE COMPATIBILITY**

Based upon the information available, particularly the classification of the subject land as having a lower capability for agriculture according to the Ministry of Agriculture and Food, there does not appear to be any barrier to the land use designation change being proposed.

The Rural land use designation permits a more varied list of uses when compared to the Agriculture designation. As well, consents can be granted from the subject land when designated Rural, that would not be permitted if the land continues in the Agriculture designation. The Official Plan only permits a consent to sever within the Agriculture designation where there is a surplus residential dwelling house.

There are no natural or man-made environmental concerns in the vicinity of the subject lands. Access has already been granted to the existing land uses and no mining activity was conducted in this part of the Township.

Since there are non-farm dwelling houses existing within the area which prevent the development of new farm animal buildings in close proximity to the houses, the permitting of new residential development may not impact as much as one would anticipate simply because some lots to be developed in the vicinity are existing lots of record and not considered new development within the context of the Ministry of Agriculture and Food's Minimum Distance Separation Formula. As well, the proposed consent to create a new residential lot will be of a sufficient distance from any existing farm animal building thus permitting the consent in relation to the Ministry's MDS Formula.



**(3) PHYSICAL FEATURES**

The site features for the property were described in Section 1.

**(4) WATER SUPPLY AND SEWAGE DISPOSAL**

This Amendment in itself will not require the installation of new private water source and a private sewerage system. However, should the result of this Amendment be that new development is proposed, it will be the responsibility of the local Health Unit to inspect existing systems and insure that the existing systems and any new system being proposed will operate in accordance with the Unit's standards, or can be altered to meet the standards.

**(5) ROADS**

Existing uses within the subject land currently have approved access from either Highway No. 65 West or the municipal roadway between Lots 2 and 3. New accesses will need to be approved for any additional development. Because of the current amount of development along Highway No. 65 West, access will be restricted to the municipal roadway.

New access will require review by the Township Road Superintendent to ensure that the proposed site meets the safety and design standards for the Township. As well, for all new development, the Superintendent should review the storm water run-off situation to ensure that the roadway ditching can handle the generated flows without adverse effects on the roadway construction.

**(6) UTILITIES AND PUBLIC SAFETY**

Hydro and telephone are already provided to all the lands that are being included in this Amendment. New services could be obtained from the lines currently servicing both municipal roadways.

No special fire or policing requirements are anticipated as a result of this proposal. The Ontario Provincial Police are located within five kilometres of the site, and there is a Municipal Volunteer Fire Department located to the west of the subject land on Highway No. 65 West, approximately four kilometres away.

## **SECTION 2(7)**

## **PLANNING CONSIDERATIONS**

### **(7) OTHER SERVICES**

All School Boards serving the Township, indicated during the Official Plan's preparation that they can adequately service the area and accommodate new students within their existing facilities and bus routes.

## SECTION 3

## PUBLIC RECORDS

### (1) RECORD OF PUBLIC NOTICE

This Official Plan Amendment was brought to the attention of the public by advertisement in the local newspaper on the .....<sup>7</sup> of June....., 2006.

A Public Meeting concerning this Amendment was held on the ...5... day of July....., 2006.

Copies of the Notices of the Public Meeting (as published in the local newspaper) and Minutes of the Public Meeting are available from the Clerk.

ISSUE DATE:

**October 1, 2004**

DECISION/ORDER NO:

**1581**



RECEIVED

OCT - 5 2004

PL040491

Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

*By-Law 2004-11*

Peter Ramsay has appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 2004-11 of the Township of Hudson  
OMB File No. R040103

**B E F O R E:**

N. M. Katary  
MEMBER

) Thursday, the 30th  
)  
) day of September, 2004

**THE BOARD** having issued Decision No. 1512 on September 17<sup>th</sup>, 2004 directing the parties to prepare a revised by-law amendment;

**AND THE BOARD** having received a revised by-law amendment agreed upon by the parties and supporting affidavits from the parties' respective planners;

**AND THE BOARD** having reviewed the affidavits and proposed by-law amendment, is satisfied that the proposed by-law represents good planning;

**THE BOARD ORDERS** that the appeal is allowed in part and Zoning By-law 2004-11 is hereby amended in accordance with Attachment "1" hereto.

SECRETARY

**THE CORPORATION OF THE TOWNSHIP OF HUDSON**  
**BY-LAW NO. 2004-11**

Being a By-law to amend By-law No. 97-09 as amended, the Zoning By-law for the Corporation of the Township of Hudson with respect to Part of Lots 9 and 10, Concession 3.

**WHEREAS** the Council of the Corporation of the Township of Hudson is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990.

**AND WHEREAS** the Council of the Corporation of the Township of Hudson deems it advisable to amend By-Law 97-09 as amended;

**NOW THEREFORE** the Council of the Corporation of the Township of Hudson enacts as follows:

1. Schedule 'A', to Zoning By-law No. 97-09 as amended, is hereby further amended by zoning Part of Lots 9 and 10, Concession 3, from the Rural (RU) Zone to the Rural Exception Two (RU-2) and the Rural Exception Three (RU-3) Zones and labeled on Schedule 'A-1' attached hereto and forming part of this By-law.
2. Section 2 of By-law No. 97-09 is hereby amended by the addition of the following new subsection between subsections (39) and (40):

**Golf Course, Personal** – A facility operated on a personal basis for the purpose of playing golf and may include a practice golf driving and putting area. In addition, one caretaker's dwelling unit is also permitted as an accessory use to a Personal Golf Course in the RU-2 Zone. A Personal Golf Course may be used for the hosting of occasional tournament and social play including charitable events.

3. Section 10 of By-law 97-09 is hereby amended by the addition of the following new subsections after sub-section (4):

**(5) Uses Permitted in the RU-2 Zone**

- (a) In the RU-2 Zone a Personal Golf Course shall be a permitted use. In the event that lands within the RU-2 Zone are not used for a Personal Golf Course, the following uses shall be permitted.

- i) An Accessory Single Detached Dwelling Unit;
- ii) A Commercial Greenhouse;
- iii) A Conservation Use;
- iv) An Equipment Storage Building;
- v) A Forestry Use;
- vi) A Gun Club;
- vii) A Home Industry;
- viii) A Home Occupation;
- ix) A Home Profession;
- x) A Mining Use;
- xi) An Open Storage Area;
- xii) A Private Home Daycare;
- xiii) A Private Fuel Pump Island;
- xiv) A Produce Building;
- xv) A Rural Home Occupation;
- xvi) A Wayside Pit;
- xvii) A Wayside Quarry;
- xviii) A Woodlot.

**(6) Uses Permitted in the RU-3 Zone**

- (a) In the RU-3 Zone the only permitted use shall be a Personal Golf Course.

4. **Special Provisions for the RU-2 and RU-3 Zones**

On lands zoned RU-2 and RU-3, no person shall use any lot or erect, alter or use any building or structure unless in accordance with the provisions of Section 3 and 10(2), except as provided in the following provisions:

- |  |               |
|--|---------------|
| a) Minimum Lot Area for a Personal Golf Course   | 20.0 hectares |
| b) Minimum Width of a Natural Vegetative Buffer<br>Along any Lot Line which is also a Street Line  | 10 metres     |
| c) Minimum Setback from the Centreline of a<br>Fairway Landing Area to an Improved Public Street   | 45.0 metres   |
| d) Minimum Separation between a Septic Bed for a<br>Caretaker's Dwelling Unit or any use accessory<br>to a Personal Golf Course and the Established High<br>Water Mark of a Lake | 300.0 metres  |

5. In all other respects, the provisions of By-law 97-09 shall apply.

This By-law shall come into effect upon the date of passage thereof, where no objections are received or, where objections are received, upon approval of the Ontario Municipal Board.

READ A FIRST AND SECOND TIME on the 5 day of May 2004.

READ A THIRD TIME and finally passed this 5 day of May 2004.

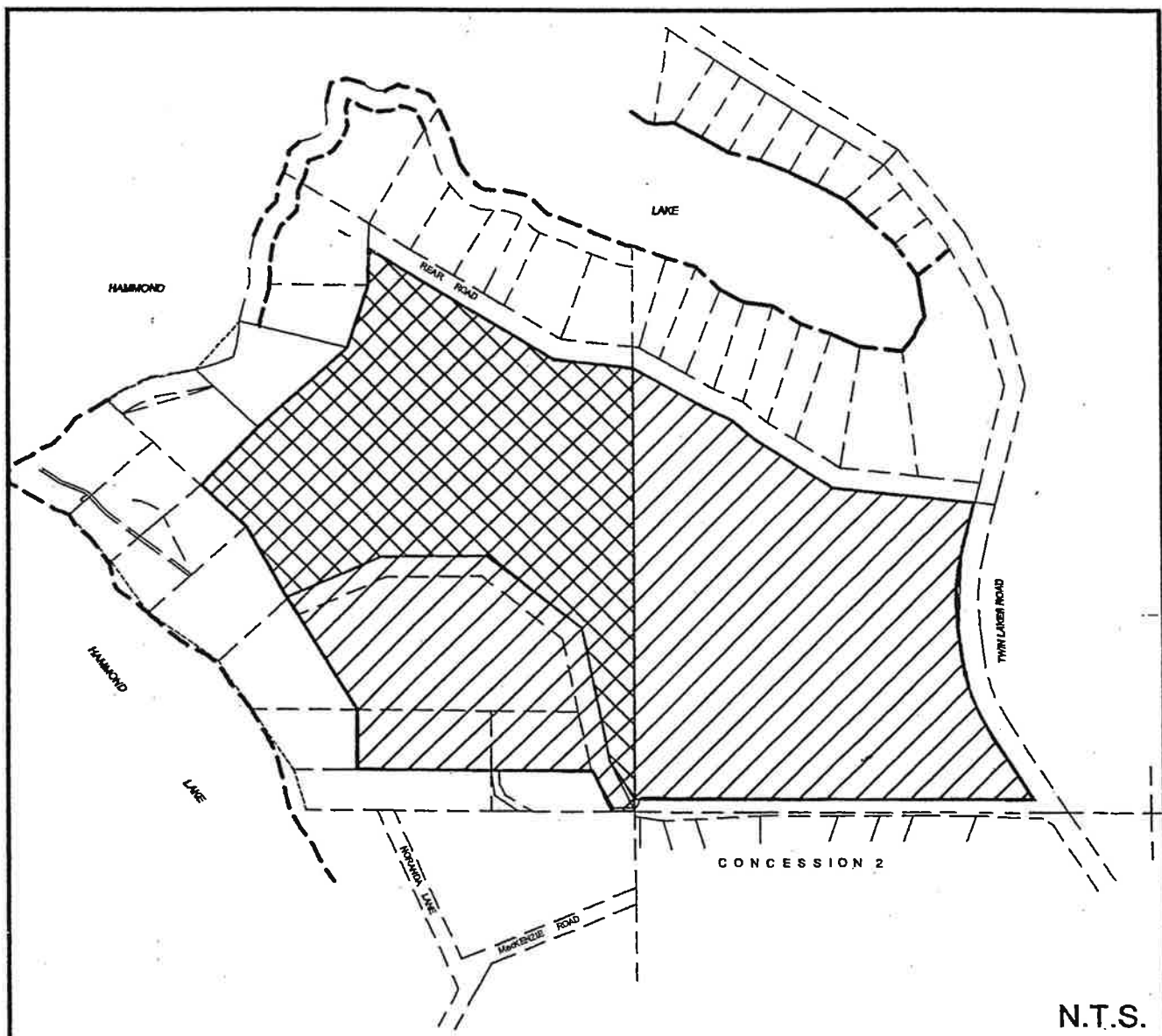
  
Reeve

  
Clerk



**SCHEDULE 'A-1'**  
**By-law 2004- 11**  
**Township of Hudson**

**Part of Lot 9 & 10, Concession III**



**LEGEND**




**Lands proposed to be rezoned from the Rural (RU) to the Rural (RU-2) Zone**



**Lands proposed to be rezoned from the Rural (RU) to the Rural (RU-3) Zone**

This is Schedule 'A-1' to By-Law

Passed this 5 day of May, 2004

  
Reeve

  
Clerk

**MERIDIAN**  
PLANNING CONSULTANTS INC.

**GENERAL ZONING AMENDMENT**  
**COMMERCIAL/INDUSTRIAL (CM) ZONE**  
**and**  
**RURAL (RU) ZONE**  
**TOWNSHIP OF HUDSON**

**PN: 0670/3**  
**DRAFTED: 22 May 2003**  
**REVISED: 2 June 2003**  
**ENACTED:**

**THE PLANTARIO GROUP LTD.**  
**EAST YORK, ONTARIO**



**THE CORPORATION OF THE TOWNSHIP OF HUDSON**

**BY-LAW NO. ~~2003-13~~**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 97-09**

**WHEREAS** the Council of the Corporation of the Township of Hudson deems it advisable to amend By-law No. 97-09 (the comprehensive Zoning By-law of the Township of Hudson);

**NOW THEREFORE** the Council of the Corporation of the Township of Hudson **ENACTS** as follows:

1. Section 6(2) of By-law No. 97-09 is hereby amended by renumbering subsection (p) as subsection (q) and adding the following new subsection (p) as follows:

**“(p) SPECIAL PROVISIONS - BUILDING SEPARATION**

Notwithstanding any provisions hereof to the contrary, a minimum building separation zone provision of 1.5 metres shall be applicable between any building or structure and/or any building or structure to be constructed in the south part of Lot 4, Concession IV, located in any of Parcel 4656 NND, Parcel 6980 NND, Parcel 1302 SST or Parcel 24046 SST.”

2. Section 10(2) of By-law No. 97-07 is hereby amended by deleting subsection (p) and replacing it with the following new subsection:

**“(p) CREATED RESIDENTIAL LOT:**

Notwithstanding any provisions of Section 10(2)(a), Section 10(2)(b), Section 10(2)(d), Section 10(2)(h) or Section 10(2)(k) hereof to the contrary, where a consent is given to create a residential lot, excluding any lot to be created in Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Concessions I, II and III, such lot may be used for a single detached dwelling provided the minimum lot area is 4,000.0 square metres, the minimum lot frontage is 30.0 metres, the maximum building area is 20%, the minimum side building setback is 5.0 metres and the minimum dwelling unit area is 90.0 square metres.

Where, however, a consent is given to create a residential lot in the excluded area, such lot may be used for a single detached dwelling provided the minimum lot area is 24.0 hectares, the minimum lot frontage is 200.0 metres, the maximum building area is 10%, the minimum side building setback is 10.0 metres and the minimum dwelling unit area is 90.0 square metres."

3. This By-law shall become effective on the date hereof subject to:
- (i) the expiration of the time period specified for the filing of objections by the Notice of the Passing of this By-law, provided that no notice of objection has been filed within the time period specified; or
  - (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time specified in the Notice of the Passing of this By-law.

**THIS BY-LAW** read a first and second time this 25 day of June, 2003.

**THIS BY-LAW** read a third time and passed this 25 day of June, 2003.

Signed: \_\_\_\_\_

(Reeve)

(SEAL)

Signed: \_\_\_\_\_

(Clerk)



**THE CORPORATION OF THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 98-13**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 97-09**

**WHEREAS** the Council of the Corporation of the Township of Hudson deems it advisable to amend By-law No. 97-09 (the Zoning By-law of the Township of Hudson);

**NOW THEREFORE** the Council of the Corporation of the Township of Hudson **ENACTS** as follows:

1. Section 9 By-law No. 97-09 is hereby amended by the addition of the following at the end thereof:

**"(5) USES PERMITTED IN AG-2 ZONES**

No person shall within any AG-2 zone use any lot or erect, alter or use any building or structure for any purpose, except one or more of the following AG uses, namely:

**(a) RESIDENTIAL USES:**

a single detached dwelling house, not farm related.

**(b) NON-RESIDENTIAL USES:**

a home occupation;

a home profession;

a private home day care.

**(6) SPECIAL PROVISIONS FOR AG-2 ZONES**

No person shall within any AG-2 zone use any lot or erect, alter or use any building or structure unless in accordance with the provisions of Section 3 and Section 9(2), except as provided for in the following provisions:

**(a) BUILDING SETBACK, FRONT (minimum):**

The front building setback shall be the average of the front building setback for adjacent dwellings immediately on the east and west of this lot.

2. This By-law shall become effective on the date hereof subject to the approval of Official Plan Amendment No. 3, by the Minister of Municipal Affairs and Housing, and:

- (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objection has been filed within the time period specified; or
- (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time specified in the notice of the passing of this By-law.

**THIS BY-LAW** read a first and second time this 2..... day of SEPTEMBER, 1998 .

**THIS BY-LAW** read a third time and passed this 2..... day of SEPTEMBER, 1998 .

Signed: \_\_\_\_\_

(Reeve)

(SEAL)

Signed: \_\_\_\_\_

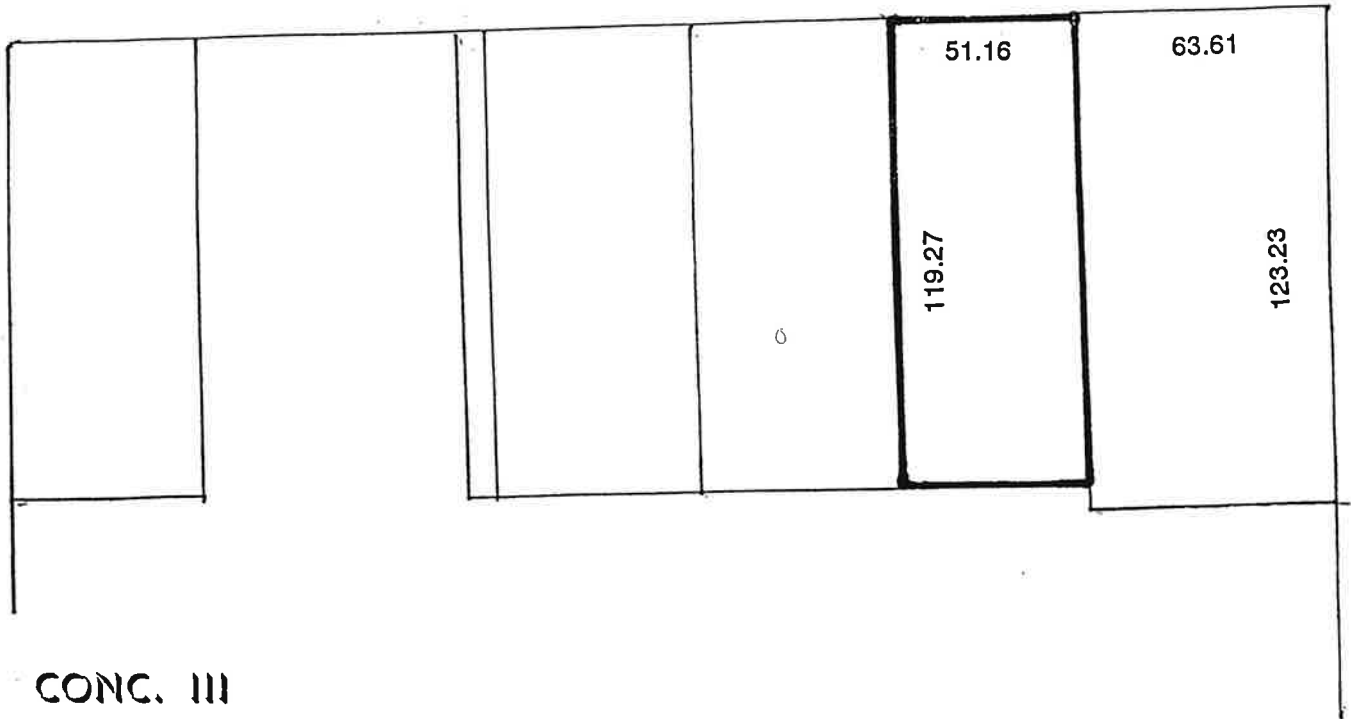
(Clerk)

SCHEDULE 'A'  
BY-LAW NO. 98-13  
PART LOT 2, CONCESSION III  
TOWNSHIP OF HUDSON  
DISTRICT OF TIMISKAMING

CONC. IV

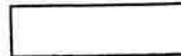
HIGHWAY NO. 65 WEST

228.24



CONC. III

LEGEND



ZONE CHANGE TO AG-2

THIS IS SCHEDULE 'A' TO BY-LAW NO. 98-13  
PASSED THE 2 DAY OF SEPTEMBER 1998.

(REEVE):

*Prince Flood*  
(SEAL)

(CLERK):

*Sch Ar*



METRES



The Plantario Group Ltd.

9 Crescent Place - Suite 2109  
EAST YORK, Ontario  
M4C 5L8  
(416) 698-3655

DWG NO.: 0671/8 - A  
DRAFTED: 31 May '98

THE TOWNSHIP OF HUDSON

BY-LAW NO. 98-12

A BY-LAW TO ADOPT AMENDMENT NO. 3 TO THE  
OFFICIAL PLAN OF THE TOWNSHIP OF HUDSON

WHEREAS the Council of the Corporation of the Township of Hudson deems it in the interest of the Municipality to amend the Official Plan for the Township of Hudson;

NOW THEREFORE, the Council of the Corporation of the Township of Hudson in accordance with Section 17(22) of the Planning Act, R.S.O. 1990, as amended, ENACTS as follows:

1. Amendment No. 3 to the Official Plan of the Township of Hudson is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of Amendment No. 3 to the Official Plan of the Township of Hudson.
3. This By-law shall come into force and take effect on the date of final passing thereof.

THIS BY-LAW read a first and second time this 2... day of SEPTEMBER, 1998.

THIS BY-LAW read a third time and passed this 2... day of SEPTEMBER, 1998.

Signed: \_\_\_\_\_  
(Reeve)

Signed: 56 [Signature] (seal)  
(Clerk)

I hereby CERTIFY that the above is a true copy of By-law No. 98-12 as enacted and passed by the Township of Hudson on the 2... day of SEPTEMBER, 1998.

Signed: 56 [Signature] (seal)  
(Clerk)

**THE CORPORATION OF THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 98:11**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 97-09**

**WHEREAS** the Council of the Corporation of the Township of Hudson deems it advisable to amend By-law No. 97-09 (the comprehensive Zoning By-law for the Township of Hudson);

**NOW THEREFORE** the Council of the Corporation of the Township of Hudson **ENACTS** as follows:

1. Section 5 is hereby amended by deleting subsections (9) and (10) and replacing them with the following:

**"(9) USES PERMITTED IN GR-4 ZONES**

No person shall within any GR-4 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following GR-4 uses, namely:

**(a) RESIDENTIAL USES:**

an existing single detached dwelling house.

**(b) NON-RESIDENTIAL USES:**

a marine facility.

**(10) SPECIAL PROVISIONS FOR GR-4 ZONES**

No person shall within any GR-4 zone use any lot or erect, alter or use any building or structure unless in accordance with the provisions of Sections 3 and 5(2), except as provided for in the following provisions:

**(a) LOT AREA (minima):**

- |      |           |                         |
|------|-----------|-------------------------|
| (i)  | one lot   | - 970.0 square metres   |
| (ii) | other lot | - 2,350.0 square metres |

**(b) LOT FRONTAGE (minima):**

- |      |           |               |
|------|-----------|---------------|
| (i)  | one lot   | - 20.0 metres |
| (ii) | other lot | - 55.0 metres |

(c) **BUILDING SETBACK, FRONT** (minima):

- (i) one lot - 15.0 metres
- (ii) other lot - 18.0 metres

(d) **BUILDING SETBACK, SIDE** (minimum):

For the most northern of the two dwellings, the south  
side building setback shall be - 1.4 metres

(e) **DWELLING UNIT AREA** (minimum): - 75.0 square metres"

2. This By-law shall become effective on the date hereof subject to:

- (i) the expiration of the time period specified for the filing of objections by the Notice of the Passing of this By-law, provided that no notice of objection has been filed within the time period specified; or
- (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time specified in the Notice of the Passing of this By-law.

THIS BY-LAW read a first and second time this ..2.. day of ~~SEPTEMBER~~ 19.98.

THIS BY-LAW read a third time and passed this ...2... day of ~~SEPTEMBER~~ 19.98.

Signed: \_\_\_\_\_

(Reeve)

Signed: \_\_\_\_\_

(Clerk)

(SEAL)



**THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 96-09**

**A BY-LAW TO ADOPT AMENDMENT NO. 2 TO THE  
OFFICIAL PLAN OF THE TOWNSHIP OF HUDSON**

The Township of Hudson, in accordance with Section 17(15) of the Planning Act, R.S.O. 1990, as amended, hereby ENACTS as follows:

1. Amendment No. 2 to the Official Plan of the Township of Hudson is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of Amendment No. 2 to the Official Plan of the Township of Hudson.
3. This By-law shall come into force and take effect on the date of final passing thereof.

THIS BY-LAW read a first and second time this 3 day of JULY, 1996.

THIS BY-LAW read a third time and passed this 3 day of JULY, 1996.

Signed: [Signature] (Reeve) Signed: [Signature] (Clerk) (seal)

I hereby CERTIFY that the above is a true copy of By-law No. 96-09 as enacted and passed by the Township of Hudson on the 3 day of JULY, 1996.

Signed: [Signature] (Clerk) (seal)

**THE CORPORATION OF THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 96-08**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 490**

**WHEREAS** the Council of the Corporation of the Township of Hudson deems it advisable to amend By-law No. 490 (the Zoning By-law of the Township of Hudson);

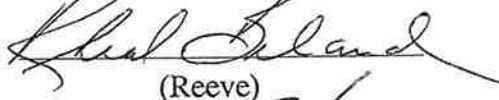
**NOW THEREFORE** the Council of the Corporation of the Township of Hudson **ENACTS** as follows:

1. Section 5, of Part 5 of By-law No. 490, is hereby amended by the addition of the following at the end thereof:  
"(5b) Notwithstanding any other provision herein:
  - (i) a parcel of land known locally as Parts 6 and 7, Plan Ter-205 may be developed with a minimum lot area of 0.16 hectares
  - (ii) a parcel of land known locally as Part 8, Plan Ter-205 may be developed with a minimum lot area of 0.16 hectares and lot frontage of 35.0 metres".
2. This By-law shall become effective on the date hereof subject to the approval of Official Plan Amendment No. 2, by the Minister of Municipal Affairs and Housing, and:
  - (i) the expiration of the time period specified for the filing of objections by the notice of the passing of this By-law, provided that no notice of objection has been filed within the time period specified; or
  - (ii) the determination or direction of the Ontario Municipal Board where an objection to the approval of this By-law has been filed within the time specified in the notice of the passing of this By-law.

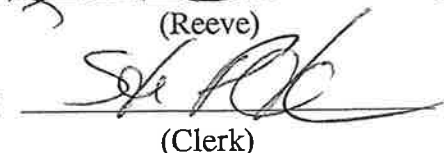
**THIS BY-LAW** read a first and second time this 5<sup>th</sup> day of JUNE, 1996.

**THIS BY-LAW** read a third time and passed this 3rd day of JUNE, 1996.

Signed:

  
(Reeve)

Signed:

  
(Clerk)

(SEAL)

**THE TOWNSHIP OF HUDSON**

**BY-LAW NO. 724.**

**A BY-LAW TO ADOPT AMENDMENT NO. 1 TO THE  
OFFICIAL PLAN OF THE TOWNSHIP OF HUDSON**

The Township of Hudson, in accordance with Section 18(3) of the Planning Act, R.S.O. 1990, hereby ENACTS as follows:

1. Amendment No. 1 to the Official Plan of the Township of Hudson is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of Amendment No. 1 to the Official Plan of the Township of Hudson.
3. This By-law shall come into force and take effect on the date of final passing thereof.

THIS BY-LAW read a first and second time this 19<sup>th</sup> day of April....., 1995.

THIS BY-LAW read a third time and passed this 19<sup>th</sup> day of April....., 1995.

Signed: [Signature] Signed: Kathy McCauley (seal)  
(Reeve) (Clerk)

-----  
I hereby CERTIFY that the above is a true copy of By-law No. 724... as enacted and passed by the Township of Hudson on the 19<sup>th</sup> day of April....., 1995..

Signed: Kathy McCauley (seal)  
(Clerk)

**STATEMENT OF COMPLIANCE TO  
NOTICE REQUIREMENTS**

In accordance with Section 17(7) of the Planning Act, R.S.O. 1990, I, Kathy McCauley, Clerk for the Township of Hudson, hereby **CERTIFY** that a Public Meeting was held on the ~~28th~~ day of ~~March~~, 1995, in relation to Amendment No. 1 to the Official Plan of the Township of Hudson and that Notice of the Meeting was given in accordance with Section 17(3) of the Planning Act, R.S.O. 1990.

I also **CERTIFY** that Notice of the Adoption of Amendment No. 1 to the Official Plan of the Township of Hudson was given in accordance with Section 17(8) of the Planning Act, R.S.O. 1990.

Dated: May 3, 1995

Signed: Kathy McCauley  
Kathy McCauley  
Clerk  
Township of Hudson

**OFFICIAL PLAN AMENDMENT NO. 1**

**TOWNSHIP OF HUDSON**

**PN: 0671/4**

**DRAFTED: 27 February 1995**

**ENACTED: 19 April 1995**

**THE PLANTARIO GROUP LTD.**

**EAST YORK, ONTARIO**

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## **SECTION 1**

## **INTRODUCTION OF AMENDMENT**

### **(1) TITLE OF AMENDMENT**

This Amendment may be cited as "Amendment No. 1 to the Official Plan of the Township of Hudson".

### **(2) CONTENTS OF AMENDMENT**

Section 3 hereof, constitutes Amendment No. 1 to the Official Plan of the Township of Hudson.

## SECTION 2

## BASIS OF AMENDMENT

This Amendment is based upon an Application from a ratepayer who wishes to sever a portion of his property, located in the Agriculture designation of the Official Plan.

The Applicant owns a small parcel of land (less than one hectare) with two houses on it. Each of the houses were once on individual lots created by severance, however, they both are now property of the Applicant. The Applicant retains the property as one parcel in accordance with the present provisions of the Planning Act. The Act states that where the owner of land also owns lands adjacent to the property, then both parcels become one, unless the properties are from a plan of subdivision.

The parcel, severed in the 1960's, has been retained on the Municipality's Assessment Roll as a separate parcel, notwithstanding, its status in accordance with the Planning Act.

It has been the Municipality's policy not to create severances in the Agriculture designation because of their effect on farming operations, which are vital economically to the Township. However, in this case, the situation has arisen where there are already two houses, which once existed on separate lots. The Council feels that permission to sever this property to permit the two houses to be registered as separate lots once again, would not impact on the farming community since the entire parcel is limited in size, and no additional homes will be built.

Council wishes to introduce a policy which will resolve this and similar situations. Council is not aware of other similar situations within the Township at present.

This Amendment is based on the planning considerations discussed in Appendix 2 attached hereto.

Implementation and administration of this Amendment shall be in accordance with the provisions of Sections 7 and 9 of the Official Plan of the Township of Hudson. The Amendment shall be interpreted in accordance with Section 8 of the Plan.



## SECTION 3

## DETAILS OF AMENDMENT

### (1) TEXT CHANGE

- (a) Section 4(2)(b)(vi) of the Official Plan for the Township of Hudson is hereby amended by the addition of the following new paragraph at the end thereof:

"As well, for a property previously registered as a separate lot, but now joined with an adjacent property because of the provisions of the Planning Act, a severance may be granted provided the following conditions are present:

- a severance must have been previously granted for residential purposes;
- the current severance application must be for the division of the land in accordance with the same site conditions as the previous severance;
- the combined total parcel area must be less than two hectares;
- a house must be present on both lots; and
- all other provisions regarding services, site conditions and site amenities must be complied with."

- (b) Section 4(2)(c)(ii) of the Official Plan for the Township of Hudson is hereby amended by the addition of the following new paragraph at the end thereof:

"A severance may be granted for residential purposes in accordance with the policies of Section 4(2)(b)(vi) of this Plan."

## **APPENDICES**

### **AMENDMENT NO. 1 TOWNSHIP OF HUDSON OFFICIAL PLAN**

The following Appendices are not intended to form part of the approved Amendment, but are included for the purpose of supplying supplementary information in support of the policies and proposals contained within the Amendment.

**APPENDICES**

**OFFICIAL PLAN AMENDMENT NO. 1**

**TOWNSHIP OF HUDSON**

**PN: 0671/4**

**DRAFTED: 27 February 1995**

**THE PLANTARIO GROUP LTD.**

**EAST YORK, ONTARIO**

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## **APPENDIX 1**

## **SUMMARY OF APPLICATION**

### **(1) LOCATION**

- Township of Hudson, District of Timiskaming
- part of the north half of Lot 6, Concession IV, on the east side of the Township Road between Lots 6 and 7, formerly Highway No. 65.

### **(2) TOTAL AREA**

- total area of the combined properties is 8,000 square metres

### **(3) PRESENT LAND USE**

- the land is developed with two single detached residential dwellings on the property

### **(4) PRESENT OFFICIAL PLAN DESIGNATION**

- Agriculture, which prohibits residential severances not related to farming activities

### **(5) PRESENT ZONING**

- Agriculture (AG), which permits single detached residential uses in accordance with selected zone provisions

### **(6) SITE CHARACTERISTIC**

- the lands are north of Highway No. 65 on the east side of the Township Road between Lot 6 and Lot 7, which was formerly Provincial Highway No. 65
- the lands are generally flat with drainage in a northwest direction to Hudson Creek
- the property is located at the commencement of the curve where the Township Road turns westerly from its northerly route

**(7) PROPOSED USES**

- it is intended that the lands continue with their existing use, that is, two residential buildings, however, with this Amendment, each dwelling will be on its own lot
- other uses may include accessory buildings related to the residential uses

**(8) PROPOSED SERVICES**

- as the lands are already developed, the existing buildings are served by septic tanks and wells
- each dwelling has access to the Township Road and the Municipality maintains the road on a year-round basis
- hydro and telephone services already serve the dwellings
- parkland is not an issue because there is no new development proposed, or expectation of increased demand

**(1) OFFICIAL PLAN STRATEGY**

The Municipality has taken the approach that the lots were once severed, and therefore, should continue as separate lots. In support of the Municipality's position, the Assessment Roll have continuously recorded the two properties as separate lots since the severance was granted. However, the Planning Act provides that where a lot abuts another lot, held in the same name, the two shall be considered as one for planning purposes, unless they are lots on a Registered Plan of Subdivision.

It is Council's intention to provide an Official Plan policy which would not require an amendment each time a situation arises, such as that which promoted this Application.

Council feels the specific application will not have a negative impact on the agricultural land uses, or the agricultural economy of the area. At the same time, it will not change the land use development pattern because the two dwellings will continue to exist in their present form and at the same location.

Severances, except those related to agricultural activities of the area, were prohibited because of Council's desire to protect existing agricultural operations. The parcel of land involved here is less than a hectare in size and could not be economically farmed. As such, no other use could be made from the property while the dwellings are located thereon. New agricultural operations, or the expansion of existing operations would be restricted by the Code of Practice because of the separation requirements from the dwellings, but not because something new might have been proposed on the subject property. As well, there will not be new development encroaching on the agricultural area because the severance will take the same form as in the previous severance. Each lot will be 4,000 square metres in area.

To institute a policy which allows the severance of this parcel, it will be necessary to introduce a special policy to permit a severance by exception, as well as a policy which would allow this type of severance in the Agriculture designation. Both these changes will be within the Land Division policies of the Official Plan.

No other situation with this type of condition is presently known to the Council of the Township. However, the technical nature of the requirement has resulted in Council recommending the policy of the Plan to be amended to accommodate this request. The amount of time and effort to correct this technical legality is not considered necessary by Council. It is Council's opinion that any severance previously recommended by Council and granted by the Province should be accepted.

**(2) LAND USE COMPATIBILITY**

Within the general area of the subject property, there have been a number of single detached dwellings constructed. On the west side of the Township Road, there are five dwellings, one of which has a small commercial use. To the east of the subject land is farmland and bush, while to the north is the creek and further residential development, and to the south of the subject property is farmland.

Development occurred in this particular area because of the road's previous use as the Provincial Highway. The Highway was relocated to the south and west of this area when its alignment was altered to reduce the number of ninety degree turns. Non-farm residential development clustered here because of the availability of a year-round paved road. Now the road has been reassigned as a Township Road and life is much less hectic because of decreased traffic flows.

Development within the Township has been minimal for the past ten years. Most development has been outside the farming community area. The acceptance of this severance will not create a flood of new applications even with the general acceptance of a policy which would approve of severances of a similar nature.

**(3) PHYSICAL FEATURES**

**(a) TOPOGRAPHY AND DRAINAGE:**

The site is flat, with drainage to the north to Hudson Creek

**(b) SOILS:**

Soils are clay overburden

**(c) VEGETATION:**

Vegetation is of the normal residential type found in urban areas



**(4) COMMUNITY FACILITIES**

Shopping facilities are located to the east of the site in the New Liskeard/Dymond commercial districts. Travel is by paved road to Highway No. 65, (located south of the site), then eastward approximately 15 kilometres.

Recreational areas are provided to the south in the lake district of the Township. Major recreation facilities are located in New Liskeard. Skiing and camping activities are provided in the area's Provincial Parks and the ski hills east of Haileybury.

Schools exist in New Liskeard. This development will not affect the demand for space or buses since the dwellings are already built and serviced by bus routes.

**(5) ACCESS**

Access will be provided to this development from the Township Road.

**(6) SERVICES**

Since this is a rural location, which is already built, the existing services of private septic tank and private well will continue to be used. Inspection of both systems for both homes should be a condition of the severance approval.

**(7) UTILITIES AND PUBLIC SAFETY**

Hydro and telephone service are available. Police protection is provided by the Ontario Provincial Police detachment in Haileybury. Fire protection is provided by the Hudson (Volunteer) Fire Department.

### **APPENDIX 3      RECORD OF PUBLIC MEETING AND NOTICE**

This Official Plan Amendment was brought to the attention of the public by advertisement in the local newspaper on the 22nd day of February, 1995.

A Public Meeting concerning this Amendment was held on the 28th day of March, 1995.

Copies of the Notices of the Public Meeting (as published in the newspaper) and Minutes of the Public Meeting are available from the Township of Hudson Municipal Office.

## **APPENDIX 2**

## **PUBLIC NOTIFICATION**

This Official Plan was brought to the attention of the public by advertisement in the local newspaper on 12 June 1991 and 28 October 1992. Public meetings were held on 15 July 1991 and 9 November 1992.

Copies of the Notices of the Public Meetings (as published in the local newspaper) and Minutes of the Public Meeting are available from the Clerk.

**REVISED: 20 July 1992**

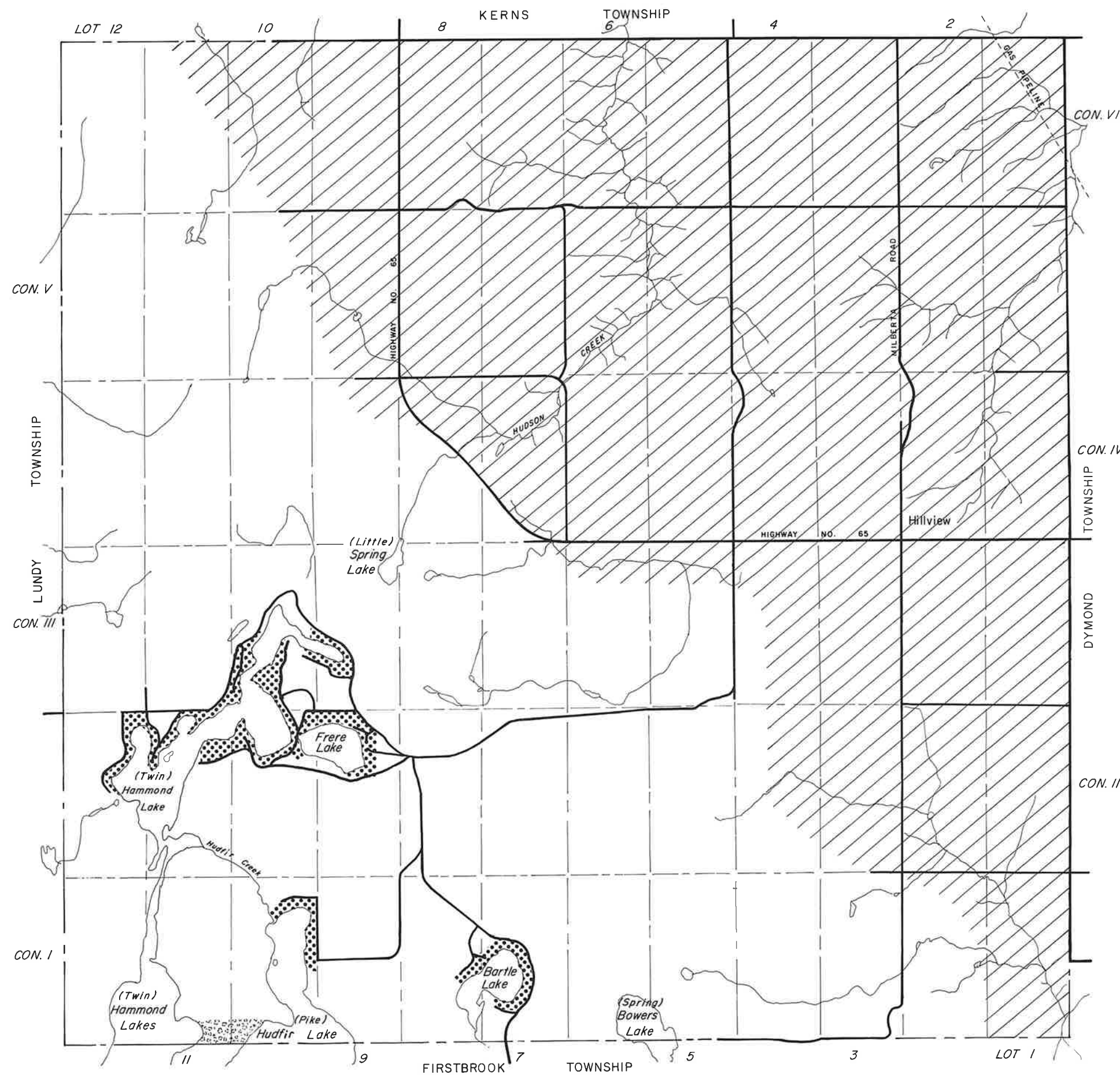
# SCHEDULE A

## Land Use

## Official Plan

### TOWNSHIP

### OF HUDSON



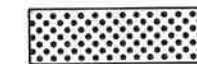
#### Legend



Agriculture



Rural

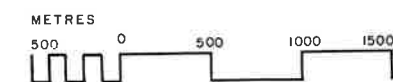


Shoreline Residential



Sensitive

NOTE: THIS SCHEDULE FORMS PART OF THE OFFICIAL PLAN OF THE TOWNSHIP OF HUDSON AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT



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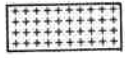




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REVISED: 8 JUNE '92  
DRAFTED: 15 APR '91  
DWG. NO. 0672 - A

# Land Use 1990

## TOWNSHIP OF HUDSON

Legend

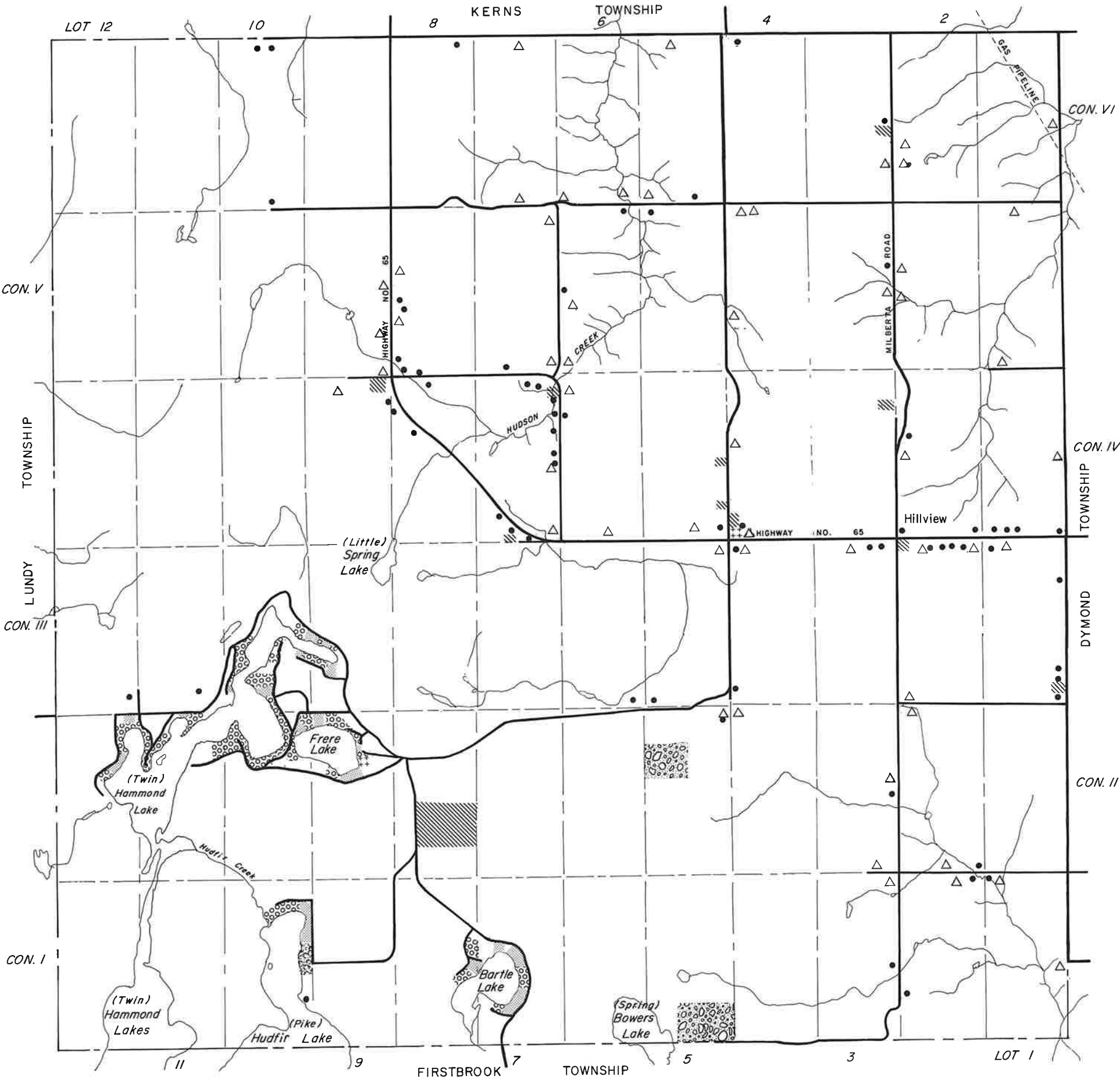
-  Farm Residential
-  Single Family Residential
-  Seasonal Residential
-  Institutional
-  Industrial
-  Open Space
-  Pits and Quarries
-  Rural or Vacant

NOTE: THIS PLATE FORMS PART OF THE  
BACKGROUND PLANNING REPORT OF THE  
TOWNSHIP OF HUDSON AND MUST BE READ  
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REVISED: 25 FEB.'91  
DRAFTED: 10 SEPT.'90  
DWG. NO. 0672-LU






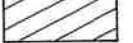



PLATE 1



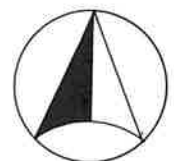
# Development Constraints and Resources

## TOWNSHIP OF HUDSON

### Legend

-  Improved Road
-  Unimproved Road
-  Existing Gravel Pit
-  Waste Disposal Sites
-  Agricultural Lands (class 2, 3 & 4 soils)
-  Rural Lands
-  Crown Lands
-  Resource Management Lands
-  Resource Management Wildlife Areas

NOTE: THIS PLATE FORMS PART OF THE BACKGROUND PLANNING REPORT OF THE TOWNSHIP OF HUDSON AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT

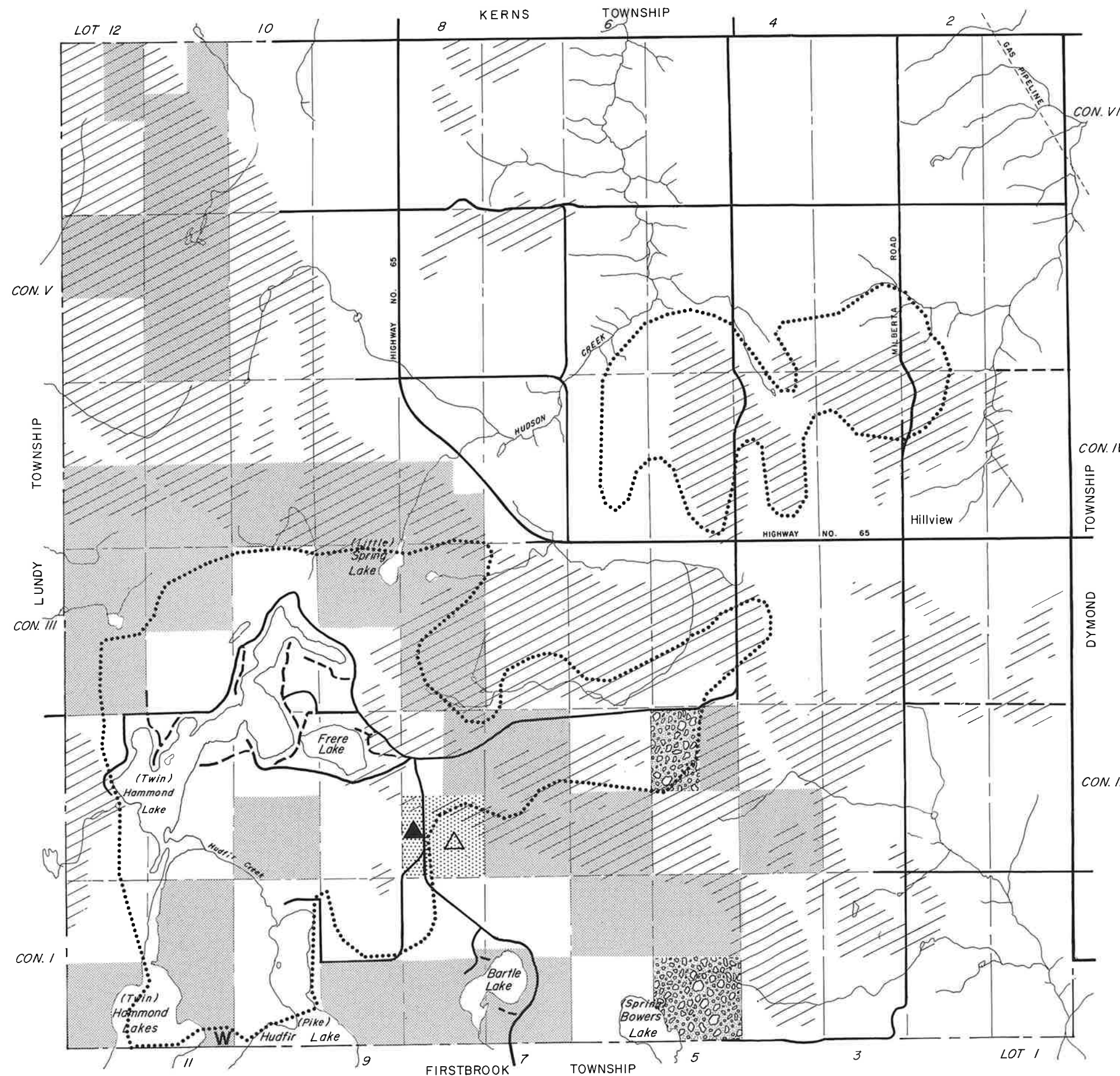


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DRAFTED: 25 FEB '91  
DWG. NO. 0672-DCR

## PLATE 2



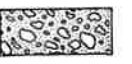










# Development Constraints and Resources

## TOWNSHIP OF HUDSON

### Legend

-  Improved Road
-  Unimproved Road
-  Existing Gravel Pit
-  Waste Disposal Sites
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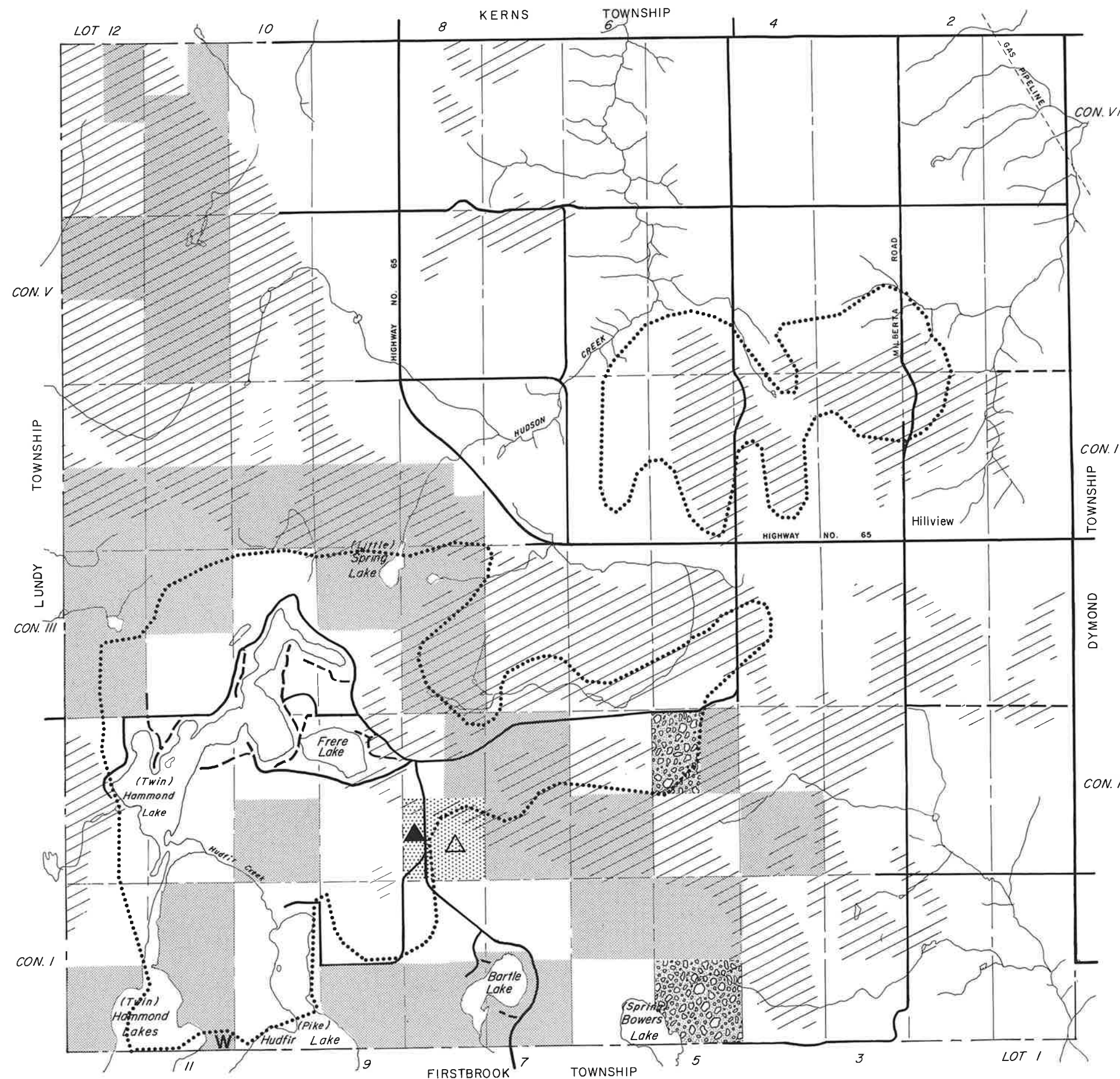


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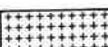




## PLATE 2



# Land Use 1990

## TOWNSHIP OF HUDSON

Legend

	Farm Residential
	Single Family Residential
	Seasonal Residential
	Institutional
	Industrial
	Open Space
	Pits and Quarries
	Rural or Vacant

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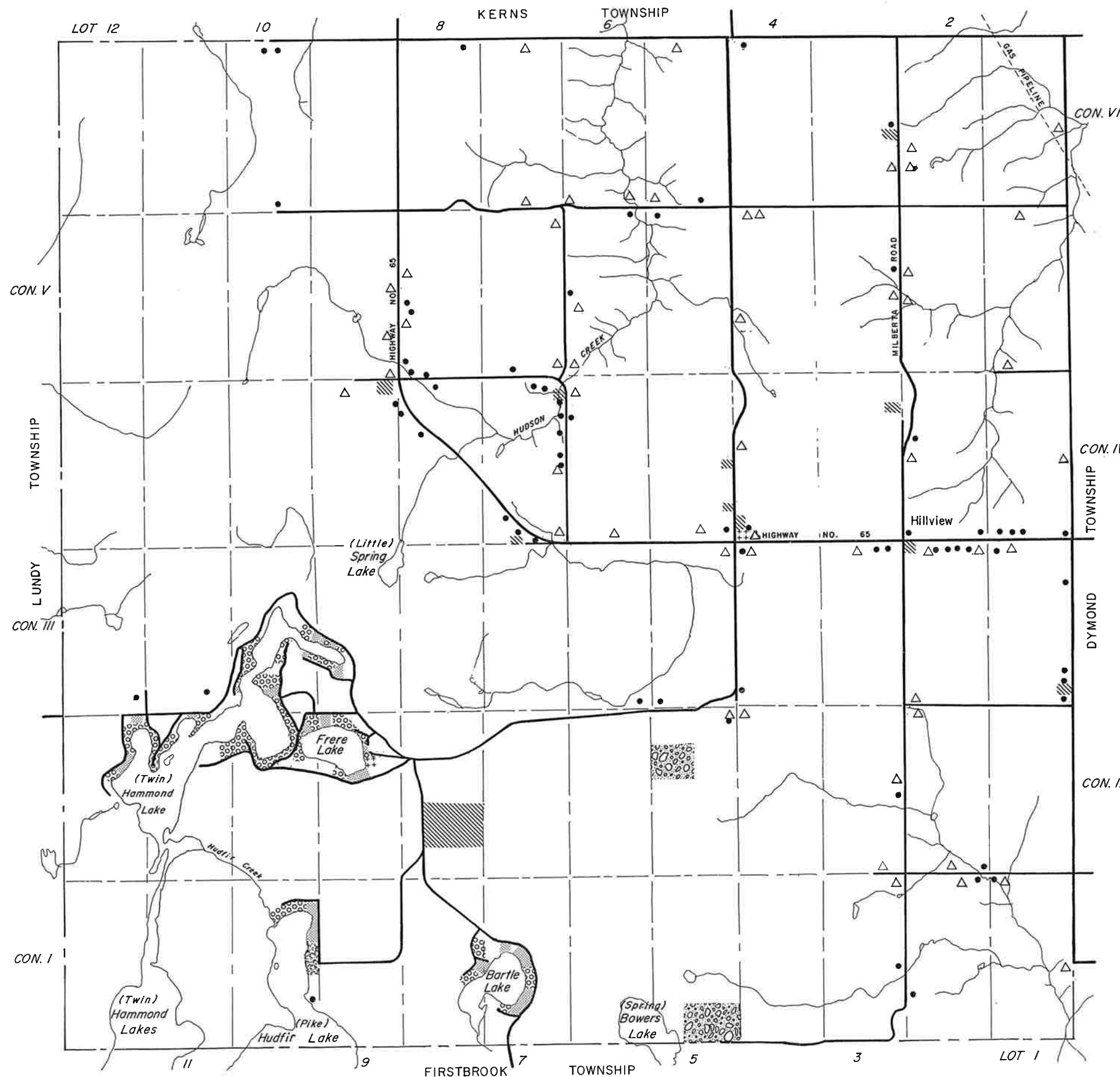
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### PLATE 1

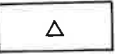

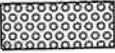
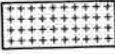








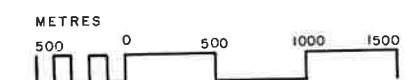
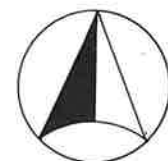
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	Single Family Residential
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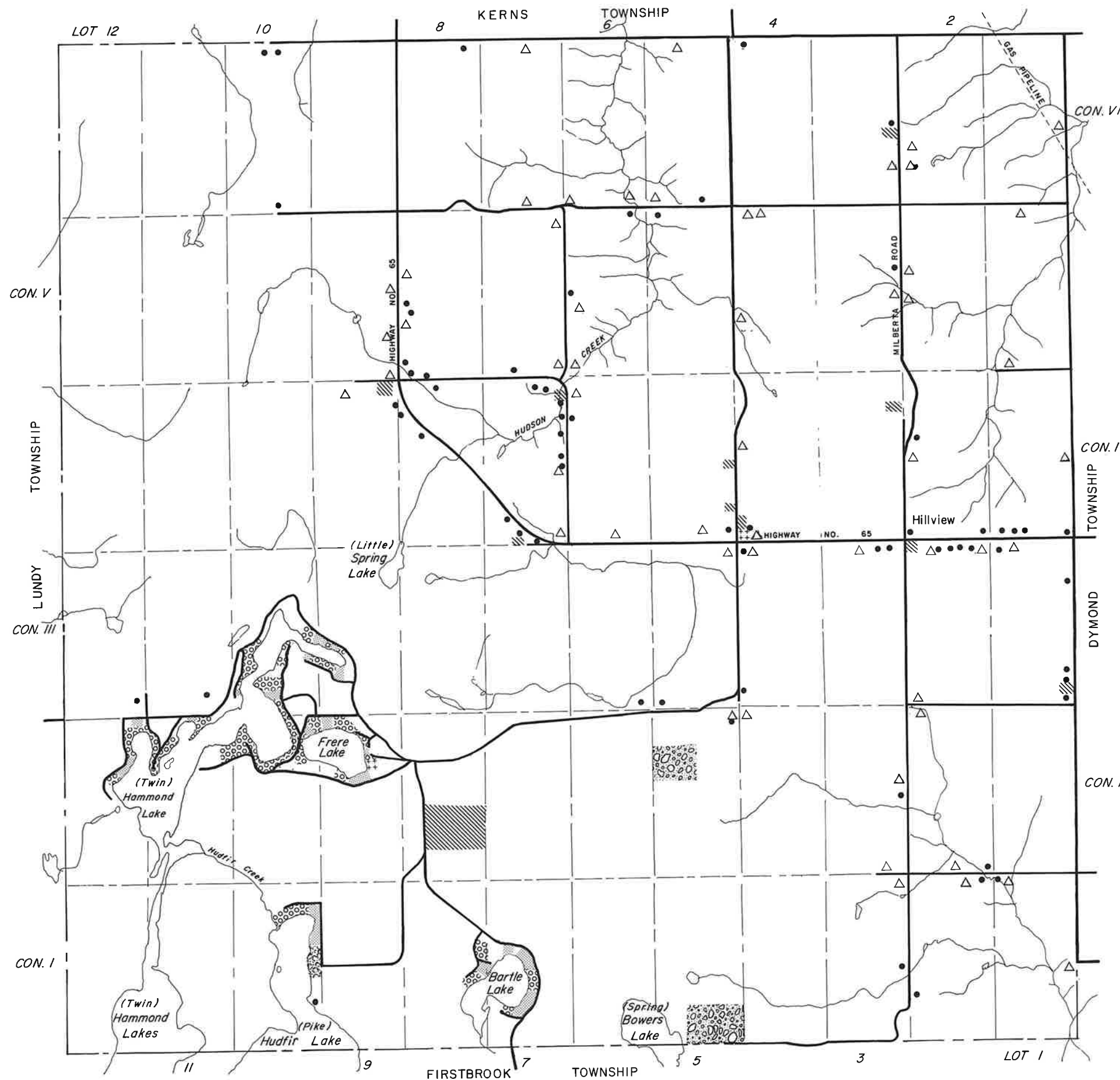


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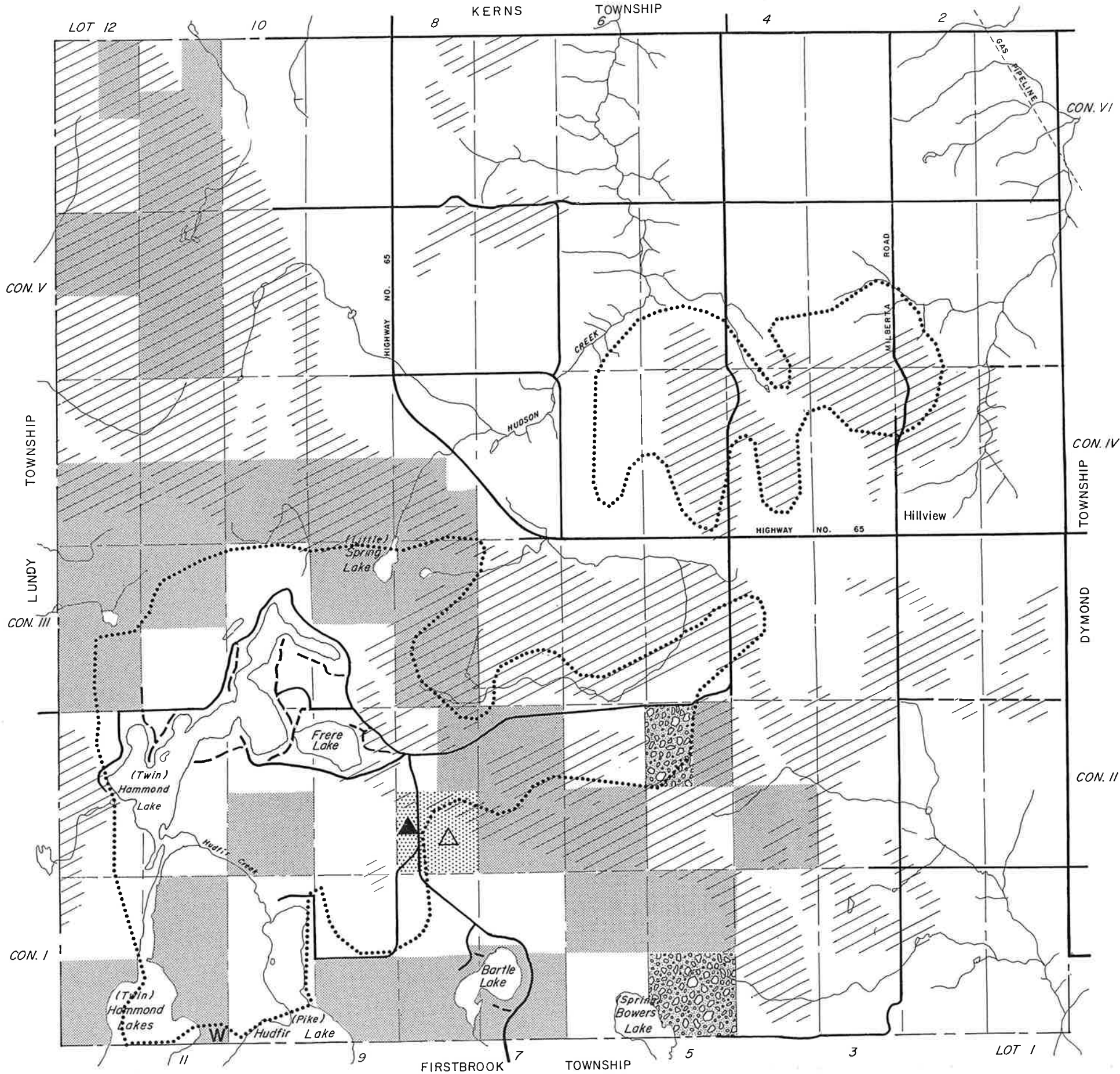
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# PLATE 1



# Development Constraints and Resources

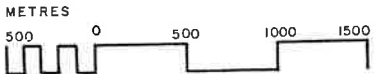
## TOWNSHIP OF HUDSON



### Legend

- Improved Road
- Unimproved Road
- Existing Gravel Pit
- Waste Disposal Sites
- Agricultural Lands (class 2, 3 & 4 soils)
- Rural Lands
- Crown Lands
- Resource Management Lands
- Resource Management Wildlife Areas

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