



Township of La Vallee Official Plan

Draft 4
May 2026



Table of Contents

1	Introduction	1
2	Growth Management	6
3	General Development Policies	11
4	Land Use Designations	24
5	Protection of Resources	35
6	Protection of Public Health and Safety	47
7	Infrastructure.....	56
8	Implementation	64
9	Interpretation.....	85

Land Acknowledgement

The Township of La Vallee respectfully acknowledges that the lands on which we live and work are the traditional lands of the Anishinaabeg First Nations and located within the boundaries of Treaty 3 (North-West Angle Treaty) signed in 1873.



1 Introduction

1.1 Purpose and Effect of the Official Plan

The Ontario *Planning Act* requires municipalities to prepare and adopt an Official Plan to provide guidance for the physical development of communities. The purpose of the Township of La Vallee Official Plan is to establish a vision, guiding principles, objectives, and policies to manage and direct physical development and the effect of change on the social, cultural, economic, and natural environment for the planning horizon to 2051. The Official Plan provides guidance to the Township, residents and development proponents to create a healthy, sustainable community for future generations to enjoy.

As required by the *Planning Act*, the Official Plan is consistent with the Provincial Planning Statement (2024), as well as the list of Provincial Interests established in Section 2 of the Act. Similarly, the direction of the Official Plan is consistent with the Growth Plan for Northern Ontario.

In accordance with the requirements of the *Planning Act*, the Official Plan will be reviewed within 10 years of adoption, and every five years thereafter, to reflect changing circumstances or new legislative or policy direction from the Province. The main implementation tool, the Zoning By-law, will be similarly updated within three years of each Official Plan update.

The Official Plan applies to all lands under the jurisdiction of the Township of La Vallee. Following adoption by Council and approval by the Minister of Municipal Affairs and Housing, all planning decisions and development activities must conform with the policies of the Official Plan, unless exempted by the *Planning Act*.

1.2 Basis of the Official Plan

The Township of La Vallee, located in the Rainy River District of Northern Ontario, is a picturesque community approximately 21 kilometres west of the Town of Fort Frances. The Rainy River runs east-west through the southern portion of the Township, and Highway 11 runs east-west through the centre of the Township.

La Vallee occupies a total land area of approximately 233 square kilometres, consisting of predominantly rural lands. The Village of La Vallee and the Village of Devlin, the Township's rural settlement areas, include a mix of uses that are concentrated along Highway 11. The Village of Devlin is located at the intersection of Highway 11 and Highway 613, the primary north-south road through the Township.

The Township of La Vallee includes three geographical townships, including Devlin, Burriss, and Woodyatt. The Township is bounded by the unorganized territory of Rainy River District to the north, the Township of Alberton to the east, the Rainy River to the south, and the Township of Emo to the west.

La Vallee provides road services throughout the Township. The community also includes public service facilities, including a school, cemeteries, a landfill, and recreational and community facilities. Local municipal fire services are also provided. Library services are offered through the Township of Emo.

1.2.1 Population and Housing Profile

Census data from 2021 calculates the population of the Township of La Vallee to be 788, with a median age of 44.8 years. The Township contains 320 occupied private dwellings, nearly 93 per cent of which are single-detached dwelling types. Approximately 7 per cent of dwelling units are rented, with approximately 15 mobile homes located within the Township.

1.2.2 Economy

La Vallee's economy is largely resource- and service-based. Resource industries include farming and forestry, with service jobs including retail and personal service businesses. Many of La Vallee's residents work in other neighbouring municipalities, including at industries supporting nearby mining operations in the Township of Chapple.

Agriculture is also an important component of the local economy. Residents place a high value on the rural and agricultural way of life, character and environment of the Township, with many local traditions and events rooted in the rural and agricultural lifestyle.

1.2.3 Land Use

Similar to other townships in the Rainy River District, the Township of La Vallee is characterized by its rural landscapes. Rural lots are large, with low densities of development serviced on private water and septic systems. The rural area comprises a range of uses including residential, agricultural, forestry and other rural uses.

The Township includes two rural settlement areas, the Village of Devlin and the Village of La Vallee. Land uses in both of the Villages include residential, commercial, industrial, institutional, and recreation uses.

1.3 Community Vision, Goals and Objectives

The community vision and its supporting goals and objectives create the framework for the policy direction for future development in the Official Plan. Each set of statements establishes community aspirations, to be refined and detailed in the policy

1.3.1 Vision

The Official Plan envisions the Township of La Vallee as a safe, prosperous, healthy, and sustainable community in 2051.

1.3.2 Goals

The goals of this Official Plan are to:

- / maintain and enhance the quality of life in the Township;
- / provide opportunities for growth and appropriate development, including a range of housing forms;
- / secure the health, safety, convenience and welfare of its residents;

- / ensure the Township's resources are used rationally and efficiently;
- / protect valued elements of the natural and built environments;
- / encourage the expansion and diversification of the local economic base;
- / encourage agricultural activities;
- / inform the residents of the Township of La Vallee of planning activities; and
- / provide a guiding framework for implementing by-laws and for decisions of local boards, commissions, committees and other authorities.

1.3.3 Objectives

The objectives of this Plan are to:

- / promote compact development in the Village of Devlin and Village of La Vallee rural settlement areas;
- / encourage patterns of development which facilitate the efficient provision of local services;
- / permit limited residential growth in the Rural Area, where lot size and configuration can support private water supply and sanitary sewage systems, and where the development would be compatible with the character of the land use in the surrounding area;
- / preserve and enhance, where possible, the environmental quality of the area and minimize impacts of land uses on the natural environment and protect the integrity and functions of ecosystems;
- / encourage agricultural activities in the Rural Area;
- / protect and reserve lands that contain natural hazards, Natural Heritage Features and Cultural Heritage Resources, and surface water and groundwater features, where possible;
- / protect select natural resources for extraction, as a means to enhance the economic and social well-being of residents;
- / minimize negative impacts to air quality and climate change by encouraging energy-efficient buildings and development;
- / provide land and facilities for public services and recreational activities;
- / facilitate new business development and the expansion of existing businesses;
- / support the maintenance of an agricultural system, including land, operations, infrastructure, services and assets important to the viability of the agri-food sector; and

- / encourage the creation of housing which is affordable, accessible, adequate and appropriate to a full range of households in the Township and ensure that an adequate supply of land is available to meet the housing needs of its residents.

1.4 Structure of the Official Plan

This Official Plan contains written policy and schedules. The Plan is comprised of 10 sections, beginning with broad goals and objectives through to specific land use designations, policies, and implementation measures. The sections include:

- / **Section 1 – Introduction** explains the role and structure of the Official Plan and the political and administrative framework within which land use planning is carried out in Ontario.
- / **Section 2 – Growth Management** contains policies that direct how the Township will grow over the horizon of this Plan.
- / **Section 3 – General Policies** contains development policies that apply to all land use designations.
- / **Section 4 – Land Use Designations** establishes land use designations and associated policies.
- / **Section 5 – Protection of Natural and Built Heritage Resources** contains policies for the protection and management of Natural Heritage Features and Cultural Heritage Resources.
- / **Section 6 – Development Hazards and Land Use Compatibility** contains policies to ensure protection of property and public health and safety.
- / **Section 7 – Infrastructure** contains policies for water, sewer, stormwater, and transportation infrastructure.
- / **Section 8 – Implementation** contains directions for administration of the Official Plan, as well as enabling tools to realize the policy direction.
- / **Section 9 – Interpretation** contains information related to the interpretation of the Official Plan.
- / **Section 10 – Schedules** contains the following schedules:
 - Schedule A: Land Use Designations
 - Schedule B: Natural Features, Resources and Development Constraints

1.5 How to Use This Official Plan

The Official Plan for the Township of La Vallee provides guidance for members of the public, Township Staff, and Township Council on land use planning matters.

The steps below are provided to assist the reader when development on a property is proposed.

1	Find the property on the Schedules. Be sure to check each Schedule, as each one illustrates different policies.
2	Find the policies that relate to the applicable land use designations in Section 4 (Land Use Designations).
3	Review Section 3 (General Development Policies) to determine if the Plan offers specific guidance for the proposed use or application.
4	The property to be developed may contain natural or heritage resources that are not shown on the Schedules. Review Section 5 (Protection of Resources) to determine if these policies apply.
5	The property to be developed may contain or generate hazards or compatibility concerns. Review Section 6 (Protection of Public Health and Safety) to determine if these policies apply.
6	Contact the Township of La Vallee for questions or additional information.

2 Growth Management

Growth in the Township of La Vallee will be planned in a coordinated manner based on sound planning principles that foster an economically strong and socially vibrant community, while having regard for fiscal responsibility, maintenance of community character, and the protection of natural features and resources.

2.1 Population and Housing Projections

2.1.1 Population

Census data from 2021 calculates the population of the Township of La Vallee to be 788, with a median age of 44.8 years. While the population of La Vallee has fluctuated, the Township has generally experienced a downward population trend in recent decades, with an average contraction rate of -1.5 percent per year. Additionally, the community population is generally aging, with the proportion of the population aged 65 or older currently at 18.5 percent and projected to grow.

In its population projections to 2051, the Ministry of Finance projects the population of the Rainy River Census Division to decline slightly to 18,449, representing a decrease of approximately 8 per cent for the broader District. The population of the Township is similarly expected to follow District-wide demographic trends.

Consequently, growth demands for residential, commercial, and industrial uses will be limited in the Township, with a corresponding reduction in pressures on community infrastructure. Despite these growth trends, this Plan establishes an aspirational goal of accommodating a growth rate of 0.2 per cent annually, which would account for a net increase of approximately three new households every five years.

2.1.2 Housing Requirements

Current demographic trends suggest that demand for new ground-oriented housing forms will be limited. Nonetheless, the community must preserve opportunities for new lower-density residential development, including in existing subdivisions. Sufficient land is designated within the Village of Devlin and Village of La Vallee settlement areas to accommodate this growth, in accordance with requirements in the Provincial Planning Statement.

Equally, more diverse housing forms are anticipated to be required to accommodate smaller households, older adults, and younger workers. The Official Plan introduces or enhances opportunities for additional units on rural lots, as well as contemplating higher-density forms of housing for diverse needs and lifestyles.

2.2 Growth Management Strategy

The growth management strategy of the Township is premised on the following principles:

Principles

- / Classify the Village of Devlin and Village of La Vallee settlement areas as the target areas for growth and development.
- / Ensure lot sizes are of a sufficient size to accommodate individual on-site water and sanitary services.
- / Permit limited lot creation on rural lands.
- / Direct development away from natural heritage features.
- / Direct development away from hazards and incompatible uses.
- / Ensure protection of significant cultural heritage and archaeological resources.

Policies

1. The Township shall ensure that an adequate supply of land and range of housing types and densities is available to accommodate residential growth and the demands for residential development for at least 15 years within the Village of Devlin and Village of La Vallee settlement areas. The supply of land may be achieved through a combination of greenfield development, redevelopment, and intensification.
2. The Township shall ensure adequate drainage and road infrastructure are available to service development across the municipality. No municipal water and sanitary services are planned over the life of this Plan, and all development will be on the basis of individual on-site services.

2.2.1 Settlement Areas

Settlement areas are defined in the 2024 Provincial Planning Statement as built-up areas where development is concentrated and which have a mix of land uses and lands that have been designated in an Official Plan for development over the long-term planning horizon.

Intensification refers to the development of a property or area at a higher density than currently exists. Intensification can generally occur through redevelopment of a property, the development of a vacant site, infill development, or the expansion or conversion of an existing building. Prioritizing intensification in a community growth strategy represents a sound planning approach, as it encourages growth in areas with existing infrastructure and community facilities, rather than building new facilities as a result of physical expansion.

The following policies apply to the Village of Devlin and Village of La Vallee settlement areas:

2.2.1.1 General Policies for the Village of Devlin and Village of La Vallee Settlement Areas

1. The Village of Devlin and Village of La Vallee settlement areas are shown on Schedule A.
2. No new settlement areas are contemplated by this Plan. The Township may establish a new settlement area through an Official Plan Amendment and only where it has been demonstrated that the infrastructure and public service facilities to support development are planned or available.
3. The Township shall evaluate proposals to expand a settlement area boundary against the following criteria:
 - a. The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - b. That there is sufficient capacity in existing or planned infrastructure and public service facilities;
 - c. That alternative lands have been considered, particularly alternatives that avoid expansion into prime agricultural areas, and where avoidance is not possible, reasonable alternatives are considered on lower-priority agricultural lands;
 - d. Impacts on the agricultural system are avoided, or, where avoidance is not possible, minimized and mitigated to the extent feasible, as determined through an agricultural impact assessment or equivalent analysis;
 - e. That, where expansion into high-quality farmland and agricultural systems is necessary, that impacts are minimized and mitigated to the extent possible;
 - f. That the settlement area expansion complies with the minimum distance separation (MDS) formulae;
 - g. The expanded settlement area provides for the phased progression of development; and
 - h. Whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible, as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance.
4. Growth in the Village of Devlin and Village of La Vallee settlement areas shall be accommodated within the Village settlement area with a compact form appropriate to a rural context, a mix of uses, and densities that allow for the efficient use of land, infrastructure and community services.

2.2.1.2 Policies for the Village of Devlin and Village of La Vallee Settlement Areas

1. The Village of Devlin and Village of La Vallee settlement areas shall permit a range of land uses, including residential, commercial, industrial, institutional, and recreational and open space uses.

2. Growth and development shall generally be directed to the Village of Devlin and Village of La Vallee settlement areas and the Township shall encourage the vitality and regeneration of these areas.
3. Growth within the Village of Devlin and Village of La Vallee settlement areas shall be serviced with adequate water and sanitary services.
4. New residential units developed within the planning horizon shall be focused within the Village of Devlin and Village of La Vallee settlement areas.

2.2.1.3 Policies for Intensification within the Village of Devlin and Village of La Vallee Settlement Areas

1. The Township encourages intensification of lands within the Village of Devlin and Village of La Vallee settlement areas, where development can be reasonably accommodated on adequate private services. Intensification may take the form of new development, redevelopment, infill, expansions or conversions.
2. Development proposals in settlement areas shall be located on sites appropriate to the proposed use and design, in accordance with the policies of this Plan.
3. Where development is proposed on lands within the Village of Devlin and Village La Vallee settlement areas, approval will only be granted where adequate water and sanitary service systems are provided.

2.2.2 Employment

Employment areas are clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary permitted employment use.

The Township does not feature designated employment areas, and is not anticipated to require such areas during the planning horizon. Employment uses are generally permitted in appropriate locations across the Township.

The following policies apply to the creation and administration of employment areas in the Township of La Vallee:

Policies

1. As the projected demand for employment uses is limited in the Township, and as municipal water and sanitary services are not available to support intensive industries, employment areas are not designated on the Schedules to this Plan.
2. Where demand for employment land increases, or where a clustering of employment uses is warranted, the Township may designate a new Employment Area through an Official Plan Amendment and in accordance with Provincial policies. Where an area of employment is designated, Council shall consider the following when selecting a location:

- a. Compatibility with surrounding land uses, particularly sensitive land uses, in accordance with the Land Use Compatibility policies of this Plan;
- b. Proximity to transportation infrastructure, with a preference for Provincial Highways, Township roads, and railway corridors;
- c. Existing or potential lot sizes, ensuring employment-scale land uses can be accommodated;
- d. The potential to service the land with adequate water and sanitary services, and the capacity of those services to accommodate future development of employment uses;
- e. General economic viability of the employment areas.

2.2.3 Rural Areas

The area outside of the Village of Devlin and Village of La Vallee is rural, generally composed of low-density land uses on large lots, serviced with private water and sewage infrastructure. The rural area is also characterized by generous open spaces, natural features and some commercial and resource-related uses throughout the Township.

The following policies apply to the identification and administration of Rural Areas:

Policies

1. Lands outside of settlement areas are classified as Rural, as shown on Schedule A.
2. Land use designations in the rural area shall permit a range of rural land uses, including agricultural, resource conservation, resource extraction, commercial and limited residential uses.
3. An objective of this Plan is to guide decisions for land use, development, and infrastructure in a manner consistent with an agricultural systems approach. To identify and refine the location and extent of prime agricultural lands shown on Schedule A, the Township may undertake a Land Evaluation and Area Review (LEAR) or equivalent process in accordance with provincial guidance, either independently or in coordination with neighbouring municipalities. Following completion of the agricultural land identification or refinement process, the Township will amend Schedule A of this Plan to designate the identified lands as Agricultural Resources.

3 General Development Policies

The land use policies in this section apply to all lands and development in the Township of La Vallee.

3.1 Accessory Uses

References to land uses in this Plan imply primary land uses or buildings. Other uses, buildings or structures that may be incidental to the primary use may be permitted, where appropriate.

Policies

1. Accessory uses, buildings and structures shall be permitted in all land use designations.
2. The implementing Zoning By-law shall establish provisions for accessory uses, including definitions, setbacks and size limitations.

3.2 Public Uses and Utilities

This section contains policies for development, works, and other undertakings by the Township and other orders of government.

3.2.1 Public Uses

Policies

1. In accordance with Section 24 of the *Planning Act*, any public works undertaken by the Township of La Vallee shall conform to the policies of this Plan, and shall be planned and implemented in accordance with the applicable Class Environmental Assessment under the *Environmental Assessment Act*, as amended.
2. Public uses and development owned by the Province of Ontario, the Government of Canada, or any board or agency thereof, are permitted in all land use designations. Such public uses may include, but are not limited to:
 - a. Buildings to fulfill government functions;
 - b. Public infrastructure, including:
 - i. Linear utilities;
 - ii. Electricity generation, transmission, and distribution;
 - iii. Land-, water-, or air-based transportation infrastructure; and
 - iv. Communications infrastructure
 - c. Parks, landscaped areas, recreation facilities, and conservation areas.

3.2.2 Utilities

3.2.2.1 Communication Towers

1. A proponent seeking to establish a communications tower shall work with the Township, seek input from the community, and meet the requirements as set out in the *Radiocommunications Act*.

3.2.2.2 Gas Infrastructure

1. Natural gas distribution facilities are permitted in all land use designations and zones. The location of all permanent buildings, structures and excavations on lands adjacent to transmission and distribution facilities shall be determined in consultation with the utility provider.

3.3 Crown Lands

The Ministry of Natural Resources (MNR) has the lead role for the care and management of Ontario's Crown land and water. The Township recognizes that resource management activities on Crown Lands are desirable to advance environmental, social and economic goals.

Policies

1. The Ministry of Natural Resources is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township of La Vallee with respect to the use and disposition of Crown Lands.
2. Authorization for occupation or use of Crown Lands is required from the Ministry of Natural Resources.
3. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Ministry of Natural Resources, the Ministry of Northern Development and/or the Ministry of Mines, as applicable.
4. The Township shall consult with the Ministry of Natural Resources following receipt of a development application for lands adjacent to Crown Lands.

3.4 Public Access to Shorelines

Policies

1. Where feasible, the Township encourages the provision of public access to shorelines, particularly to the Rainy River.
2. The Township may achieve public access to shorelines by establishing easements, corridors, streets, or other modes of access as a condition of development approval.

3.5 General Residential Policies

Housing is a core element of complete communities, providing permanent or temporary accommodations for all residents, workers, and visitors. Housing must be adequate for the diversity of households in the Township of La Vallee, including size, tenure, location, and typology.

The Township of La Vallee generally has a range of low-density housing types, as well as a mix of housing tenures. Over the horizon of this Official Plan, affordable and attainable units are encouraged across all housing types to support existing residents and to attract future community members, workers and families.

The following policies apply to residential uses within the Township of La Vallee:

3.5.1 Affordable Housing

The provision of affordable housing is a key component of healthy communities, allowing people and households to secure adequate accommodations in an appropriate form, tenure and location.

Affordable housing for ownership tenures is defined as the least expensive of housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low- and moderate-income households, or housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality.

Affordable housing for rental tenures is defined as the least expensive of a unit for which the rent does not exceed 30 percent of gross annual household income for low- and moderate-income households, or a unit for which the rent is at or below the average market rent of a unit in the Township.

Policies

1. Affordable housing shall include affordable ownership housing, rental housing, housing for families, seniors housing, and any other housing type that has not been contemplated by this Plan.
2. The Township of La Vallee targets a minimum 20 percent of housing that is affordable to low- and moderate-income households.
3. The Township of La Vallee shall encourage affordable and attainable housing through residential intensification, non-profit housing, land leases, land banks, and a mix of housing types.
4. The Township of La Vallee shall work in collaboration with Rainy River District Social Services Administration Board, the Province of Ontario, the Government of Canada, and other non-profit housing providers to facilitate development of affordable and attainable housing units to meet local needs.

3.5.2 Additional Dwelling Units

Additional dwelling units are an alternative solution to mass-constructed purpose-built rental housing, typically advancing housing affordability by sharing the costs of services and land. Additional dwelling units are intended to be subordinate to a primary dwelling unit, and make efficient use of residential lands which are either developed or intended to be developed with a primary dwelling unit.

3.5.2.1 Additional Dwelling Units

1. One additional dwelling unit exclusive of the primary dwelling unit is permitted in association with a permitted single-detached dwelling.
2. Permissions for additional dwelling units in Policy 1 above may be developed in one of the following configurations:
 - a. Both dwelling units contained within a single building; or
 - b. The additional dwelling unit located in an accessory building on the same lot as the primary dwelling unit.
3. Up to two additional residential units may be permitted subject to a Zoning By-law Amendment and provided that any additional residential units:
 - a. Comply with the Land Use Compatibility section of this Plan;
 - b. Are compatible with, and would not hinder, surrounding agricultural operations;
 - c. Have appropriate sewage and water services;
 - d. Address any public health and safety concerns; and
 - e. Minimize land taken out of agricultural production, where applicable.
4. Water and sanitary servicing, including private services, for all additional dwelling units shall be connected to the primary dwelling unit, with adequate capacity available. Additional wells or septic systems will not be permitted in order to accommodate an additional dwelling unit.
5. A maximum of one parking space shall be required in association with an additional dwelling unit. The Zoning By-law shall include a provision implementing the limited parking requirement.

3.5.2.2 Additional Dwelling Units in the Agricultural Resources Designation

Policies

1. Notwithstanding the policies of Section 3.5.2.1, where a residential dwelling is permitted on a lot in the Agricultural Resources designation, up to two additional dwelling units may be permitted, provided that, where two additional dwelling units are proposed, at least one of these additional dwelling units is located within or attached to the principal dwelling.

2. Any additional dwelling units proposed under policy 1 shall be subject to a Zoning By-law Amendment. Applications for additional dwelling units shall demonstrate that the proposed additional dwelling units:
 - a. Comply with the minimum distance separation formulae, in accordance with the Land Use Compatibility section of this Plan;
 - b. Are compatible with, and would not hinder, surrounding agricultural operations;
 - c. Have appropriate sewage and water services;
 - d. Address any public health and safety concerns;
 - e. Are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
 - f. Minimize land taken out of agricultural production.

3.5.3 Garden Suites

Garden Suites are a special class of residential dwelling permitted on a temporary basis under the *Planning Act*. Garden suites are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Policies

1. A garden suite may only be permitted through a Temporary Use By-law passed under Section 39.1 of the *Planning Act*.
2. Where a garden suite is permitted through a Temporary Use By-law, the time period of use permission shall not exceed 20 years from the day of the passing of the By-law.
3. Where permitted, a garden suite shall be classified as an ancillary additional dwelling unit under Section 3.5.1 of this Plan, and shall be subject to all applicable policies of this Plan.
4. In evaluating an application for a garden suite, the Township shall consider the siting, orientation and compatibility of the garden suite in accordance with the policies of this Plan.
5. Council shall require the owner of the garden suite or any other person to enter into an agreement with the Township to address such matters related to the temporary use of the garden suite as Council considers necessary or advisable, including:
 - a. The installation, maintenance and removal of the garden suite;
 - b. The period of occupancy of the garden suite by any of the persons named in the agreement; and

- c. Financial considerations to address actual or potential costs to the Township related to the garden suite.

3.5.4 Group Homes

A group home is a housekeeping unit in a residential dwelling in which residents live under responsible supervision.

Policies

1. Group homes are permitted in all designations in which single-detached, semi-detached, or duplex dwellings are permitted.
2. All group homes shall be licensed or approved under provincial statute and shall be in compliance with the Zoning By-law.

3.5.5 Guest Cabins

A guest cabin is a dwelling unit intended for guest accommodations accessory to a seasonal residential dwelling, but does not contain any kitchen or bathroom facilities, and is not used for year-round human habitation.

Policies

1. Guest cabins are permitted accessory to seasonal residential dwellings in the Rural area.
2. The Zoning By-law shall establish provisions for guest cabins to regulate size, height and floor area.

3.6 Home Occupations and Home Industries

Home occupations are professional work and service activities that are carried out within a residential dwelling or accessory building that typically do not involve the retail sale of goods.

Home industries are small-scale industrial and commercial uses that are accessory to a rural residential dwelling and may also support the agricultural industry in the area. Generally, home industries shall be small in scale, and conducted primarily within an accessory building to the principal dwelling by those residing in the dwelling.

Policies

1. Where a dwelling is permitted by the Zoning By-law, home occupations and home industries may also be permitted, subject to the policies of this Plan.
2. The Zoning By-law shall contain regulations to ensure functional and visual compatibility of home occupations and home industries with surrounding residential areas. The provisions will address elements such as size, number of employees, parking, signage, physical changes to the dwelling, limitations on mechanical equipment, outdoor storage, and other factors related to safety, convenience or enjoyment of neighbouring residents.

3. The Zoning By-law shall limit the number of home occupations and home industries to two home businesses per lot, composed of:
 - a. One home occupation and one permitted home industry; or
 - b. Two home occupations.
4. Home occupations and/or permitted home industries shall be secondary to the main use of the property and shall not generate adverse impacts on the surrounding area.
5. The Land Use Compatibility policies of this Plan shall apply to all home industries.
6. Where required by the *Environmental Protection Act* or the *Ontario Water Resources Act*, an Environmental Compliance Approval (ECA) and/or Permit to Take Water (PTTW) must be obtained prior to establishing a home industry use.

3.7 Bed and Breakfast Establishments

Bed and breakfast establishments are short-term lodging offered in a private dwelling, representing an alternative accommodation experience for visitors to the Township of La Vallee.

Policies

1. A bed and breakfast establishment may be permitted in a single-detached dwelling provided that:
 - a. the establishment is located on an open road maintained year-round by the Township of La Vallee or the Ministry of Transportation;
 - b. there is adequate water and sewer servicing capacity; and
 - c. the establishment maintains the residential character of the lot.
2. The Zoning By-law shall contain specific provisions for bed and breakfast operations. The provisions shall regulate such elements as:
 - a. Dwelling types in which bed and breakfast operations are permitted;
 - b. The maximum number of rooms available for guests;
 - c. Regulations for signage;
 - d. Parking requirements; and
 - e. Other compatibility considerations, as required.
3. An expansion to the number of rooms available for guests in a bed and breakfast operation may be permitted through a Zoning By-law Amendment, provided that the proposal is compatible with existing and planned uses on surrounding properties.

4. A bed and breakfast may be permitted in a semi-detached, duplex, or townhouse dwelling through a Zoning By-law Amendment, and will be evaluated for compatibility with attached dwelling units, as well as existing and planned land uses.

3.8 Mobile Home Parks

Policies

1. Mobile home parks shall only be permitted subject to an amendment to this Plan and the Zoning By-law. New mobile home parks shall:
 - a. Be compatible with surrounding land uses, in accordance with the Land Use Compatibility policies of this Plan;
 - b. Have frontage on a public road which is of suitable standard of construction in accordance with the Transportation policies of this Plan;
 - c. Be adequately serviced by water and sanitary services; and
 - d. Not generate undue traffic impacts on the surrounding road network.
2. The Zoning By-law shall include a zone that permits exclusively mobile home parks and related uses.
3. An application to establish a new mobile home park, or to expand an existing mobile home park, shall be subject to Site Plan Control. The Township will review the following elements of the design:
 - a. Vehicle entrances, exits and internal circulation;
 - b. On-site parking for residents and visitors;
 - c. On-site open space and recreational activity areas;
 - d. Landscaping, fencing and buffering;
 - e. Size, orientation and spatial separation of the mobile home dwellings;
 - f. Water and sewage servicing connections;
 - g. Grading and stormwater management; and
 - h. Outside storage.

3.9 Community Gardens

The Township recognizes the reality of rising food costs, alongside a continuing demand for locally-grown and locally-produced food and food products.

Policies

1. The Township shall encourage community gardens and rooftop gardens as important resources to support alternative sources of food for residents.
2. Community gardens and rooftop gardens shall be permitted in the following designations:
 - a. Rural Area;
 - b. Village Area; and
 - c. Recreational – Open Space Area.
3. All development initiatives are encouraged to incorporate community gardens, where appropriate.
4. Where feasible, the Township will identify sites, including Township parks, for the establishment of community gardens.
5. The Township of La Vallee supports the production and consumption of local food, including elements of a successful agri-food network, such as:
 - a. Regional infrastructure and transportation networks;
 - b. Agricultural operations including on-farm buildings and primary processing;
 - c. Local infrastructure;
 - d. Agricultural services, farm markets, and distributors; and
 - e. Vibrant, agriculture-supportive communities.
6. The implementing Zoning By-law shall establish provisions for local food and agriculture.

3.10 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

Wayside pits and quarries are temporary pits and quarries, opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction, which are not located within the road right-of-way.

Portable asphalt plants are facilities that are not permanent construction with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and include stockpiling and storage of bulk materials used in the process.

Portable concrete plants are buildings or structures which are not permanent construction with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and include stockpiling and storage of bulk materials used in the process.

The following policies apply to wayside pits and quarries, portable asphalt plants and portable concrete plants:

Policies

1. Wayside pits and quarries, portable asphalt plants and portable concrete plants used by a public road authority or their agents, shall be permitted throughout the Township, without the need for an Official Plan Amendment, Zoning By-law Amendment, or Development Permit under the *Planning Act*.
2. Notwithstanding Policy 1, wayside pits and quarries, portable asphalt plants and portable concrete plants shall not be permitted in the following locations:
 - a. In the Village of Devlin and Village of La Vallee settlement areas;
 - b. In Conservation – Environmental Protection Areas; and
 - c. Areas of particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
3. In areas with archaeological potential, the Township may require an archaeological assessment if establishment of a wayside pit or quarry involves ground-disturbing activities.

3.11 Water Conservation

Policies

1. Water conservation methods, such as efficient landscape irrigation and low water consumption fixtures, will be encouraged in new developments and in the rehabilitation and upgrading of existing sites and buildings.

3.12 Energy Conservation, Air Quality and Climate Change

As the planet warms at an unprecedented rate, communities are experiencing impacts resulting from a changing climate. Local communities are already experiencing a range of hazards, including flooding, extreme temperatures, ecosystem changes, threats to food and water safety, extreme weather, changes to air quality, vector-borne diseases, and enhanced solar ultraviolet (UV) radiation. These hazards are anticipated to strain infrastructure, private property, and government finances, as well as generate or exacerbate negative public health outcomes.

Unique factors in La Vallee that may elevate the impacts from climate change include: a reliance on private drinking water systems by many households; the prominent role of agriculture in the local economy; and the potential for limited access to services during extreme weather events.

Among other government tools and strategies, land use planning can play a role in reducing, mitigating and adapting to these hazards, with the ultimate goal of supporting community resilience.

Policies

1. With consideration of the policies of this Plan, the Township of La Vallee shall mitigate the impacts of a changing climate by:
 - a. Supporting active transportation infrastructure and complete streets design, where applicable;
 - b. Promoting reductions in private vehicle travel through the creation of complete communities, where applicable;
 - c. Encouraging high performance design for buildings which maximizes energy efficiency and conservation;
 - d. Supporting denser forms of housing within the Village of Devlin and Village of La Vallee settlement areas, as appropriate;
 - e. Encouraging tree planting and soft landscaping to increase permeable surfaces and provide shade; and
 - f. Supporting policies for alternative energy generation.
2. With consideration of the policies of this Plan, the Township of La Vallee shall encourage adaptation to the impacts of a changing climate by:
 - a. Protecting wetlands and greenspaces that provide ecological services;
 - b. Considering expected storm and flooding conditions in land use mapping and development review;
 - c. Introducing vegetation, green infrastructure and reducing hard surfaces, where feasible; and

- d. Considering the changing climate through infrastructure planning initiatives.
3. With consideration of the policies of this Plan, the Township of La Vallee shall foster community resilience to a changing climate by:
 - a. Planning for social infrastructure, such as parks and gathering spaces, in infrastructure planning and development review;
 - b. Supporting the local food system;
 - c. Encouraging and providing adequate supports for vulnerable populations, who may be disproportionately impacted by a changing climate, such as housing, employment, health, and social programs; and
 - d. Providing cooling centres and warming centres for emergency support.
4. The Township of La Vallee will work with other levels of government and associated agencies, including Northwestern Health Unit, to implement programs and strategies to advance mitigation, adaptation, and resilience in response to a changing climate. These measures may include the preparation and adoption of a Climate Change Plan.

3.13 Renewable Energy Generation

Renewable forms of energy generation can contribute to a sustainable and affordable electricity grid over the long term. The intent of this section is to provide guidance for the development and siting of structures associated with alternative energy generation.

Policies

1. The Township will support alternative and renewable-source energy generation facilities developed in accordance with this Plan and Provincial and Federal legislation, policies, and regulations. Proposed developments will be encouraged to locate in areas where their adverse impacts on adjacent lands and natural features are minimized and mitigated to the greatest extent possible.
2. Where wind turbines are proposed, the turbine shall be set back a minimum distance, measured from the limit of the highway property, equal to the distance of the height of the wind turbine structure plus the length of one blade.

3.14 Age-Friendly & Inclusive Planning

The Township of La Vallee is a place for residents of all ages, with access to amenities and services that support a diverse range of needs. The Official Plan intends to support residents throughout their lives, allowing people to age in place comfortably. Age-Friendly Planning is an approach that encourages development that fosters longevity, community, and safety.

Policies

1. Council shall encourage the provision of age-friendly social and physical environments to enhance the independence and quality of life for all people, including:
 - a. Infrastructure;
 - b. Municipal services; and
 - c. Municipal programs.
2. Land use decisions shall facilitate the creation of accessible, inclusive, and age-friendly communities.
3. Council shall identify opportunities to better support people of all ages and abilities in the Township.
4. Planning decisions shall consider health, wellness and security of all residents to enable them to remain in their community as long as possible.
5. Development proponents are encouraged to employ universal design principles and best practices to create healthier and safer communities.
6. Long-term care homes and seniors-appropriate housing, including residential care facilities and transitional care facilities, are important elements of the housing spectrum as a contribution to a range of dwelling types in the community. The Township shall encourage the development of these housing typologies in accordance with the following criteria:
 - a. The use is sited in an appropriate location that is compatible with its surroundings;
 - b. The use is adequately serviced with water and sanitary services.
7. Daycare facilities providing daily temporary care of persons including but not limited to children, seniors, and persons with disabilities, shall be permitted within the Village Area, Rural Area, and Recreational – Open Space Area designations, subject to the Land Use Compatibility section of this Plan. The Zoning By-law may include provisions to regulate the type, size and location of daycare facilities.
8. The Township, in collaboration with the Rainy River District School Board, will consider and encourage innovative approaches in the design of new schools and associated child care facilities to meet current and future needs of the Township.

4 Land Use Designations

This section establishes policies for each land use designation shown on Schedule A. The policies indicate the range of permitted uses in the designation as well as general development standards.

4.1 Rural Designations

4.1.1 Rural Area

The Rural Area land use designation constitutes the primary land base of the Township outside of the Village of Devlin and Village of La Vallee settlement areas. The area is composed of residential areas, commercial and industrial uses, agricultural operations, resource conservation and extraction, and other rural uses.

It is the intent of the Rural Area land use designation to:

- / maintain the low-density rural character of the Township;
- / provide flexibility by permitting a variety of land uses; and
- / offer opportunities for agriculture and supporting uses.

Policies

1. Permitted uses in the Rural Area include a range of rural land uses, including:
 - a. The management or use of resources;
 - b. Resource-based recreational uses, including recreational dwellings;
 - c. Mineral exploration;
 - d. Rural residential development;
 - e. Agricultural uses, agriculture-related uses, on-farm diversified uses, and normal farm practices;
 - f. Home occupations and home industries; and
 - g. Cemeteries.
2. Lot creation in the rural area designation shall be permitted provided:
 - a. The lot size is appropriate for the land use proposed;
 - b. The site can be adequately serviced with private water and sewage services;
 - c. It conforms to the Land Division policies of this Plan.
3. Limited commercial, industrial or institutional uses shall be permitted in the Rural Area designation. The Zoning By-law shall contain provisions to ensure the scale

and siting of these uses is compatible and appropriate to the rural context, including water and sanitary servicing limitations. Subject to a Zoning By-law Amendment, other commercial, industrial or institutional uses may be permitted, subject to the following criteria:

- a. The proposed use is suitable to a rural context;
 - b. The proposed use is compatible with surrounding uses, in accordance with the Land Use Compatibility policies of this Plan;
 - c. The proposed use may be adequately serviced with on-site water and on-site sanitary services, including obtaining any Environmental Compliance Approvals, where required; and
 - d. The surrounding road network can accommodate adequate accesses and the increased traffic demand.
4. Extraction of peat for horticulture or fuel purposes shall be permitted in the Rural Area.
 5. Rural tourism uses are encouraged, in accordance with the policies of this Plan.
 6. Notwithstanding Policy 1, rural residential uses may be permitted in accordance with the policies of this Plan, and provided that:
 - a. New lots for rural residential purposes shall be a minimum area of 1.0 hectare;
 - b. New rural residential uses meet the policies of this Plan, including policies for Protection of Resources and Protection of Public Health and Safety; and
 - c. New residential lots can be adequately serviced with private water and sanitary services, in accordance with the Water and Sanitary Services policies of this Plan.
 7. Lands used for forestry purposes as defined by the *Forestry Act* include the production of wood and wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation, and protection and production of water supplies. Forestry uses may be permitted without a Zoning By-law Amendment.
 8. Lands used for public or private recreational purposes may be permitted in accordance with the policies of this Plan.

4.1.1.1 Policies for Agricultural Uses in the Rural Area Designation

1. Agricultural uses are encouraged in the Rural Area designation, including normal farm practices, agriculture-related uses, and on-farm diversified uses, in accordance with the policies of this section.
2. New or expanding agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. In

evaluating compatibility of agriculture-related uses and on-farm diversified uses on surrounding operations, the Township shall consider:

- a. The degree of impairment or inconvenience of surrounding agricultural operations, including minimum distance separation requirements, as applicable;
 - b. The compatibility of the proposed use with the rural and agricultural character of the surrounding area; and
 - c. The mitigation of air, noise, dust and odour impacts on adjacent properties.
3. Accommodations for full-time farm labour shall be sited in close proximity to the principal farm buildings. Where capacity is available, the accommodation may share water and sanitary services with the principal residence on the lot, subject to approval by the Northwestern Health Unit.

4.1.1.2 Policies for Recreational – Open Space Uses in the Rural Area Designation

4. Lands subject to the Rural Area designation may permit active and passive recreational uses, public and private parks, trailer parks and campgrounds, golf courses, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, marinas, cemeteries and wildlife management areas, subject to the Land Use Compatibility section of this Plan.
5. The Township shall encourage accessible and barrier-free facilities in the design and development of parks, open space areas and recreational facilities.
6. Recreational – Open Space uses in the Rural Area designation shall be designed to respect and integrate natural environmental features, including preserving existing trees, where possible.

4.1.2 Village Area

The purpose of the Village Area designation is to enable a mix of land uses appropriate to the Village of Devlin and Village of La Vallee settlement areas. The Village Area designation envisions a healthy mix of compatible land uses, including residential, commercial and institutional uses that offer a range of living and employment opportunities and allows residents to meet daily needs. Some industrial uses may also be permitted in appropriate locations within the Village.

Policies

4.1.2.1 Permitted Uses in the Village Area Designation

1. Lands subject to the Village Area designation are shown on Schedule A. A broad range of residential, commercial and institutional uses shall be permitted in the designation, subject to the policies of this Plan. Light and medium industrial uses may be permitted in the Village Area designation, while heavy industrial uses are discouraged, subject to the policies of this Plan.
2. A range of residential dwelling types and densities shall be permitted in the Village Area designation. Additional dwelling units, rooming houses, group homes, garden

suites, bed and breakfast operations, home occupations and home industries shall be permitted in accordance with the policies of this Plan, as implemented through the Zoning By-law.

3. Community uses such as parks, recreational facilities, churches, schools, day care centres, small-scale medical centres, and other public and private institutional uses shall be permitted in the Village Area designation, subject to the Land Use Compatibility section of this Plan.
4. Local convenience commercial uses shall be permitted within the Village Area designation, where the use caters to the day-to-day convenience and shopping needs of the immediate neighbourhood. The local convenience commercial use shall be of a size and scale that is compatible with the surrounding uses, in accordance with the Land Use Compatibility section of this Plan.
5. In the Village Area designation, compatible industrial uses may be permitted subject to a Zoning By-law Amendment, provided that:
 - a. The development has frontage on a public street;
 - b. The lot is of a size adequate to accommodate the proposed use;
 - c. The development meets the policies of the Land Use Compatibility section of this Plan and will not result in any undue impacts from noise, dust, smoke, or odours;
 - d. The development will not generate undue traffic impacts on the surrounding street network; and
 - e. Adequate visual screening is incorporated into the development.
6. The Zoning By-law shall establish a Village Area zone to permit a range of uses appropriate to a village community core and effective performance standards to ensure compatibility between uses.

4.1.2.2 Policies for the Village Area Designation

1. To the extent feasible, development in the Village Area designation shall contribute to a compact, attractive, pedestrian-oriented built form that maintains the eclectic character of the Village.
2. Intensification within the Village Area designation is encouraged, subject to the policies of Section 2.2.1.3. Intensification in the designation may include the creation of new land parcels or the addition of new uses.
3. Mixed-use development is encouraged in the Village Area designation, including multiple uses in a single building. Where multiple uses are proposed in a development, the Township will review the application to ensure that each use functions effectively.
4. All development in the Village Area designation shall:
 - a. Be located on a lot having sufficient size to accommodate the proposed use;

- b. Be adequately serviced by on-site individual water and sanitary services;
 - c. Provide adequate on-site parking to accommodate the anticipated demand generated by the proposed use; and
 - d. Not generate undue traffic impacts on the surrounding street network.
5. Land division in the Village Area designation will be permitted, provided the new lot(s):
- a. Is of an adequate size for individual on-site water and sanitary services;
 - b. Is of an adequate size for the land use proposed; and
 - c. Conforms with the Land Division policies of this Plan.

4.1.2.3 Policies for Residential Uses in the Village Area Designation

1. The Township supports residential intensification in the Village Area designation where the proposed development is compatible with surrounding development. Ground-oriented dwelling types shall predominate in the designation, with the range of appropriate uses established in the Zoning By-law.
2. All residential development or redevelopment shall:
 - a. Provide and maintain adequate off-street parking for the anticipated demand generated by the development;
 - b. Provide and maintain on-site landscaping; and
 - c. Incorporate adequate separation distances and/or visual screening between residential uses of significantly different densities and where adjacent to non-residential land uses.

4.1.2.4 Policies for Recreational – Open Space Uses in the Village Area Designation

1. Lands subject to the Village Area designation may permit active and passive recreational uses, public and private parks, trailer parks and campgrounds, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, and cemeteries, subject to the Land Use Compatibility section of this Plan.
2. The Township shall encourage open space linkages to facilitate pedestrian access between recreational and open space uses in the Village of Devlin and the Village of La Vallee. To facilitate pedestrian access, the Township may require the dedication of land for pedestrian walkways as a condition of development or redevelopment. The dedication of land for pedestrian walkways shall not constitute part of the required parkland dedication or cash payment in-lieu of parkland dedication.
3. The Township shall encourage accessible and barrier-free facilities in the design and development of parks, open space areas and recreational facilities.

4. Recreational – Open Space uses in the Village Area designation shall be designed to respect and integrate natural environmental features, including preserving existing trees, where possible.

4.1.3 Agricultural Resources

Agricultural resources form part of the province's economic prosperity and overall identity, supporting and protecting the long-term viability of rural areas, local food production, and the agri-food network. The Agriculture designation is intended to identify and protect agricultural resource land in La Vallee.

Policies

1. Lands subject to the Agricultural Resources designation are shown on Schedule A. In determining the application and extent of the designation, the Township shall use an agricultural system approach to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network. In the agricultural system, agricultural lands, rural lands, and agriculture-related infrastructure, services, and assets are considered collectively to create a viable, thriving agri-food sector.
2. Land uses in the designation shall be limited to agricultural uses. Best management practices and activities related to the conservation or management of the natural environment shall also be permitted.
3. Residential uses in the Agricultural Resources designation shall be limited to:
 - a. A principal dwelling associated with an agricultural operation;
 - b. Additional units, in accordance with the policies of this Plan;
 - c. Accommodation for full-time farm labour.
4. Agriculture-related uses and on-farm diversified uses may be permitted, provided that the uses are compatible with and do not hinder surrounding agricultural operations. In evaluating compatibility of new or expanding agriculture-related uses and on-farm diversified uses on surrounding operations, the Township shall consider:
 - a. The degree of impairment or inconvenience of surrounding agricultural operations, including minimum distance separation requirements, as applicable;
 - b. The compatibility of the proposed use with the rural and agricultural character of the surrounding area; and
 - c. The mitigation of air, noise, dust and odour impacts on adjacent properties.
5. Non-agricultural uses may only be permitted in the Agricultural designation for:
 - a. Extraction of minerals, petroleum resources, and mineral aggregate resources; or

- b. Limited non-residential uses, provided that all of the following are demonstrated:
 - i. The land does not comprise a specialty crop area;
 - ii. The proposed use complies with the Minimum Distance Separation Formulae;
 - iii. There is an identified need within the planning horizon of this Plan for additional land to accommodate the proposed use; and
 - iv. Alternative locations have been evaluated, and
 - (1) There are no reasonable alternative locations which avoid prime agricultural areas; and
 - (2) There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
- 6. Where new or expanding non-agricultural uses are proposed, impacts on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis, based on Provincial guidelines.
- 7. Development in the Agricultural Resources designation, including land uses and lot creation, shall be subject to Minimum Distance Separation (MDS) formulae, in accordance with the policies of the Land Use Compatibility section of this Official Plan.
- 8. The Zoning By-law will establish the following zones to implement the policies of the Agriculture designation:
 - a. Agriculture zone; and
 - b. Agriculture subzone, in which residential dwelling units are not permitted.
- 9. Lot creation in the Agricultural Resources Area is generally discouraged and shall be limited to only the following circumstances:
 - a. Creation of a new lot for agricultural uses, provided that the lot is of a size appropriate for the type of agricultural use common in the area and is sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b. Creation of a new lot for agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
 - c. A surplus farm dwelling, in accordance with Policy 10; and
 - d. Creation of a new lot for infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

10. The Township shall permit lot creation for a residence surplus to an agricultural operation, provided that:
 - a. The application for lot creation results from a farm consolidation where a farming operation is merged with a contiguous farming operation in which no new lot is otherwise created, including where such lot may be located in an adjacent municipality;
 - b. The lands to be consolidated as part of the farming operation have been purchased or leased by a bona fide farming operator, as demonstrated through land titles, signed lease, or a legally-binding agreement of purchase and sale;
 - c. The new lot will be limited to a minimize size needed to accommodate the use and its associated water and sanitary services;
 - d. The residence surplus to an agricultural operation meets the Minimum Distance Separation Formulae (MDS) policies of this Plan, unless the livestock operation will be located on the same lot following severance;
 - e. New dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance, as secured through a Zoning By-law Amendment established as a condition of approval for the lot creation.

11. Lot adjustments in the Agricultural Resources designation may be permitted for legal or technical reasons.

4.1.4 Conservation – Environmental Protection Area

The purpose of the Conservation – Environmental Protection Area designation is to set aside lands that contain natural environmental hazards and/or environmental features worthy of conservation. Hazards may include risks of flooding and erosion, steep slopes, and unstable soils and bedrock.

Policies

1. On lands designated Conservation - Environmental Protection Area, permitted land uses shall be limited to shoreline protection works, floodplain protection works, conservation uses, wildlife management and passive recreation uses.
2. The Conservation – Environmental Protection Area designation applies to both public and private lands. For greater certainty, the Township is not obligated to redesignate or purchase private lands subject to the designation.
3. Any applications to redesignate Conservation – Environmental Protection Area lands will be reviewed and shall not adversely impact on the natural environment. The Township shall, in conjunction with the Ministry of Natural Resources, require the proponent of an application to submit an Environmental Impact Study prepared by a qualified environmental specialist.
4. No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the Ministry of Natural Resources, unless explicitly exempt from permit requirements by the Ministry.

4.1.5 Waste Disposal Site

The Waste Disposal Site designation applies to landfills, sewage lagoons, incinerators and any other facilities providing for the long-term storage or destruction of waste material. Composting, recycling and transfer facilities are classified as industrial uses and are not subject to the Waste Disposal Site designation.

Waste Disposal Sites are designated on Schedule A. Influence areas around Waste Disposal Sites are shown on Schedule B, and are subject to the Waste Hazards policies of the Land Use Compatibility section of this Plan.

Policies

1. Permitted land uses in the Waste Disposal Site designation are limited to landfills, sewage lagoons, incinerators, or similar facility in which waste material is processed and/or stored on a permanent basis. Operations may include a combination of indoor and outdoor components.
2. The Township will require an Official Plan Amendment for the establishment of a new Waste Disposal Site designation or an expansion to an existing Waste Disposal Site. The Township will evaluate applications based on a completed Environmental Assessment or an Environmental Screening Report under the *Environmental Assessment Act*, with consideration for such items as:
 - a. The rationale for the undertaking;
 - b. The potential impact on the Township's commitment to waste reduction, reuse and recycling;
 - c. The potential community, public health, transportation, environmental, visual, financial and land use impact of the facility;
 - d. The use of mitigation measures, such as buffers and setbacks, to address potential land-use conflicts;
 - e. The potential impacts and mitigation measures related to roads and haul routes to the facility;
 - f. The environmental monitoring of the facility; and
 - g. The end use and rehabilitation of the facility, as applicable.
3. No reuse of a non-operating solid waste disposal site may occur within 25 years of closure, unless approved by the Minister of the Environment, Conservation and Parks under the *Environmental Protection Act*.
4. Clustering of waste disposal facilities is encouraged within the Waste Disposal Site designation to concentrate hazardous uses and reduce impacts elsewhere in the Township. Clustering shall only be permitted where the proximity of these uses is appropriate and any undue impacts are mitigated.

4.1.6 Aggregate Extraction Area

The Aggregate Extraction Area designation is intended to permit and recognize existing pits and quarries. Lands subject to the Aggregate Extraction Area designation are shown on Schedule A.

Areas with potential aggregate resources are designated on Schedule B and are subject to the policies of the Protection of Resources section of this Plan. Policies addressing hazards caused by aggregate extraction are included in the Protection of Public Health and Safety section of this Plan.

Policies

1. Land uses permitted in the Aggregate Extraction Area designation shall be limited to pits and quarries for aggregate extraction. Uses accessory to the extraction operation, such as aggregate processing operations, may also be permitted, provided that the use does not preclude or hinder the future expansion or continuation of the extraction use.
2. Existing Aggregate Extraction Areas shall be permitted to continue without an Official Plan Amendment, Zoning By-law Amendment or Development Permit under the *Planning Act*.
3. The Township will evaluate requests to establish a new Aggregate Extraction Area designation for a new aggregate extraction operation against the following criteria:
 - a. The effect of the operation of the pit or quarry on the natural environment, with regard to the policies of the Protection of Resources section of this Plan;
 - b. Compatibility with surrounding land use, in accordance with the policies of the Land Use Compatibility section of this Plan;
 - c. The suitability of the progressive rehabilitation and final rehabilitation plans for the site;
 - d. The mitigation of any effects of the operation on ground and surface water resources;
 - e. The mitigation of any effects of the operation of the pit or quarry on agricultural resources; and
 - f. The design, safety and functioning of main haulage routes and proposed truck traffic to and from the site.
4. A Site Plan Agreement, pursuant to Section 41 of the *Planning Act*, is required for new or expanded aggregate extraction operations within the Aggregate Extraction Area designation. The Site Plan Agreement shall address matters including, but not limited to:
 - a. Hours of operation;
 - b. Location of proposed buildings, machinery and equipment;

- c. Setbacks, landscaping and buffering;
- d. Stormwater management;
- e. Existing and anticipated final grades of excavation;
- f. Access/egress;
- g. Haulage routes;
- h. Improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
- i. Site rehabilitation.

4.1.6.1 Rehabilitation of Aggregate Resource Operations

1. The Township shall require progressive and final rehabilitation of aggregate resource operations to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration. Where there is a concentration of mineral aggregate operations, comprehensive rehabilitation planning is encouraged.
2. Rehabilitation of exhausted pits and quarries shall be required to be implemented through a Site Rehabilitation Plan prepared to the satisfaction of the Township and the Ministry of Natural Resources.
3. Notwithstanding the policies of this section, where the aggregate resources on lands designated Aggregate Extraction Area are depleted or not suitable for exploitation, the property may be developed in accordance with the policies of the Rural Area designation. In all cases, a Zoning By-law Amendment to an appropriate zone will be required, provided that:
 - a. Any license applying to the land has been surrendered or modified so as not to apply to the land and it can be demonstrated that the land has been suitably rehabilitated to permit the development;
 - b. The proposed use will not limit the possibility of mineral aggregate extraction from other lands designated Mineral Aggregate Resource Area; and
 - c. Issues of public health, public safety and environmental impact are addressed to the satisfaction of the Township. To facilitate evaluation of these impacts, the Township may require the submission of plans and studies prepared by qualified professionals, such as geotechnical and groundwater studies.

5 Protection of Resources

The Township of La Vallee benefits from abundant natural heritage features and natural resources, as well as potential cultural heritage resources. The policies of this section are intended to preserve and protect the Township's natural heritage features, cultural heritage resources, and natural resources.

5.1 Natural Heritage

Natural heritage refers to a system composed of natural heritage features, areas, and linkages intended to provide connectivity and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems.

5.1.1 Fish Habitat

The Township of La Vallee supports the protection of fish habitats and the management of fisheries, in coordination with the Ministry of Natural Resources and Fisheries and Oceans Canada. Under that *Federal Fisheries Act*, fish habitat is defined as spawning grounds and any other areas, including nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. According to this definition, many waterways may serve as fish habitat.

Policies

1. Fish habitat is shown on Schedule B. The Ministry of Natural Resources is responsible for identifying known fish habitat and approving the delineation of fish habitat. Fish habitat may also be identified through the preparation of Environmental Impact Studies.
2. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
3. Development and site alteration shall not be permitted on lands adjacent to fish habitat, unless the ecological function of the adjacent lands has been evaluated through an Environmental Impact Study (EIS) and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. For the purpose of this policy, adjacent lands shall include lands within 120 metres of a fish habitat.

5.1.2 Wetlands

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. The four major types of wetlands are swamps, marshes, bogs and fens.

Wetlands control and store surface water to assist in flood control, function as sediment traps to improve water quality, provide habitat for a variety of plant and animal species, and function as recharge areas for groundwater resources. Consequently, they are essential components of ecosystems that contribute to the high quality of the environment.

Policies

1. All wetlands are shown on Schedule B. Wetlands may be identified as significant through an Ontario Wetland Evaluation System (OWES) evaluation by a qualified evaluator, which is then submitted to the Ministry of Natural Resources.
2. Any wetlands that are identified as significant may be added to this Plan without an amendment. Minor changes to the boundaries of any identified provincially significant wetlands shall not require an amendment to the Official Plan.
3. Development and site alteration shall not be permitted in significant wetlands, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
4. Development and site alteration is prohibited on or within 120 metres of a significant wetland unless it is demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on the natural features or on their ecological functions.

5.1.3 Significant Wildlife Habitat

Wildlife habitat are areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations.

Policies

1. Any reference to significant wildlife habitats shown on Schedule B should be considered approximate. The Township shall consult the Natural Heritage Information Centre and/or the local Ministry of Natural Resources office to determine the precise locations of wildlife habitat features when evaluating development applications. Some wildlife values may also be mapped on the Ontario GeoHub system.
2. Development and site alteration shall not be permitted in significant wildlife habitat, unless it has been demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on the natural feature or their ecological functions.
3. Development and site alteration may be permitted on lands adjacent to a significant wildlife habitat, where it can be demonstrated through an Environmental Impact Statement (EIS) that there will be no negative impacts on

the natural feature or its ecological functions. For the purposes of this policy, adjacent lands shall consist of lands within 120 metres of the natural feature.

4. Through development, the Township encourages the maintenance of naturalized areas to the extent possible, to maintain and enhance local biodiversity and protect natural linkages and corridors for wildlife migration.

5.1.4 Habitat of Endangered and Threatened Species

The *Endangered Species Act* prohibits the killing, harming, harassment, capture, or taking of a Species At Risk, and the damaging or destroying of their habitat. Species At Risk include extirpated, endangered, threatened or special concern species.

Policies

1. As the locations of habitats of endangered and threatened species are kept confidential by the Ministry of Natural Resources, any reference to significant wildlife habitats shown on Schedule B should be considered approximate. The Township shall consult the Natural Heritage Information Centre to determine the precise locations of these habitats when evaluating development applications.
2. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
3. Development or site alteration may be permitted within 120 metres of a significant habitat of endangered species or threatened species, provided that it can be demonstrated through an Environmental Impact Statement (EIS) that the development or site alteration will have no negative impacts on the habitat or on its ecological function.

5.1.5 Areas of Natural and Scientific Interest (ANSI)

Areas of Natural and Scientific Interest (ANSI) are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. While there are currently no identified ANSIs in the Township, the policies of this section will apply to any future ANSIs identified by the Ministry of Natural Resources.

Policies

1. ANSIs shall be shown on Schedule B. The identification of candidate ANSIs shall be the responsibility of the Ministry of Natural Resources.
2. Development shall not be permitted in an identified ANSI, unless it can be demonstrated that there will be no negative impacts on the natural features or ecological functions for which the area has been identified.
3. Where development or site alteration is proposed on lands adjacent to an ANSI, the proponent shall provide the Township with an Environmental Impact Statement (EIS) that demonstrates that there will be no negative impacts on the candidate ANSI or on its ecological function. For the purposes of this policy,

adjacent lands shall include 120 metres for a life science ANSI and 50 metres for an earth science ANSI.

5.1.6 Environmental Impact Statements (EIS)

Policies

1. Where required, an Environmental Impact Statement (EIS) shall be prepared by a qualified individual and shall include, but not be limited to:
 - a. A description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
 - b. A description of the potential impacts of the proposed development on the natural features and the ecological functions for which the area is identified;
 - c. Suggested development alternatives that would avoid these impacts or, if impacts cannot be avoided, recommended mitigation measures, including proposed implementation methods; and
 - d. Recommended monitoring activities.
2. Where required, no planning approval will be granted until an EIS has been completed to the satisfaction of the Township. Where necessary, other public bodies or individuals with environmental expertise may be consulted to assist in the review of EIS.

5.1.6.1 Full Site EIS

Policies

1. The Township may require an EIS as part of a complete development application. At the discretion of the Township, the EIS may be required to include some or all of the following components:
 - a. A detailed description of the natural heritage attributes of the study area, including terrain setting; soils; geology; groundwater and surface water resources; vegetation communities; fish and wildlife communities and habitat; and delineation of the precise boundaries of the natural heritage feature(s);
 - b. A characterization of the existing ecological, hydrological, and hydrogeological functions performed by the significant feature(s);
 - c. A detailed description of the proposed development, including building type and density, servicing (sewage disposal, water supply) and infrastructure (roads, stormwater management, etc.);
 - d. A prediction as to potential impacts (direct, indirect and cumulative) of the development on the natural and physical environment;

- e. The identification and evaluation of measures or options to avoid, reduce or otherwise mitigate impacts to meet the standard of no loss of feature and function;
 - f. The selection of a preferred mitigation or rehabilitation strategy;
 - g. A summary of predicted net effects after the application of mitigation, compared to overall environmental targets and standards; and
 - h. An evaluation of the need for and the elements of a monitoring program to assess the effectiveness of the preferred mitigation or rehabilitation strategy.
2. At the discretion of the Township, applicants may be required to include additional information in an EIS based on guidance from the *Natural Heritage Reference Manual*, published by the Ministry of Natural Resources, and as updated from time to time.

5.1.6.2 Scoped EIS

In cases where the development constitutes a minor undertaking, or where the extent of encroachment of the development into adjacent lands is limited, the Township may request that the proponent prepare a scoped EIS.

Policies

1. The Township may request a scoped EIS in cases where a full EIS is not necessary to ensure the protection of sensitive environmental features.
2. Where a scoped EIS is required, the Township will identify the issues required to be addressed in the document. Depending on the characteristics of the development and the site, the scoped EIS may take the form of a checklist or short report.

5.2 Water Resources

The Township of La Vallee is situated directly on the Rainy River and is also subject to watercourses, tributaries, and wetlands throughout the Township. This water system interacts through the hydrological cycle that features a combination of precipitation, runoff, percolation, evaporation and discharge. The Township's water resources play a vital role in maintaining ecological integrity, and also provide drinking water, recreation opportunities, irrigation for agriculture, and support for industrial and commercial operations.

5.2.1 General Policies for Water Resources

Policies

1. In performing its planning responsibilities, the Township will consider the interaction of surface water features, groundwater features, shoreline areas, natural heritage features and areas, and hydrologic functions, all of which are necessary for the ecological and hydrological integrity of local watersheds.

2. Through development applications, public works, and other means, the Township shall maintain linkages and related functions among groundwater features, hydrologic functions, natural heritage features and areas, and surface water features, including shoreline areas.
3. The Township shall encourage conservation of water resources in development and in daily activities among residents.
4. Where vulnerable water features have been identified, the Township shall protect, improve or restore the features and their hydrologic functions.

5.2.2 Surface Water

Surface water features are an important element of water resources across the Township of La Vallee. Surface water features include headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Policies

1. Development and site alteration shall not be permitted within 30 metres of sensitive surface water features, unless it can be demonstrated that the development will not negatively impact the water feature or its hydrologic functions.
2. Through conditions of development approval, the Township may require mitigation measures or alternative development approaches to protect, improve or restore sensitive surface water features and their hydrologic functions.
3. The Township may require the completion of a Lakeshore Capacity Assessment where development on private water and sanitary services is proposed fronting on a waterbody that is reaching capacity. Proposals for lot creation, redevelopment, conversion, or the intensification of existing uses within 300 metres of the shoreline will only be permitted where sufficient capacity in the waterbody is confirmed.
4. Through planning approvals, public education, and other means, the Township shall encourage Best Management Practices for shoreline development, including measures such as:
 - a. locating on-site sewage systems where native soils are deepest, and at the furthest distance possible from the shoreline;
 - b. minimizing the clearing of natural vegetation on the site, particularly along the shoreline;
 - c. reducing lot grading;
 - d. using grassed swales and/or vegetated filter strips on lots that require ditching to control runoff;

- e. directing roof leaders to rear yard ponding areas, soakaway pits or to cisterns or rain barrels; and
- f. sump pumping foundation drains to rear yard ponding areas and infiltration trenches.

5.2.3 Groundwater Resources

Groundwater features within the Township include recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Policies

1. Development and site alteration shall not be permitted within 30 metres of sensitive surface groundwater features, unless it can be demonstrated that the development will not negatively impact the groundwater feature or its hydrologic functions.
2. Through conditions of development approval, the Township may require mitigation measures or alternative development approaches to protect, improve or restore sensitive groundwater features and their hydrologic functions.

5.3 Protection of Geological Resources

Geological resources, including minerals, petroleum resources, and mineral aggregate resources, provide an important basis for local economic activity and the creation of public infrastructure. The policies of this section are intended to protect deposits of these geological resources, in accordance with the Provincial Planning Statement and good planning principles.

5.3.1 Areas of Mineral Aggregate Resource Potential

Mineral Aggregate Resources are defined as gravel, sand, clay, rock, or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes. The Mineral Aggregate Resource Area overlay designation is shown on Schedule B.

Policies

1. The Township of La Vallee may undertake an updated Aggregate Resource Inventory to identify areas with high and moderate aggregate potential. The study will assess the resources and recommend, as appropriate, new policy directions on the aggregate resources, including the identification and designating such areas on Schedule B as Mineral Aggregate Resource Area.
2. Until such time that the Plan is amended to incorporate the Aggregate Resource Inventory, all applications for development beyond the Village of Devlin and Village of La Vallee may be reviewed to determine the aggregate potential of the lands.

3. An Official Plan and a Zoning By-law Amendment is required to permit any new mineral aggregate resource extraction operation. In approving any new extraction sites, Council shall consider:
 - a. Compatibility of the aggregate extraction operation with surrounding land uses, in accordance with the Land Use Compatibility section of this Plan;
 - b. Impacts on the social and natural environments, in accordance with the Natural Heritage policies of this Plan;
 - c. Mitigation of aesthetic impacts on surrounding development, including through measures such as landscaping, visual screening, grading, or separation distances; and
 - d. The benefit of the aggregate extraction operation to the Township.
4. Proponents of new aggregate extraction operations will be subject to additional provincial approvals processes, as required.
5. Development that would preclude or hinder the establishment of new operations or access to aggregate resources shall not be permitted on lands on or within 300 metres of the Mineral Aggregate Resource Area overlay designation, or identified areas of aggregate resource potential in the Township or neighbouring municipalities, unless:
 - a. The resource use would not be feasible; or
 - b. The proposed land use or development serves a greater long-term public interest; and
 - c. Issues of public health, public safety and environmental impact are addressed.
6. The Township shall employ and encourage strategies for mineral aggregate resource conservation, including through the use of accessory aggregate recycling facilities within operations, where feasible.
7. Any Cultural Heritage Resources occurring in an area of mineral aggregate resource potential shall be protected in accordance with the relevant policies of this Plan and applicable legislation.

5.3.1.1 Protection of Mineral Aggregate Extraction Operations

1. Development shall not be permitted within 300 metres of an Aggregate Extraction Area designation where the development would preclude or hinder the expansion or continued use of the operation, or where the development would be incompatible for reasons of public health, public safety or environmental impact.
2. Any Cultural Heritage Resources occurring in an area of mineral aggregate resource extraction shall be protected in accordance with the relevant policies of this Plan and applicable legislation.

5.3.2 Mineral Mining Resources

Mineral Mining Resources are defined as metallic (e.g. gold) and non metallic (e.g. graphite) resources under the Provincial Planning Statement. Deposits of mineral mining resources are identified on Schedule B.

5.3.2.1 Mineral Deposits

Mineral Deposits are areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction. While there are currently no active mines in the Township of La Vallee, the intent of this Official Plan is to ensure that mineral mining resources and extraction sites are protected from incompatible uses.

Policies

1. Mineral Deposit sites are indicated on Schedule B by a symbol identifying the general location of the resource.
2. Development on, or within 500 metres of, lands designated Mineral Deposits or identified mineral deposits in neighbouring municipalities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a. The resource use would not be feasible;
 - b. The proposed land use or development serves a greater long-term public interest; and
 - c. Issues of public health, public safety and environmental impact are addressed.
3. An Official Plan and a Zoning By-law Amendment is required to permit any new mineral mining operations. In approving any new mine sites, Council shall consider:
 - a. Compatibility of the mine operation with surrounding land uses, in accordance with the Land Use Compatibility section of this Plan;
 - b. Impacts on the social and natural environments, in accordance with the Natural Heritage policies of this Plan;
 - c. Mitigation of aesthetic impacts on surrounding development, including through measures such as landscaping, visual screening, grading, or separation distances; and
 - d. The benefit of the mining or mining-related use to the Township.
4. Proponents of new mines will be subject to additional provincial and federal approvals processes, as required.

5.3.2.2 Mineral Mining Extraction Operations

1. Development within 500 metres of a mineral mining extraction operation, including those in neighbouring municipalities, shall not be permitted where the development or activities would preclude or hinder the expansion or continued use of the mineral mining operation, or would be incompatible for reasons of public health, public safety or environmental impact.
2. Any Cultural Heritage Resources occurring in an area of mineral mining potential shall be protected in accordance with the relevant policies of this Plan and applicable legislation.

5.3.2.3 Rehabilitation of Mineral Mining Operations

1. After the mineral mining operation and other related activities have ceased, mine sites shall be rehabilitated to the satisfaction of the Ministry of Mines and the Township. Rehabilitation plans and activities shall consider subsequent land uses on the lands and shall incorporate progressive rehabilitation, wherever feasible.
2. Following rehabilitation, the land shall revert to a Rural Area designation through a Township-initiated Official Plan Amendment.

5.4 Cultural Heritage Resources

Cultural heritage contributes to the Township's identity, economic prosperity, quality of life, and overall sense of place.

In Ontario, heritage planning, preservation, restoration and demolition is guided by the *Ontario Heritage Act* and archaeological activities are governed provincially by the Ministry of Citizenship and Multiculturalism. Under the *Ontario Heritage Act*, heritage properties may be recognized and/or protected through designation of built heritage resources or cultural heritage landscapes. This section of the Official Plan recognizes the importance of conserving cultural heritage resources so that they may be experienced by current and future generations.

5.4.1.1 Administration and Designation

1. All protected heritage property in the Township shall be conserved, including built heritage resources and cultural heritage landscapes, and their identification, protection, management and use shall be encouraged.
2. Pursuant to the *Ontario Heritage Act*, the Township may enact by-laws to:
 - a. Designate properties to be of cultural heritage value or interest; or
 - b. Define the Township, or any area or areas within the Township, as areas to be examined for designation as a heritage conservation district; or
 - c. Designate the Township, or any area or areas within the Township, as a heritage conservation district.

3. The Clerk of the Township shall maintain a Register of Properties, which will include properties that have been designated under Parts IV and V of the *Ontario Heritage Act*. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register, in accordance with relevant provisions of the *Act*. The Register shall be updated regularly to ensure effective conservation, and shall be available on a publicly accessible website.
4. Council may designate one or more heritage conservation districts within the Township under the *Ontario Heritage Act*. Prior to the designation of a heritage conservation district, the Township:
 - a. May pass a by-law defining an area or areas to be examined for future designation as a heritage conservation district;
 - b. May prepare a study for the area or areas to determine the feasibility of designation, the delineation of the district boundaries, an evaluation of the area's heritage character, and guidelines for future conservation and planning; and
 - c. Shall ensure that the heritage conservation district meets the criteria for determining cultural heritage value or interest in O.Reg 9/06 of the *Ontario Heritage Act*, as amended.
5. The Township shall encourage the protection of public views and sightlines to significant cultural heritage resources through the development of area-specific community design guidelines.
6. Council may establish a Municipal Heritage Committee (MHC) under the *Ontario Heritage Act* to advise and assist Council on matters pertaining to Parts IV and V of the *Act*.
7. The Township will engage early with local Indigenous communities to ensure their interests are considered when conserving cultural heritage resources.

5.4.1.2 Policies for Development

1. Development and site alteration is not permitted on protected heritage property or on lands adjacent to protected heritage property, unless it can be demonstrated that the heritage attributes of the protected heritage property will be conserved.
2. In considering applications for waterfront development, the Township shall ensure that protected heritage properties and cultural heritage resources, both on shore and in the water, are not adversely affected. Development may be required to mitigate any negative impacts on protected heritage properties and/or cultural heritage landscapes, to the satisfaction of the Township.
3. The Township shall require any person who proposes to demolish or alter a protected heritage property designated under Part IV of the *Ontario Heritage Act* to submit an application to the Township for approval under the *Act*, accompanied by material prescribed in O.Reg 385/21, as amended.

4. The Township encourages the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.

5.5 Archaeological Resources

Archaeological resources include artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. Archaeological resources are often of significance to the understanding of the history of people or place, including First Nations.

Policies

1. Areas of archaeological potential are identified through the application of criteria established by the Province or an Archaeological Management Plan. The Township, with the advice of the Ministry of Citizenship and Multiculturalism, may undertake the preparation of an Archaeological Management Plan.
2. Archaeological sites and areas of archaeological potential are kept confidential by the Ministry of Citizenship and Multiculturalism. The Township will obtain available archaeological site data locations from the Ontario Archaeological Sites Database under the provisions of a municipal-provincial data-sharing agreement to inform heritage conservation planning.
3. Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented, and conserved. Any alterations to known archaeological sites shall only be performed by licensed archaeologists.
4. Where a development proposal affects a terrestrial or marine archaeological site or areas of archaeological potential, a land or marine archaeological assessment prepared by an archaeologist licensed under the *Ontario Heritage Act* shall be required.
5. Council recognizes that, within the boundaries of the Township, there may be marine archaeological remains from the pre-contact period through the modern era up to the last 50 years. These marine archaeological resources may include the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be under water or were, at one time, under water but are no longer submerged.
6. The Township may conserve the integrity of archaeological resources by enacting zoning by-laws to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.
7. When development has the potential to impact a known or suspected cemetery or burial site, the Township shall require an archaeological assessment by a licensed archaeologist. Provisions under both the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply.

6 Protection of Public Health and Safety

The location, siting, or context of development may threaten public health and safety, as well as private property due to naturally occurring processes. These hazards may include steep slopes, bodies of water, rivers, streams, ravines, wildland fire hazards, and other natural hazards.

Hazardous features and areas may also include human-made hazards. As both natural and human-made hazards can pose risks to the integrity of development and its users, development in hazardous areas should be avoided.

The intent of this section is to direct development away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety, or of property damage, and to not create new or aggravate existing hazards.

6.1 Natural Hazards

Natural hazards include flooding hazards and erosion hazards, while hazardous sites include unstable soils (sensitive marine clays and organic soils) or unstable bedrock.

6.1.1.1 Policies for Hazardous Lands

1. For the purposes of this section, areas subject to flooding and erosion hazards include:
 - a. Within 30 metres from the top of bank of the Rainy River; and
 - b. Within 15 metres from the top of bank of all other rivers.
2. All policies in this section should be interpreted to reflect the elevated potential for flooding and erosion that results from a changing climate.
3. No development or site alteration shall be permitted in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and/or erosion hazards, unless it can be demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.
4. Development and site alteration may be permitted in areas subject to flooding and erosion hazards where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a. Development and site alteration is carried out in accordance with recognized floodproofing standards, protection works standards, and access standards;
 - b. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c. New hazards are not created and existing hazards are not aggravated; and
 - d. No adverse environmental impacts will result.

5. Development that is limited to uses which by their nature must locate within an area subject to flooding hazards may be permitted, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. The following land uses shall not be permitted to locate in lands subject to flooding hazards, erosion hazards or dynamic beach hazards:
 - a. Institutional uses including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b. An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
 - c. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

6.1.1.2 Existing Uses in Hazardous Lands

1. Existing uses within areas subject to flooding and erosion hazards shall be permitted to continue. The Township encourages such uses to be removed or relocated outside of hazardous areas, unless otherwise permitted by the policies of this Plan.
2. Expansions to existing uses shall be limited to the following scenarios:
 - a. Reconstruction and/or minor alterations to existing buildings or structures, storage sheds, or in-ground swimming pools; and
 - b. Development associated with existing agricultural operations which are not anticipated to incur significant flood damage, or will not result in impediments to flow or floodwater storage, where approved by the Ministry of Natural Resources.

6.1.1.3 Wildland Fire Hazards

1. Development shall not be permitted in areas that are unsafe due to the presence of hazardous forest types for wildland fire, unless risk is mitigated in accordance with wildland fire assessment and mitigation standards.

6.2 Human-Made Hazards

Mine hazards include areas where the operation of mines or former mines has left the lands in a hazardous state. Mine hazards include any feature of a current or former mine defined in the *Mining Act* or any related ground disturbance that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated.

In accordance with the policies of this section, mine hazards may be located in the Township of La Vallee or in neighbouring municipalities, as shown on associated Official Plan schedules.

Policies

1. No mine hazards have been identified in the Township of La Vallee. Should a mine hazard be identified, the approximate location of abandoned mine hazards which may present a constraint to development in the vicinity will be shown on Schedule B.
2. No development will be permitted on mine hazard lands, unless it can be demonstrated, to the satisfaction of the Township in consultation with the Ministry of Mines, that the hazard no longer exists or that the development can occur without potential threat to life, property or the environment.
3. The Township shall require applicants for any proposed development within 1,000 metres of a mine hazard symbol to consult with the Ministry of Mines regarding the nature of the hazard, and any remediation measures that may be required under the *Mining Act*.
4. The Township shall require applications for development on, abutting or adjacent to lands affected by mine hazards to be supported by a study that:
 - a. Identifies potential safety hazards;
 - b. Demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard; and
 - c. Establishes measures to address and mitigate known or suspected hazards.

6.3 Land Use Compatibility

While complete, diverse, and thriving communities require a range of land uses, some uses and activities may generate conflicts with other land uses. Typically, normal and expected activities associated with land uses such as industrial or agricultural uses may result in noise, lighting, dust, odour, or contamination impacts that create hazards for public health and safety, particularly for sensitive uses. The policies of this section are intended to identify, control and mitigate these hazards. Compatibility with Industrial Uses

Policies

1. Where an industrial use is proposed in proximity to a sensitive land use, or where a sensitive land use is proposed in proximity to an industrial use, the Township may require supporting technical studies to ensure compatibility between the uses. The

technical studies will be used to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures. Studies shall be prepared in accordance with D-Series Guidelines prepared by the Ministry of the Environment, Conservation and Parks.

2. Separation distances between potentially conflicting land uses shall be measured in accordance with D-Series Guidelines prepared by the Ministry of the Environment, Conservation and Parks. The following minimum separation distances shall apply between industrial uses and residential or other sensitive land uses:
 - a. Class I Industries 20 metres
 - b. Class II Industries 70 metres
 - c. Class III Industries 300 metres
3. In the absence of a technical study identifying a site-specific influence area, separation distances required between industrial uses and sensitive land uses shall be:
 - a. Class I Industries 70 metres
 - b. Class II Industries 300 metres
 - c. Class III Industries 1,000 metres
4. Proponents may be required to provide buffering measures such as landscaping, plantings and fencing to minimize visual, massing, noise, and other impacts of the industrial activity.

6.3.1 Waste Hazards

The Township of La Vallee contains one active solid waste landfill on Tausendefrende Road, as well as two closed landfills located south of Hall Road and west of La Vallee Road North east of Maki Road. The following policies apply to waste hazards:

Policies

1. Landfills, including open and operating landfills and non-operating landfills, are shown on Schedule B, along with influence areas in accordance with the policies of this Plan.
2. Where a sensitive use is proposed in proximity to a landfill, or where a new landfill is proposed to be established, the Township shall require supporting technical studies to ensure compatibility between the uses. The technical studies will be used to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures. Studies shall be prepared in accordance with D-Series Guidelines D4: Land Use On or Near Landfills and Dumps, prepared by the Ministry of the Environment, Conservation and Parks.
3. Development or site alteration that has the potential to impact the continued operation of a solid waste disposal site shall be prohibited.

4. Development and site alteration is prohibited within 30 metres of the licensed perimeter of a landfill. Reductions to this distance may only be permitted in accordance with the provisions of Guideline D-4.
5. The Township shall apply an influence area of 500 metres around an operating or non-operating landfill, inside which human health and safety may be affected by ground, surface or airborne impacts.
6. Where development is proposed within the influence area of an operating or non-operating landfill, including consent for lot creation, the Township shall require submission of a study prepared by a qualified professional to demonstrate that the landfill will not have any adverse effects on the proposed development and will not pose any risks to human health and safety. Particular attention shall be paid to proposals that will accommodate people or include animal husbandry or food production. The study shall address contamination by leachates, surface runoff, ground settlement, visual impact, dust, noise, soil contamination and hazardous waste, and landfill-generated gases. Particular attention shall be given to odour and the production and migration of methane gas.
7. Notwithstanding the policies of this section, development of the following land uses may proceed without the submission of a compatibility study:
 - a. Utilities;
 - b. Waste-processing facilities;
 - c. Transportation routes;
 - d. Forestry activities; and
 - e. Gravel pits, quarries and other mining activities.

6.3.2 Compatibility with Transportation Corridors

Transportation corridors within the Township consist of provincial highways, Township roads, and the CN railway corridor. The policies of this section are intended to ensure that these critical corridors are adequately protected and do not generate conflicts with adjacent sensitive land uses.

Policies

1. New development proposed on lands adjacent to a transportation corridor shall be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on, and adverse effects from, the corridor and transportation facilities.
2. Development proposals for sensitive land uses within 250 metres of a provincial highway may be required to submit a noise study, to the satisfaction of the Township, to identify appropriate noise mitigation measures. Where required, noise studies shall be prepared by qualified individuals according to the Ministry of the Environment, Conservation and Parks Environmental Noise Guideline (NPC-300).

3. Where development is proposed within 300 metres of a railway corridor, the Township may require submission of a vibration and/or noise study. The study shall be prepared in accordance with the Guidelines for New Development in Proximity to Railway Operations, prepared by the Federation of Canadian Municipalities and the Railway Association of Canada. The study shall include measures related to safety, security, noise, vibration and trespass. Development proposals for sensitive land uses shall only be permitted where the Township, in consultation with the rail operator, is satisfied that appropriate noise mitigation measures will be implemented at the time of development.
4. In lieu of requesting site-specific studies from development proponents, the Township may undertake a comprehensive study to determine appropriate mitigation measures for noise and land use compatibility in proximity to rail corridors, to be applied to development approvals. The Township shall undertake the comprehensive study in consultation with rail operators in the Township, as well as applicable provincial policies and guidelines. The comprehensive study may be updated on a regular basis to reflect current rail operating conditions.

6.3.3 Minimum Distance Separation (MDS)

Policies

1. All new farm and non-farm development, including new lot creation, shall comply with Minimum Distance Separation (MDS) formulae, as amended from time to time.
2. The Township may consider a variance to the Minimum Distance Separation (MDS) II required for new or expanding livestock operations on a case-by-case basis, where the intent of the MDS II formula is achieved. Variances will be considered in the following circumstances:
 - a. Expansion or replacement of existing structures;
 - b. Where the variance aids in the reduction of potential odour conflicts;
 - c. Where the variance allows for the mitigation of other environmental impacts; or
 - d. The varied separation distance is measured to a lot line or road allowance, but allows the achievement of MDS setback requirements from a neighbouring dwelling or other land use.

6.3.4 Mineral and Mineral Aggregate Extraction

6.3.4.1 Compatibility of New Development with Existing Mineral Aggregate Operations

Policies

1. When new development requiring approval under the Planning Act is proposed adjacent to an extraction operation, the Township shall be satisfied that the proposed use is compatible with the current and future operation of the pit or quarry. For the purpose of this policy, adjacent is defined as:
 - a. 150 metres of a pit, if the floor of the pit is above the water table;
 - b. 300 metres of a pit, in all other cases; and
 - c. 500 metres of a quarry.
2. Compatibility between new development and an existing extraction operation may be achieved through setbacks, buffering, landforms, or other means, as confirmed through a Land Use Compatibility Study prepared by a qualified professional. The study shall account for future phases under licence, which may have yet to be extracted. Mitigation measures to achieve compatibility shall meet applicable Provincial standards, regulations and guidelines.

6.3.4.2 Application Requirements for New Mineral Aggregate Operations

Policies

1. Any application for amendment to this Plan and/or the Zoning By-law shall be supported by studies that are based on predictable, measurable, objective effects on people and the environment. Such studies will be based on Provincial standards, regulations and guidelines, where they exist, and will consider and identify methods of addressing the anticipated impacts in the area affected by the mineral aggregate operation.
2. Applications for Official Plan Amendment and/or Zoning By-law Amendment in support of a new extraction operation shall include information addressing:
 - a. The impact of the operation of the mineral aggregate operation on:
 - i. The natural heritage features and ecological functions on the site and in the area;
 - ii. Nearby communities;
 - iii. Agricultural resources and activities;
 - iv. The quality and quantity of groundwater and surface water;
 - v. The cultural heritage resources in the area;
 - vi. The groundwater recharge and discharge functions on the site and in the immediate area;

- vii. Surface water features in the area; and
 - viii. Nearby wells used for drinking water purposes.
- b. The effect of the additional truck traffic on the ability of an existing haul route to function as a safe and efficient haul route, considering, among other matters:
- i. The types of operations proposed;
 - ii. Current road standards and an assessment of the proposed haul route relative to those standards;
 - iii. Anticipated type of truck traffic; and
 - iv. Increases in background traffic levels together with current levels of truck traffic and other traffic.
- c. The impact of the noise, odour, dust, and vibration generated by the proposed use on adjacent land uses.
- d. How the impacts from the proposed mineral aggregate operation on adjacent uses will be mitigated in order to lessen those impacts; and
- e. How the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.
3. New mineral aggregate operations are encouraged to be established on established haul routes. Where a new haul route is required, the suitability of the proposed haul route will be evaluated on the following criteria:
- a. The new haul route is, or can be made to be, safe and capable of handling the volume of traffic proposed;
 - b. The selection and design of the proposed haul route has been taken into consideration and addressed impacts on existing and permitted sensitive land uses along the proposed haul route;
 - c. The design of the new haul route has taken into consideration the existing road right-of-way features, including means by which such features will be retained. Features may include:
 - i. Existing trees and vegetation within the road right-of-way;
 - ii. Wood, wire, stump and stone fence lines within or adjacent to the right-of-way; or
 - iii. Other historical landscape remnants.

- d. The design of the new haul route has taken into consideration the physical characteristics of the potential route, including:
 - i. Road classification;
 - ii. Load limits;
 - iii. Road surfacing; and
 - iv. The identification of any physical constraints to heavy truck traffic, such as vertical or horizontal curves, sight lines or shoulders and the means to address any deficiencies.
- e. The design of the haul route has taken into consideration the traffic impacts (both operational and physical) resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety, and the mitigation measures that will be employed to address these impacts.

6.4 Contaminated Sites

Contaminated sites may include, but are not limited to, sites used for industrial, transportation or utility purposes. Contaminated sites may include brownfields, which are defined by the Province as undeveloped or previously developed properties that may be contaminated.

Policies

1. Prior to granting planning approvals to allow for development on any property which may be contaminated, the Township shall require the submission of a Record of Site Condition, prepared by a qualified person in accordance with the Ministry of the Environment, Conservation and Parks (MECP) Guidelines, and acknowledged by the Ministry. The Township may require the submission of a Record of Site Condition as a condition of development approval.
2. The Township may apply a Holding Zone to a site where site remediation requirements are known and feasible, regardless of whether a development application is submitted. In these instances, removal of the Holding Symbol will be conditional upon the remediation of the site and the submission of a Record of Site Condition, acknowledged by the Ministry of the Environment, Conservation and Parks. Prior to remediation, land uses permitted on such properties shall be restricted to existing land uses.

7 Infrastructure

The intent of this Plan is to maintain a level of public service that is appropriate for the rural character and environment of the Township of La Vallee. Municipal infrastructure, which includes roads, ditches and culverts, bridges, and landfills, should be provided in a coordinated manner to promote conservation and efficiency, integral to land use planning, and be phased in an appropriate manner.

The objective of this section of the Plan is to provide policies that will ensure adequate services are provided that recognize the Township's financial capabilities and not place undue strain on the Township's financial resources. Policies in this section provide direction for public infrastructure and utilities, as well as private water and sanitary services.

7.1 Water and Sanitary Services

7.1.1 General Policies

Policies

1. The Township of La Vallee does not provide municipal water or sanitary services. All development is serviced with individual on-site water and sanitary services. Municipal water and sanitary services are not contemplated over the life of this Plan.
2. Where feasible and appropriate, private communal water and sanitary systems may be permitted as the preferred alternative to individual on-site water and sanitary servicing for development within the Township of La Vallee.
3. Within the Township of La Vallee, where private communal water and sanitary systems are not feasible, development may be serviced by individual on-site water and sanitary services.
4. Lots on private services shall be sized to ensure safe and adequate servicing for development and to ensure the sustainability of private services in the rural area.

7.1.2 Servicing Policies for Development Applications

Policies

1. Where more than five lots or five units are proposed to be developed within the Township of La Vallee, the Township shall require a Servicing Options Study to investigate the feasibility of communal services and / or individual on-site services, in accordance with guidelines from the Ministry of the Environment, Conservation and Parks (MECP). Where the study concludes that individual on-site water and sanitary services is appropriate for the development, the Township may require a hydrogeological assessment, prepared in accordance with MECP guidelines, that considers the cumulative impacts of development on the sustainability of groundwater resources, among other matters.
2. Developments proposed to be serviced by communal water or sewage systems shall be permitted on the basis that the communal servicing system will be

privately owned, operated and managed by a single corporate entity such as a condominium corporation that is obligated to maintain reserve funds and comply with specified maintenance obligations. The corporate entity shall enter into agreements with the Township and obtain Environmental Compliance Approvals from the Province, where applicable.

3. Individual on-site servicing systems shall require approval by the Northwestern Health Unit.
4. More substantial water takings or sewage flow may require further approvals from the Ministry of the Environment, Conservation and Parks.

7.2 Drainage Infrastructure

7.2.1 Stormwater Management

The management and removal of stormwater is essential to ensure that water is conveyed safely and appropriately from properties. Stormwater management and removal is the responsibility of property owners and must be managed in accordance with the policies of this Plan and federal and provincial requirements.

Policies

1. Stormwater management practices shall minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.
2. New development shall consider the impacts of stormwater quantity and quality on lands and waters downstream. The Township may require the submission of a Stormwater Management Plan, prepared with regard to provincial guidelines, as a condition of development approval for any Plan of Subdivision, industrial development proposal, or large-scale development.
3. Development which may result in erosion and changes in water balance shall minimize these impacts through the use of green infrastructure elements and low-impact development measures, which may include, but are not limited to:
 - a. Natural heritage features and systems;
 - b. Parkland;
 - c. Stormwater management systems, including bioswales;
 - d. Street trees, forests and vegetated areas at the edge of paved surfaces;
 - e. Natural channels;
 - f. Permeable surfaces and permeable pavement; and
 - g. Green roofs, rain gardens and exfiltration systems.

4. Where development is proposed in the vicinity of a provincial highway, and where drainage is anticipated to impact the highway, the Ministry of Transportation shall require submission of a drainage/stormwater management report or plan prepared by a qualified engineer licensed in the Province of Ontario.
5. Development which would interfere with or reduce the drainage capacity of any natural watercourse, or where the watercourse represents a hazard to the proposed development, is prohibited.
6. Development which involves the channelization, diversion, damming, walling or dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, may be subject to the approval of the Ministry of Natural Resources and the Ministry of the Environment, Conservation and Parks, in accordance with applicable legislation.

7.2.2 Requisition and Petition Drains

Policies

1. Requisition and Petition Drains authorized under the *Drainage Act* are to be designed, constructed and maintained in accordance with the Ontario Ministry of Rural Affairs' Best Management Practices to avoid significant detrimental effects on farmland or water resources, wetlands, natural areas or wildlife habitat.

7.3 Transportation

Safe and efficient movement of people and goods within the Township and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the Township, but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Township. The roads in the Township as shown on all schedules to this Plan include provincial highways and Township roads.

It is the intent of this Plan to restrict development of new roads and restrict new development to the existing road system unless future development proceeds by Plan of Subdivision or an access or service road is required to accommodate new development along provincial highways. In the Township of La Vallee, provincial highways include Highway 11/71 (MOMs Way), Highway 613 and Highway 602 corridors.

7.3.1 General Policies

1. Development in transportation corridors that could preclude or negatively affect the use of the corridor for its identified purpose shall be prohibited.
2. The Township shall encourage the preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics, including for active transportation.
3. The Township encourages the co-location of linear infrastructure, where appropriate, including roads, municipal services, and utilities.

7.3.2 Active Transportation

Active transportation includes, but is not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at comparable speed.

Promoting active transportation within communities encourages healthy living and reduces vehicle traffic, pollution, and demands on infrastructure. Recognizing that La Vallee is characterized by rural settlement areas within the rural area, most active transportation measures and policies would apply to the land within the Village of Devlin and Village of La Vallee, but active transportation measures within the remainder of the rural area are encouraged.

Policies

1. In reviewing new development projects or plans of subdivision, the Township may acquire land, request easements, or permit encroachments on municipal lands to establish new trails or active transportation improvements. The Township will prioritize opportunities for new or existing development to establish or improve connections to important destinations.
2. Active transportation shall be supported to reduce greenhouse gas emissions and mitigate negative impacts related to climate change.

7.3.3 Roads

7.3.3.1 Provincial Highways

Provincial highways include all numbered highways under the jurisdiction of the Ministry of Transportation (MTO). The primary purpose of provincial highways is to move people and goods safely between major centres and through the Township. Access to provincial highways is restricted to allow for this primary purpose.

Policies

1. In addition to all applicable Township requirements, proposed development located adjacent to, and in the vicinity of, a provincial highway within MTO's permit control area under the *Public Transportation and Highway Improvement Act*, will be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning.
2. The right-of-way width of a provincial highway shall be determined by the MTO.
3. Direct access onto a provincial highway will be restricted. Where possible, development shall utilize local roads and service roads. In exceptional circumstances, direct access will be considered for those properties that meet the requirements of MTO's access management practices and principles.
4. Where highway access is permitted, the Ministry of Transportation limits each lot of record with highway frontage to one highway entrance. Highway access to back lot development shall not be permitted.

5. Entrance permits are required from the Ministry of Transportation for any new entrance/access onto a provincial highway.
6. A new MTO entrance permit is required for any property that changes ownership or where there is a proposed change in use and/or any reconstruction of an existing entrance.
7. Any new proposed access connections with a public highway, including public roads and/or signalized intersections, shall meet MTO access management practices and principles.
8. In consultation with the MTO, the Township may require a Transportation Study prepared by a professional engineer to address:
 - a. The impact of any new development upon the provincial highway system; and
 - b. Any associated highway improvements that are required prior to development approvals.
9. Recreational trails along or crossing provincial highways may be considered subject to meeting Ministry of Transportation policy. The Ministry of Transportation requires any proposed trail demonstrate that there is no feasible alternative route and that there will be no negative impact to the highway infrastructure, operations, maintenance and safety.
10. Where a home occupation, home industry, or bed and breakfast operation requires direct access from a provincial highway, MTO approval will be required. The following policies apply:
 - a. The MTO may require that the property owner obtain:
 - i. An entrance permit; and
 - ii. A sign permit, as applicable.
 - b. As a condition of permit issuance, the MTO may require the property owner to acknowledge that the use of the existing entrance cannot be converted to a commercial entrance in the future, and that an additional entrance will not be permitted to accommodate the home occupation, industry or business.
 - c. The MTO will not support a future severance that would result in separate entrances for the business and the retained parcel if it does not meet MTO access practices and principles.
11. Where necessary, the construction of service roads parallel to any of the provincial highway in the Township may be required in order to make more effective use of the local land resource. Such construction will be subject to the prior approval of the MTO.

7.3.3.2 Township Roads

Township Roads refer to road rights-of-way under the jurisdiction of the Township of La Vallee. The Township's Roads Department is responsible for the maintenance of all roads within their jurisdiction. The primary purpose of the Township roads is to facilitate local travel provide access to properties. Direct access to Township roads is normally permitted from any abutting lot, provided that there are adequate sight lines and suitable grades, and that the access will not cause traffic hazards.

Policies

1. The right-of-way width of Township roads shall generally be a minimum of 20 metres (66 feet).
2. Expansions to the Township road system are generally discouraged, unless determined to be necessary and appropriate. In determining whether an expansion to the road system is desirable, the Township shall consider:
 - a. Efficiency of the road network and how the expansion will impact efficiency;
 - b. Maintenance requirements; and
 - c. Anticipated usage of the road.
3. Where the construction of a new road or extension of an existing road is warranted, the road shall be designed and constructed to meet approved standards.
4. The Township shall not assume a new road unless deemed suitable for incorporation into the Township road system.
5. Where a new road right-of-way is approved through a Plan of Subdivision, Consent application, or Site Plan Control application, the development proponent shall be responsible for costs associated with the design and construction of the new road.
6. Unless it is clearly in the public interest, private roads will not be assumed by the Township into the Township road system. In exceptional cases where the Township agrees to assume the private road, the road shall be improved to reflect municipal standards for design, drainage, and safety.
7. Year-round maintenance will be provided on all roads under the jurisdiction of the Township of La Vallee.

7.3.3.3 Private Roads

1. New private roads are discouraged in the Township. In exceptional circumstances, private roads may be permitted subject to the policies of this Plan.
2. Private roads in existence at the time of adoption of this Plan shall be permitted to continue.

7.3.4 Railway Corridors

Railway transportation has historically been an important factor in the development of La Vallee. The intent of the following policies is to allow and encourage railway infrastructure in support of the local economy, and to ensure railway corridors are protected for their intended purpose.

Policies

1. Development adjacent to a railway corridor shall be compatible with, and supportive of, the long-term role of the corridor for freight and passenger movement, as well as regional economic development. All development shall be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on, and adverse effects from, the corridor.
2. Compatible industrial and commercial uses are the preferred land uses in proximity to railway corridors, to buffer impacts from more sensitive land uses.

7.4 Utility Corridors

Policies

1. Corridors for electricity transmission and distribution systems or other utilities shall be permitted in all land use designations, subject to any regulatory requirements, assessments or approvals.
2. Electricity transmission and distribution systems will only be permitted in environmentally-sensitive areas or areas subject to flooding hazards where it is demonstrated through an Environmental Assessment process that it is the preferred location for the infrastructure.
3. The Township shall not permit development in corridors for electricity transmission and distribution systems that could preclude or negatively affect the use of the corridor for its intended purpose. Adjacent development shall be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate, negative impacts on, and adverse effects from, the corridor.
4. Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses are encouraged in corridors for electricity transmission, where compatible with surrounding uses and subject to approval by the operating electricity authority.
5. Oil and gas pipelines shall be protected from incompatible uses. For development proposed within 200 metres of a pipeline right-of-way, the proponent shall consult with the pipeline operator and produce written confirmation that the operator does not object to the application.

7.5 Waste Infrastructure

Policies

1. The Township shall ensure that adequate solid waste infrastructure is available and that adequate land is reserved for these purposes.
2. Existing or planned waste infrastructure shall have adequate capacity for projected community needs.
3. Where appropriate, the Township may rely on solid waste facilities in neighbouring communities, where reliable and long-term arrangements are possible.

8 Implementation

This section is intended to enable strategies and tools for the Township to realize the goals and objectives of the Official Plan and implement its policy direction. Some implementation direction is mandatory, while others may be utilized at the discretion of Council, as specified in the policies.

8.1 General

Policies

1. The Township shall implement the policies of this Official Plan through the powers granted through the *Planning Act*, as amended, and other statutes of the Province of Ontario, as applicable. All planning decisions of Council shall be consistent with the Provincial Planning Statement.
2. Pursuant to Section 24(1) of the *Planning Act*, no public work shall be undertaken and no by-law shall be passed by the Township for any purpose that does not conform to the policies of this Official Plan.
3. All development agreements implementing approvals for Plans of Subdivision, Plans of Condominium, Consents, Minor Variances, and Site Plan Control applications shall conform to the policies of this Official Plan.

8.2 Administration of the Plan

Policies

1. Following approval of this Plan by the Ministry of Municipal Affairs and Housing, the Plan shall be reviewed within 10 years to ensure consistency with provincial direction and to reflect changing conditions and planning trends in the Township.
2. Following the completion of the first review of the Official Plan described in Policy 1, the Township shall review the Plan at least once every five years.
3. An amendment to this Plan is not required to update the boundaries of Crown Lands within the Township.
4. The Township may pass a by-law to establish a Committee of Adjustment in accordance with the *Planning Act*. If established, the Committee can be empowered to approve applications for:
 - a. Minor Variance;
 - b. Permission;
 - c. Consent;
 - d. Mortgages (charges) on part of a property, or partial discharge of mortgages;
 - e. Validation of Title; and

- f. Easements and lease grants for a period of 21 years or more.
5. Township Council may pass a by-law to delegate its authority to pass certain by-laws of a minor nature to a Committee of Council, a Staff member, or other officer, employee or agent of the municipality. A by-law may delegate some or all of the following types of applications, and may include conditions or triggers for delegation:
 - a. Minor Zoning By-law Amendments;
 - b. Lifting of a Holding Provision; and/or
 - c. Temporary Use By-laws.

8.3 Secondary Plans

A Secondary Plan forms part of an Official Plan and contains policies and land use designations that apply to multiple contiguous parcels of land, but not an entire municipality. A Secondary Plan is intended to provide more detailed land use policy direction in respect of those parcels beyond the policies of the broader Official Plan.

Policies

1. A Secondary Plan may only be initiated by the Township, unless otherwise directed by Council.
2. The development of a Secondary Plan shall include engagement with local residents and other interested parties in a collaborative and public process, in accordance with the requirements of the *Planning Act*.
3. Secondary Plans shall generally be consistent with the policies of this Plan, but may establish specific policies for the Secondary Planning area.

8.4 Land Division

8.4.1 General Land Division Policies

Policies

1. Subdivision of land in the Township may proceed by Plan of Subdivision, Plan of Condominium, Consent, or Part Lot Control exemption.
2. The Township shall not permit subdivision of land unless the qualities and condition of the lands are suitable for the intended or permitted use.
3. New and retained lots shall have an area of 1.0 hectare. Smaller lot areas may be considered in exceptional cases, provided:
 - a. The lot size is appropriate for the proposed land use or development;

- b. The lot size is sufficient to accommodate on-site water and sanitary services, as demonstrated through hydrogeological study, to the satisfaction of the Township; and
 - c. The location, orientation, or configuration of the lot does not further strip development, in accordance with the policies of this Plan.
- 4. New lots shall comply with the applicable requirements of the Zoning By-law. Where a proposed lot does not comply with applicable zoning provisions, the Township may require a Zoning By-law Amendment as a condition of lot creation.
- 5. All new lots shall have direct frontage on an open and publicly-maintained road.
- 6. All new lots must be able to be adequately serviced with water and sanitary services in accordance with the policies of this Plan. The Township may allow lot creation only where there is confirmation of:
 - a. Sufficient reserve sewage system capacity, in the case of communal or individual on-site sewage services; and
 - b. Sufficient reserve water system capacity, in the case of municipal or communal services.
- 7. The Township discourages rural land division in a form that results in the creation or extension of strip development, which consists of multiple entrances and culvert emplacements along a contiguous section of public road. Rather, where multiple lots are proposed or created, the Township will encourage:
 - a. That the lots take a form that clusters new lots along new public roads, where feasible;
 - b. Lot frontages that exceed the minimum standard in the Zoning By-law;
 - c. Staggered building setbacks, which may be implemented through site-specific Zoning By-law Amendments as a condition of development approval;
 - d. The sharing of private approaches leading to multiple driveways, which may be achieved through the establishing of an access easement; and
 - e. Protection of hedgerows between lots.
- 8. Unless deemed unnecessary due to development size or other constraints, subdivisions shall establish a minimum of two road connections to a public road to create redundancy and facilitate emergency access. In determining whether multiple connections are necessary, the Township will consider the number of phases in the development and the extent of development in each phase.
- 9. New lots fronting on private roads is discouraged. In exceptional circumstances, new lots may be permitted on private roads, subject to the following criteria:
 - a. The private road is already in existence and was legally established;

- b. The private road connects to a public road maintained year-round by the Township;
 - c. The conditions of the private road are suitable to accommodate the proposed lot(s), including permitting access by emergency vehicles; and
 - d. The owners of all existing and proposed properties fronting onto the private road shall enter into a Private Roads Agreement with the Township, which shall govern maintenance arrangements, connections to public road(s), snow clearing responsibilities, and similar matters.
- 10. The subdivision of land shown as Mineral Deposits on Schedule B or on adjacent lands shall be subject to the policies of the Mineral Deposits section of this Plan.
 - 11. The subdivision of land for non-aggregate uses on land shown as Mineral Aggregate Resource Area on Schedule B shall be subject to the policies of the Mineral Aggregate Resource Area section of this Plan.
 - 12. The subdivision of land shall not be permitted in any hazardous site or land that could be unsafe as a result of naturally occurring or human-made hazards unless it can be demonstrated that the hazard will not result in public health, safety or potential property damage, that no new hazards are created or existing hazards aggravated, and no adverse environmental impacts will result from the development to the satisfaction of the Ministry of Natural Resources and the Township.

8.4.2 Plan of Subdivision or Plan of Condominium

Plans of Subdivision are the preferred form of land division in the Township, representing a robust and comprehensive tool for land division control. Plans of Condominium are regulated by the *Condominium Act* and enable a form of building- or unit-ownership within a governing condominium corporation.

Policies

- 1. The Township may consider an application for a Plan of Subdivision or Plan of Condominium, subject to the following criteria:
 - a. The application meets the evaluation criteria and any relevant regulations under the *Planning Act*;
 - b. The application is considered to be in the public interest;
 - c. Natural features, such as tree cover and topography, are retained and incorporated into the subdivision or condominium design, to the extent feasible;
 - d. The applicant has submitted to the Township:
 - i. All information required by the *Planning Act* and its Regulations; and
 - ii. All other information required by the Township, in accordance with this Plan and the provisions of the *Planning Act* ;

- e. As a condition of approval of a Plan of Subdivision or Plan of Condominium application, the applicant shall enter into an Agreement with the Township to govern provision of services, land dedications, construction processes, development phasing, or other matters considered by the Township to be reasonable;
 - f. The lands can be provided with adequate services and utilities, as per the Infrastructure section of this Plan;
 - g. The development is not anticipated to adversely affect the financial position of the Township.
2. A Plan of Subdivision or Plan of Condominium shall be required for rural residential purposes greater than 5 lots and shall be accompanied by a Planning Rationale that addresses the need and scale of the proposed development based on the following considerations:
- a. the amount of developable land available with existing residential areas;
 - b. long term servicing impacts, environmental factors;
 - c. the scale and design of the development is compatible with the surrounding development and rural character; and
 - d. any necessary infrastructure and public facilities can be provided or are available to service the development in an efficient manner.
3. Where a draft Plan of Subdivision is proposed adjacent to a provincial highway, all lots in the subdivision shall front onto an existing or proposed Township Road, and no lot shall have frontage exclusively on the provincial highway.

8.4.3 Consents

The division of land by Consent is primarily intended to facilitate technical transfer in land titles, such as boundary corrections and partial mortgage discharges. The creation of a limited number of lots by Consent may be permitted, subject to the policies of this section. Plan of Subdivision or Plan of Condominium processes will generally apply to other forms of land division.

Policies

- 1. The Township may consider division of land by Consent where a Plan of Subdivision is not necessary for proper and orderly development.
- 2. The Township may approve an application for Consent, subject to the following criteria:
 - a. The proposed application conforms with the policies of this Plan;
 - b. All severed and retained lots can be adequately and safely serviced with communal or private water or sanitary services, in accordance with the policies of this Plan;

- c. The soil and drainage conditions are adequate for the proposed use and permit the proper siting of buildings and, if required, the installation of private septic disposal systems;
 - d. The proposed lots front onto a public road, unless otherwise permitted by this Plan;
 - e. The proposed lot configuration permits safe access and egress from adjacent roads, including for emergency vehicles;
 - f. The Consent is compatible with adjacent land uses, in accordance with the Land Use Compatibility policies of this Plan; and
 - g. The lot size and configuration shall be suitable for the proposed land use.
3. The Township may apply conditions to provisional Consent approval, including but not limited to:
- a. That the Zoning By-law be amended;
 - b. That any necessary land for road widening, allowances or easements be dedicated to the Township or the Ministry of Transportation; and
 - c. That the applicant improve road access, grading, or drainage to a standard satisfactory to the Township and/or the Ministry of Transportation.
4. Notwithstanding the policies of this section, Consents may be granted for the following technical purposes, provided that the retained and severed land parcels conform with the Zoning By-law:
- a. Boundary corrections or adjustments;
 - b. Lot enlargements;
 - c. Discharge of mortgage;
 - d. Road widening and road allowances; or
 - e. Easements.
5. A maximum of two new severed lots may be created through a Consent application, not including the retained lot, from a land holding existing as of the date of adoption of this Plan, provided that the application conforms with the policies of this Plan.
6. Up to four new severed lots may be considered for creation through a Consent application, not including the retained lot, from a land holding existing as of the date of adoption of this Plan, provided that the application conforms with the policies of this Plan and demonstrates that:
- a. There is no requirement for municipal infrastructure to be extended or expanded to serve the new lot;

- b. The additional lot creation will not generate undue demands on existing community infrastructure; and
- c. The proposed lot creation or development cannot reasonably be accommodated within the Village of Devlin or Village of La Vallee.

8.4.4 Part-Lot Control

Policies

- 1. Council may pass by-laws to exempt all or part of registered Plans of Subdivision from Part-Lot Control. Where the Township grants approval to lift Part-Lot Control, additional land division applications will not be required for the same proposal.

8.5 Land Use Controls Under the *Planning Act*

The *Planning Act* grants the Township the power to utilize planning controls for land use and development applications. The policies of this section guide the Township in its deployment of these controls.

8.5.1 Zoning By-law

Policies

- 1. The Township shall enact a Comprehensive Zoning By-law to implement the policies of this Plan by:
 - a. Prohibiting the use of land, except as permitted by the Zoning By-law;
 - b. Regulating built form and densities;
 - c. Restricting development on land that is subject to natural hazards;
 - d. Prohibiting or regulating development to ensure the protection of natural features, natural resources, heritage resources, or archaeological resources;
 - e. Regulating the minimum elevation of doors, windows or other openings in buildings or structures;
 - f. Requiring parking and/or loading facilities on private lands.
- 2. The Comprehensive Zoning By-law shall establish classes of zones appropriate to implement the policies of each land use designation in this Plan. Multiple zoning classes may apply within a single land use designation, where appropriate.

8.5.1.1 Zoning By-law Amendments and Review

Policies

- 1. Council may amend the Zoning By-law in accordance with the provisions of the *Planning Act*, including in response to private applications for amendment.

2. An applicant requesting a Zoning By-law Amendment shall submit materials to the Township in accordance with Regulation 545/06 of the *Planning Act*. The Township may require other materials in accordance with the policies of this Plan.
3. In accordance with the procedures established in the *Planning Act*, the Township will:
 - a. Review applications for completeness and notify the applicant of whether all required materials have been received;
 - b. Post public notifications regarding a Zoning By-law Amendment application;
 - c. Advertise and hold a Statutory Public Meeting;
 - d. Circulate a Notice of Refusal or Notice of Passing, as the case may be, to the applicant and any interested parties, in accordance with the *Planning Act*.

8.5.1.2 Minor Variances and Permission

Policies

1. Where established, the Committee of Adjustment may approve Minor Variances and Permission applications in accordance with Section 45 of the *Planning Act* and the policies of this Plan.
2. Township Council may pass a by-law to introduce criteria for a Minor Variance in accordance with Section 45 of the *Planning Act*. Any criteria established under this policy shall be subject to public notification requirements, as established in the *Act*. Where criteria are in force, the Committee of Adjustment shall concurrently apply the four tests of a Minor Variance when considering an application.

8.5.1.3 Non-Conforming Uses

Legal non-conforming rights are afforded to landowners under the *Planning Act* and stipulate that a Zoning By-law cannot prohibit the use of land, a building, or a structure that was lawfully commenced on the date the by-law was passed. As such, a use of land, a building, or a structure that is legal under any current Zoning By-law cannot be rendered illegal upon approval of a new or amended Zoning By-law.

Policies

1. The Township generally encourages the gradual phase-out of uses that do not conform with the policies of this Plan to allow the land to be developed in conformity with the goals of the Official Plan and the implementing Zoning By-law.
2. Despite the intent described in Policy 1, a non-conforming use may be reconstructed where removed, provided it does not exceed the previous building envelope.
3. Where a use proposed to be reconstructed exceeds the previous building envelope, the Township will evaluate the expansion component of the proposal under Section 45(2) of the *Planning Act* using the following tests:

- a. Whether the application is desirable for appropriate development of the lands; and
 - b. Whether the application will result in undue adverse impacts on surrounding properties.
4. Where a legally existing use of land does not comply with the land use designations and the policies of this Plan, it may be zoned in the Zoning By-law in accordance with the existing use, after due consideration, provided that:
- a. The zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent conforming uses, which may be achieved through the application of a site-specific exception zone to permit the existing use;
 - b. The use of land will not constitute a danger or nuisance to surrounding uses and persons;
 - c. There is no undue impacts on the quality of surrounding air or water; and
 - d. The use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan.

8.5.1.4 Non-Complying Lots

The following policies apply to lots in existence prior to the effective date of the implementing Zoning By-law that do not meet the lot area and/or lot frontage requirements contained within the implementing Zoning By-law:

Policies

1. Non-complying lots may be used, and buildings thereon may be erected, enlarged, repaired or renovated, provided:
 - a. The lot has direct access to a public road;
 - b. The land use can be effectively serviced with water and sanitary services, as applicable;
 - c. The use conforms with the applicable policies of this Plan and the implementing Zoning By-law; and
 - d. The buildings or structures comply with all of the other provisions of the implementing Zoning By-law.
2. New lots that are created as a result of the merging of two or more lots in an existing Plan of Subdivision, or lots that are made larger as a result of lot addition, shall be deemed to comply with the frontage and area requirements of the implementing Zoning By-law.

8.5.2 Temporary Use By-laws

Pursuant to Section 39 of the *Planning Act*, the Township may approve the use of land, buildings or structures for a temporary use that is not otherwise permitted by the Zoning By-law.

Policies

1. The Township may approve an application for a Temporary Use By-law where:
 - a. The use, building(s), or structure(s) are otherwise prohibited by the Zoning By-law; and
 - b. The proposed temporary development will not preclude the future development of any lands for purposes permitted by the Zoning By-law, following removal of the temporary use.
2. A Temporary Use By-law shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the by-law. At its discretion, Council may pass additional Temporary Use By-laws to extend the period of temporary use for further periods of a maximum of three years per extension.
3. Temporary uses shall be evaluated for potential impacts on surrounding land uses and shall not generate undue conflicts related to noise, traffic, or other impacts, with consideration for the temporary nature of the proposed use.
4. A Temporary Use By-law may be used to authorize garden suites, in accordance with the policies of this Plan.

8.5.3 Holding Zones

In accordance with Section 36 of the *Planning Act*, the Township may enact a Holding Provision By-law, which prohibits all development on an affected property or properties until such time as the Holding Provision is removed.

A Holding By-law is generally applied to ensure:

- / Appropriate phasing of development;
- / Adequate water and/or sanitary services are available;
- / An agreement is executed between the Township and the landowner to govern specific planning or infrastructure matters, as appropriate; and
- / Unique design features are incorporated in exceptional cases.

Policies

1. The Township may enact a by-law to assign a Holding Zone to one or more properties through the placing of an 'H' in conjunction with the zone symbol. The

by-law shall specify the purpose of the holding zone and any measures that may be required before the Holding Zone may be lifted.

2. Upon submission by an applicant of a request to remove a Holding Zone, Council may remove the Holding Zone when it is satisfied that all required conditions or measures specified in the applicable Holding Zone by-law have been completed.
3. When a Holding Zone applies, permitted land uses on the affected lands are limited to existing uses.

8.5.4 Interim Control By-laws

In accordance with Section 38 of the *Planning Act*, the Township may enact an Interim Control By-law to prohibit development in an area subject to further study. The Township may use this tool in cases where an affected area requires a more detailed review or study before development can proceed. The By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan and/or Zoning By-law may require an amendment to reflect the findings of the study.

Policies

1. The Township may enact an Interim Control By-law to limit development in an area subject to a review or study.
2. An Interim Control By-law shall specify the period of time the controls will be in effect, which shall not exceed one year from the date of passing of the By-law. Where necessary, Council may extend the effective period for the By-law, provided that the period is no longer than two years from the date the By-law was originally enacted.

8.5.5 Site Plan Control

The Township may implement the policies of the Official Plan through the use of Site Plan Control, as enabled through the provisions of Section 41 of the *Planning Act*. The purpose of Site Plan Control is to allow the Township to review and approve functional details of development, including building siting, servicing, access, and landscaping.

Policies

1. The Township may enact a Site Plan Control By-law under Section 41 of the *Planning Act*. The entire Township of La Vallee shall be established as a Site Plan Control area.
2. Where the Township passes a Site Plan Control By-law, the By-law shall specify the classes of development subject to Site Plan Control, in accordance with the provisions of Section 41 of the *Planning Act*.
3. A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Township. Submitted drawings may be required to include the information listed in Section 41(4) of the *Planning Act*.

4. The Township may establish conditions to the approval of a Site Plan Control application, in accordance with Section 41(7) of the *Planning Act*.
5. The Township may require the owner of the land subject to an approved Site Plan Control application to enter into an Agreement with the Township to address the provision of required facilities or works, and to ensure that development proceeds in accordance with the approved plans and drawings.

8.5.6 Community Planning Permit System

A Community Planning Permit system offers an alternative tool for land use control, in lieu of a Zoning By-law and Site Plan Control By-law, which may apply to all or part of the Township.

Policies

1. The Township may enact a by-law to enact a Community Planning Permit system.
2. Before passing a by-law to enforce a Community Planning Permit System, Council shall adopt an Official Plan Amendment to replace this section with text detailing information required under O.Reg 173/16 of the Planning Act, including the area(s) subject to the by-law, delegations of authority, required application submission materials, and other prescribed matters.

8.5.7 Cash In-Lieu of Parking

Policies

1. In accordance with Section 40 of the *Planning Act*, the Township may enter into an agreement with a landowner or tenant of a development proposing to develop fewer parking spaces than that required by a Zoning By-law, in exchange for a monetary payment.
2. Where the Township utilizes the cash in-lieu of parking powers under Policy 1, it shall follow all applicable requirements under Section 40 of the *Planning Act*, including the establishment of a special account to hold money received through the agreements.

8.5.8 Community Benefits Charges

Policies

1. Council may enact a by-law to impose Community Benefits Charges against land to pay for the capital costs of facilities, services and other matters required due to increased demand from new development.
2. A Community Benefits Charge By-law shall comply with the requirements of Section 37 of the *Planning Act*.

8.5.9 Site Alteration By-law

Policies

1. In accordance with the *Municipal Act*, the Township may enact a Site Alteration By-law to regulate certain activities that may impact drainage and vegetation patterns.
2. A Site Alteration By-law may:
 - a. Prohibit or regulate the placing or dumping of fill;
 - b. Prohibit or regulate the removal of topsoil;
 - c. Prohibit or regulate the alteration of the grade of the land;
 - d. Require that a permit be obtained for the placing or dumping of fill, the removal of topsoil or the alteration of the grade of the land; and
 - e. Impose conditions to a permit, including requiring the preparation of plans acceptable to the Township relating to grading, filling or dumping, the removal of topsoil and the rehabilitation of the site.

8.5.10 Property Standards By-law

The Township is committed to the maintenance and development of a safe, healthy and attractive environment.

Policies

1. The Township may pass a Property Standards By-law under s. 15.1(3) of the *Building Code Act*, which may:
 - a. Prescribe standards for the maintenance and occupancy of property within the Township or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards; and
 - b. Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition.
2. Provisions in a Property Standards By-law may be applied to the conservation of cultural heritage resources. The Township shall ensure that the application of the by-law is not detrimental to the conservation of cultural heritage resources.

8.6 Energy Conservation Design Guidelines

Policies

1. The Township may establish energy conservation design guidelines to encourage future development to implement energy conservation measures.

8.7 Parkland Dedication

Policies

1. In accordance with Section 51.1 of the *Planning Act*, the Township may require the dedication of public parkland as a condition of approval for a Plan of Subdivision. Parkland shall be dedicated at the following required rates:
 - a. For subdivisions accommodating commercial or industrial uses, 2 percent of the land to be subdivided; or
 - b. For all other subdivisions, 5 percent of the land to be subdivided; or
 - c. Where a by-law is enacted in accordance with Policy 2, an amount equal to the alternative rate.
2. In accordance with Section 42 of the *Planning Act*, the Township may enact a by-law establishing an alternative rate of required parkland dedication, which:
 - a. May not exceed 1 hectare of parkland per 600 residential units;
 - b. May not exceed 10 percent of the land for a development that is five hectares or less in area; and
 - c. May not exceed 15 percent of the land for a development that is greater than five hectares in area.
3. The Township may enact a by-law to permit development proponents to provide cash in-lieu of parkland dedication, which may apply to:
 - a. The equivalent value of the percentage of land in accordance with the base rates established in Policy 1, where no alternative rate is established; or
 - b. An alternative rate established in Policy 2, to not exceed 1 hectare of parkland per 1,000 residential units.
4. Prior to enacting a by-law under Policies 2 or 3, the Township shall prepare a Parks Plan that examines the need for parkland in the municipality. The Parks Plan shall be undertaken in accordance with the direction in the *Planning Act* and shall address, among other matters:
 - a. The existing supply and quality of public parkland;
 - b. Anticipated needs for parkland as a result of population and/or demographic changes;

- c. Projected growth and development; and
 - d. Appropriate rates for parkland dedication.
5. The Township shall apply the following guidelines to determine an appropriate location and configuration for parkland dedication:
 - a. The parkland should be relatively level and not be required for drainage purposes in the development;
 - b. The parkland should not be susceptible to flooding;
 - c. The parkland should not have steep slopes or other physical features which render the land unsuitable for open space or park development;
 - d. The parkland should be centrally-located within a neighbourhood or the broader community context to provide convenient pedestrian and vehicular access;
 - e. The dimensions of the parkland should be appropriate to accommodate the dimensions and shape of large playing fields and other facilities; and
 - f. The parkland should be provided with basic water, sanitary and utility service requirements.
 6. Pursuant to the *Planning Act*, Conservation – Environmental Protection Area lands may not be considered as part of a parkland dedication.
 7. Where a new development features physical or environmental hazards, the hazard lands shall not be accepted for parkland dedication. Where the lands feature an open watercourse, adequate space shall be provided for maintenance of the watercourse.

8.8 Community Improvement

The provisions in Section 28 of the *Planning Act* allow municipalities to prepare Community Improvement Plans (CIP) for designated Community Improvement Project Areas as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

The *Act* defines community improvement as the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment construction, reconstruction and rehabilitation, improvement of energy efficiency, and the provision of land uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary. Community improvement also includes the provision of affordable housing.

Policies

1. The Township may pass a by-law establishing a Community Improvement Plan (CIP) Project Area for the entire Township, or a part thereof.

2. Where the Township has passed a by-law establishing a CIP Project Area, the Township may prepare and adopt a Community Improvement Plan in accordance with the provisions of Section 28 of the *Planning Act*. Objectives of a CIP may include:
 - a. Upgrading and maintaining municipal services and community facilities;
 - b. Encouraging the maintenance of existing building stock;
 - c. Encouraging the preservation, rehabilitation, renewal and reuse of heritage resources, including heritage buildings;
 - d. Encouraging private-sector investment and the strengthening of the economic base;
 - e. Enhancing the visual appearance of Community Improvement Areas;
 - f. Promoting the redevelopment of brownfields.
3. Implementation of a CIP may include a range of actions in accordance with the *Planning Act*, including:
 - a. Acquisition of land within the Community Improvement Project Area;
 - b. Clearing, grading, or other preparation of land;
 - c. Construction, repair, rehabilitation, or improvement of buildings; and/or
 - d. Sale, lease, or disposition of land to any person or governmental authority.
4. A CIP may include the provision of public funds such as grants or loans to owners, tenants and their assignees to pay for the whole or part of the eligible costs of development or other activities that contribute to the realizing of the plan's objectives.

8.9 Public Participation

The Township intends that the public be involved in the formulation and implementation of planning policies. To this end, the Township shall notify and seek the views and participation of the public prior to making decisions regarding planning activities, in accordance with the provisions of the *Planning Act*.

Policies

1. The Township shall meet the requirements for public notification and public delegation established in the *Planning Act* and its Regulations, in accordance with the requirements for each development application.
2. Where Council has delegated its authority to pass by-laws of a minor nature under policy 5 of Section 8.2 of this Plan, the Township may employ alternative measures for notification for the delegated classes of by-laws. In these cases, the delegated approval authority will:

- a. Give notice of the minor by-law in the same manner and to the same persons and public bodies to whom or to which notice of a proposed Zoning By-law Amendment would normally be given;
 - b. Include in the notice described in clause (a) above information about how members of the public can make written submission about the requested by-law, as well as information about who is entitled to appeal the decision; and
 - c. Generally not hold a public meeting about the requested by-law, unless the delegated approval authority determines that there is sufficient public interest in the request to warrant a meeting, in which case notice of the public meeting shall follow the usual meeting requirements for a Zoning By-law Amendment in the Planning Act.
3. The Township may forego public notification and/or public meetings in connection with a technical Official Plan or Zoning By-law Amendment if such amendment will not affect the provisions and intent of the Official Plan, the Zoning By-law or amendments thereto, which may include:
 - a. Altering the numbering and/or arrangement of any provision;
 - b. Correcting punctuation or altering language to obtain a uniform mode of expression;
 - c. Correcting clerical, grammatical, dimensions or typographical error;
 - d. Effecting changes in format; or
 - e. Consolidating previous amendments into the parent document.

8.10 Indigenous Engagement

Policies

1. The Township recognizes the unique status of Indigenous Peoples within Canada and the importance of engagement and dialogue with First Nation communities in the region. When considering land use planning and development decisions of mutual interest, particularly heritage and archaeology matters, the Township will undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
2. The Township shall include the following Indigenous communities in land use planning engagement, where applicable:
 - a. Rainy River First Nations;
 - b. Couchiching First Nation;
 - c. Naicatchewenin First Nation;

- d. Mitaanjigamiing First Nation;
- e. Nigigoonsiminikaaning First Nation; and
- f. Historic Rainy River / Lake of the Woods Métis Community (MNO Region 1).

8.11 Municipal Land Administration

Policies

1. The Township may acquire, hold, or dispose of land for the purposes of implementing any policies of this Official Plan, subject to the provisions of the *Planning Act*, and any other applicable statutes of the Province of Ontario.
2. The Township may require the dedication of lands for the purpose of widening road rights-of-way or establishing corner sight triangles to improve sightlines for motorists. Land dedications may be required adjacent to any public road, including Township Roads or Provincial Highways. The requirement for a land dedication for the purpose of a road widening or corner sight triangle may be established as a condition of approval for:
 - a. Site Plan Control applications;
 - b. Plan of Subdivision applications;
 - c. Consent applications;
 - d. Lifting of Part-Lot Control applications.
3. Where the Township has acquired or holds lands, it may clear, grade or otherwise prepare the land for the purpose for which it has been acquired or is held.

8.12 Pre-Application Consultation and Prescribed Information for Planning Applications

The Township offers a pre-application consultation service for development proponents. During the pre-consultation, the Township will provide a list of required plans, studies and other information for evaluating a complete application. Development proponents are also encouraged to consult and engage with the affected community, Indigenous groups, and stakeholders early in the planning process to identify and address potential issues and opportunities.

Policies

1. The Township encourages development proponents to attend a pre-application consultation meeting with Township staff prior to submission of a development application.
2. Depending on the nature of the proposed development and planning application, the Township may require plans, studies or additional information to evaluate a

complete development application. A sample list of submission materials is provided as Appendix A to this Plan.

3. Where a Fisheries Assessments is required, the Township may forward the Assessment to the Department of Fisheries and Oceans for evaluation.

8.13 Review of Planning Applications

Policies

1. For qualifying application types, the Township of La Vallee shall review applications to determine if the application is complete, and provide correspondence to the applicant in accordance with the provisions of the *Planning Act* and its Regulations.
2. Applications shall be deemed complete only if the applicant has provided all materials required under the *Planning Act* and its Regulations, the policies of this Plan, and any other materials required by the Township in accordance with the Official Plan.
3. Where applicable, the Township may notify and/or consult the following documents and public bodies as part of the evaluation of a development application:
 - a. The Township Official Plan and Zoning By-law;
 - b. Township Staff and Departments;
 - c. Local Indigenous groups and/or First Nations;
 - d. Abutting municipalities;
 - e. The Northwestern Health Unit;
 - f. The Ministry of Municipal Affairs and Housing;
 - g. The Ministry of the Environment, Conservation and Parks;
 - h. The Ministry of Transportation;
 - i. The Ministry of Natural Resources;
 - j. The Ministry of Mines;
 - k. School Boards; and
 - l. Utility companies.
4. The Township will endeavor to meet decision timelines established in the *Planning Act*, while undertaking due diligence with the review of the application.

5. The Township will endeavour to fast-track the review and processing of applications for development containing affordable housing units, as defined in this Plan.

8.14 Tariff of Fees

Policies

1. In accordance with Section 69 of the *Planning Act*, the Township may enact a by-law to establish a tariff of fees for the processing of planning applications. Each class of planning application may be assigned a separate application fee.
2. The fees established in a Tariff of Fees by-law shall not exceed the anticipated cost to the Township, Committee of Adjustment, or other decision-making body.
3. The Township may waive fees for development applications that include affordable housing units, in accordance with the policies of this Plan.

8.15 Economic Development

Policies

1. The Township encourages the retention of existing employment opportunities and the creation of new opportunities in La Vallee.
2. The Township may prepare economic development strategies, either independently or in partnership with other municipalities within the Rainy River District, to encourage the maintenance and expansion of existing businesses and establish programs to promote new business start-ups.
3. The Township will support priority economic sectors, including but not limited to agriculture, tourism, forestry, and mining, by maintaining a range and choice of suitable sites for uses within these sectors.

8.16 Funding Sources

Opportunities for funding and other resource supports are available to support certain undertakings envisioned by this Official Plan. This section enables the Township to seek and utilize these resources.

Policies

1. The Township may seek funding and resource support from other levels of government and organizations to fulfill the land use planning goals of this Plan. The Township may consider seeking supplementary resources from governments or organizations including, but not limited to:
 - a. The Government of Canada;
 - b. The Province of Ontario;
 - c. The Federal Economic Development Agency for Northern Ontario (FedNor);

- d. Northwestern Ontario Municipal Association (NOMA);
- e. Canada Mortgage and Housing Corporation (CMHC);
- f. The Federation of Canadian Municipalities (FCM);
- g. Green Municipal Fund; and/or
- h. The Association of Municipalities of Ontario (AMO).

9 Interpretation

The Official Plan should be read as a whole to understand the comprehensive and integrative nature of the policy framework. The Plan is composed of Sections 1 to 9 and all Schedules, and is intended to guide decision-making in the Township of La Vallee over the planning horizon to the year 2051.

Where reference is made in the Official Plan to other documents, such as provincial or federal Acts, or other legislation, or to other documents that are not part of the Plan, it is understood to reference the latest approved version of the legislation or document, unless otherwise specified.

9.1 Policy Designation Boundaries

Policies

1. The boundaries of the land use designations shown on Schedule A and Schedule B of this Plan are considered approximate. Designations shall be considered absolute only where bounded by public roads, railway corridors, waterbodies or other similar geographical barriers.
2. Amendments to the Plan will not be required to make minor adjustments to the approximate land use designation boundaries, provided that the general intent of the policies is preserved. Such minor deviations may not be reflected on the Schedules.

9.2 Conflicts

Policies

1. Where there is a conflict or inconsistency between the policies or maps of the Official Plan and a policy or map of a Secondary Plan, the policy or map of the Secondary Plan shall prevail.

9.3 Uses

Policies

1. Examples of permitted uses listed in preambles or policies of this Plan are intended to illustrate a range of activities in each respective land use designation. Specific uses and related regulations for an area shall be defined by the Zoning By-law.

9.4 Amendments to this Plan

Policies

1. The Township shall continually monitor and review the Official Plan and may initiate an amendment to the Plan, as necessary, and subject to the process and notification requirements in the *Planning Act*.

2. An application to permit a land use not permitted by this Plan shall require an Official Plan Amendment.
3. Minor modifications to the Official Plan text are permitted without an Amendment. Examples of minor modifications include number changes, cross-referencing, and corrections of grammatical or typographical errors.
4. In considering an amendment to this Plan, Council will have regard to the goals and objectives of the Plan, as well as considering:
 - a. Any compatibility issues anticipated to be generated from the proposed amendment;
 - b. Access, circulation and safety of vehicles, pedestrians, and other modes of transportation; and
 - c. The adequacy of water supply, sewage disposal facilities, and other services.

9.5 References to Statutes and Agencies

Policies

1. From time to time Provincial and Federal statutes are amended and section numbers are changed. This Plan shall be interpreted so as to refer to legislation as amended from time to time and shall not require an amendment to the Plan.
2. The names and responsibilities of various government ministries, departments and agencies may change over time. Where this Plan references a government ministry, department or agency, the reference shall be interpreted so as to include any successors.

Appendices

Appendix A: Sample List of Possible Submission Materials

Core Studies

Environmental Impact Statement	Hydrogeological Report
Environmental Site Assessment	Planning Justification Report
Functional Servicing Report	Transportation Impact Study
Geotechnical Report	

Contingent Studies

Aggregate / Minerals / Petroleum Resource Impact Assessment	Impact Assessment for Waste Disposal Sites / Former Landfill Sites
Agricultural Impact Assessment	Lakeshore Capacity Assessment / Water Quality Impact Assessment
Air Quality / Odour Study	Land Use Compatibility Study
Arborist Report	Minimum Distance Separation Formulae Assessment
Archaeological Assessment	Natural Hazard Impact Study
Contaminant Management Plan	Noise / Vibration Study
Cultural Heritage Impact Assessment	Rail Safety and Risk Mitigation Report
Economic Viability Assessment	Servicing Options Report
Electromagnetic Field Management Plan	Wildland Fire Assessment
Financial Impact Analysis	Wind Study
Human-made Hazard Impact Study / Assessment	

Schedules

Schedule A: Land Use Designations

Schedule B: Natural Features, Resources and Development Constraints