



Municipality of
Dutton Dunwich

By-Law No. 2026-11

BEING A BY-LAW PASSED PURSUANT TO THE PROVISIONS OF SECTION 38 OF THE PLANNING ACT, R.S.O. 1990, C. P 13, AS AMENDED TO ESTABLISH INTERIM CONTROL PROVISIONS FOR THE DUTTON SETTLEMENT AREA IN THE CORPORATION OF THE MUNICIPALITY OF DUTTON DUNWICH AS A MORATORIUM TO PAUSE DEVELOPMENT FOR A PERIOD OF TWELVE (12) MONTHS IN ORDER TO ALLOW FOR THE APPROPRIATE COMPLETION OF FURTHER STUDY AND FACILITY UPGRADES.

WHEREAS, Section 38 of the Planning Act, R.S.O. 1990, c. P.13., as amended, authorizes the Council of a local municipality to pass an interim control by-law, which prohibits the use of land, buildings or structures within the municipality or within any defined area thereof for such purposes as set out in the by-law, if the Council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof;

AND WHEREAS the Council of the Corporation of the Municipality of Dutton Dunwich has passed a resolution directing that a focused study and wastewater service upgrades within the settlement area of Dutton, as shown on Schedule 'A' attached hereto, be undertaken as a moratorium to pause new development in order to review the existing policy framework and associated land uses to address municipal servicing capacity limitations for future development;

AND WHEREAS the Council of the Corporation of the Municipality of Dutton Dunwich deems it necessary and expedient to pass and extension to an interim control by-law, with respect to all land, buildings and structures, as shown on Schedule 'A' attached hereto as a defined area while a study is being completed.

THEREFORE, it is enacted as a by-law of the Corporation of the Municipality of Dutton Dunwich by the Council thereof as follows:

1. This by-law applies to the defined areas in the Municipality of Dutton Dunwich identified on Schedule 'A' attached to this by-law, identified as the 'Dutton Boundary' which is defined as lands within the settlement boundary

area of Dutton, which is serviced by the Dutton Wastewater Treatment Plan (WWTP).

2. Notwithstanding any other by-law to the contrary, no person shall, for the lands identified on Schedule 'A' attached hereto:
 - a. Use any land, buildings or structures for any purpose whatsoever except for a use that lawfully existed on the date of the passage of this by-law as long as it continues to be used for such purposes.
 - b. No development applications which propose to be serviced by the Dutton WWTP shall be accepted or deemed complete by the Municipality of Dutton Dunwich, including those under Section 41 (Site Plan Control), Section 51 (Draft Plan of Subdivision/Condominium), Section 36 (Holding Provision By-law), Section 34 (Zoning By-law Amendment), Section 27 (Official Plan Amendment) and Section 53 (Consent which creates new lots) of the Planning Act, and
 - c. No building permits which propose to be serviced by the Dutton WWTP shall be accepted or issued to permit the construction of a building or structure in accordance with a building permit application received by the Municipality of Dutton Dunwich.
3. Notwithstanding any other provision of this by-law:
 - a. A building permit may be issued to permit the construction of a building or structure in accordance with a building permit application received by the Municipality of Dutton Dunwich on or before the passing of this by-law or does not require Dutton WWTP services, and
 - b. this by-law shall not apply to prevent the erection or use of any building or structure for which a permit has been issued under subsection 8(1) of the Building Code Act, 1992, prior to the day of the passing of the by-law, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8(10) of the Building Code Act, 1992.
4. Schedule 'A' attached hereto shall form part of this by-law.
5. Where a conflict exists between the provisions of this by-law and any other by-law of the Municipality of Dutton Dunwich, this by-law shall prevail.
6. Development applications approved by way of site plan control, or through subdivision registration prior to the passing of this By-law, are exempt from this By-Law. Additionally, further exemptions to this by-law may be

- considered by Council through a site-specific Zoning By-law amendment which includes legislated public notice and must be reviewed and recommended for approval by the Municipality's engineer.
7. This by-law shall come into force and take effect immediately upon the final passing thereof and shall be in effect for one (1) year from the date of passing of this by-law unless otherwise extended in accordance with the provision of the Planning Act.
 8. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law in accordance with the Planning Act and the regulations thereunder.

READ a first and second time this 25th day of February 2026.

READ a third time and finally passed this 25th day of February 2026.

Original signed by

Mike Hentz, Mayor

Original signed by

Tony Houad, Chief Administrative Officer

SCHEDULE 'A'

