

Background

The Guidelines Pertaining to the Land Development in Residential Areas (Guidelines) were developed in response to community members concerns related to unsightliness, excessive noise, traffic congestion, limited parking and odors emitted from businesses located in residential areas. Potential safety and health risks associated with industrial-type businesses neighboring homes are also concerns of community members. Examples relate to construction and/or expansion of buildings used as private residences, lot boundaries, preservation of sightline of neighboring lands and building standards.

Purpose

The Guidelines promote the protection of the health, safety and wellbeing of all Kahnawa'kehró:non, the environment, and ensure that recreational and residential areas are not negatively impacted by residential and commercial development being carried out in the absence of Guidelines.

Why are Guidelines Recommended?

The Mohawk Territory of Kahnawà:ke ("Territory") has developed without land use planning. As a result, commercial buildings have been dispersed rather than concentrated in a designated area. Buildings used as private residences may not follow any building standards, which can lead to safety and area serviceability concerns. The size of private residences and businesses has expanded and there are concerns that heavy industry and hazardous materials have become part of residential areas.

The Kahnawa'kehró:non Ratitsénhaiens recommends that all Kahnawa'kehró:non follow the Guidelines, for acceptable commercial and residential development in residential areas.

FOR MORE INFORMATION

Lands Unit
Mohawk Council of Kahnawà:ke
Kahnawà:ke Mohawk Territory
P.O. Box 720
JOL 1B0

Tel: (450) 638-8244
Fax: (450) 635-1773
E-mail: Lands@mck.ca
Website: www.kahnawake.com



GUIDELINES PERTAINING TO LAND DEVELOPMENT IN RESIDENTIAL AREAS



Kahnawa'kehró:non Ratitsénhaiens
Ohontsa'shón:a Ratiia'takwe'ni:ios
Tsi Iehiatónh:kwa

Mohawk Council of Kahnawà:ke
Lands Unit

What is a Residential Area?

An area whose land use has been developed for housing and private residences or an area limited to private residences. A residential area can include mixed land use for small retail or public institutional facilities.

To whom will the Guidelines Apply?

All Kahnawa'kehrónon.

What are the Guidelines?

- Be respectful of neighbors. Consult them of the proposed residential and commercial development.
- Be respectful of the established pattern of residential and commercial development for guidance and make sure that the proposed residential or commercial development is compatible with the residential area.
- Ensure actions maintain public health, safety and wellbeing of the residential area.
- Determine and be respectful of lot boundaries and infrastructure needs for the proposed residential or commercial development.
- Maintain minimum distances and the sightline between neighboring lands. Consider the installation of buffers between neighboring lands, for businesses that may be deemed incompatible with the residential area.
- Pay attention to building standards and use National Fire, Safety and Plumbing codes.
- Consider the possibility of any potential negative effects of proposed residential or commercial development and devise actions to avoid and/or remedy those effects.
- Ensure the integrity of the territorial lands is maintained.

- Avoid any activities or businesses involving any processes, materials, operation of equipment and conditions considered to be a nuisance or that emits radiation, creates excessive noise, unsightliness, odor and other offensive influences.
- Avoid businesses that will interfere with any current community work for infrastructure projects, housing projects or other.
- Ensure that the business is accessible to essential public services, such as, but not limited to, roads, highways, police and fire protection.
- Do not alter or modify the flow or depth of any body of water to accommodate a development.
- Avoid businesses that may increase the risk for flooding of neighboring lands and/or lead to additional expenses for flood protection and rescue.
- Minimize traffic congestion and avoid overloading of public services and utilities.
- Be respectful of the rules for commercial garbage and waste collection.

- Provide parking spaces that will not interfere with the operation of emergency vehicles and/or equipment in a residential area, or affect the ability of Kahnawà:ke to perform community functions or provide essential services for area residents.
- Ensure that any proposed residential or commercial development does not cause any harm to the natural environment, and is not hazardous and/or disturbing to any existing or future neighboring land uses of the residential area.

Follow all environmental laws, regulations, policies and guidelines that are currently in force or may be enacted by the Kahnawa'kehrónon Ratitsénhaienhs.

Consider conducting an Environmental Site Assessment and/or Impact Assessment for large scale developments to determine and document the impact a development may have on the land and surrounding areas.

