

MUNICIPALITY OF NORTH PERTH

ZONING BY-LAW NO. 6-ZB-1999

(consolidated through to April, 2017)

This consolidation of the Municipality of North Perth Zoning By-law No. 6-ZB-1999, and the various amendments thereto, has been prepared for use by Municipal Officials in the administration of the Municipality's Zoning By-law. This consolidated By-law includes all of the amendments to Zoning By-law No. 6-ZB-1999 that were legally in force as of **April, 2017**. A listing of these various amendments is included in this consolidated By-law.

North Perth Council wishes to emphasize that the attached Zoning By-law is only a consolidation of By-law No. 6-ZB-1999 and amendments thereto, legally in force as of **April, 2017**. It is not a true copy of the By-law No. 6-ZB-1999 or the amendments thereto as adopted by Municipal Council and it should not be used as a true copy. The accuracy of the zoning information in this consolidated By-law should be confirmed by reviewing a true copy of By-law No. 6-ZB-1999 and the applicable amendment(s). A true copy of By-law No. 6-ZB-1999 and the amendments thereto are available for review at the Municipal Office.

In order to assist in identifying where amendments have been incorporated into this consolidated By-law, notations have been included in the above amended text. The notations refer to the amending By-law No. and are in subscript print (e.g. ADDED BY BY-LAW NO. 14-2009).

In addition, lands shown with an asterisk (*) on the attached Key Maps indicate the location of land affected by an approved Committee of Adjustment application (i.e. Minor Variance or Permission) and the associated file number.

For the purpose of providing greater clarity in the administration of this By-law, the lot fabric of approved and draft approved plans of subdivision have been shown on the various Key Maps of the Zoning By-law. The lot fabric of approved plans of subdivision has been shown with solid lines and the proposed lot fabric of the draft approved plans of subdivision have been shown with dash lines.

In addition, road name changes which have been approved by By-law of the Council of the Municipality of North Perth have also been included in this consolidation.

as an alternative to a planting strip. Such a fence or wall must have a minimum height of 2 m (6.5 ft.). The remaining portion of the planting strip width which is not used for the physical location of the fence shall be maintained as landscaped open space.

REMOVED BY BY-LAW No. 1-2017

5.23 Removed

AMENDED BY BY-LAW No. 1-2017

5.24 Prohibited Uses

- (a) Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone established under this By-law:
- (i) a track for the racing of motor vehicles, motorcycles, go-carts, snowmobiles, or all-terrain vehicles;
 - (ii) a trailer camp as defined in Section 169 (4) of the Municipal Act, S.O. 2001. C. 25, as amended from time to time;
 - (iii) a junk yard, salvage or wrecking yard, or the collection, storage, or sale of junk, scrap metal, salvage, partially or completely dismantled motor vehicles or trailers;
 - (iv) locating or storing on any land for any purpose any disused railway car, school bus, street car body, truck body, truck box, or shipping container, whether or not same is situated on a foundation. Notwithstanding this, in an agricultural, commercial, industrial or institutional zone, one truck body/box or truck trailer which is maintained in good condition and appearance, or one shipping container, may be used for storage accessory to the main use, subject to the requirements for accessory buildings;
 - (v) except as specifically permitted in an Agricultural Zone or elsewhere in this By-law, no person shall, in any zone, keep or raise any livestock, bird, reptile, or wild animal, including any tamed or domesticate wild animal;
 - (vi) weigh scales in all zones except in an Agricultural, Agricultural, Commercial/Industrial, or Industrial Zone or as a part of a public use; and
 - (vii) adult entertainment parlours.
- (b) In addition to the uses prohibited by Clause (a) above, no land, building, or structure, except automobile service stations and duly licensed installations for bulk fuel storage of gasoline, lubricating and fuel oils, shall be used in the Municipality for commercial or industrial purposes which are likely to cause or create a danger to health, or danger from fire or explosion, and which, without limiting the generality of the foregoing, shall include the industrial manufacture of coal oil, fuel oil, burning liquid gas, naphtha, benzene, gasoline, dynamite, dualine, nitro-glycerine, gunpowder, petroleum products, propane, and ammonia.
- (c) In addition to the uses prohibited by Clause (a) and (b) above, all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Uses" sections of the various zones established by this By-law or any use permitted as public uses in accordance with the provisions of Section 5.22 of this By-law are and shall be deemed to be prohibited uses under the provisions of this By-law.
- (d) In addition to the uses prohibited in Clauses (a), (b), and (c) above, the provisions of the Health Protection and Promotion Act, as amended from time to time, shall apply to those uses considered to be offensive trades under such Act.

applicable provisions of this By-law resulting from such severance or lot addition. The provisions of Section 5.14 of this By-law may also apply.

5.32 Use of Travel Trailers, Tent Trailer, Motor Home or Similar Vehicle or Structure

No person shall use any travel trailer, tent trailer, motor home or similar vehicle or structure for temporary or permanent living accommodation in any zone:

- (a) except as may be specifically permitted by this By-law; or
- (b) except that not more than one of such vehicles or structures may be used for temporary sleeping accommodation not exceeding three months in any calendar year as an accessory use on a lot which contains a dwelling.

5.33 Wayside Permit Aggregate Operations and Portable Asphalt Plants

A wayside permit aggregate operation (wayside pit) for the extraction and processing of road building materials and portable asphalt plants for use in constructing public roads may be established in the "A" Zone provided that such operations comply with all other provisions of this By-law applicable thereto and further provided that this provision applies only to the Council of the Municipality of North Perth or a designated agent thereof, except that the County of Perth or designated agent thereof or a designated agent of the Ministry of Transportation may obtain a licence and operate wayside permit aggregate operations (wayside pits) or portable asphalt plants (in compliance with Section 3.140 of this By-law) for the purposes herein stated.

5.34 Yard and Setback Requirements for Land Without Buildings

Where a use is carried on, on any land or lot, and such use is not enclosed by any building or structure, the yard and setback requirements of this By-law shall apply to such use in the same manner as if a building or structure existed.

5.35 Servicing Requirements

5.35.1 Where municipal water and/or municipal sewage services are not available, a written servicing agreement shall be required with the Municipality for any use which requires such services; and

5.35.2 No use shall be permitted in any zone unless all requirements of the appropriate authority for sewage disposal are met.

ADDED BY BY-LAW No. 108-ZB-2002

5.36 Oil and Gas Exploration/Drilling

Oil and gas exploration/drilling activities shall be permitted in the Agricultural, Agricultural Commercial/ Industrial, and Flood Plain Zones provided that such activities are permitted and carried out in accordance with the provisions of the Oil, Gas and Salt Resources Act and regulations thereunder.

AMENDED BY BY-LAW No. 1-2017

5.37 Drive-Through Facilities

The following regulations shall apply to new drive-through facilities:

- (a) Location
Drive-through facilities are not permitted within front yards, or any yard adjacent to a residential or institutional use or zone.

TRAILERS AND TRAILER CAMPS

Trailers

168. (1) A local municipality may license trailers located in the municipality, except in a trailer camp operated or licensed by the municipality, for 30 days or longer in any year and may prohibit such trailers being located in the municipality, except in a trailer camp operated or licensed by the municipality, without a licence. 2001, c. 25, s. 168 (1).

Exception

(2) No by-law passed under this section applies to a trailer when located in the municipality only for the purpose of sale or storage. 2001, c. 25, s. 168 (2).

Licence fees

(3) Licence fees may be charged for every month or portion of a month that the trailer is located in the municipality and the licence fees, except for the first 30 days, may be made payable in advance but no licence fee shall be more than \$20 per month. 2001, c. 25, s. 168 (3).

Exception

(4) No licence fee shall be charged in respect of a trailer assessed under the *Assessment Act*. 2001, c. 25, s. 168 (4).

Definition

(5) In this section,

“trailer” means any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by persons for living, sleeping or eating, even if the vehicle is jacked-up or its running gear is removed. 2001, c. 25, s. 168 (5).

Tourist and trailer camps

169. (1) A local municipality may license, regulate and govern tourist camps and trailer camps. 2001, c. 25, s. 169 (1).

Contents of by-law

(2) A by-law under this section may,

(a) require trailer camps to be divided into lots, each for the occupancy of one trailer;

- (b) provide for the issue of licenses for a period of one month or longer to the owner of a trailer camp for each lot to be occupied by a trailer and prohibit the use of any lots for the occupancy of trailers without a licence;
- (c) require a licence fee payable by the owner of a trailer camp for each lot and require the fees to be paid in advance. 2001, c. 25, s. 169 (2).

Limitation

(3) If a lot is to be made available only for a trailer that is assessed under the *Assessment Act*, no licence fee shall be charged by the municipality. 2001, c. 25, s. 169 (3).

Definitions

(4) In this section,

“tourist camp” includes auto camp and land equipped with cabins used for the accommodation of the public and any land used as a camping or parking ground for the public whether or not a fee is charged for the use; (“camp pour touristes”)

“trailer camp” means any land on which a trailer, as defined in section 168, is kept. (“parc à roulottes”) 2001, c. 25, s. 169 (4).