

**THE CORPORATION OF THE TOWNSHIP OF PERRY**

**BY-LAW No. 2014 - 28**

**Being a By-law to Amend the  
Township of Perry's Site Plan Control By-law 2008-16**

**WHEREAS** the Planning Act, R.S.O. 1990, chapter P.13, Section 41, as amended, provides that where an area is shown or described as a Site Plan Control Area in an Official Plan, Council may by By-law, designate the whole or any part of the area as a Site Plan Control Area;

**AND WHEREAS** on April 23<sup>rd</sup>, 2008, Council adopted Site Plan Control By-law No. 2008-16;

**AND WHEREAS** a new Official Plan of the Township of Perry was adopted on April 3<sup>rd</sup>, 2104 by By-law No. 2013-15 and designates the entire Township as a Site Plan Control area and sets out general policies concerning Site Plan Control;

**AND WHEREAS** a new Zoning By-law of the Township of Perry was adopted on July 16<sup>th</sup>, 2014 by By-law No. 2014-21;

**AND WHEREAS** the Council of the Township of Perry deems it expedient to amend Site Plan Control By-law 2008-16;

**NOW THEREFORE** the Council of the Township of Perry hereby enacts as follows:

1. Section 1 is hereby deleted in its entirety and replaced by the following:

“All of the lands within the Township are designated as a site plan control area.”

2. Section 3 is hereby deleted in its entirety and replaced with the following:

“Despite the provisions of Section 1, the following development/land is exempt from Site Plan Control:

- 3.1 In all Residential Zones and the Rural (RU) Zone (identified in Sections 2.1, 4 and 8 of By-law 2014-21 as amended and including all Residential and Rural exception zones ) the development of a single detached dwelling or an addition to a single detached dwelling or the construction/erection of an accessory building or structure unless:

- a) the land upon which such development is proposed, is specifically identified in Schedule “A”; or
- b) the land is identified by the Township to be “of concern” with respect to storm water management and/or, off-street parking, and/or fish/wildlife habitat. The determination as to whether such land is “of concern”, is hereby delegated to the Director of Public Works (DPW) and the Chief Building Official (CBO) but the DPW or CBO may also refer the matter to Council for a final determination. Such determination shall be made at the time of application for a building permit which is required to authorize the proposed development. Applicants for building permits may (and are encouraged to) pre-consult with the Director of Public Works or Chief Building Official to determine whether their land is “of concern”.

- 3.2 In the Open Space Zone (identified in Section 2.1 and 8 of By-law 2014-21 as amended and including all Open Space exceptions zones) the development of a boathouse unless:

- a) the proposed location of the boathouse is identified by the Township to be “of concern” with respect to the potential environmental impacts (i.e. fish/wildlife habitat, lake health etc). The determination as to whether such land is “of concern”, is hereby delegated to the Chief Building Official (CBO) but the CBO may also refer the matter to Council for a final determination. Such determination shall be made at the time of application for a building permit which is required to authorize the proposed development. Applicants for building permits may (and are encouraged to) pre-consult with the Chief Building Official to determine whether the proposed location is “of concern”.

3.3 In any Zone the land specifically identified in Schedule B to this By-law. “

READ a First and Second Time this 17<sup>th</sup> day of September, 2014.

  
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John Dunn, *Mayor*

  
\_\_\_\_\_  
Beth Morton, *Clerk-Administrator*

READ a Third and Final Time and Enacted in Open Council this 17<sup>th</sup> day of September, 2014.

  
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John Dunn, *Mayor*

  
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Beth Morton, *Clerk-Administrator*

Schedule A  
To By-law No. 2008-16

Lands subject to subsection 3.1(a) include:

1. Part Lots 23 and 24, Concession 1, Being Part 1 Plan 42R-19828, Township of Perry, being all of PIN 52162-0906 (LT).
2. Parcel 27141 SEC SS; Part of Lot 15, Concession 2, Township of Perry Being Parts 2, 3, and 4 Plan 42R-15294, Township of Perry, being all of PIN 52166-0006 (LT).

Schedule B  
To By-law No. 2008-16

Lands subject to subsection 3.3 include: