

# Municipality of West Perth - Zoning By-law

## **The Comprehensive Zoning By-law of The Corporation of the Municipality of West Perth By-law No. 100 -1998**

Being a By-law under Section 34 of the Planning Act, R.S.O. 1990 to regulate the use of land and the character, erection, location and use of buildings and structures and to prohibit certain buildings, structures and uses in various defined areas of the Corporation of the Municipality of West Perth.

WHEREAS the Council of the Corporation of the Municipality of West Perth deems it expedient to implement the Official Plans for the County of Perth and the Mitchell Ward, and considers it advisable to restrict, prohibit and regulate the use of land and the character, location and use of buildings for the purpose of preventing adverse effects within the municipality, promoting orderly development, and protecting the natural environment.

Now Therefore The Council of The Corporation of The Municipality of West Perth Enacts as Follows:

### **Section 1 - General**

#### **1.1 Title**

This By-law shall be known as the "Zoning By-law" of the Corporation of the Municipality of West Perth.

#### **1.2 Application**

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Municipality of West Perth.

#### **1.3 Conformity Requirements**

1.3.1 No person shall use any land or erect, locate, alter, or use any building, structure or part thereof within the boundaries of the Corporation of the Municipality of West Perth except in conformity with the provisions of this By-law.

1.3.2 No person shall use any building, structure or part thereof, erected, located, or altered in contravention of this By-law so long as such building, structure, or part thereof, continues to contravene the provisions of this By-law.

1.3.3 No lot shall be reduced in area by the conveyance, mortgage, or other alienation of a part thereof so that the area of such lot or the applicable site requirements contained in this By-law are less than that required by this By-law. If any such reduction occurs, such lot and any building or structure situated thereon shall not thereafter be used by any person unless and until the said lot area or other applicable site requirement of this By-law are complied with.

1.3.4 Subsection 1.3.3 above shall not apply to a lot reduced in area by the conveyance to or expropriation by the Corporation of the Municipality of West Perth or any other authority having the powers of expropriation.

1.3.5 No person shall change the purpose for which any lot, building, or structure is used, or erect, locate, alter, or use any building or structure, or sever any area from any existing lot, if the effect of such action is to cause the building, structure, or lot, whether original, adjoining, remaining, or new, to be in

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contravention of the provisions of this By-law.

## **1.4 Repeal of Existing By-Laws**

From the coming into force of this By-law, all previous Zoning By-laws that have been adopted by the Council of the Corporation of the Municipality of West Perth or by the Councils of the former municipalities that joined to constitute the Municipality of West Perth shall be repealed.

## **1.5 Severability**

If any section, clause, or provision of this By-law, including anything contained in Schedules "A", "B", and "C" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any other part thereof other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses, or provisions of this By-law shall remain in full force and effect in the Corporation of the Municipality of West Perth until repealed, notwithstanding that one or more sections, clauses, or provisions thereof shall have been declared to be invalid.

## **1.6 Unlawful Uses**

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully and therefore shall be considered to be an unlawful or illegal use under the provisions of this By-law.

## **1.7 Effective Date**

This By-law shall come into force on the day it is passed by the Council of the Corporation of the Municipality of West Perth, pursuant to the provisions of the Planning Act, and to Regulations thereunder.