

Municipality of West Perth – Zoning By-law

SECTION 27 ADJACENT LAND AREA OVERLAY (AL)

The “AL” area is an “overlay” that is intended to apply to areas surrounding the following Natural Resource/Environment features: Provincially Significant Wetlands; Significant Habitat for Threatened or Endangered Species; Significant Wildlife Habitat; Areas of Natural and Scientific Interest (Life Science); and lands adjacent to water courses and Municipal Drains. The “AL” overlay boundaries are intended to implement the policies of Section 11.5 of the County of Perth Official Plan. The provisions of the “AL” overlay as established by this By-law are to be applied in conjunction with the zone provisions for the “underlying” zones as established by this By-law.

27.1 Permitted Uses, Buildings, and Structures in Accordance with the County of Perth Official Plan

Amended by By-law No. Z34-2002

In the “AL” Overlay, Section 5.29 (Setbacks of Buildings and Structures Along Water Courses and Municipal Drains) shall apply in addition to the provisions of the underlying zone. The permitted uses, buildings, and structures in the “AL” Overlay shall be the same as those that are permitted in the applicable “underlying” zone, but must satisfy the policies of Section 11.5 of the County of Perth Official Plan before they are to be permitted and before any required permits will be issued.

27.2 Adjacent Land Features

The areas surrounding Natural Resource/ Environment features identified in the County of Perth Official Plan include: Provincially Significant Wetlands; Significant

Habitat for Threatened or Endangered Species; Significant Wildlife Habitat; Areas of Natural and Scientific Interest (Life Science); and lands adjacent to water courses and Municipal Drains.

When these features are in close proximity to each other, the adjacent lands will be identified with the appropriate combination of overlays (e.g. AL1 / AL2).

27.2.1 AL1

- (a) Location: 120 Metre Adjacent Land Area Surrounding Provincially Significant Wetlands
- (b) Notwithstanding the provisions of Section 27.1 of this By-law to the contrary, development and site alteration may be permitted in an area zoned “AL1”. An environmental impact study or other appropriate study shall be undertaken to assess the impact of the development and site alteration, in accordance with Section 11.5.1.1 of the County of Perth Official Plan
- (c) Notwithstanding paragraph (b) above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and existing buildings associated with farming activities are permitted on lands within the “AL1” Overlay without the need for an environmental impact study or other appropriate study.
- (d) All other applicable provisions of this By-law, as amended, shall apply.

27.2.1.1 Special Provisions (AL1) (none)

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27.2.2 AL2

- (a) Location: 50 Metre Adjacent Land Area Surrounding Habitat for Threatened or Endangered Species
- (b) Notwithstanding the provisions of Section 27.1 of this By-law to the contrary, development and site alteration may be permitted in an area zoned “AL2”. An environmental impact study or other appropriate study shall be undertaken to assess the impact of the development and site alteration, in accordance with Section 11.5.2 of the County of Perth Official Plan.

Amended by By-law No. Z98-2007

- (c) Notwithstanding paragraph (b) above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and existing buildings associated with farming activities are permitted on lands within the “AL2” Overlay without the need for an environmental impact study or other appropriate study. In the case of new livestock facilities, corn dryers or other similar structures, an appropriate study may be required to show that such development will not negatively affect natural features of the ecological function of the habitat area.
- (d) All other applicable provisions of this By-law, as amended, shall apply.

27.2.2.1 Special Provisions (AL2) (none)

27.2.3 AL3

- (a) Location: 30 Metre Adjacent Land Area Surrounding Significant Wildlife Habitats
- (b) Notwithstanding the provisions of Section 27.1 of this By-law to the contrary, development and site alteration may be permitted in an area zoned “AL”. An environmental impact study or other appropriate study shall be required to assess the impact of the development and site alteration, in accordance with Section 11.5.3 of the County of Perth Official Plan.

Amended by By-law No. Z98-2007

- (c) Notwithstanding paragraph (b) above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and existing buildings associated with farming activities are permitted on lands within the “AL3” Overlay without the need for an environmental impact study or other appropriate study. In the case of new livestock facilities, corn dryers or other similar structures, an appropriate study may be required to show that such development will not negatively affect natural features of the ecological function of the habitat area.
- (d) All other applicable provisions of this By-law, as amended, shall apply.

27.2.3.1 Special Provisions (AL3) (none)

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27.2.4 AL4

- (a) Location: 30 Metre Adjacent Land Area Surrounding Areas of Natural and Scientific Interest (Life Science)
- (b) Notwithstanding the provisions of Section 27.1 of this By-law to the contrary, development and site alteration may be permitted in an area zoned “AL4”. An environmental impact study or other appropriate study shall be required to assess the impact of the development and site alteration, in accordance with Section 11.5.4 of the County of Perth Official Plan.

Amended by By-law No. Z98-2007

- (c) Notwithstanding paragraph (b) above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and existing buildings associated with farming activities are permitted on lands within the “AL4” Overlay without the need for an environmental impact study or other appropriate study. In the case of new livestock facilities, or corn dryers or other similar structures, an appropriate study may be required to show that such development will not negatively affect natural features of the ecological function of the Area of Natural and Scientific Interest (Life Science).
- (d) All other applicable provisions of this By-law, as amended, shall apply.

27.2.4.1 Special Provisions

(none)

Amended by By-law No. Z149-2012

27.2.5 AL-5

- (a) Location: Adjacent Land Area Surrounding Landfill Sites
- (b) Notwithstanding the provisions of Section 27.1 of By-law No. 100-1998 to the contrary, the establishment of uses, structures and devices used for the monitoring of gases and leachate associated with the adjacent landfilling operation shall be permitted in addition to the full range of uses permitted in the respective zones in the “AL-5” overlay.
- (c) Notwithstanding any provision of this By-law to the contrary, no drilling or penetrations of the ground below a depth of 1.5 metres, measured from the ground surface, will be permitted, save and except, for wells and other similar devices commissioned or used for the monitoring of the adjacent landfilling operations.
- (d) All other provisions of By-law No. 100-1998 shall apply.

27.2.5.1 Special Provisions

(none)

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