

**THE MUNICIPALITY OF NORTH PERTH  
BY-LAW NO. 6-2024**

Being a By-law to amend By-law No. 6-ZB-1999, as amended, which may be cited as "The Zoning By-law of the Municipality of North Perth", and which is a By-law 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 North Perth.

**WHEREAS** the Council of the Corporation of the Municipality of North Perth deems it necessary in the public interest to pass a By-law to amend By-law No. 6-ZB-1999, as amended;

**AND WHEREAS** pursuant to the provisions of Section 34 of the Planning Act, as amended, By-laws may be passed by Councils of municipalities for prohibiting or regulating the use of land and the erection, location, or use of buildings or structures within the municipality for or except for such purposes as may be set out in the By-law, and for regulating in certain respects buildings or structures to be erected or located within the municipality;

**NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF NORTH PERTH ENACTS AS FOLLOWS:**

1. **THAT** the area shown in hatching on the attached map, Schedule "A", and described as Reg. Plan 194, Pt Lot J, Part 1 on 44R-4545, Listowel Ward, Municipality of North Perth (670 Main Street E) shall remain in the "Highway Commercial Zone" of By-law No. 6-ZB-1999, and shall be subject to the provisions of Section 19.4.29 of By-law No. 6-ZB-1999. The zoning on this land shall be shown as "C3-29-h11" on Key Map 33 of Schedule "A" to the By-law.
2. **THAT** the following provisions be added to Section 19.4.29:
  - a) Location: Reg. Plan 194, Pt Lot J, Part 1 on 44R-4545, Listowel Ward, Municipality of North Perth (670 Main Street E) (Key Map 33)
  - b) Notwithstanding Section 19.1 through 19.3 the following site specific uses and setbacks shall apply
    - a. Rear 50% of the ground floor building area shall be permitted for residential and residential shall be permitted on the upper stories.
    - b. The property shall permit no more than 20 dwelling units.
    - c. Section 19.2.3 Front Yard Setback, Minimum shall be 5.5 metres
    - d. Section 19.2.4 Interior Side Yard Setback, Minimum shall be 6.61 metres
    - e. Section 19.2.7 Height, Maximum shall be 12.19 metres
3. **THAT** the following provisions be added to Section 35.3.11:
  - a) Location: Reg. Plan 194, Pt Lot J, Part 1 on 44R-4545, Listowel Ward, Municipality of North Perth (670 Main Street E) (Key Map 33)
  - b) Prior to removal of the "h11" provisions as established by this by-law, the owner shall provide the following information/reports
    - a. Record of Site Condition
4. **THAT** all other provisions of this By-law, as amended, shall apply.
5. **THAT** Schedule "A", attached hereto, shall form part of this By-law.
6. **THAT** the Clerk is hereby authorized and directed to provide notice of the passing of this By-law in accordance with the Planning Act, as amended, and to Regulations thereunder.
7. **THAT** the By-law shall come into force on the date that it was passed, pursuant to the Planning Act, and to Regulations thereto.

**READ A FIRST AND SECOND TIME THIS 26<sup>th</sup> DAY OF FEBRUARY, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF APRIL, 2024.**

"Todd Kasenberg"

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MAYOR TODD KASENBERG

"Sarah Carter"

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ACTING CLERK SARAH CARTER

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**Certified a true copy of By-law No. 6-2024 passed by the Council of the Municipality of North Perth, April 8, 2024.**

"Sarah Carter"

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Sarah Carter, Acting Clerk

## **THE MUNICIPALITY OF NORTH PERTH**

### **BY-LAW NO. 6-2024**

#### **EXPLANATORY NOTE**

By-law No. 6-2024 of the Corporation of the Municipality of North Perth is an amendment to the Municipality of North Perth Zoning By-law No. 6-ZB-1999 and affects lands in the Municipality of North Perth described as Part 1 of Reference Plan 44R-4545, Part Lot J of Registered Plan 194 (670 Main Street East), Listowel Ward, Municipality of North Perth.

By-law No. 6-2024 rezones the lands to the “C3-29 – h11” zone which allows for residential within the rear 50% of the ground floor and on the upper stories along with site specific amendment for to:

19.2.3 - Front Yard Setback of 5.5m

19.2.4 - Interior Side Yard of 6.61m

19.2.7 – Maximum Building Height of 12.19m

The holding “h11” provisions established on the lot shall only be lifted by an application returning to Council demonstrating that the applicant has provided a satisfactory Record of Site Condition.

The zoning on this land shall be shown as “C3-29 -h11” on Key Map 33 of Schedule “A” to the By-law.

By-law No. 6-2024 was adopted by the Municipality of North Perth Council on the basis of an application submitted by the proponent.

Schedule "A" to the attached By-law No. 6-2024 is a map showing the location and zoning of the subject lands.

**THIS IS SCHEDULE "A"**  
**TO BY-LAW NO. 6-ZB-1999**  
**OF THE MUNICIPALITY OF NORTH PERTH**  
**PASSED THIS 8th DAY OF April , 2024**

"Todd Kasenberg"

"Sarah Carter"

**Todd Kasenberg, Mayor**

**Sarah Carter, Acting Clerk**

AREA AFFECTED BY THIS BY-LAW



Shall be removed from the "Highway Commercial (C3) Zone" of By-law 6-ZB-1999 of the Municipality of North Perth, and placed in the "Highway Commercial - Special Zone (C3-29-h11) Zone" subject to the provisions of Section 19.4.29 (C3-29-h11) of By-law No. 6-ZB-1999. a

