

SECTION 22

ADJACENT LAND OVERLAY AREA (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 watercourses 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.

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

In the “AL” overlay, Section 5.26 (Setbacks of Buildings and Structures Along Watercourses 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.

22.2 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 watercourses 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).

22.2.1 AL1

- (a) Location: 120 Metre Adjacent Land Area Surrounding Provincially Significant Wetlands
- (b) Notwithstanding the provisions of Section 22.1 of this By-law to the contrary, development and site alteration may be permitted in an area within the “AL1” overlay. An environmental impact study or other appropriate study shall be undertaken to assess the impact on 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.

22.3 Special Zones

22.3.1. AL1-1

- (a) Location: Part Lot 11, Concession 14, Ellice Ward
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "AL1-1" may be used for a municipal landfill site and accessory uses.
- (c) All other provisions of this By-law, as amended, shall apply.

22.3.2 AL2

- (a) Location: 50 Metre Adjacent Land Area Surrounding Habitat for Threatened or Endangered Species
- (b) Notwithstanding the provisions of Section 22.1 of this By-law to the contrary, development and site alteration may be permitted in an area within the "AL2" overlay. An environmental impact study or other appropriate study shall be undertaken to assess the impact on the development and site alteration, in accordance with Section 11.5.2 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 "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.

22.3.3 AL3

- (a) Location: 30 Metre Adjacent Land Area Surrounding Significant Wildlife Habitats
- (b) Notwithstanding the provisions of Section 22.1 of this By-law to the contrary, development and site alteration may be permitted in an area within the "AL3" overlay. 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.
- (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.

22.3.4 AL4

- (a) Location: 30 Metre Adjacent Land Area Surrounding Areas of Natural and Scientific Interest (Life Science)
- (b) Notwithstanding the provisions of Section 22.1 of this By-law to the contrary, development and site alteration may be permitted in an area within the "AL4" overlay. 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.
- (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.

22.3.5 AL1-5 (added by By-law 203-2011)

- (a) Location: Part of Lots 38, 39, 40 and 41, Concessions 5 and 6, North Easthope Ward
- (b) Notwithstanding any provisions of By-law No. 30-1999 to the contrary, the area zoned AL1-5 is subject to the Stratford Municipal Airport Zoning regulations registered as instrument number 358214. The "AL1-5" Zone shall not preclude the trimming or removal of trees that have grown into or are located within the approach surface, transitional surface, outer surface or as otherwise defined and permitted in the Federal Zoning Regulation for these lands as shown on Key Map 39 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "B" to By-law No. 203-2011).
- (c) All other provisions of this By-law, as amended shall apply.

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