

File Number: 49-OP-191776
Municipality: Township of Perry
Subject Lands: Township of Perry

Date of Decision: December 17, 2021
Date of Notice: December 21, 2021
Last Date of Appeal: January 10, 2021

NOTICE OF DECISION

With respect to the Official Plan Amendment N^o 1 to the Township of Perry Official Plan Subsections 17(34) & (21) of the Planning Act

A decision was made on the date noted above to approve Official Plan Amendment N^o 1 to the Township of Perry Official Plan, adopted by By-law 2021-60.

Purpose and Effect of the Official Plan Amendment

The purpose of the *first* part of Official Plan Amendment N^o 1 is to establish policies regarding Additional Residential Units, the effect of which will be to enable changes to the zoning by-law to permit an additional residential unit in a primary dwelling plus an additional unit in an ancillary building on the same lot.

The purpose of the *second* part of Official Plan Amendment N^o 1 is to further define the existing policy requirement that new lots in the rural area of the municipality be located within a cluster of at least six residences which existed on the date the official plan was approved. The effect will be to clarify the intent of the rural infill lot creation policies.

A copy of the decision is attached.

No Appeal of the First Part

Pursuant to subsection 17 (36.1) of the Planning Act, the decision in respect of the *first* part of Official Plan Amendment N^o 1, pertaining to Additional Residential Units, cannot be appealed.

When and How to File an Appeal of the Second Part

The decision in respect of the *second* part of Official Plan Amendment N^o 1, pertaining to the rural infill lot creation policies, may be appealed. Any appeal to the Ontario Land Tribunal must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Area Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies;
- (2) set out the reasons for the request for the appeal; and
- (3) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021* in the amount

of:

- \$400.00 for a private citizen, a registered charity or a non-profit ratepayers association; or,
- \$1,100.00 for a corporation,

payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council, or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

Pursuant to subsections 17(36.1) and (38.1) of the Planning Act, the policies in the *first* part of Official Plan Amendment N^o 1, pertaining to Additional Residential Units, are final and not subject to appeal. Accordingly, those policies came into effect on December 18, 2021.

The decision of the Minister of Municipal Affairs and Housing regarding the *second* part of Official Plan Amendment N^o 1 is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Other Related Applications:

N/A

Getting Additional Information

Additional information is available from the Ministry of Municipal Affairs and Housing at the address noted below or from the Township of Perry.

Mailing Address for Filing A Notice of Appeal

Ministry of Municipal Affairs and Housing
Municipal Services Office – North
159 Cedar Street
Sudbury, ON P3E 6A5

Submit notice of appeal to the attention of Arielle Zamdvaiz, Planner. Inquiries can be directed to the same.

Email: Arielle.Zamdvaiz@ontario.ca
Tel.: (705) 618-4973