

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
BY-LAW NO. 2021-XX

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

1. That, this by-law amends the general provisions Section of By-law 2017-70 and therefore has the potential to apply to all lands in the Township of West Lincoln.
2. THAT, Section 3.15 of the Zoning By-law 2017-70, as amended, is hereby deleted and replaced by the following:

“3.15 RENEWABLE ENERGY SYSTEMS

The following regulations apply to *renewable energy systems* that are subject to this By-law:

- a) Except where specifically permitted otherwise in this By-law, a maximum of one (1) *renewable energy system*, not exceeding 10KW is permitted on a *lot*. Any *renewable energy systems* greater than 10KW on a lot shall require an Official Plan Amendment in accordance with Renewable Energy Policies (Official Plan Amendment No. 56).
- b) Any part of an accessory *renewable energy system* of less than 10KW that services a permitted *dwelling* shall comply with the following:
 - i. The requirements of the applicable *zone* for the *main building* on the *lot*, if located within or attached to the *dwelling*;
 - ii. The requirements of Section 3.1 applicable to *accessory buildings or structures*, if not located within or attached to the *dwelling*.
- c) Notwithstanding Clause (b) of this Section, a wind energy device that is accessory to a permitted *dwelling* may exceed the maximum *height* required for the *main building* on the *lot* by up to 3 metres measured to the top of the highest point of the device.
- d) Any part of an accessory *renewable energy system* of less than 10KW that services a permitted *agricultural use* or any other permitted non-residential use in a non-residential *zone* shall comply with the following:
 - i. The requirements of the applicable *zone* for the *main building* on the *lot*, if located within or attached to a permitted *main building or structure*; and
 - ii. The requirements of Section 3.1 applicable to *accessory buildings or structures*, if not located within or attached to a permitted *main building or structure*.
 - iii. Any *renewable energy system* greater than 10KW on a lot shall require an Official Plan Amendment in accordance with Renewable Energy Policies (Official Plan Amendment No. 56).
- e) Notwithstanding Clauses (d) of this Section, an accessory wind energy device that services a permitted *agricultural use* or any other permitted non-residential use in a non-residential *zone* and that is freestanding or attached to a permitted *main building or structure* shall comply with the following requirements:
 - i. Maximum *height* of 30 metres measured from the *average finished grade* to the top of the highest point of the wind energy device;
 - ii. Minimum setbacks equal to the *height* of the wind energy device to all *lot lines*, measured from the base of the wind energy device to the *lot line*; and,
 - iii. Minimum setbacks equal to the *height* of the wind energy device to all *dwellings*, measured from the base of the wind energy device to the nearest wall of the *dwelling*.”

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3. THAT all other provisions of By-law 2017-70 continue to apply.
4. AND THAT this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
28th DAY OF JUNE, 2021.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2021-XX

Location:

This By-law has the potential to apply to all lands within the Township of West Lincoln as an amendment to the General Provisions of By-law 2017-70.

Purpose & Effect:

To provide the Township of West Lincoln with clear policies for Renewable Energy Systems and to implement Official Plan Amendment No. 56.

Public Consultation:

The Public Meeting was held on January 11th, 2021. The Township received 5 verbal and 1 written comments from residents of West Lincoln regarding this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-007-21

Applicants: Township of West Lincoln

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