

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2022-XX

A BY-LAW TO ESTABLISH DEVELOPMENT CONTROL, TO DELEGATE APPROVAL AUTHORITY AND ESTABLISH CRITERIA WITHIN THE TOWNSHIP OF WEST LINCOLN.

WHEREAS Section 41(2) of the Planning Act, R.S.O. 1990, c. P.13 allows for an Official Plan to describe an area as a proposed site plan control area, the council of the local municipality in which the proposed area is situate may, by by-law, designate the whole or any part of such area as a site plan control area;

AND WHEREAS the Official Plan of the Township of West Lincoln describes land uses and areas for site plan control;

AND WHEREAS the More Homes for Everyone Act, 2022 (Bill 109) amended the Planning Act to require municipalities, which have adopted a site plan control by-law, to designate an authorized person(s) to approve site plan applications (S. 41(4.0.1)), to allow Council to require by by-law applicants to consult with the municipality prior to submitting an application (S. 41(3.1)), and to define any class or classes of development that may be undertaken without the approval of site plan (S. 41(13)).

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

1. THAT the whole of the Township of West Lincoln is hereby designated as an area of site plan control pursuant to Section 41 of the Planning Act, 1990.
2. THAT no person shall undertake any development in any area designated under site plan control unless Subsection 41(4) of the Planning Act has been complied with.
3. THAT the authority of the Council of the Township of West Lincoln under Section 41 of the Planning Act to approve and decide upon site plans and agreements, including the authority to impose conditions of approval, is hereby delegated to the Director of Planning and Building, or designate, except for those classes outlined in Clause 5 of this By-law. Such authority delegated to the Director of Planning and Building, or designate, shall be carried out and implemented as provided for in Section 41 of the Planning Act.
4. THAT in the event the Director of Planning and Building is absent for any reason, the said authority of Council is delegated to the person or persons designated in writing by the Director of Planning and Building to act as the said Director during their absence.
5. THAT the authority of the Council of the Township of West Lincoln under Section 41 of the Planning Act to approve and decide upon site plans and agreements, including the authority to impose conditions of approval, is hereby delegated to the Chief Building Official of the Township of West Lincoln, for the following classes of development:
 - a) Single-detached dwellings;
 - b) Semi-detached dwellings;
 - c) Duplex Dwellings; and
 - d) Buildings accessory to single-detached dwellings, semi-detached dwellings and duplex dwellings.
 - e) Swimming Pools
 - f) Greenhouses less than 4,000 sq. metres in size and not used for cannabis production.
6. THAT in the event the Chief Building Official is absent for any reason, the said

authority for the classes of development listed is delegated to the person or persons designated in writing by the Chief Building Official to act as the said Building Official in their absence.

7. THAT, prior to submitting plans and drawings for approval under Section 41 of the Planning Act, the applicant shall consult with the appropriate staff in accordance with Subsection 41(3.1) of the Planning Act, including the attendance of a pre-consultation meeting and provide the prescribed material as required at the pre-consultation meeting and as required in the site plan control approval application.
8. THAT Site plans, elevations and cross-section plans shall be required for every residential building or addition and expansion, including for buildings containing less than twenty-five (25) dwelling units.
9. THAT in accordance with Section 41(4)2 of the Planning Act, the drawings showing plans, elevation and cross-section for each building to be erected must be sufficient to display:
 - a) Massing and conceptual design;
 - b) The relationship of the proposed building to its surroundings;
 - c) The provision of features to which the public has access;
 - d) Matters relating to exterior design;
 - e) The sustainable design elements on any adjoining highway under a municipality's jurisdiction; and
 - f) Facilities designed to have regard for accessibility for persons with disabilities.
10. THAT the Mayor and Town Clerk are hereby authorized to execute an agreement with the owner, after the approval has been granted in accordance with this By-law and the owner has signed the agreement.
11. THAT the following classes of development are exempt from the provisions of this By-law:
 - a) Agricultural buildings accessory to a farm operation and located on the same lands, used for the purpose of housing livestock, farm products or farm machinery, except for cannabis production facilities.
12. THAT this By-law shall come into force and effect upon the passing of this by-law.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
26th DAY OF SEPTEMBER 2022.**

DAVE BYLSMA, MAYOR

JOANNE SCIME, CLERK