

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2023-56

**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 Schedule 'A' Map 'D5' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lot 39, Concession 5, in the former Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'D5' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agriculture 'A' and from an Agricultural A(H-10) zone to an Agricultural Purpose Only 'APO' zone with a site specific exception APO-223.
3. THAT Map 'D5' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agriculture 'A' and from an Agricultural A-215 zone to Rural Residential 'RuR' Zone.
4. THAT Part 13.1 of Zoning By-law 2017-70, as amended, is hereby amended by deleting the following:

A-(H-10)

Area of existing business A (H-10) shall be returned to active agricultural production prior to the return of securities collected as part of a site plan approval for the 'A-215' zone.

5. THAT Part 13.2 of Zoning By-law 2017-70, as amended, is hereby amended by deleting the following:

A-215

Permitted Uses:

As per the parent zone, plus a home industry use

Regulations:

As per the parent zone, except:

Maximum ground floor area for accessory building – 300 sq. m.

Maximum distance from a main building for an accessory building – 60 metres

Maximum number of employees other than the residents of the dwelling – 3 employees

No machinery or processes relating to the home industry which emits noise, vibration, glare, fumes, odour, dust, or any other obnoxious activity, shall be permitted beyond the property boundary.

Prior to any works taking place on the subject property, site plan approval is required and will include:

- The existing business operation within the A (H-10) zone shall be returned to active agricultural production; and
 - Outdoor storage is to located in the rear yard and is to be screened as part of a site plan application; and,
 - Securities collected for the required site works.
6. THAT Part 5 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
- APO-223
- Permitted Uses:
- As per the parent zone.
- Regulations:
- As per the parent zone, except: minimum lot area 19 hectares.
7. THAT all other provisions of By-law 2017-70 continue to apply.
8. 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
17th DAY OF JULY, 2023.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2023-56

Location:

This By-law involves a parcel of land located on the north side of Concession 4 Road, legally described as Concession 5, Part Lot 39 in the former Township of Gainsborough, now in the Township of West Lincoln, municipally known as 7005 Concession 4 Road.

Purpose & Effect:

The subject lands were zoned Agricultural 'A', 'A-215', 'A(H-10)', Environmental Protection 'EP' and Environmental Conservation 'EC'. The property has been rezoned to Agricultural Purposes Only 'APO-223' to recognize a deficient lot area, and Rural Residential 'RuR'.

Public Consultation:

The Public Meeting was held on Monday July 17th 2023. The Township received ## written and ## oral comments from members of the public in regards to this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-005-23

Applicants: Snippe