

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2023-68

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 bylaw by virtue of the provisions of Section 34 of the Planning Act, 1990, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY ENACTS AS FOLLOWS:

1. That, Schedule 'A' Map 'D3' & 'D4' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Part of Lot 8, Concession 3, being Parcel 2 and 3 shown on Consent Sketch, 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; and,
2. That, Map 'D3' & 'D4' to Schedule 'A' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Parcel 3 (Severed Lands) shown on Schedule 'A', attached hereto and forming part of this By-law from Agriculture Zone to Agriculture with Exception (A-227); and,
3. That, Map 'D3' & 'D4' to Schedule 'A' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing a portion of the zoning on Parcel 3 (Severed Lands) shown on Schedule 'A', attached hereto and forming part of this By-law to include an Environmental Conservation 'EC' zone covering the west portion of Parcel 3, being approximately 1,073 square metres (0.11 hectares) which contains Provincially Significant Wetlands, Significant Woodlands, and associated 30-metre Vegetation Protection Zone (VPZ); and,
4. That, Part 5 of Zoning By-law 2017- 70, as amended, is hereby amended by adding the following to Part 13.2:

A-227

Permitted Uses:

As per the A-5 existing special provision including the salvage yard.

Regulations:

All regulations of the A zone except:

- a) Minimum lot area of no less than 4,037.4 square metres (0.40 hectares)
- b) Minimum 30 metre Vegetation Protection Zone (VPZ) of approximately 1,073 square metres (0.11 hectares); and,

5. That, Map 'D3' & 'D4' to Schedule 'A' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Parcel 2 (retained lands) shown on Schedule 'A', attached hereto and forming part of this By-law from an Agriculture Zone to an Agriculture with Exception (A-228); and,
6. That, Part 5 of Zoning By-law 2017- 70, as amended, is hereby amended by adding the following to Part 13.2:

A-228

Permitted Uses:

As per the parent zone.

Regulations:

All regulations of the A zone except:

- a) Minimum lot area of no less than 17.0 hectares
- b) Minimum front yard setback of 6.0 metres; and,

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7. That, all other provisions of By-law 2017-70 continue to apply; and,
8. That, notwithstanding Section 34(10.0.0.1) and Section 45(1.3) of the *Planning Act*, an application for a Zoning By-law Amendment or Minor Variance can be made within two years of the passing of Zoning By-law 2017-70, without further resolution of Council; and,
9. 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
25th DAY OF SEPTEMBER, 2023.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2023-68

Location:

This By-law involves a parcel of land legally known Part of Lot 8, Concession 3, being Parcel 2 and 3 (on Consent Sketch, File #B03/2023WL), Township of West Lincoln, Regional Municipality of Niagara.

Purpose & Effect:

The purpose of the Zoning By-law Amendment is to change the zoning from an Agriculture 'A' zone to Agriculture 'A-227' for Parcel 3 (4,037.4 square metres), being the lands added to 8248 Concession 3 Road which will permit the salvage yard use and zone the 30 metre Vegetation Protection Zone (VPZ) of approximately 1,073 square metres (0.11 hectares) and environmental features of Parcel 3 with Environmental Conservation 'EC' as shown on Schedule 'A' attached. Additionally, the purpose of this Zoning By-law Amendment is to rezone 8214 Concession 3 Road with Agriculture 'A-228' to recognize the zoning deficiencies on the property, being the reduced lot area of 17.0 hectares and a front yard setback of 6.0 metres.

Public Consultation:

The Public Meeting was held on September 11th, 2023. All written and oral comments will be considered in the making of the decision by Council. Agency comments regarding this application has been included in the amending bylaw.

File: 1601-006-23

Applicant: Henry and Lisa VanRyn