

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024- 71

**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, AS AMENDED;

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

1. That, Map 'D9' to Schedule A to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on 1985 Hodgkins Road, legally described as Concession 5, Part Lot 9, 30R3189, Part 5, 6 and 7, 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 'D9' to Schedule 'A' to Zoning By-Law No. 2017-70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural 'A' zone to a Rural Residential 'RUR' zone with exception (RUR-238)
3. That, Part 6 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:

RUR-238

Permitted Uses:

As per the parent zone.

Regulations:

All regulations of the RUR zone except:

- a) To recognize an accessory barn to be 136 square metres in size
- b) To recognize a front yard setback of 2.89 metres to the accessory building.

4. That, Map 'D9' to Schedule 'A' to Zoning By-Law No. 2017-70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural 'A' zone to an Agricultural Purposes Only zone with Exception (APO-239)
5. That, Part 6 of Zoning By-law 17-70, as amended, is hereby amended by adding the following to Part 13.2:

APO-239

Permitted Uses:

As per the parent zone

Regulations

All regulations of the APO zone except

- a) A minimum lot area of 21.2
- b) An interior side yard setback of 6.72 to an existing agricultural barn.

6. That, all other provisions of By-law 2017-70 continue to apply.
7. 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
9th DAY OF DECEMBER, 2024.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2024-71

Location:

This By-law involves a parcel of land legally known as 1985 Hodgkins Road, legally described as Concession 5, Part Lot 9, 30R3189, Part 5, 6 and 7, 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.

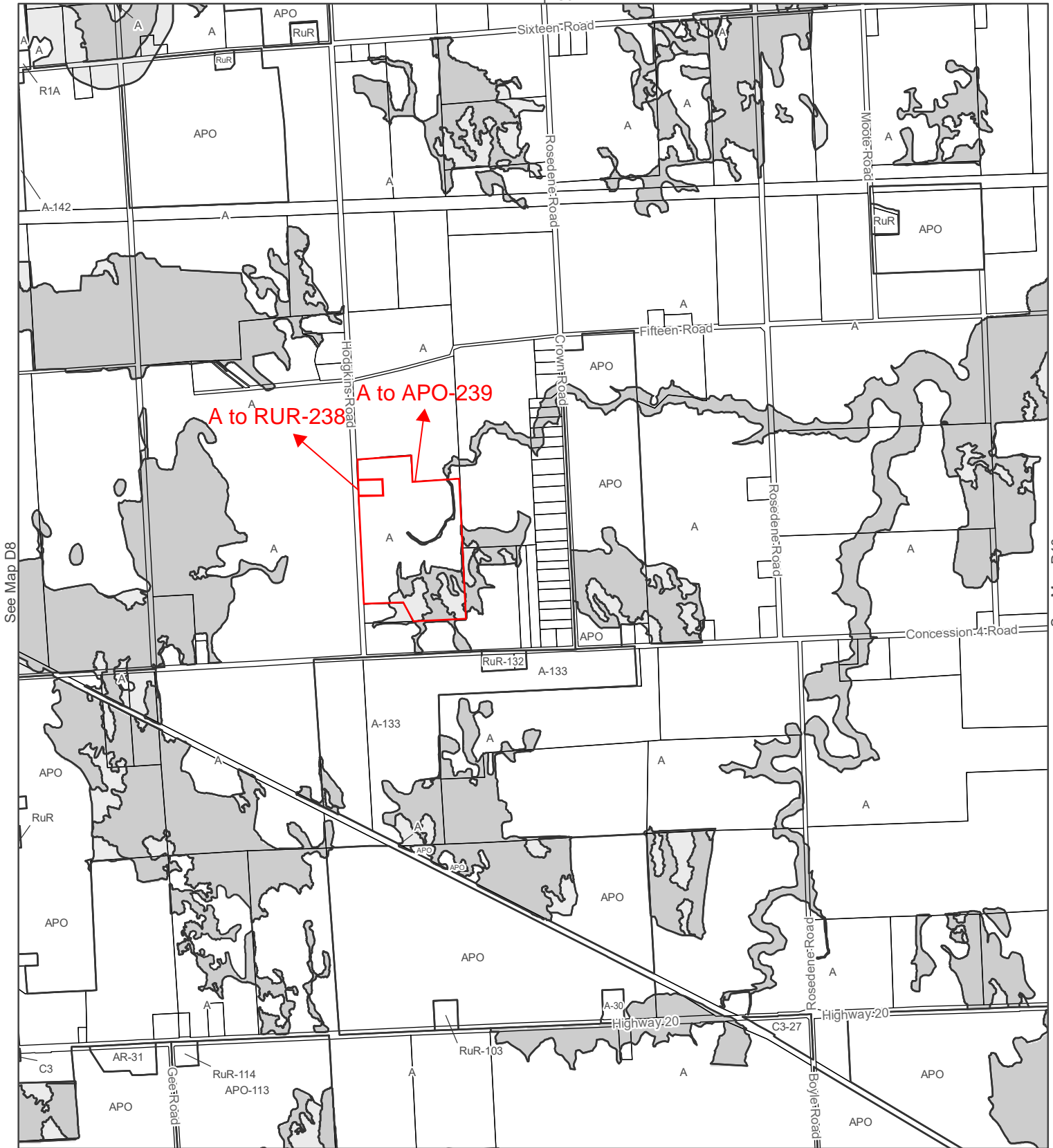
Purpose & Effect:

The rezoning application will rezone Parcel 1 (Severed Lands) from an Agricultural 'A' zone to Rural Residential 'RuR-238' with site specific provisions recognizing an accessory barn larger than what's required at a total size of 136 square metres, and to recognize a deficient front yard setback of 2.89 metres to the accessory building. The rezoning application will also rezone Parcel 2 (Retained lands) from an Agricultural 'A' zone to an Agricultural Purposes Only 'APO-239, with a site specific provision to recognize the deficient lot size, being approximately 21.02 hectares whereas Table 12 in Part 5 of the Township's Zoning By-law 2017-70, as amended, identifies 39 hectares to be the minimum lot area within an Agricultural Purposes Only 'APO' zone. As well as recognizing a deficient side yard setback to an existing agricultural building of 6.72 metres.

Public Consultation:

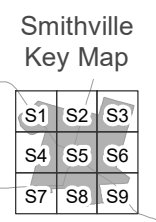
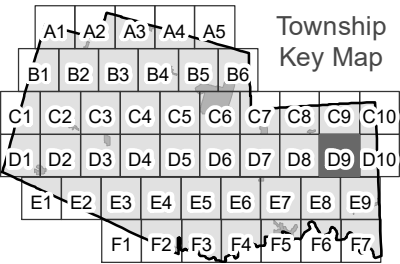
The Public Meeting was held on December 9th 2024. All written and oral comments will be considered in the making of the decision by Council. Agency comments regarding this application has been included in the amending bylaw.

File: 1601-012-24
Applicant: Tebrake, Jeremy Brown (Agent)



See Map D8

See Map D10



- Settlement Area Boundary
- Zone Boundary
- EC
- EP
- Waste Management Facility Assessment Area

Township of West Lincoln
 Schedule A
 Zoning By-law No.2017-70
 Map
D9

1:20,000
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 Last Updated: July 2019