

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2014-18

BEING A SITE PLAN CONTROL BY-LAW

WHEREAS Section 41 of the *Planning Act*, R.S.O., 1990, Chapter P. 13, as amended, provides that where in an Official Plan an area is shown or described as a Site Plan Control Area, Council may by By-law designate the whole or any part of such area as a Site Plan Control Area; and

WHEREAS The Council of the Corporation of the Township of West Lincoln deems it necessary to repeal the existing Site Plan Control By-law and pass a new Site Plan Control By-law:

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

1. That By-law number 97-52 is hereby repealed.
2. That By-law number 2007-108 is hereby repealed.
3. That, for the purpose of this By-law, the following definitions shall govern:
 - (a) Council means the Council of the Corporation of the Township of West Lincoln.
 - (b) Development means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164 (4) of the *Municipal Act, 2001* or of sites for the location of three or more mobile homes as defined in subsection 46 (1) of the *Planning Act* or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the *Planning Act*. Development shall not include the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.
 - (c) Director of Planning means the Director of Planning of the Corporation of the Township of West Lincoln or such other person so designated by the Township.
 - (d) Manager of Public Works means the Manager of Public Works for the Corporation of the Township of West Lincoln or such other person so designated by the Township.
 - (e) Township means the Corporation of the Township of West Lincoln.
3. That all the lands within the corporate boundaries of the Township of West Lincoln are hereby designated as a Site Plan Control Area and shall be subject to the provision of Section 41 of the *Planning Act*, R.S.O 1990, as amended, or any successor thereto. Any development in the Site Plan Control Area shall be subject to Site Plan Control, save and except for the following:
 - (a) Any one or two unit dwelling, or alteration thereto, not including:
 1. A farm helphouse;
 2. Two or more dwellings located on a lot or block;
 3. Development identified in the Official Plan, or amendment thereto, as requiring site plan approval;
 - (b) Any street townhouse, or alteration thereto, and related accessory building where the street townhouse is located in a registered plan of subdivision and there is a subdivision agreement registered on title;

- (c) Swimming pools;
 - (d) 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 medical marihuana growth and production facilities; and
 - (e) Greenhouses less than 4000 m² in size.
4. That Council does hereby delegate to the Director of Planning the authority to approve Site Plans.
5. No Building Permit shall be issued in respect to any development or redevelopment in the Site Plan Control Area until the required Site Plan has been approved and until any required agreement has been entered into and executed by the Township, the owners, mortgagees or other encumbrances on the land.
6. That this By-law shall come into force and effect upon the date of passing thereof.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 24th
DAY OF MARCH, 2014.**

MAYOR DOUGLAS JOYNER

CAROLYN LANGLEY, CLERK