

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**BY-LAW NO. 2024-76**

**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, Part 2 “Definitions” of Zoning By-law 2017-70 as amended, is hereby amended by adding the following definitions:

Berm means a mound of earth which may include landscaping features, formed to provide visual and/or acoustical separation.

Bonafide Farm Operation shall be:

- a) An operation actively engaged, employed, and managing a farm exclusively for an agricultural use;
- b) Operators earn majority of their income from farming (the scale of the farm operation should be capable of generating a reasonable operating profit under normal economic conditions and have a valid Farm Business Registration number);
- c) Operators spends a majority of his/her working time on the farm and is available to work on the farm when required by the farm operation; and
- d) Demonstrate a continuing commitment to the farm operation, such as through farm maintenance practices, and investment in equipment, buildings and crops.

Utility means any system, works, plant, pipeline, or equipment providing a service necessary to the public interest including but not limited to electric power generation and transmission, stormwater management, water supply, sewage treatment and disposal, waste management, communications and telecommunications, and oil and gas pipelines and associated facilities.

Warehousing means a process of storing goods in a warehouse building or structure for the purpose of distribution, sale, or manufacturing.

2. That, Part 3 “General Provisions” and Section 3.1, Accessory Buildings or Structures and Accessory Uses, Table 1-1 Regulations for Accessory Buildings and Structures in Agricultural Zones is hereby amended and modified to the following regulations:

**Table 1-1: Regulations for Accessory Buildings and Structures in Agricultural Zones**

Regulation	Accessory Buildings or Structures in an Agricultural Zone		
	Type 1 (0.1 to 10m <sup>2</sup> )	Type 2 (10.1 to 120m <sup>2</sup> )	Type 3 (greater than 120m <sup>2</sup> )
Maximum ground floor area per building or structure	10m <sup>2</sup>	120m <sup>2</sup>	Based on maximum lot coverage (see below)

Regulation		Accessory Buildings or Structures in an Agricultural Zone		
		Type 1 (0.1 to 10m <sup>2</sup> )	Type 2 (10.1 to 120m <sup>2</sup> )	Type 3 (greater than 120m <sup>2</sup> )
Maximum number of accessory buildings or structures per lot	Accessory buildings	3	2	Based on maximum lot coverage (see below)
	Accessory Structures	Based on maximum lot coverage (see below)		
Permitted yards		All Yards except the required front yard or required exterior side yard, except that a Type 1 accessory building or structure used for the retail sale of farm produce shall be permitted in the required front yard and required exterior side yard		All Yards
Minimum setback to front lot line		No closer to the front lot line than the main building, and in accordance with the minimum yard requirements of the applicable zone, except that a Type 1 accessory building or structure used for the retail sale of farm produce shall not be closer than 1 metre to the front lot line		30 metres
Minimum setback to exterior side lot line		No closer to the exterior side lot line than the main building, except that a detached private garage in the rear yard shall not be located any closer than 6 metres to the exterior side lot line, and a Type 1 accessory building or structure used for the retail sale of farm produce shall not be located any closer than 1 metre to the exterior side lot line		
Minimum setback to interior side lot line		1.2 metres	2 metres	7.5 metres
Minimum setback to rear lot line				
Maximum height		3 metres	5.5 metres	10 metres
Maximum lot coverage of all accessory buildings or structures on the lot	Lot area 0.4 ha or less	200m <sup>2</sup> or 8% of the lot area, whichever is less, provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and structures in the respective zone		Not permitted on this lot size
	Lot area 0.5 ha to 2 ha	Greater of 5% or 320m <sup>2</sup> , provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and structures in the respective zone		
	Lot area 2.1 ha to 10 ha	Greater of 2.5% or 1,000m <sup>2</sup> , provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and structures in the respective zone		
	Lot area greater than 10 ha	Greater of 1% or 2,500m <sup>2</sup> , provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and		

Regulation	<b>Accessory Buildings or Structures in an Agricultural Zone</b>		
	<b>Type 1 (0.1 to 10m<sup>2</sup>)</b>	<b>Type 2 (10.1 to 120m<sup>2</sup>)</b>	<b>Type 3 (greater than 120m<sup>2</sup>)</b>
	<i>structures in the respective zone</i>		
Minimum setback from <i>main building</i> <sup>(1)</sup>	1.5 metres	3 metres	
Maximum distance from an <i>accessory building or main building</i>	The nearest point of a wall of any building must be located within 50 metres of all other related residential or agricultural buildings respectively		

<sup>(1)</sup> No projection shall be permitted into this required setback. This setback does not apply to a balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antenna, steps, sunroom, walkway or other accessory structure normally appurtenant to a main building.

3. That, Part 3 “General Provisions” and Section 3.1, Accessory Buildings or Structures and Accessory Uses, Table 1-2 Regulations for Accessory Buildings and Structures in Non-Agricultural Zones, is hereby amended and modified to the following regulations:

**Table 1-2: Regulations for Accessory Buildings and Structures in Non-Agricultural Zones**

Regulation		<b>Accessory Buildings or Structures in a Residential Zone</b>	<b>Accessory Buildings or Structures in a Commercial, Institutional or Open Space Zone</b>	<b>Accessory Buildings or Structures in an Employment Zone</b>
Maximum <i>ground floor area per building or structure</i>	RuR and R1A Zones	120m <sup>2</sup>	Based on maximum <i>lot coverage</i> (see below)	
	All other Residential Zones	50m <sup>2</sup> <sup>(1)</sup>		
Maximum number of <i>accessory buildings or structures per lot</i>	<i>Accessory buildings</i>	2		
	<i>Accessory Structures</i>	Based on maximum <i>lot coverage</i> (see below)		
Permitted yards		<i>Interior Side Yard and Rear Yard</i>	All Yards	
Minimum setback from <i>front lot line</i>		No closer to the established <i>front lot line</i> than the <i>main building</i>	4.5 metres	15 metres

Regulation		Accessory Buildings or Structures in a Residential Zone	Accessory Buildings or Structures in a Commercial, Institutional or Open Space Zone	Accessory Buildings or Structures in an Employment Zone
Minimum setback to exterior side lot line		No closer to the required <i>exterior side lot line</i> than the <i>main building</i> , except that a detached <i>private garage</i> in the rear yard shall not be located any closer than 6 metres to the <i>exterior side lot line</i>		
Minimum setback to interior side lot line		1.2 metres, except that this shall not apply to prevent a permitted detached <i>private garage</i> which services two <i>dwellings</i> that are each on a separate <i>lot</i>	1.2 metres, or as required in the applicable zone where a lesser <i>interior side yard</i> is required for the <i>main building</i>	5 metres
Minimum setback to rear lot line			1.2 metres	7.5 metres
Maximum height		5 metres	6 metres	10 metres
Maximum lot coverage	RuR and R1A Zones	200m <sup>2</sup> or 8% of the <i>lot area</i> , whichever is less, provided the total <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective zone	8% of the <i>lot area</i> , provided the total <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective zone	
	All other Residential Zones	100m <sup>2</sup> or 8% of the <i>lot area</i> , whichever is less, provided the total <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings</i> and <i>structures</i> in the respective zone		
Minimum setback from main building <sup>(2)</sup>		1.5 metres	3 metres	

(1) Accessory Dwelling Units located in an accessory building or structure refer to Section 3.2.1.

(2) No projection shall be permitted into this required setback. This setback does not apply to a balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antenna, steps, sunroom, walkway or other accessory structure normally

appurtenant to a *main building*.

4. That, Part 3 “General Provisions” and Section 3.2.1 Accessory Dwellings Units is hereby amended by deleting Article 3.2.1 – Accessory Dwelling Units and replaced by the following regulations:

3.2.1 Accessory Dwelling Units

- a) The following regulations apply to *accessory dwelling units*:
- i. Where a residential dwelling is permitted on a lot, up to two (2) *accessory dwelling units* are permitted on a *lot*, where at least one of the accessory dwelling units are located within, or attached to the principle dwelling;
  - ii. An *accessory dwelling unit* shall have a maximum *gross floor area*, of the lesser, of 100 square metres or 40% of the *gross floor area* of the principle dwelling. For the purposes of this provision, associated garage and/or basement contributes to the maximum gross floor area of the accessory dwelling unit;
  - iii. Where attached to or located within a principle dwelling, the residential appearance and character of the principle dwelling including a *single detached, semi-detached, townhouse* shall be maintained, and any separate entrance and exit for the *accessory dwelling unit* shall be oriented toward the *exterior side lot line, interior side lot line, or rear lot line*, and not located on the front façade of the principle dwelling;
  - iv. An *accessory dwelling unit* may be in located in the *basement* with a ceiling *height* no less than 2.2 metres, or in an *attic*, or as an addition to the principle dwelling;
  - v. An *accessory dwelling unit* may be located in an *accessory building*;
  - vi. An *accessory building* that is used for an *accessory dwelling unit* shall comply with the requirements of Section 3.1 and any additional requirements in Section 3.2.1, except the maximum height of an *accessory building* that contains an *accessory dwelling unit* above the first storey shall be 8 metres;
  - vii. The *accessory building* that is used for an *accessory dwelling unit* shall not be located in the *front or exterior yards* and shall remain secondary and subordinate to the principle dwelling;
  - viii. The *accessory building* that is used for an *accessory dwelling unit* shall be located within 50 metres of the principle dwelling;
  - ix. An *accessory dwelling unit* can be a *garden suite* and subject to additional regulations in Section 3.2.4;
  - x. An *accessory dwelling unit* shall not be used for a bed and breakfast establishment, boarding or rooming house, group home or home occupation; and
  - xi. Parking shall be provided in accordance with Tale 6 and access to the required parking for the *accessory dwelling unit* shall be provided from the same driveway that provides access to the principle dwelling unit on the same lot.
- b) Where *accessory dwelling units* are permitted on lots that are not serviced by municipal sanitary and water services in the *Rural Settlement Areas and Agricultural Areas*:

- i. *Accessory dwelling units* shall not be permitted unless the *lot* has a minimum *lot area* of 0.4 hectares and the private sewage services and/or private water services are approved for the *lot* with adequate capacity for the *accessory dwelling unit* and any other uses on the *lot*. *Accessory dwelling units* may only be permitted to have separate septic systems in extenuating circumstances;
  - ii. An *accessory dwelling unit* located in a detached *accessory building* shall comply with the *minimum distance separation formulae*; and
  - iii. *Accessory dwelling units* permitted on a *lot* are in addition to an *accessory farm dwelling* that is permitted as an *agricultural use* and subject to Section 3.2.2 regulations.
- c) Where permitted in a Commercial Zone with the exception of the Commercial Mixed Zone, an *accessory dwelling unit* is only permitted within the same *building* as a permitted *art gallery, commercial school, dry cleaning/laundry depot, financial institution, office* including a *medical office, personal service shop, private club, restaurant, retail store, service shop* or *studio*, and shall be located above the first storey of the commercial *building*.

5. That, Part 3 “General Provisions” and Section 3.2.2 Accessory Farm Dwellings is hereby amended and modified by the following regulation:

The following regulations apply to *accessory farm dwellings*:

- a) An *accessory farm dwelling* shall be located on a *lot* having a minimum *lot area* of 10 hectares and containing a permitted *agricultural use with a bonafide farm operation* and an associated *single detached dwelling*, where permitted by the applicable zone.

6. That, Part 3 “General Provisions” and Section 3.2.4 Garden Suites is hereby amended by adding the following clause to the regulations:

The following regulations apply to *garden suites*:

- f) The *garden suite* shall be of a four season or all season design including *mobile home* on a secured foundation that is subject to the Ontario Building Code, Building Code Act, and approved by the Chief Building Official.

7. That, Part 3 “General Provisions” and Section 3.12.6 Off-Street Motor Vehicle Parking Facility Requirements and Table 6 Required Parking Facilities is hereby amended and modified by the following regulations:

The following regulations apply to *motor vehicle* parking facilities:

- a) *Parking spaces* for *motor vehicles* shall be provided and maintained for the identified uses of *lots, buildings* and *structures* in accordance with Table 6.

**Table 6: Required Parking Facilities**

<b>Use</b>	<b>Minimum Number of Parking Spaces to be Provided</b>
<b>Industrial uses and processing facilities</b>	
<i>Warehouse/Warehousing</i>	1 <i>parking space</i> per 180 m <sup>2</sup> of <i>gross floor area</i>

- d) *Parking spaces* shall have minimum dimensions of 2.7 metres in width by 6 metres in length, except:
  - vii. Private residential garages counted as a required parking space must be a minimum width of 3.25 metres wide by 6 metres long (measured

from interior walls) unobstructed with a maximum of one step having an allowable projection of 0.8 metres into this space.

8. That, Part 3 “General Provisions” and Section 3.12.7 Private Garages of Zoning is hereby amended and modified by the following regulations:

The following regulations apply to private garages:

- e) For the purposes of meeting the parking requirements of this By-law, a private residential garage counted as a required parking space must be a minimum width of 3.25 metres wide by 6 metres long (measured from interior walls) unobstructed with a maximum of one step having an allowable projection of 0.8 metres into this space.
  - f) Except where otherwise specified in this By-law, the front of a private garage shall be located as follows:
    - iii) In all other zones where private garages are permitted, an attached private garage may project closer to the front lot line than the main front wall of the dwelling on the same lot provided the front yard setback is met for the dwelling and private garage. Detached private garages must be located in accordance with Section 3.1.
  - h) The maximum garage width for an attached private garage shall be no greater than 50% of the total width of the dwelling on the lot, except in Residential Zones where the maximum garage width for an attached private garage shall be no greater than 50% of the total width of the dwelling on the lot or 9.2 metres, whichever is less, except where otherwise specified in this By-law. The width of the dwelling shall be measured in a straight line along the main front wall of the dwelling between the outside edges of the side walls of the dwelling.
9. That, Part 3 “General Provisions” and Section 3.18 Setbacks to Pipelines, specifically Section 3.18.2 Enbridge Pipelines is hereby amended and modified to:
- 3.18.2 Oil and Gas Pipeline
- a) Notwithstanding any other provisions of this By-Law to the contrary, no building or structure used for a dwelling or associated with a dwelling shall be located closer than 3 metres to the limit of the right of way for an oil and gas pipeline easement.
10. That, Part 5 “Agricultural Zones” and Section 5.3 Regulations and Table 12 Regulations of Permitted Uses in Agricultural Zones is hereby amended and adding to the following to the regulations:

**Table 12: Regulations for Permitted Uses in Agricultural Zones**

Regulation		Zone Requirements		
		A	APO	AR
Minimum lot area		40 ha	39 ha	0.4 ha
Minimum lot frontage		100m		50m
Minimum front yard	Dwelling	15m		-
	Greenhouse	30m		
	Mushroom farm building	150m <sup>(1)</sup>		-
	Other main building	20m		10m
Minimum exterior side yard	Dwelling	15m	-	-
	Greenhouse	30m		
	Mushroom farm	150m <sup>(1)</sup>		-

Regulation		Zone Requirements		
		A	APO	AR
	<i>building</i>			
	<i>Other main building</i>	20m		10m
Minimum <i>interior side yard</i>	<i>Dwelling</i>	5m	-	-
	<i>Greenhouse</i>	15m <sup>(2)</sup>		
	<i>Mushroom farm building</i>	75m <sup>(1)</sup>		-
	<i>Other main building</i>	15m		7.5m
Minimum <i>rear yard</i>	<i>Dwelling</i>	15m	-	-
	<i>Greenhouse</i>	15m <sup>(2)</sup>		
	<i>Mushroom farm building</i>	75m <sup>(1)</sup>		-
	<i>Other main building</i>	20m		7.5m
Maximum distance from an <i>accessory building</i> or <i>main building</i>	The nearest point of a wall of any building must be located within 50m of all other related residential or agricultural buildings respectively.			
Maximum <i>lot coverage</i>	<i>Greenhouse</i>	70%		40%
	<i>Dwelling</i> <sup>(4)</sup>	10%		
	<i>Other buildings or structures</i>	10%		
Maximum <i>height</i>	15m			
Minimum <i>landscaped open space</i>	No minimum		10%	
Maximum <i>outside storage</i>	5% of lot area <sup>(3)</sup>		10% of lot area <sup>(3)</sup>	

- (1) No building or structure used for the growing of mushrooms shall be located closer than 150 metres to the nearest main wall of a dwelling on a separate lot or any street line, and 300 metres to the nearest boundary of an Institutional Zone or a Residential Zone other than the Rural Residential Zone.
- (2) The minimum interior side yard and rear yard for a greenhouse shall be 25 metres where one or more ventilating fans exhaust into the respective yard.
- (3) Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots. No manure, compost or equipment storage area shall be permitted within 30 metres of a street line or a lot line of a separate lot that contains a residential use or the top of bank of a municipal drain or watercourse.
- (4) On lots 0.4 hectares in size or less, a maximum lot coverage of 20%.

11. That, Part 6 “Residential Zones” and Section 6.3 Regulations and Table 15 Regulations for Permitted Uses in the Medium and High Density Residential Zones is hereby amended by deleting and replacing with the following regulations:

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Tables 14 and 15.



**Table 15: Regulations for Permitted Uses in Medium and High Density Residential Zones**

Regulation		Zone Requirements				
		RM1	RM2	RM3	RM4	RH
Minimum lot area (per principle dwelling unit)	Apartment dwelling	-		160m <sup>2</sup>		50m <sup>2</sup>
	Duplex dwelling	-	250m <sup>2</sup>	-		
	Fourplex dwelling	-	220m <sup>2</sup>	180m <sup>2</sup>	-	
	Retirement home	-				120m <sup>2</sup>
	Semi-detached dwelling <sup>(1)</sup>	270m <sup>2</sup>	200 m <sup>2</sup>		-	-
	Stacked townhouse dwelling	-	-	160m <sup>2</sup>	50m <sup>2</sup>	-
	Back to back townhouse dwelling <sup>(7)</sup>	-	-	-	75m <sup>2</sup>	-
	Street townhouse dwelling	225m <sup>2</sup>	180m <sup>2</sup>		-	-
	Townhouse dwelling	-	180m <sup>2</sup>		-	-
	Triplex dwelling	-	220m <sup>2</sup>	180m <sup>2</sup>	-	-
Minimum lot frontage <sup>(2)</sup>	Apartment dwelling	-		30m		
	Duplex dwelling	-	15m		-	
	Fourplex dwelling	-	25m		-	
	Retirement home	-				30m
	Semi-detached dwelling <sup>(1)</sup>	9m/unit	8m/unit		-	-
	Stacked townhouse dwelling	-	-	30m	30m	-
	Back to back townhouse dwelling	-	-	5.5m/unit	5.5m/unit	-
	Street townhouse dwelling	7.5m/unit	6m/unit			-
	Townhouse dwelling	-	30m			-
	Triplex dwelling	-	20m	18m	-	-
Minimum front yard	Dwelling	4.5m				7.5m
	Private garage	6m				

Regulation		Zone Requirements				
		RM1	RM2	RM3	RM4	RH
Minimum <i>exterior side yard</i>		3m				Greater of 50% of <i>building height of finished grade</i> or 3m
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a low density residential zone	3m <sup>(3)</sup>				
	Adjoining a <i>lot</i> in any other zone	1.2m <sup>(3)</sup>				
Minimum <i>rear yard</i> <sup>(4)</sup>	Adjoining a <i>lot</i> in a low density residential zone	7.5m		7.5m		Greater of 50% of <i>building height of finished grade</i> or 7.5m
	Adjoining a <i>lot</i> in any other zone	6m		6m		
Maximum <i>lot coverage</i> <sup>(8)</sup>		45%	50%			
Minimum separation distance between <i>dwelling</i> s on the <i>same lot</i>	Between exterior side walls	3m				
	Between exterior front or rear walls	12m				
	Between exterior front or rear walls and side walls	7.5m				
Maximum <i>height</i> <sup>(9)</sup>		10m	12m	15m	21.5m	
Minimum <i>landscaped open space</i>		25% <sup>(10)</sup>				
Minimum <i>amenity area</i> <sup>(5)(6)</sup>	<i>Dwelling</i> with 3 or 4 <i>dwelling units</i> on one <i>lot</i>	20m <sup>2</sup> per unit				
	<i>Dwelling</i> with 5 to 8 <i>dwelling units</i> on one <i>lot</i>	20m <sup>2</sup> per <i>dwelling</i> plus 10m <sup>2</sup> per unit				
	<i>Dwelling</i> with 9 or more <i>dwelling units</i> on one <i>lot</i>	20m <sup>2</sup> per <i>dwelling</i> plus 10m <sup>2</sup> per unit		40m <sup>2</sup> per <i>dwelling</i> plus 5.5m <sup>2</sup> per unit		

(1) Where semi-detached dwellings are located in the RM2 or RM3 zone, the dwelling units shall be located on lands within a Registered Plan of Condominium or shall be tied to a common elements condominium private street.

(2) Where multiple attached dwellings are located on the same lot in the RM2 or RM3 Zone, including more than one type of attached dwelling, the minimum lot frontage requirement of the RM2 or RM3 zone, as applicable, shall be 30 metres in the case of a lot that contains one or more fourplex and/or townhouse dwelling and/or stacked townhouse dwelling, 45 metres in the case

- of back-to-back townhouse dwelling, and 20 metres in all other cases, and shall apply to the entire lot. For semi-detached dwellings where each unit is located on a separate lot, and for street townhouse dwellings, each lot shall meet the prescribed minimum lot frontage.
- (3) Where each dwelling unit of a semi-detached dwelling is located on a separate lot, and for street townhouse dwellings, no interior side yard shall be required along the common lot line of the attached wall joining two dwelling units.
  - (4) Where each dwelling unit of a back-to-back townhouse dwelling is located on a separate lot and not part of a condominium; no rear yard and interior side yard shall be required along the common lot line of the attached wall joining two dwelling units.
  - (5) No common outdoor amenity area provided at grade shall have an area less than 60m<sup>2</sup>. Refer to urban Design Guidelines for any limit to the massing of 4th floor to 75-80% of the third floor to allow for building articulation, step-back, and sunlight.
  - (6) Each unit in a back-to-back townhouse development shall contain an individual balcony with an area of 5.5m<sup>2</sup>, separated from adjoining units by a wall or privacy screen and with a maximum projection of 1.8m from the front wall of the back-to-back townhouse building.
  - (7) For stacked and back-to-back units, minimum lot area per unit shall not be less than 50m<sup>2</sup> per unit.
  - (8) For stacked and back-to-back units, there is no maximum lot coverage.
  - (9) For stacked and back-to-back units, and apartment units with ground level parking, ground level storey parking height shall not be included as part of the total building height, to a maximum of 3 metres.
  - (10) For stacked and back-to-back units, the minimum landscape open space shall be 15%.

12. That, Part 7 “Commercial Zones” of Zoning By-law 2017-70 as amended, is hereby amended by amending Section 7.1 Applicable Zones and adding Commercial Mixed – CM zone as a permitted use:

#### 7.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 7 apply to land within the following *zones*:

<b>Zone</b>	<b>Symbol</b>
Core Commercial	C1
Neighbourhood Commercial	C2
Service Commercial	C3
Commercial Plaza	C4
Commercial Mixed Use	CM

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

#### 7.2 PERMITTED USES

In the *zones* identified in Section 7.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 16.

**Table 16: Permitted Uses in Commercial Zones**

Uses	Zones where Permitted				
<i>Principal Uses</i>					
<i>Single Detached Dwelling</i>			C3 <sup>(2)</sup>		
<i>Apartment Dwelling</i>	C1				CM
<i>Townhouses, Live work, Stacked, Back-to-Back Dwellings</i>					CM
<i>Art gallery</i>	C1				CM
<i>Commercial kennel (see s. 3.8)</i>			C3		
<i>Commercial school</i>	C1	C2	C3	C4	
<i>Communications establishment</i>	C1		C3	C4	CM
<i>Contractors establishment</i>			C3		
<i>Day care (Bylaw 2022-67)</i>		C2		C4	CM
<i>Drive-through facility (see s. 3.12)</i>			C3	C4	
<i>Dry cleaning/laundry depot</i>	C1	C2	C3	C4	CM
<i>Financial institution</i>	C1		C3	C4	CM
<i>Funeral home</i>	C1		C3		
<i>Garden centre</i>			C3	C4	
<i>Hotel/motel</i>			C3		
<i>Motor vehicle dealership</i>			C3		
<i>Motor vehicle gasoline bar</i>			C3	C4	
<i>Motor vehicle repair establishment</i>			C3		
<i>Motor vehicle service station</i>			C3	C4	
<i>Motor vehicle washing establishment</i>			C3	C4	
<i>Office, including a medical office</i>	C1	C2	C3	C4	CM
<i>Personal service shop</i>	C1	C2	C3	C4	CM
<i>Pet care establishment (see s. 3.8)</i>			C3	C4	
<i>Place of entertainment</i>	C1		C3	C4	CM
<i>Private club</i>	C1		C3	C4	CM
<i>Recreation facility</i>	C1		C3	C4	
<i>Restaurant</i>	C1	C2	C3	C4	CM
<i>Retirement Home /Long Term Home Care Facility</i>					CM
<i>Retail store</i>	C1	C2	C3	C4	CM
<i>Service shop</i>	C1		C3	C4	CM
<i>Shopping center</i>				C4	
<i>Studio</i>	C1	C2	C3	C4	CM
<i>Veterinary clinic</i>	C1		C3	C4	
<i>Wayside pit or quarry (see s. 3.27)</i>			C3	C4	
<i>Accessory Uses <sup>(1)</sup></i>					
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	C1 <sup>(1)</sup>	C2 <sup>(1)</sup>	C3 <sup>(1)</sup>	C4 <sup>(1)</sup>	CM
<i>Accessory dwelling units (see s. 3.2)</i>	C1 <sup>(1)</sup>				
<i>Outside display and sales area</i>			C3 <sup>(1)</sup>	C4 <sup>(1)</sup>	
<i>Outside storage</i>			C3 <sup>(1)</sup>	C4 <sup>(1)</sup>	
<i>Renewable energy system (see s. 3.15)</i>	C1 <sup>(1)</sup>	C2 <sup>(1)</sup>	C3 <sup>(1)</sup>	C4 <sup>(1)</sup>	CM

<sup>(1)</sup> Denotes uses that are only permitted accessory to or in conjunction with a permitted principal use.

<sup>(2)</sup> Existing Single Detached Dwellings outside of settlement areas within Commercial 'C3' Zones, and additions and alterations are permitted and are subject to the setbacks and lot coverage regulations of the Rural Residential 'RuR' zone. (By-Law No. 2022-67)

### 7.3 REGULATIONS

In the zones identified in Section 7.1, no person shall use or permit the use of any lot or erect, alter or use any building or structure for any purpose except in accordance with the regulations in Table 17.

Table 17: Regulations for Permitted Uses in Commercial Zones

Regulation		Zone Requirements				
		C1 <sup>(1)(2)</sup>	C2	C3	C4	CM
Minimum lot area		-	500m <sup>2</sup>	750m <sup>2</sup>	900m <sup>2</sup>	-
Minimum lot frontage		-	15m	25m	30m	-
Minimum front yard	Adjoining Regional Road 14 or 20	-	6m	9m		3m
	Other	6m				
Minimum exterior side yard	Adjoining Regional Road 14 or 20	-	6m			3m
	Other	6m				
Minimum interior side yard	Adjoining a lot in a Residential Zone	3m	5m	9m		4.5m or one-third of building height whichever is greater
	Other	-	3m			
Minimum rear yard	Adjoining a lot in a Residential Zone	6m	6m	9m		9m or one-third of building height whichever is greater
	Other					
Maximum lot coverage		-	45%	50%		-
Minimum height		2 storeys		-		
Maximum height		15m	10m			15m
Minimum landscaped open space		-	20%	10%		-
Maximum outside storage		-		25% of lot area <sup>(3)</sup>		Not Permitted
Maximum gross leasable floor area	Per commercial use	-	280m <sup>2</sup>	-		-
	Total % of lot area		45%	50%		50% <sup>(4)</sup>

- (1) An apartment dwelling in the C1 Zone shall be permitted as an exclusive principal use of a main building or shall be located above the first storey within a main building containing a permitted non-residential principal use on the ground floor, and shall be subject to the minimum lot area, minimum separation distance between dwellings on the same lot and minimum amenity area requirements of the RH Zone in accordance with Section 6.3, Table 15. All other requirements of the C1 Zone shall apply.
- (2) The maximum number of accessory dwelling units on a lot in the C1 Zone shall not exceed 1 dwelling unit per 120m<sup>2</sup> of lot area.
- (3) Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots.
- (4) An apartment dwelling unit in the CM Zone shall be permitted on the ground floor within a main building containing a permitted non-residential principal use provided a minimum of 50% of the gross floor area of the ground floor of the main building is commercial leasable floor area.

13. That, all other provisions of Zoning By-law 2017-70, as amended continues to apply;
14. That, the Clerk of the Township of West Lincoln is hereby authorized to effect any minor modifications or corrections to the By-law of a descriptive, numerical or grammatical nature as may be deemed necessary after passage of this By-law; and
15. 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 25  
DAY OF NOVEMBER, 2024.**

  
\_\_\_\_\_  
**MAYOR CHERYL GANANN**

  
\_\_\_\_\_  
**JUSTIN PAYLOVE, CLERK**

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2024-76

The Township's Comprehensive Zoning By-law 2017-70 was passed by the Council of the Corporation of the Township of West Lincoln on June 26, 2017. This By-law amends Zoning By-law 2017-70, as amended, to address issues and opportunities that have become apparent during implementation.

A Public Meeting was held on July 15, 2024. All comments received were evaluated by Administration and Council through their decision.

File: 1601-005-24  
Township of West Lincoln