

THE CORPORATION OF THE TOWN OF LINCOLN
BY-LAW NO. 2024-XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2022-50,
AS AMENDED, OF THE TOWN OF LINCOLN

(BETER NEIGHBOURHOODS INC., ELEVATE LIVING, PINE GLEN
BEAMSVILLE INC., TRUSTEES OF CALVARY GOSPEL CHURCH)

WHEREAS:

1. The Town of 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 TOWN OF LINCOLN HEREBY ENACTS AS FOLLOWS:

1. That Schedule 'A3' to Zoning By-law No. 2022-50, as amended, of the Town of Lincoln, is hereby amended by changing the zoning on the lands shown on Schedule 'A' and 'B', attached hereto and forming part of this By-law, from Residential Multiple 1 (RM1) and Institutional (I) to as follows:
- a. Part 1 is hereby rezoned to a Residential 2 (R2-40) zone;
 - b. Part 2 is hereby rezoned to a Residential 2 (R2-39) zone;
 - c. Part 3 is hereby rezoned to a Residential Multiple 3 (RM3-4) zone;
 - d. Part 4 is hereby rezoned to a Residential Multiple 1 (RM1-41) zone;
 - e. Part 5 is hereby rezoned to a Residential Multiple 1 (RM1-39) zone;
 - f. Part 6 is hereby rezoned to a Residential Multiple 1 (RM1-42) zone;
 - g. Part 7 is hereby rezoned to a Residential Multiple 1 (RM1-40) zone;
 - h. Part 8 is hereby rezoned to a Residential 2 (R2-41) zone;
 - i. Part 9 is hereby rezoned to a Residential Multiple 1 (RM1-38) zone;
 - j. Part 10 is hereby rezoned to Open Space (OS).
2. That Subsection 6.6, Special Provisions is hereby amended by adding the following subsections:

6.6.39 R2-39 (VINTAGE HEIGHTS – SINGLES AND SEMIS)

Notwithstanding the provisions Sections 3.5 and 3.10 and the Residential 2 Zone, for single detached and semi-detached dwellings, the lands indicated as R2-39 (H) on Schedule 'XX' shall be subject to the following provisions:

6.6.39.1 SINGLE DETACHED DWELLINGS

- | | | | |
|-----|-------------------------------------|---|---|
| (a) | Minimum Lot Frontage | - | 11.0 metres |
| (b) | Minimum Lot Area | - | 325 square metres |
| (c) | Minimum Front Yard Setback | | |
| | i. Dwelling | - | 3.0 metres |
| | ii. Garage | - | 7.0 metres |
| (d) | Maximum Dwelling Front Yard Setback | - | 4.5 metres |
| (e) | Minimum Interior Side Yard Setback | - | 1.2m on one side and 3.5m on the other side where no attached garage/carport, or 1.2m on both sides |
| (f) | Minimum Exterior Side Yard Setback | | |
| | i. Dwelling | - | 2.0 metres |
| | ii. Garage | - | 6.0 metres if garage faces street |
| (g) | Maximum Exterior Side Yard | - | 4.5 metres |

Setback for a Dwelling		
(h)	Minimum Rear Yard Setback	- 10.0 metres
(i)	Maximum Lot Coverage	- 50.0%
(j)	Minimum Landscaped Open Space	- 30.0%
(k)	Maximum Width of Attached Garages	- 4.3m or 38% of lot frontage, whichever is less
(l)	Maximum Front Yard Encroachments	- Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

6.6.39.2 SEMI-DETACHED DWELLINGS

(a)	Minimum Lot Area	- 325 square metres
(b)	Minimum Front Yard Setback	- 3.0 metres
	Dwelling	- 7.0 metres
(c)	Maximum Dwelling Front Yard Setback	- 4.5 metres
(d)	Minimum Interior Side Yard Setback	
	i.	- 1.2 m on each side except that where no attached garage is provided, the minimum side yard on one side shall be 3.5 m
	ii.	- 0.0m where a wall protrudes past the front or rear façade of the adjacent semi-detached dwelling
(e)	Minimum Exterior Side Yard Setback	-
	i. Dwelling	- 2.0 metres
	ii. Garage	- 6.0 metres if garage faces street
(f)	Maximum Exterior Side Yard Setback for a Dwelling	- 4.5 metres
(g)	Minimum Rear Yard Setback	- 10.0 metres
(h)	Maximum Lot Coverage	- 50.0%
(i)	Minimum Landscaped Open Space	- 35.0%
(j)	Maximum Width of Attached Garages	- 4.3m or 38% of lot frontage, whichever is less
(k)	Maximum Front Yard Encroachments	- Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

6.6.39.3 ACCESSORY BUILDINGS

(a)	Maximum Lot Coverage	- 20.0%
(b)	Minimum Front Yard Setback	- 3.0 metres

- (c)

Minimum Interior Side Yard Setback

- 1.0 metres on either side or 0.0 metres where structures share a common wall
- (d)

Maximum Accessory Building Height

- 6.7 metres

6.6.40 R2-40 (VINTAGE HEIGHTS – SEMI-DETACHED)

Notwithstanding the provisions Sections 3.5 and 3.10 and the Residential 2 Zone, for single detached and semi-detached dwellings, the lands indicated as R2-40 (H) on Schedule ‘XX’ shall be subject to the following provisions:

- (a)

Minimum Lot Area

- 440 square metres
- (b)

Minimum Front Yard Setback

i. Dwelling

- 3.0 metres

ii. Garage

- 7.0 metres
- (c)

Maximum Dwelling Front Yard Setback

- 4.5 metres
- (d)

Minimum Interior Side Yard Setback

i.

- 1.2 m on each side except that where no attached garage is provided, the minimum side yard on one side shall be 3.5 m

ii.

- 0.0m where a wall protrudes past the front or rear façade of the adjacent semi-detached dwelling
- (e)

Maximum Exterior Side Yard Setback for a Dwelling

- 4.5 metres
- (f)

Minimum Rear Yard Setback

- 7.0 metres
- (g)

Maximum Lot Coverage

- 50.0%
- (h)

Minimum Landscaped Open Space

- 40.0%
- (i)

Maximum Width of Attached Garages

- 4.3m or 38% of lot frontage, whichever is less
- (j)

Maximum Lot Coverage – Accessory Buildings

- 20.0%
- (k)

Minimum Front Yard Setback – Accessory Buildings

- 3.0 metres
- (l)

Minimum Interior Side Yard Setback- Accessory Buildings

- 1.0 metres on either side or 0.0 metres where structures share a common wall
- (m)

Maximum Accessory Building Height

- 6.7 metres
- (n)

Maximum Front Yard Encroachments

Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

6.6.40 R2-41 (VINTAGE HEIGHTS – SINGLE DETACHED)

Notwithstanding the provisions Sections 3.5 and 3.10 and the Residential 2 Zone, for single detached and semi-detached dwellings, the lands

indicated as R2-41 (H) on Schedule ‘XX’ shall be subject to the following provisions:

- (a)

Minimum Lot Frontage

- 5.7 metres
- (b)

Minimum Lot Area

- 250 square metres
- (c)

Minimum Front Yard Setback

- 3.0 metres
- (d)

Maximum Dwelling Front Yard Setback

- 4.5 metres
- (e)

Minimum Interior Side Yard Setback

- 1.2m on one side and 3.5m on the other side
- (f)

Minimum Rear Yard Setback

- 10.0 metres
- (g)

Maximum Lot Coverage

- 45.0%
- (h)

Minimum Landscaped Open Space

- 40.0%
- (i)

Maximum Lot Coverage – Accessory Buildings

- 20.0%
- (j)

Minimum Front Yard Setback – Accessory Buildings

- 3.0 metres
- (k)

Minimum Interior Side Yard Setback- Accessory Buildings

- 1.0 metres on either side or 0.0 metres where structures share a common wall
- (l)

Maximum Accessory Building Height

- 6.7 metres
- (m)

Maximum Front Yard Encroachments

- Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

3. That Subsection 6.7, Special Provisions is hereby amended by adding the following subsections:

6.7.38 RM1-38 (Semi’s and Street Townhouses)
Notwithstanding the provisions of Sections 3.5 and 3.10 and the Residential Multiple 1, the lands indicated as RM1-38 (H) on Schedule ‘XX’ may also be used for semi-detached and street townhouse dwellings and shall be subject to the following provisions:

6.7.38.1 (SEMI-DETACHED DWELLINGS)

- (a)

Minimum Lot Frontage
- i.

Interior Lot

- 16.0 metres
- ii.

Exterior Lot

- 18.0 metres
- (b)

Minimum Lot Area

- 400 square metres
- (c)

Minimum Front Yard Setback

- 3.0 metres
- (d)

Maximum Dwelling Front Yard Setback

- 4.5 metres
- (d)

Minimum Interior Side Yard Setback
- i.

- 1.2 m on each side
- ii.

- 0.0m where a wall protrudes past the front or rear façade of the adjacent semi-detached dwelling
- (e)

Minimum Exterior Side Yard Setback

- 2.0 metres
- (f)

Maximum Exterior Side Yard Setback

- 4.5 metres
- (g)

Minimum Rear Yard Setback

- 13.5 metres
- (h)

Maximum Lot Coverage

- 60.0%

(i)	Maximum Building Height	-	12.5 metres
(j)	Minimum Landscaped Open Space	-	30.0%
(k)	Accessory Structure - Maximum Lot Coverage	-	20.0%
(l)	Accessory Structure - Minimum Interior Side Yard Setback	-	1.0 metre or 0.0 metres for any common walls
(m)	Accessory Structure - Minimum Front Yard Setback	-	19.0 metres
(n)	Accessory Structure - Minimum Exterior Yard Setback	-	2.0 metres
(o)	Accessory Structure - Minimum Rear Yard Setback	-	1.0 metres or 1.7 metres on corner lots where two private lanes meet
(p)	Accessory Structure - Maximum Building Height	-	6.7 metres
(q)	Maximum Front Yard Encroachments	-	Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

6.7.38.2 (STREET TOWNHOUSES)

(a)	Minimum Lot Frontage		
	i. Interior Lot	-	5.5 metres
	ii. Exterior Lot	-	8.25 metres
(b)	Minimum Lot Area Per Dwelling Unit	-	155 square metres
(c)	Minimum Front Yard Setback		
	i. Dwelling	-	3.0 metres
	ii. Garage	-	19.0 metres
(d)	Maximum Dwelling Front Yard Setback	-	4.5 metres
(e)	Minimum Interior Side Yard Setback		
	i.	-	1.2 m on each side
	ii.	-	0.0m where a wall protrudes past the front or rear façade of the adjacent semi-detached dwelling
(f)	Minimum Exterior Side Yard Setback for Dwelling and Garage	-	2.0 metres
(g)	Maximum Exterior Side Yard Setback for Dwellings	-	4.5 metres
(h)	Minimum Rear Yard Setback	-	13.5 metres
(i)	Maximum Lot Coverage	-	65.0%
(j)	Maximum Building Height	-	12.5m
(k)	Minimum Landscaped Open Space	-	30.0%
(l)	Min Driveway Setback from Lot Line	-	0.0 metres
(m)	Accessory Structures - Maximum Lot Coverage	-	20.0%
(n)	Accessory Structure - Minimum Rear Yard Setback	-	1.0 metres or 1.7 metres on corner lots where two private lanes meet
(o)	Accessory Structure - Minimum	-	1.0 metre or 0.0 metres

- | | | | |
|-----|-------------------------------|---|---------------------------|
| | Interior Side Yard Setback | | for any common walls |
| (p) | Accessory Structure - Minimum | - | 2.0 metres |
| | Exterior Side Yard Setback | | |
| (q) | Accessory Structure – | - | 6.7 metres |
| | Maximum Building Height | | |
| (r) | Maximum Front Yard | - | Balconies, canopies, |
| | Encroachments | | porches and decks may |
| | | | encroach within any |
| | | | required front yard to a |
| | | | distance that is no less |
| | | | than 1.0 metre of a front |
| | | | lot line |

6.7.39 RM1-39 (VINTAGE HEIGHTS – COTTAGE UNITS)

Notwithstanding the provisions of Sections 3.5 and 3.10 and the Residential Multiple 1, the lands indicated as RM1-39 (H) ON Schedule ‘XX’ may also be used for single detached, semi-detached and block townhouse dwellings and shall be subject to the following provisions:

6.7.39.1 (SINGLE DETACHED DWELLINGS)

- | | | | |
|-----|--|---|---|
| (a) | Minimum Lot Frontage | - | 12.0 metres |
| (b) | Minimum Lot Area | - | 120 square metres |
| (c) | Minimum Front Yard Setback | - | 2.0 metres |
| (d) | Maximum Front Yard Setback | - | 3.0 metres |
| (e) | Minimum Interior Side Yard Setback | - | Two sides of the dwelling must be 1.2 metres while the remaining side must be 4.0 metres |
| (f) | Minimum Rear Yard Setback | - | 4.0 metres |
| (g) | Maximum Lot Coverage | - | 45.0% |
| (h) | Maximum Building Height | - | 12.5 metres |
| (i) | Minimum Landscaped Open Space | - | 50.0% |
| (j) | Accessory Structure – | - | 5.0% |
| | Maximum Lot Coverage | | |
| (k) | Accessory Structure - Minimum Interior Side Yard Setback | - | 1.0 metre |
| (l) | Accessory Structure – | - | 1.0 metre |
| | Minimum Rear Yard Setback | | |
| (m) | Maximum Front Yard Encroachments | - | Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line |

6.7.39.2 (SEMI-DETACHED DWELLINGS)

- | | | | |
|-----|------------------------------------|---|---|
| (a) | Minimum Lot Frontage | - | 11.4 metres |
| (b) | Minimum Lot Area | - | 180 square metres |
| (c) | Minimum Front Yard Setback | - | 2.0 metres |
| (d) | Maximum Front Yard Setback | - | 3.0 metres |
| (e) | Minimum Interior Side Yard Setback | - | One side must be 1.2 metres while the remaining side must be 4.0 metres |
| (f) | Minimum Rear Yard Setback | - | 1.2 metres |
| (g) | Maximum Lot Coverage | - | 50.0% |
| (h) | Maximum Building Height | - | 12.5 metres |
| (i) | Minimum Landscaped Open Space | - | 50.0% |
| (j) | Accessory Structures – | - | 5.0% |

- | | | | |
|-----|-------------------------------|---|---|
| (k) | Maximum Lot Coverage | | |
| | Accessory Structure – | - | 1.0 metre |
| (l) | Minimum Rear Yard Setback | | |
| | Accessory Structure - Minimum | - | 1.0 metre |
| | Interior Side Yard Setback | | |
| (m) | Maximum Front Yard | | |
| | Encroachments | - | Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line |

6.7.39.3 (BLOCK TOWNHOUSES)

- | | | | |
|-----|------------------------------------|---|---|
| (a) | Minimum Lot Frontage | | |
| | i. Interior Lot | - | 5.5 metres |
| | ii. Exterior Lot | - | 8.25 metres |
| (b) | Minimum Lot Area Per Dwelling Unit | | |
| | i. Interior Unit | - | 75 square metres |
| | ii. End Unit | - | 90 square metres |
| (c) | Minimum Front Yard Setback | - | 2.0 metre |
| (d) | Maximum Front Yard Setback | - | 3.0 metres |
| (e) | Minimum Interior Side Yard Setback | - | One side shall have a 1.2 metre setback and the other shall have a 4.0 metre setback |
| (f) | Minimum Rear Yard Setback | - | 1.2 metres |
| (g) | Maximum Lot Coverage | - | 60.0% |
| (h) | Maximum Building Height | - | 12.5m |
| (i) | Minimum Landscaped Open Space | - | 40.0% |
| (j) | Minimum Parking Per Unit | - | 1.5 spaces per unit |
| (k) | Accessory Structures – | - | 5.0% |
| | Maximum Lot Coverage | | |
| (l) | Accessory Structure - Minimum | - | 1.0 metre |
| | Interior Side Yard Setback | | |
| (m) | Maximum Front Yard | | |
| | Encroachments | - | Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line |

6.7.40 RM1-40 (VINTAGE HEIGHTS – SEMI-DETACHED AND STREET TOWNS)

Notwithstanding the provisions of Sections 3.5 and 3.10 and the Residential Multiple 1, the lands indicated as RM1-40 (H) ON Schedule ‘XX’ may also be used for semi-detached and street townhouse dwellings and shall be subject to the following provisions:

6.7.40.1 SEMI-DETACHED DWELLINGS

- | | | | |
|-----|------------------------------------|---|-------------------------|
| (a) | Minimum Lot Frontage | | |
| | i. Interior Lot | - | 15.0 metres |
| | ii. Corner Lot | - | 18.0 metres |
| (b) | Minimum Lot Area | - | 360 square metres |
| (c) | Minimum Front Yard Setback | - | 2.0 metres |
| (d) | Maximum Front Yard Setback | - | 3.0 metres |
| (e) | Minimum Interior Side Yard Setback | | |
| | i. | - | 1.2 metres on each side |

	ii.	-	0.0m where a wall protrudes past the front or rear façade of the adjacent dwelling
(f)	Minimum Exterior Side Yard Setback	-	2.0 metres
(g)	Maximum Exterior Side Yard Setback for a Dwelling	-	4.5 metres
(h)	Minimum Rear Yard Setback	-	11.0 metres
(i)	Maximum Lot Coverage	-	60.0%
(j)	Maximum Building Height	-	12.5 metres
(k)	Minimum Landscaped Open Space	-	30.0%
(l)	Accessory Structure - Maximum Lot Coverage	-	20.0%
(m)	Accessory Structure - Minimum Interior Side Yard Setback	-	1.2 metres or 0.0 metres if a common wall is shared with an adjacent accessory structure
(n)	Accessory Structure - Minimum Exterior Side Yard Setback	-	2.0 metres
(o)	Accessory Structure - Minimum Rear Yard Setback	-	1.0 metres or 1.5 metres on corner lots where two private lanes meet
(p)	Accessory Structure - Maximum Height	-	6.7 metres
(q)	Maximum Front Yard Encroachments	-	Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

6.7.40.2 STREET TOWNHOUSES

(a)	Minimum Lot Frontage		
	i. Interior Lot	-	5.5 metres
	ii. Exterior Lot	-	8.25 metres
(b)	Minimum Lot Area Per Dwelling Unit	-	140 square metres
(c)	Minimum Front Yard Setback	-	2.0 metres
(d)	Maximum Dwelling Front Yard Setback	-	3.0 metres
(e)	Minimum Interior Side Yard Setback		
	i.	-	1.2 metres on each side
	ii.	-	0.0m where a wall protrudes past the front or rear façade of the adjacent dwelling
(f)	Minimum Exterior Side Yard Setback for Dwelling	-	2.0 metres
(g)	Maximum Exterior Side Yard Setback for Dwellings	-	4.5 metres
(h)	Minimum Rear Yard Setback	-	11.0 metres
(i)	Maximum Lot Coverage	-	65.0%
(j)	Maximum Building Height	-	12.5m
(k)	Minimum Landscaped Open Space	-	30.0%
(l)	Min Driveway Setback from Lot Line	-	0.0 metres
(m)	Accessory Structures -	-	20.0%

- | | | |
|-----|--|---|
| | Maximum Lot Coverage | |
| (n) | Accessory Structure – Minimum Rear Yard Setback | - 1.0 metres or 1.7 metres on corner lots where two private lanes meet |
| (o) | Accessory Structure - Minimum Interior Side Yard Setback | - 1.0 metre or 0.0 metres for any common walls |
| (p) | Accessory Structure - Minimum Exterior Side Yard Setback | - 2.0 metres |
| (q) | Accessory Structure – Maximum Building Height | - 6.7 metres |
| (r) | Maximum Front Yard Encroachments | - Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line |

6.7.41.RM1-41 (VINTAGE HEIGHTS – BLOCK AND STREET TOWNHOUSES)

Notwithstanding the provisions of Sections 3.5 and 3.10 and the Residential Multiple 1, the lands indicated as RM1-41 (H) ON Schedule ‘XX’ may also be used for block and street townhouse dwellings and shall be subject to the following provisions:

6.7.41.1 STREET TOWNHOUSES

- | | | |
|-----|--|---|
| (a) | Minimum Lot Frontage | - 6.7 metres |
| (b) | Minimum Lot Area | - 140 square metres |
| (c) | Minimum Front Yard Setback | - 2.0 metres |
| (d) | Maximum Front Yard Setback | - 3.0 metres |
| (e) | Minimum Interior Side Yard Setback | |
| | i. | - 1.2 metres on each side |
| | ii. | - 0.0m where a wall protrudes past the front or rear façade of the adjacent dwelling |
| (f) | Minimum Rear Yard Setback | - 7.0 metres |
| (g) | Maximum Combined Lot Coverage | - 86.0% |
| | i. Dwelling Unit | - 60.0% |
| | ii. Accessory Structure | - 20.0% |
| | iii. Raised Decks | - 26.0% |
| (h) | Minimum Landscaped Open Space and/or Private Amenity Space Provided by a Raised Deck | - 30.0% or 42.0 square metres, whichever is greater |
| (i) | Accessory Structure - Minimum Interior Side Yard Setback | - 1.0 metre or 0.0 metres for any common walls |
| (j) | Accessory Structure – Minimum Rear Yard Setback | - 1.0 metres or 1.7 metres on corner lots where two private lanes meet |
| (k) | Accessory Structure – Maximum Building Height | - 6.7 metres |
| (l) | Min Driveway Setback from Lot Line | - 0.0 metres |
| (m) | Maximum Front Yard Encroachments | - Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line |

6.7.41.2 BLOCK TOWNHOUSES

- (a) Minimum Lot Frontage - 7.5 metres
- (b) Minimum Lot Area Per Dwelling Unit - 150 square metres
- (c) Minimum Front Yard Setback - 2.0 metres
- (d) Minimum Interior Side Yard Setback
 - i. - 1.2 metres on each side
 - ii. - 0.0m where a wall protrudes past the front or rear façade of the adjacent dwelling
- (e) Minimum Rear Yard Setback - 8.0 metres
- (f) Maximum Combined Lot Coverage
 - i. Dwelling Unit - 55.0%
 - ii. Accessory Structure - 20.0%
 - iii. Raised Decks - 25.0%
- (g) Minimum Landscaped Open Space and/or Private Amenity Space Provided by a Raised Deck - 30.0% or 45 square metres, whichever is greater.
- (h) Min Driveway Setback from Lot Line - 0.0 metres
- (i) Accessory Structure – Minimum Rear Yard Setback - 1.0 metres or 1.7 metres on corner lots where two private lanes meet
- (j) Accessory Structure - Minimum Interior Side Yard Setback - 1.0 metre or 0.0 metres for any common walls
- (k) Accessory Structure – Maximum Building Height - 6.7 metres
- (l) Maximum Front Yard Encroachments - Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less than 1.0 metre of a front lot line

6.7.42. RM1-42 (VINTAGE HEIGHTS – BLOCK TOWNHOUSES)

Notwithstanding the provisions of Sections 3.5 and 3.10 and the Residential Multiple 1, the lands indicated as RM1-42 (H) ON Schedule 'XX' may also be used for block townhouse dwellings and shall be subject to the following provisions:

- (a) Minimum Lot Frontage - 26.0 metres
- (b) Minimum Lot Area Per Dwelling Unit - 140 square metres
- (c) Minimum Front Yard Setback - 3.9 metres
- (d) Minimum Interior Side Yard Setback - 1.2 metres
- (e) Minimum Rear Yard Setback - 7.4 metres
- (f) Maximum Lot Coverage - 65.0 %
- (g) Minimum Landscaped Open Space - 30.0 %
- (h) Minimum Parking Space Setback from East Lot Line - 1.5 metres
- (i) Maximum Front Yard Encroachments - Balconies, canopies, porches and decks may encroach within any required front yard to a distance that is no less

than 1.0 metre of a front lot line

4. That Subsection 6.9, Special Provisions is hereby amended by adding the following subsections:

6.9.4 RM3-4 (VINTAGE HEIGHTS – APARTMENT BUILDING)

Notwithstanding the provisions Sections 3.5 and 3.10 and the Residential Multiple 3 Zone, the lands indicated as RM3-4 (H) on Schedule ‘XX’ shall be subject to the following provisions:

- (a) Minimum Lot Area Per Dwelling Unit - 46 square metres
- (b) Minimum Front Yard Setback - 3.0 metres
- (c) Maximum Lot Coverage - 3.0 metres
- (d) Maximum Building Height - 15.0 metres
- (e) Minimum Landscaped Open Space - 21.0 %
- (f) Minimum Number of Parking Spaces per Dwelling Unit - 1.1 parking spaces
- (g) Minimum Amenity Area - 250 square metres
- (h) Minimum distance from streetline to parking space - 2.3 metres
- (i) Maximum Balcony Front and Exterior Side Yard Encroachment - 1.4 metres

5. That the “H” symbol, shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 from the lands subject to the R2-39, R2-40, R2-41, RM1-38, RM1-39, RM1-40, RM1-41, and RM1-42 zoning designations. The following conditions shall first be completed to the satisfaction of the Director of Planning and Development of the Town of Lincoln:

- a) The applicant has entered into a Subdivision Agreement and Condominium Agreement and the Agreements are registered on title;
- b) The applicant has submitted the letter of credit and cash payments required by the agreements;
- c) Sufficient wastewater services are or will be available to accommodate the proposed development to the satisfaction of the Region of Niagara and the Town of Lincoln;
- d) The applicant has completed the primary services within the subdivision.

6. That the “H” symbol, shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 from the lands subject to the RM3-34 zoning designation. The following conditions shall first be completed to the satisfaction of the Director of Planning and Development of the Town of Lincoln:

- a) The applicant has entered into a Site Plan Agreement and the Agreement has been registered on title
- b) The applicant has submitted the letter of credit and cash payments required by the agreements;
- c) Sufficient wastewater services are or will be available to accommodate the proposed development to the satisfaction of the Region of Niagara and the Town of Lincoln;
- d) The applicant has entered into an Affordable and Attainable Housing Agreement with the Town and the Agreement has been registered on title. This agreement shall require the following:
 - i. That a minimum of 11% of the total units have monthly rents which meet the definition of “affordable” as provided in the Niagara Region Official Plan, and in addition,
 - ii. That a minimum of 32% of the total units have monthly rents which meet the definition of “attainable” as provided in the Niagara Region Official Plan, and

- iii. The above housing units shall have a minimum period of affordability that shall not be less than 25 years in length.
7. This By-law shall come into force and take effect on the date of its final passing.

PASSED AND ENACTED on the XXth day of April 2024.

MAYOR: SANDRA EASTON

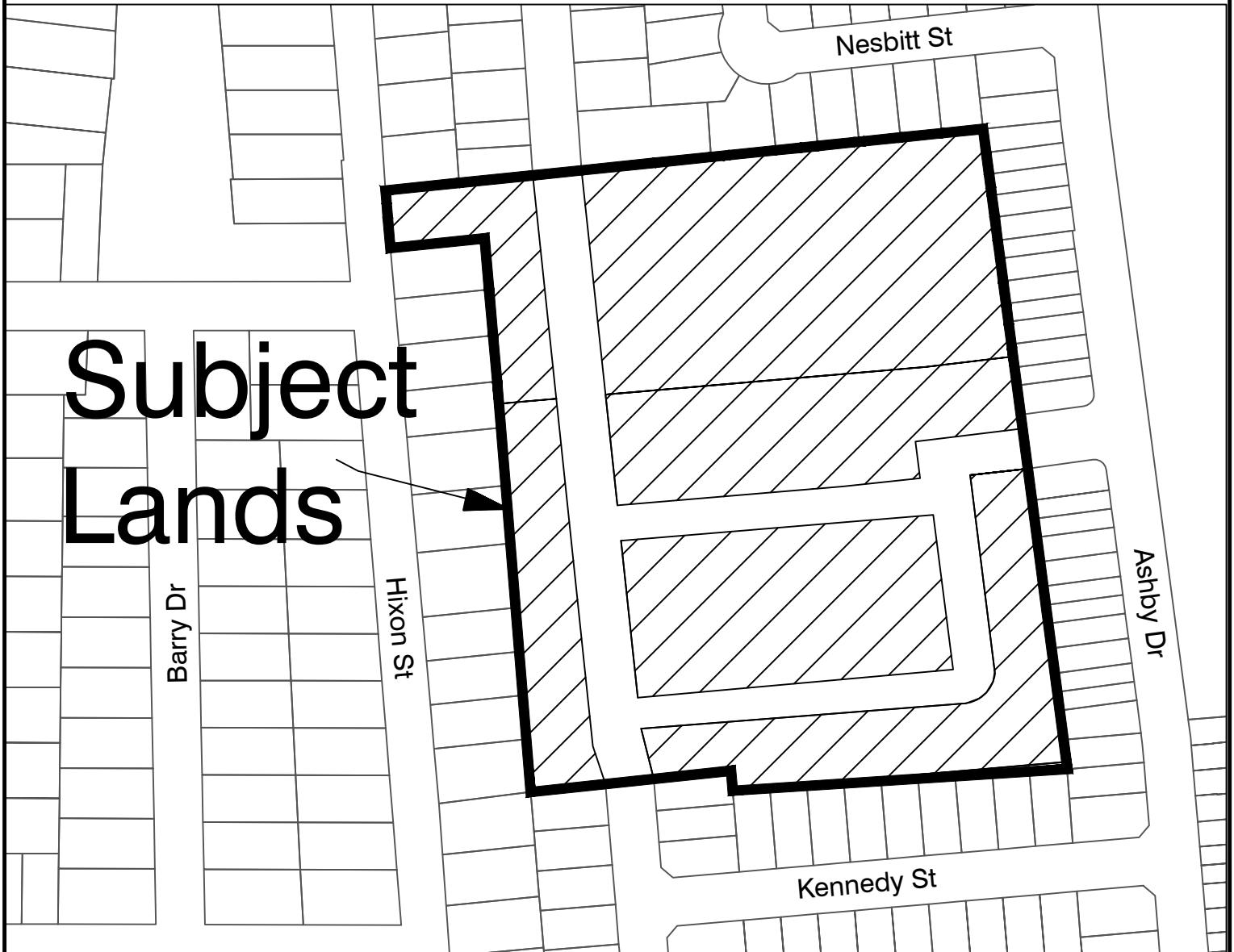
CLERK: JULIE KIRKELOS

DRAFT

SCHEDULE 'A' - KEY MAP TOWN OF LINCOLN



Metric Scale:
N.T.S.



This is Schedule 'A' to By-law No. _____ passed the _____ day of
_____, 2024.

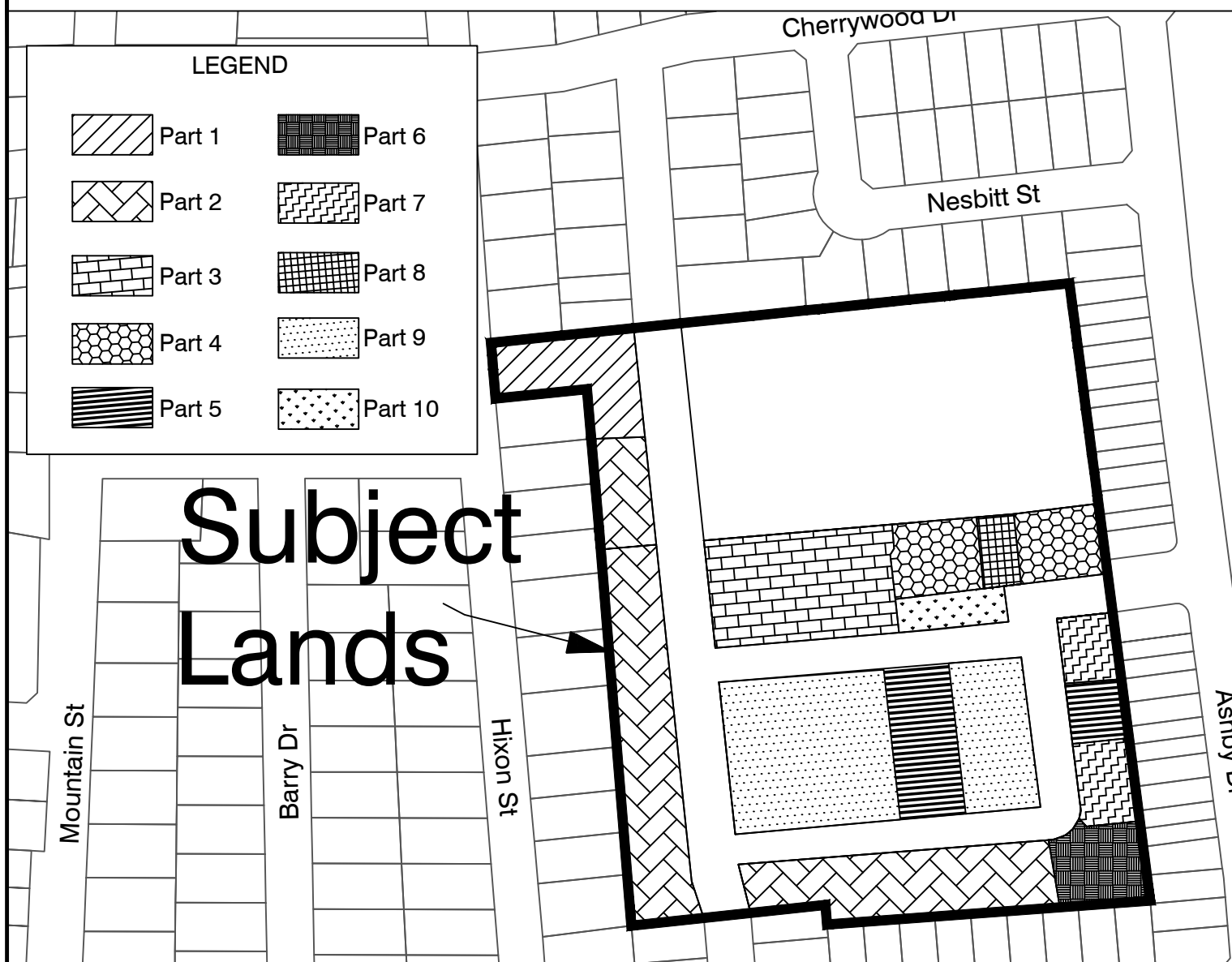
MAYOR: SANDRA EASTON

CLERK: JULIE KIRKELOS

SCHEDULE 'B' - DETAIL MAP TOWN OF LINCOLN



Metric Scale:
N.T.S.



This is Schedule 'B' to By-law No. _____ passed the _____ day of _____, 2024

MAYOR: SANDRA EASTON

CLERK: JULIE KIRKELOS

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

This By-law involves two parcels of land that are located to the east of Hixon Street, south of Edward Street, west of Ashby Drive, and north of Bush Crescent. Legally, these lands are described as Parts 1 and 2 of 30R-16055, Part of Lot 16, Concession 4, Clinton.

The parcel on the north third of the subject lands is occupied by the Calvary Gospel church while the remaining two-thirds of the subject lands are vacant.

This By-law rezones the subject lands from Residential Multiple 1 (RM1) and Institutional (RM1) to Residential 2 (R2-39, R2-40, R2-41), Residential Multiple 1 (RM1-38, RM1-39, RM1-40, RM1-41, RM1-42) and Residential Multiple 3 (RM3-4). These amendments were requested to facilitate the construction of 160 dwelling units of varying sizes, types, and tenures. The site specific zoning provisions intend to help facilitate a neighbourhood design that is more traditional in character than more contemporary subdivisions and to ensure that the intent of the Official Plan and Zoning By-law's policies and regulations are maintained.

A Holding (H) provision has been applied to the subject lands which ensures that the subject lands cannot be developed until the (H) is removed by a by-law. It is not intended that the (H) be removed until the applicant has satisfied the Town that all on-site and off-site development concerns and constraints have been adequately addressed. This includes confirmation that sufficient wastewater services are or will be available, the applicant enters into a subdivision and/or site plan agreement where applicable, that such agreements are registered on title, and all site securities and cash payments are provided, all to the satisfaction of the Town. In addition, the Holding provision for the RM3-4 designation requires that the applicant enter into an Affordable and Attainable Housing Agreement with the Town.

CN: 3-5-02-03
Application: PLZBA20230112
Applicant: Better Neighbourhoods Inc.
Report: PD-14-24