



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN COUNCIL AGENDA

MEETING NO. TEN

Monday, June 29, 2020, 5:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

*****NOTE TO MEMBERS OF THE PUBLIC:** **Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Council meetings until further notice.**

Public Comments: The public may submit comments for matters that are on the agenda to jscime@westlincoln.ca by June 29, 2020 before 4:30 pm. Comments submitted will be considered as public information and read into public record. The meeting will be recorded and available on the Township's website within 48 hours of the meeting.

Pages

1. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST (CONFIDENTIAL MATTERS)

2. CONFIDENTIAL MATTERS

Moved By Councillor Christopher Coady

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

1. Director of Planning & Building (Brian Treble)

Re: Confidential Recommendation Report PD-081-20 - Future Steps to Secure 702 John Street, Caistorville

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose.

2. Director of Planning & Building (Brian Treble)

Re: Legal/By-law Enforcement Matter - Confidential Report PD-077-20
- Natural Severance - Caistor Centre

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose.

3. Treasurer/Director of Finance (Donna DeFilippis)

Re: Property Matter & Information Supplied in Confidence by the Federal and Provincial Governments - Canada Infrastructure Program (ICIP) Rural and Northern Stream Transfer Payment Agreement

Applicable closed session exemption(s):

- the security of the property of the municipality or local board;
- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.

Moved By Councillor Cheryl Ganann

That, this portion of the meeting now resume in open session at the hour of _____ p.m.

2.1 Director of Planning & Building (Brian Treble)

Re: Confidential Recommendation Report PD-081-20 - Future Steps to Secure 702 John Street, Caistorville

UNDER SEPARATE COVER

Moved By Councillor Harold Jonker

1. That, Report PD-081-20, regarding "CONFIDENTIAL Recommendation Report, Future Steps to Secure Property on John Street, Caistorville", dated June 29, 2020, be RECEIVED; and,
2. That staff be authorized to proceed as directed in closed session;
3. That staff report back on an update on this project and next steps, as required.

2.2 Director of Planning & Building (Brian Treble)

Re: Legal/By-law Enforcement Matter - Confidential Report PD-077-20 - Natural Severance - Caistor Centre

UNDER SEPARATE COVER

Moved By Councillor Mike Rehner

1. That, Report PD-077-20, regarding "CONFIDENTIAL Recommendation Report, Natural Severance - Caistor Centre",

dated June 29, 2020, be RECEIVED; and,

2. That, staff be authorized to proceed as directed in closed session.

- 2.3 Treasurer/Director of Finance (Donna DeFilippis)
Re: Property Matter & Information Supplied in Confidence by the Federal and Provincial Governments - Canada Infrastructure Program (ICIP)
Rural and Northern Stream Transfer Payment Agreement
VERBAL UPDATE

Moved By Councillor William Reilly

That, the Mayor and Clerk be and are hereby authorized to sign the Transfer Payment Agreement with respect to the Investing in Canada Infrastructure Program (ICIP): Rural and Northern Stream Project.

3. PUBLIC MEETING UNDER THE PLANNING ACT

NOTE: The Public Meeting under the Planning Act will commence at 6:30 p.m.

1. Zoning By-law Amendment – 1601-002-29 – Leonard & Lynn Snippe (5657 Regional Road 65) – File No. 1601-002-20

4. SINGING OF "O CANADA"

5. OPENING PETITION - Councillor Cheryl Ganann

6. CHANGE IN ORDER OF ITEMS ON AGENDA

7. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

8. REQUEST TO ADDRESS ITEMS ON THE AGENDA

NOTE: Requests to address items on the agenda are restricted to specific items as follows per Section 6.7 of the Procedural By-law:

6.7 Public Comment at Council

There shall be no comments from the public permitted at Council unless:

- (a) a specific appointment has been scheduled; or,
- (b) an item is included under the "Other Business" or "Communications" or "Appointments" section of the agenda and relates to a matter which would normally be dealt with at Committee.

NOTE: The Chair will inquire if there are any members of the public that had contacted/emailed the Clerk prior to 4:30 p.m. as of the day of the Council Meeting who wished to address a specific item on the agenda as permitted by Section 6.7 of the Procedural By-law.

1. Phil Schilstra (Site Alteration - 8006 Concession 7 Road)
2. Sto Tritchew (Site Alteration - 2881 South Grimsby Road 5)

- 3. Peter Budd (Site Alteration - 2881 South Grimsby Road 5)
- 4. Leslie Heida (Site alteration - 2881 South Grimsby Road 5)

9. APPOINTMENTS/PRESENTATIONS

- 9.1 Jared Marcus, IBI Group 17
Re: Crossings on the Twenty Condo Extension

10. REGIONAL COUNCILLOR'S REMARKS

11. CONFIRMATION OF MINUTES

- 11.1 Council Minutes - Regular 19
Re: May 25, 2020

Moved By Councillor Jason Trombetta

That, the minutes of the May 25, 2020 regular Council meeting be accepted.

- 11.2 Council Minutes - Special 36
Re: June 16, 2020

Moved By Councillor Christopher Coady

That, the minutes of the June 16, 2020 Special Council meeting be accepted.

12. COMMUNICATIONS

- 12.1 Kevin Antonides, Chair - WLMH Foundation Inc. 46
Re: Local Share Commitment for the Rebuilding of West Lincoln Memorial Hospital
FOR INFORMATION

- 12.2 Sarah Kim, Clerk - Town of Grimsby 48
Re: Letter of Support - Commitment to the Local Share of Financing for a new West Lincoln Memorial Hospital
FOR INFORMATION

- 12.3 Julie Kinkelos, Clerk - Town of Lincoln 52
Re: Letter of Support - Commitment to the Local Share of Financing for a new West Lincoln Memorial Hospital
FOR INFORMATION

- 12.4 Ron Tripp, Acting Chief Administrative Officer - Niagara Region 55
Re: Declaration for Canadian Coalition of Inclusive Municipalities

Moved By Councillor Cheryl Ganann

1. That, the correspondence received from Ron Tripp, Acting Chief Administrative Officer for the Regional Municipality of Niagara, dated February 28, 2020, requesting the Township of West Lincoln to support the joining of the Coalition of Inclusive Municipalities and signing of the

declaration below and participate in a media release and possible media event (as coordinated by Niagara Region with the municipalities); be received and,

2. That, the following Declaration to Join the Coalition of Inclusive Municipalities be adopted and forward to Niagara Region:

GIVEN THAT:

1. The Canadian Commission for UNESCO (United Nations Educational, Scientific and Cultural Organization) is calling on municipalities to join a Coalition of Inclusive Municipalities and to be part of UNESCO's international Coalition launched in 2004; and

2. The Federation of Canadian Municipalities (FCM) endorses the Call for a Coalition of Inclusive Municipalities and encourages its members to join; and

WHEREAS:

3. Municipal governments in Canada, along with other levels of government, have responsibilities under Canada's Charter of Rights and Freedoms as well as federal, provincial and territorial human rights codes, and therefore have an important role to play in combating racism and discrimination and fostering equality and respect for all citizens;

Be it resolved that:

4. The Regional Municipality of Niagara, The Corporation of the Town of Fort Erie, The Corporation of the Town of Grimsby, The Corporation of the Town of Lincoln, The Corporation of the City of Niagara Falls, The Corporation of The Town of Niagara-on-the-Lake, The Corporation of the Town of Pelham, The Corporation of the City of Port Colborne, The Corporation of the City of St. Catharines, The Corporation of the City of Thorold, The Corporation of The Township of Wainfleet, The Corporation of the City of Welland, and The Corporation of the Township of West Lincoln agree to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments (see Appendix A) and agree to develop or adapt a joint Plan of Action led by the Regional Municipality of Niagara accordingly .

5. These Common Commitments and the Municipalities' joint Plan of Action will be an integral part of the Municipalities' vision, strategies and policies.

6. In developing or adapting and implementing the joint Plan of Action toward progressive realization of the Common Commitments, the Municipalities will cooperate with other organizations and jurisdictions, including other levels of government, Indigenous peoples, public and

private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.

7. The Municipalities will set their priorities, actions and timelines and allocate resources according to their unique circumstances, and within their means and jurisdiction. The Municipalities will exchange their expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

13. MAYOR'S REMARKS

14. REPORT OF COMMITTEE

There are no Reports of Committee.

15. RECONSIDERATION

("Definition") This section is for a Member of Council to introduce a motion to reconsider action taken at this Council Meeting or the previous regular Council meeting. A motion to reconsider must be made by a Council Member who voted in the majority on the matter to be reconsidered. The Chair may rule that a motion to reconsider will be dealt with at the next following Council Meeting if for some reason it cannot be dealt with at this meeting.

16. NOTICE OF MOTION TO RESCIND

("Definition") This section is for Council Members to serve notice of intent to introduce a motion to rescind action taken previously by Council. Notice served at this meeting will be for a motion to rescind at the next regular meeting.

17. OTHER BUSINESS

17.1 Consent Agenda

NOTE: All items listed below are considered to be routine and noncontroversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

Moved By Councillor Harold Jonker

That Council hereby approves the following Consent Agenda Items:

1. Items 1, 2, 3, 4, 5, 6 and 7 be and are hereby received for information; and,
2. Items 8 and 9 be and is hereby received and the recommendations contained therein be adopted with the exception of Item no.(s)_____.

2.	Information Report - WLFD-07-20 - Monthly Update - June 2020	66
3.	Information Report PD-84-20 - Updated Timeline for East Smithville Secondary Plan	68
4.	Information Report PD-72-20 - 1601-020-19 – Highriver Developments - WITHDRAWAL	71
5.	Information Report PD-075-20 - Information Report, Building Department Shared Services Review	74
6.	Technical Report No. PD-58-20 - Leonard & Lynn Snippe - 5657 Regional Road 65 (File No. 1601-002-20)	157
7.	Technical Report PD-074-20 - Site Alteration Application, 8365 Young Street – Bruno and Lilly Tassone, File No. 3000-001-20	171
8.	Recommendation Report No. RFD PW-16-2020 - Road Widening - Condition of Consent, 9547 North Chippawa Road, Land Transfer Declaration as a Public Highway, File No: B13/2019WL	180
9.	Recommendation Report No. RFD-T-12-20 - May 2020 Budget Status Report	185
17.2	Director of Planning & Building (Brian Treble) Re: Recommendation Report No. PD-078-20 - Importation of Fill (Mr. and Mrs. Bozich – Schilstra Builders, Agent), 8006 Concession 7 Road, South Grimsby Ward, Township of West Lincoln	194

Moved By Councillor Mike Rehner

1. That, Report PD-078-20, regarding “Recommendation Report, Importation of Fill (Mr. and Mrs. Bozich – Schilstra Builders, Agent), 8006 Concession 7 Road, South Grimsby Ward, Township of West Lincoln”, dated June 29th, 2020, be RECEIVED; and,
2. That, importing up to 500m³ of additional soil for a total, not exceeding, 3000m³ (300 truckloads) be permitted, provided that the following conditions are met:
 - a. That the site is properly graded and topsoil applied in such a manner that the lands can be properly maintained and will adequately grow crop, hay or lawn (as planned).
 - b. That the site sketch that was submitted with the application be updated to show finished elevation.
 - c. In order to ensure completion of this project, that a \$5000.00 security deposit and a site alteration agreement

be signed.

- d. That a penalty be imposed such that another non-refundable \$1000.00 be paid as a double permit fee.
 - e. That a permit such as the one found at attachment 3 to this report be issued following the completion of the conditions above; and,
3. That open roadside ditches be maintained and entrance permits be approved to the satisfaction of the Township of West Lincoln Public Works Department.
 4. That any requirements of the Niagara Peninsula Conservation Authority (NPCA) must be complied with.
 5. That a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with John and Leeanne Bozich (Schilstra Builders – Agent).

17.3 Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-079-20 - Site Alteration
Application – Budd Developments Inc. (Rankin Construction Inc. – Agent), 2881 South Grimsby Road 5 being Lot 1, Plan File No. 3000-004-20

204

Moved By Councillor William Reilly

1. That, Report PD-079-20, regarding “Recommendation Report, Site Alteration Application – Budd Developments Inc. (Rankin Construction Inc. – Agent), 2881 South Grimsby Road 5 being Lot 1, Plan M94”, dated June 29th, 2020, be RECEIVED; and,
2. That, a site alteration permit in a form similar to that found at attachment 3 to this report be approved by Township Council, subject to conditions as noted in the permit; including that the construction of a berm along the CPR lands be halted as it is not part of this permit and that the soil be stock piled on site for the time being.; and,
3. That, all efforts be taken to acknowledge and protect neighbouring residents, including, but not limited to: dust control, speed control, noise control, obedience of the highway traffic act, etc. Failure to do so will provide by-law staff with authority to revoke this permit; and,
4. That, the permit be issued with a \$1000.00 penalty for double permit fee to be paid for breach of the permit issued by Township Staff (File No. 3000-002-20).

- 17.4 Treasurer/Director of Finance (Donna DeFilippis) 219
Re: Recommendation Report RFD-T-13-20 - Administration Fee for
Temporary Bulk Water Accounts

Moved By Councillor Jason Trombetta

1. That, Report RFD-T-13-20, dated June 29, 2020 regarding
“New Administration Fee for Temporary Bulk Water Accounts”,
be received; and,
2. That, the following changes to By-law 2004-42, being a By-law
to Regulate the Supply of Water and to Provide for the
Imposition and Collection of Water Rates, be approved and
effective July 1, 2020:
 1. Update Section 1, by adding in the definition of “Bulk Water
Customer”; and,
 2. Amend Schedule “C” Water Filling Station Rates, to
include an “Account Fee for Infrequent Users” section to
state a non-refundable, taxable \$40.00 administrative fee
is to be charged upon each account activation, and by
removing the refundable \$50.00 daily deposit requirement.
3. That, Council provide approval for staff to investigate further
long-term alternatives to the bulk water financial processes
currently in place.

- 17.5 Director of Public Works & Recreation (Mike DiPaola) 222
Re: Information Report RFI PW-17-2020 - West Lincoln Community
Centre (WLCC) 2019 Update

Moved By Councillor Christopher Coady

1. That, Report RFI PW-17-2020, re: West Lincoln Community
Centre (WLCC) 2019 Update, dated June 29, 2020 be received
for information.

- 17.6 Enforcement Officer (Tiana Dominick) & Director of Planning & Building 245
(Brian Treble)
Re: Recommendation Report No. PD-31-20 - Approval of a New Sign
By-law

Moved By Councillor Cheryl Ganann

1. That Report PD-31-2020, regarding "Approval of a new Sign
By-law", dated June 29, 2020, be received, and;
2. That a by-law be adopted at Council in the form found in

attachment 1 to this report.

- 17.7 Planner II (Gerrit Boerema) & Director of Planning & Building (Brian Treble) 276
Re: Recommendation Report No. PD-068-20 - Draft Plan of Condominium Crossings on the Twenty North and South – DeHaan Homes – Request for Extension to Draft Plan Approval, File No. 2100-072-08 CDM (South), 2100-072-09 CDM (North)

Moved By Councillor Harold Jonker

1. That, report PD-068-20, regarding “Recommendation Report Crossings on the Twenty Plan of Condominium Request for Extension to Drat Plan Approval – North and South; File No 2100-072-08 CDM (South) & 2100-072-09 CDM (North)”, dated June 29th, 2020 be received; and,
2. That, the Draft Plan Approval for Crossings on the Twenty Plan of Condominium (North & South) BE EXTENDED FOR A PERIOD OF TWO YEARS, to expire on September 26, 2022, subject to conditions as included in Attachments No. 3 and 4 to this report; and,
3. That a notice of extension be circulated to relevant agencies and departments.

- 17.8 Planner II (Gerrit Boerema) & Director of Planning & Building (Brian Treble) 302
Re: Recommendation Report No. PD-067-20 - Peer Reviews on Draft Subdivision Plans within the Northwest Quadrant

Moved By Councillor Mike Rehner

1. That, report PD-067-20, regarding “Recommendation Report Peer Reviews on Draft Subdivision Plans within the Northwest Quadrant”, dated June 29th, 2020 be received; and,
2. That, Staff be authorized to hire a third party planning firm at the expense of the developer to complete peer review of draft plans of subdivisions within the Northwest Quadrant Secondary Plan area, and that the cost of the peer reviews be billed back to the applicants.

- 17.9 Director of Planning & Building (Brian Treble) 307
RE: Recommendation Report No. PD-073-20 - Naming of Regional Road 24 as Victoria Avenue

Moved By Councillor William Reilly

1. That, Report PD-073-20, regarding “Recommendation Report, Naming of Regional Road 24 as Victoria Avenue”, dated June 29, 2020, be RECEIVED; and,
2. That, a By-law be passed to name Regional Road 24 as identified in Schedule A “Victoria Avenue”; and,
3. That, staff notify all residents and agencies affected by this by-law. Further, that should costs be incurred by the public as a result of this change, that such costs (with receipts to a maximum of \$100.00) may be submitted to the Township (within 6 months of the passing of by-law) and will be charged to the 911 PERS capital account.

17.10 Director of Planning & Building (Brian Treble) 312
Re: Recommendation Report No. PD-071-20 - Changes to Planning Fees Effective July 1st, 2020

Moved By Councillor Jason Trombetta

1. That, Report No. PD-071-20, dated June 29, 2020, relating to Change to Planning Fees Effective July 1st, 2020, BE RECEIVED; and,
2. That, By-law 2011-28 (Tariff of Fees for Planning Matters) as amended, be amended by replacing Appendix “A” (Schedule of Fees) with a new Appendix “A” as attached to this report; and,
3. That the new planning fees take effect on July 1, 2020.

17.11 Director of Planning & Building (Brian Treble) 317
Re: Recommendation Report No. PD-076-20 - Ground Water Monitoring Wells for Master Community Plan Project and Need for Agreements with Four Property Owners

Moved By Councillor Christopher Coady

1. That, Report PD-076-20, regarding “Recommendation Report, Ground Water Monitoring Wells for Master Community Plan Project and Need for Agreements with Four Property Owners”, dated June 29, 2020, be RECEIVED; and,
2. That, the location of monitoring well MW04 in the vicinity of Anastasia Park be permitted in accordance with the approval of Public Works; and,
3. That, monitoring wells MW01, MW02, MW03, and MW05 are

proposed to be situated on private property with the wells being under the ownership of the Township. Therefore, that a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with each property owner for the well location and maintenance. The agreement will take the form of attachment 3, subject to the approval of Township legal Counsel.

17.12 Director of Planning & Building (Brian Treble) 333
Re: Memorandum - Temporary Patios - Resolution of Council

Moved By Councillor Cheryl Ganann

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO) announced that businesses with existing liquor sales licenses are able to temporarily extend patios or temporarily add a new licensed patio for the duration of 2020 in accordance with recent amendments to Regulation 719 of the Liquor License Act and,

WHEREAS once restaurants and bars are permitted to start to open during Phase 2 as outlined in the Province's Recovery Strategy, and for the remainder of 2020, compliance with physical distancing measures and any other public health guidelines or orders issued by the Ontario Government and any other applicable level of government will require licenced operators to operate well below maximum capacity; and,

WHEREAS in order for such a licensed operator to legally extend or adjust their patio temporarily, such licenced establishments must still obtain support from the municipality in which the establishment is situated, and;

WHEREAS prior to obtaining Municipal support, a resolution from Township Council is required and, since, impacts have already been great, Township Council hereby endorses a blanket resolution to avoid delay, as follows:

NOW THEREFORE the Council of the Township of West Lincoln hereby approves a blanket resolution of support for such licensed establishments to open and operate patios temporarily and includes extending patios for the duration of 2020 subject to the following:

- a) That the Fire Chief and Chief Building Official are satisfied that appropriate operational criteria are satisfied, and;
- b) That the patio is designed such that all physical distancing measures will be complied with along with any public health guidelines as ordered, and;
- c) That proper site design techniques are used in order to ensure proper separation of the licensed areas from the parking areas and other non-compatible uses.

- 17.13 Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-083-20 - Road Allowance
Transfer – Caistorville United Church (Church Street Road Allowance
TP-26) known as Church Street, Caistorville

Moved By Councillor Harold Jonker

1. That, Report No. PD-083-2020, regarding “Road Allowance Transfer – Caistorville United Church (Church Street Road Allowance TP - 26) known as Church Street, Caistorville” dated June 29th, 2020, be RECEIVED; and,
2. That, the road allowance (shown on Attachment 2), former Township of Caistor, now the Township of West Lincoln, be and is hereby declared surplus and is approved for transfer as follows: (the “Property Owners”) (Jeffrey Howard and Michelle Wedawin & Caistorville United Church)
 - i. Part 1 to Jeff Howard and Michelle Wedawin, same ownership as Lot 7 and easement in favour of Caistorville United Church
 - ii. Part 2 to Caistorville United Church Pt Lot 8 and easement in favour of Jeffery Howard and Michelle Wedawin
 - iii. Part 3 to Jeffery Howard and Michelle Wedawin, same ownership as Lot 1
 - iv. Part 4 to Caistorville United Church
 - v. Part 5 to Region of Niagara (road widening)

And subject to the following conditions:

- a) That, the lands be surveyed at the expense of the property owners; and,
- b) That, a by-law be passed authorizing the transfer of the former Church Street Registered Plan TP-26, more specifically being Part 1 to 5, of reference Plan 30R-XXXXX (future legal description to be provided); to the Property Owners as outlined above; (see attachment 2),
- c) That, the transfer of the Parts as outlined above to adjacent lands owned by the abutting property owner be conditional on the parcels being merged in title and that the Property Identification Numbers (PINS) for the affected lands be consolidated; and,

d) That, the Property Owners provide an undertaking that the PINS will be consolidated once the conveyances are completed, and provide satisfactory evidence of the consolidation to the Township; and,

e) That, all legal, administrative and any other associated costs be paid proportionally by the applicant/property owners

3. That, notwithstanding the provisions of Township By-law 95-31 and the "Policy for Closing, Declaring Surplus and Selling a Highway or Portion Thereof", that the requirement for an appraisal and the requirement for public notice be and are hereby waived due to the fact all adjacent property owners are involved and the fact that the road allowance has been used privately for parking purposes and access for Mr. Howard and the Church for many year; and,

4. That, Mr. David Brenzil, of the Caistorville United Church, Mr. Lou Domjan of Binbrook Masons, and Mr. Jeff Howard and Michelle Wedawin be provided with a copy of Report No. PD-083-2020.

17.14 CAO (Bev Hendry) 342
Re: Information Report RFI-CAO-05-2020 – West Lincoln Corporate Strategic Plan 2020 Mid-Year Status Update

Moved By Councillor Mike Rehner

1. That Report RFI-CAO-05-2020 – West Lincoln Corporate Strategic Plan 2020 Mid-Year Status Update dated June 29, 2020, be received for information.

17.15 CAO (Bev Hendry) 355
Re: Recommendation Report RFD-CAO-06-2020 - West Lincoln COVID-19 Pandemic Recovery Plan

Moved By Councillor Mike Rehner

1. That Report RFD-CAO-06-2020 – West Lincoln COVID-19 Pandemic Recovery Plan dated June 29, 2020, be received for information; and,

2. That Council hereby approve the Working from Home Policy as found in Appendix B.

17.16 Councillor Jason Trombetta
Re: Phases of Township Recovery Plan, Provincial Guidelines and Meeting Schedule

FOR DISCUSSION

- 17.17 Councillor William Reilly
Re: Emergency Operations Centre (EOC) Information and Questions
Period

FOR DISCUSSION

- 17.18 Councillor William Reilly 371
Re: Whistleblowing Policy (Town of Grimsby)

FOR DISCUSSION

18. NEW ITEMS OF BUSINESS

NOTE: Only for items that require immediate attention/direction from Council and must first approve a motion to introduce a new item of business.

19. BY-LAWS

Moved By Councillor William Reilly

That, leave be granted to introduce By-laws # 2020-57, 2020-54, 2020-58, 2020-59, 2020-60, 2020-61, 2020-62 and 2020-63 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,

That, the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

SUMMARY OF BY-LAWS

- 19.1 BY-LAW 2020-57 373
A By-law to confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 25th day of May, 2020 and its special meeting held on the 16th day of June, 2020.
- 19.2 BY-LAW 2020-54 374
A By-law to regulate the size, use, location and maintenance of signs in the Township of West Lincoln.
- 19.3 BY-LAW 2020-58 402
A By-law to establish Part 2 on Reference Plan No. 30R-15564 and Part 1 on Reference Plan No. 30R-15565 on North Chippawa Road, and Part 1 on Reference Plan No. 30R-15563 on Concession 2 Road as Public Highway, In the former Township of Caistor, now Township of West Lincoln Regional Municipality of Niagara.
- 19.4 BY-LAW 2020-59 403
Being a By-law to amend By-law 2004-42, as amended, which regulates the supply of Water and provides for the imposition and collection of Water and Wasterwater rates. (administration fee for Bulk Water)
- 19.5 BY-LAW 2020-60 405
A By-law to Name a Public Highway in the Township of West Lincoln in

the Regional Municipality of Niagara being Regional Road 24 as Victoria Ave.

19.6	BY-LAW 2020-61 Being a By-law to Amend By-law 2011-28 which prescribes a Tariff of Fees for the processing of applications made with respect to Planning Matters, as amended. (split up the Subdivision, Condominium and Development Agreement fee)	407
19.7	BY-LAW 2020-62 A By-law to authorize separate agreements between the Corporation of the Township of West Lincoln and each of 1734234 Ontario Inc. (MW01), Gelandco Inc.(MW02), Emily Rose Griffin, Paul Edwin Griffin, Phil John Griffin, Ross Andres Griffin,Ruth Frances Griffin Estate, and Nora Louise Griffin (MW03), and TEK Corporation (MW05) to complete the ground water monitoring being part of the Subwatershed Study (Wood Environmental)	409
19.8	BY-LAW 2020-63 A By-law to authorize a Site Alteration Agreement between the Corporation of the Township of West Lincoln and John and Leeanne Bozich (Schilstra Builders Inc., Agent) for lands described as Part 16, Conc. Gore A, in the former Township of South Grimsby, now in the Township of West Lincoln being 8006 Concession 7 Road.	410

20. ADJOURNMENT

The Mayor declared the meeting adjourned at the hour of _____ p.m.

Request to Speak at a Meeting

If you are interested in appearing in person at a Council or Standing Committee meeting to present information or an opinion on a matter, please fill in the form below.

Please note: Your request must be submitted by 4:30 p.m. 10 days prior to the Committee or Council meeting.

Full Name: *

Jared Marcus

Who are you representing? *

- ☐ Self
- ☒ Group/Organization

Group or Organization Name: *

IBI Group

Street Address: *

360 James Street North, Suite 200

Town/City: *

Hamilton

Postal Code: *

L8L 1H5

How would you like us to contact you? *

- ☒ Email
- ☐ Telephone

Email Address: *

jared.marcus@ibig
roup.com

Presentation Details

Which meeting would you like to present at? * ?

Council

**Requested Meeting
Date: ***

6/29/2020



What is the presentation topic? *

Crossings on the Twenty Condo Extension

Do you have a presentation (slide deck)? *

☐ Yes

☒ No

Have you presented before on this topic? *

☐ Yes

☒ No

Please provide details on your presentation. Include questions or requests of the Committee or Council. *

Request to speak in favour of a report from Planning department regarding the request to extend approval of the Crossings on the Twenty Standard Condominium project. Delegation will provide some history of the development and current status of project.

Collection of Personal Information

Personal information on this form is collected under the authority of Section 6 of the Township of West Lincoln's Procedural By-Law for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before a Committee or Council.

Any questions about the collection, use and disclosure of personal information should be addressed to the Township Clerk:

- Email: clerk2@westlincoln.ca
- Telephone: 905-957-3346



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. EIGHT

May 25, 2020, 7:10 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Cheryl Ganann
Councillor Harold Jonker
Councillor Mike Rehner
Councillor William Reilly
Councillor Jason Trombetta

Staff: Joanne Scime, Clerk
Bev Hendry, CAO
Donna DeFilippis, Treasurer/Director of Finance
Dennis Fisher, Fire Chief
Mike DiPaola, Director of Public Works and Recreation
Brian Treble, Director of Planning and Building
Vanessa Holm, Library CEO
Roberta Keith

Others: Daniel Shaw, eSolutions Group*
Aaron Levo, Hamilton Health Sciences*
Kevin Antonides, West Lincoln Hospital Foundation*
Sam Oosterhoff, MPP - Niagara West*

*** IN ATTENDANCE PART-TIME**

-
- 1. SINGING OF "O CANADA"**
 - 2. OPENING PETITION - Councillor Christopher Coady**
 - 3. CHANGE IN ORDER OF ITEMS ON AGENDA**

There were no changes in order of items on the agenda.

4. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

There were no disclosures of pecuniary interest and/or conflict of interest declared by any Member of Council.

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA

In response to the Chair's inquiry regarding whether there were any members of the public that had emailed comments prior to 4:30 pm today, the Clerk stated that there were no comments received from any member of the public prior to 4:30 pm today with respect to a specific item on the agenda as permitted by Section 6.7 of the Procedural By-law.

6. APPOINTMENTS/PRESENTATIONS

6.1 Daniel Shaw, Project Manager, eSolutions Group

Re: Virtual Tour of Township's New Website

The CAO advised that staff have been diligently working on the Township's new website over the last several months which included a core project team which included herself, the Treasurer/Director of Finance, the IT Manager, Ms. Kara Hall and the Confidential Secretary, who have been working with eSolutions since last Fall under the direction of Mr. Daniel Shaw, Project Manager. The CAO stated that she was very proud and excited about the Township's new website which Mr. Shaw will be reviewing in greater detail this evening and that the launch of the new website has been proposed for Thursday, May 28, 2020 pending no issues occur.

Prior to Mr. Shaw's presentation, Councillor Rehner left the zoom meeting due to technical issues with his internet connection.

Mr. Shaw virtually presented a tour of the Township's new website which he noted that staff have been working on over the last few months with the main goal of having a website that would represent West Lincoln and its stakeholders by providing information to the user as easily as possible.

7. REGIONAL COUNCILLOR'S REMARKS

Mayor Bylsma advised that he had received a phone call just prior to the meeting that due to another commitment, Regional Councillor Witteveen would be unable to attend this evening's meeting.

Councillor Jonker entered the meeting at approximately 7:29 p.m.

Mayor Bylsma provided an update of the Thursday, May 21, 2020 Regional Council Meeting which included another presentation by Dr. Hirji, Acting Medical Officer of Health for Niagara Region, who provided an update on COVID-19. Mayor Bylsma noted that Niagara Region's website now provides a breakdown of COVID-19 statistics which confirms that the Township of West Lincoln has the lowest number per capita of COVID-19 cases with a total of 8 cases and one active case. Mayor Bylsma noted that all regular Regional Committee meetings have now resumed which included the Public Works Committee, Public Health Committee, Planning Committee and Corporate Services Committee.

8. CONFIRMATION OF MINUTES

8.1 Council Minutes - Regular

Re: April 27, 2020

Moved By Councillor Christopher Coady

Seconded By Councillor William Reilly

That, the minutes of the open session portion of the April 27, 2020 regular Council meeting be accepted; and,

That, the confidential minutes relating to the closed session portion of the April 27, 2020 regular Council meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

Carried

9. COMMUNICATIONS

9.1 MNP LLP, Auditors

Re: Report to Council – Audit Service Plan – Township of West Lincoln - for the year ended December 31, 2019

RECEIVED FOR INFORMATION

10. MAYOR'S REMARKS

Mayor Bylsma advised that the Township's Light of Hope display (beams of lights in the sky) took place on Friday, May 15, 2020. Mayor Bylsma noted that the event was well received across all municipalities in Niagara Region and he thanked the promoters of the event being the Niagara 2021 Canada Summer Games. Mayor Bylsma forwarded his congratulations to the Smithville District Christian High School who will be celebrating their 40th Year Anniversary. Mayor Bylsma stated that an event had been scheduled for last Saturday but because of COVID-19 this event was cancelled and a video greeting will be aired on May 29th, 30th, and 31st, 2020 which will be posted on the school's website. Mayor Bylsma advised that each year the Silverdale Hall Board holds two events, one in the Spring and another in the Fall, this year because of COVID-19, the Board will be holding a drive-thru barbeque with the proceeds from the event going to McNally House and that he and members from his family will be volunteering at the event.

11. REPORT OF COMMITTEE

There were no Reports of Committee.

12. RECONSIDERATION

There were no items put forward for reconsideration.

13. NOTICE OF MOTION TO RESCIND

There were no motions put forward by any Member of Council to rescind a matter previously approved by Council.

14. OTHER BUSINESS

14.1 Consent Agenda

Moved By Councillor Christopher Coady

Seconded By Councillor Jason Trombetta

That Council hereby approves the following Consent Agenda Items:

1. Items 1, 2, 3, 4 and 5 be and are hereby received for information; and,
2. Items 6 and 7 be and are hereby received and the recommendations contained therein be adopted with the exception of Item #1.

Carried

2. Information Report - WLFD-06-20 - Monthly Update - April 2020

3. Information Report No. PD-061-20 - Proposed Regulatory Matters Pertaining to the Community Benefits Authority under the Planning Act
4. Information Report No. PD-066-20 - Niagara Region Memorandum of Understanding Update
5. Information Report No. PD-065-20 - ROPA 16 – Employment Policies
6. Recommendation Report No. RFD-T-10-20 - 2020 Tax Rate By-Law
7. Recommendation Report RFD-C-05-20 - Christmas Parade Committee - Terms of Reference
1. West Lincoln Public Library Board - Minutes of April 17, 2020

With respect to the discussions at the April 17, 2020 Library Board Meeting regarding violence/risk assessments for all library service areas, Councillor Reilly questioned what steps are expected to be taken to keep staff safe during the first phase of the reopening of libraries.

The West Lincoln Library CEO advised that the issue of potential violence/risk issues for staff did not relate to COVID-19, but was a matter that was being addressed for all library branches and the service desk areas and the types of barriers that would be installed which may have an effect on the location and setup of the desks, etc. In terms of what is being put in place once the libraries are open to the public, the West Lincoln Library CEO stated that staff and the board are working on policies and procedures to insure staff's safety with the first phase of libraries being opened up commencing firstly with the Smithville Branch who will be opening up for curbside delivery starting on June 1, 2020. The CEO advised that there were many other details being worked out for the library as part of the EOC Team discussions as well as for all municipal facilities as they open to the public following Provincial, Public Health and Township guidelines, regulations, policies and procedures.

Moved By Councillor William Reilly

Seconded By Councillor Christopher Coady

That, the minutes of the April 17, 2020 West Lincoln Public Library Board be received for information.

Carried

14.2 CAO (Bev Hendry)

Re: Recommendation Report RFD-CAO-03-20 - Commitment in Providing a Local Contribution in the Rebuilding of West Lincoln Memorial Hospital

Mr. Aaron Levo, Vice President, Communications & Public Affairs, Hamilton Health Sciences (HHS), stated that the resolution being presented this evening was very momentous for West Lincoln Memorial Hospital and that the redevelopment of this hospital was important and significant for the residents of West Niagara and HHS was looking forward to this project moving forward. Mr. Levo thanked the Mayor and Council for their continued support including Councillor Ganann for her work on the Hospital Advisory Committee and the Township CAO, Ms. Bev Hendry, for her work and leadership in terms of bringing the motion that was being brought forward before Council this evening. Mr. Levo noted that this project will be in partnership with both the Town of Grimsby and the Town of Lincoln as well as the WLMH Foundation, who under the chairmanship of Kevin Antonides (in attendance this evening), has worked tirelessly to get this project underway as quickly as possible. Mr. Levo stated that also in attendance this evening was Mr. Sam Oosterhoff, MPP - West Niagara, who also has been a tireless advocate for the reconstruction of the hospital at the Provincial level and has made sure that the Provincial Government was making the new WLMH a top priority, which has been evident with the project moving forward quickly through the planning process.

Mr. Sam Oosterhoff, MPP - Niagara West advised that the support and advocacy of the community of West Niagara resonated with the Premier of Ontario when he came to the Niagara Region last year and seen the overwhelming display of signs on properties and businesses advocating for the reconstruction of the hospital. Mr. Oosterhoff noted the challenges that have occurred with getting a new WLMH; however, through it all, the residents and Councils of this community were determined that they were not going to give up and noted how proud he was to represent an area that have such heart and soul in seeing the construction of the new WLMH a reality.

Mr. Kevin Antonides, Chair of the West Lincoln Memorial Hospital Foundation, thanked Council for being given the opportunity to speak this evening and he thanked Mayor Bylsma and Ms. Hendry, CAO and the entire Council for their ongoing support and advocacy in making the construction of the new WLMH a reality. Mr. Antonides advised that the foundation has been working diligently to raise funds for the construction of the hospital since 2002, who have raised approximately \$10.4 million for the building and approximately \$8.6 million additional funds that have continued to fund equipment needs for the hospital over the last number of years. Mr. Antonides advised that over the 37 years that the foundation has been in existence, they have given over an average of \$350,000 per year to the hospital for the equipment needs. Mr. Antonides advised that last year the foundation gave \$881,000 towards the hospital's equipment needs, which has all been possible from the generosity of people in the community.

Following the vote with respect to the resolution which confirmed the Township's commitment to their local share of financing for the hospital, Mayor Bylsma noted that all Members of Council in attendance voted in favour; however, because of technical issues Councillor Rehner was no longer in attendance and was unfortunately unable to indicate his vote on this matter.

Moved By Councillor Cheryl Ganann

Seconded By Councillor William Reilly

1. That Report RFD-CAO-03-20, dated May 25, 2020 regarding "Commitment in Providing a Local Contribution in the Rebuilding of West Lincoln Memorial Hospital" be received; and,
2. That, the following resolution be and is hereby adopted:

WHEREAS Hamilton Health Sciences (HHS) has a critical and urgent need to rebuild West Lincoln Memorial Hospital (WLMH) in order to continue providing safe, high-quality hospital services for all residents of West Niagara;

AND WHEREAS Hamilton Health Sciences received approval from the Ontario government on December 19, 2019, to proceed to Stage 2 of the government's capital planning process for a new hospital in order to rebuild WLMH;

AND WHEREAS the Province of Ontario's cost share policy for hospital capital projects provides a provincial investment of

90% of the capital construction costs, conditional upon commitment from local fundraising partners to contribute both a 10% local share of financing for the capital construction cost, plus a 100% share of financing for the cost of all furniture, fixtures and equipment (FF&E) and any required parking infrastructure;

AND WHEREAS approval from the Ontario government to proceed with Stage 3 planning for the rebuilding of WLMH requires the timely submission by HHS of a financial plan in Stage 2 outlining the contributors to the local share of financing for the new hospital;

AND WHEREAS HHS is engaged in a dialogue with three west Niagara municipalities, Niagara Region and the WLMH Foundation to determine how the local area municipalities may assist with fulfilling the needed commitment to the local share of financing, and provide a commitment by June 1, 2020, in order to satisfy the Province of Ontario's requirements to proceed with the next stage of planning for a new West Lincoln Memorial Hospital;

AND WHEREAS the respective Chief Administrative Officers from Lincoln, West Lincoln and Grimsby, together with the Regional Chief Administrative Officer have had preliminary conversations on past practices of the Region in supporting hospital redevelopment projects;

AND WHEREAS Councils' of the contributing municipal governments would like staff to further investigate, determine and finalize the financing model to fund, together with the WLMH foundation an estimated, collective \$60,000,000 contribution to the total required local share of financing towards the rebuilding of West Lincoln Memorial Hospital, with a commitment to provide the required funds to HHS upon substantial completion of construction of the new hospital:

THEREFORE, BE IT RESOLVED:

1. That the three local Municipalities, made up of the Towns of Lincoln and Grimsby and the Township of West Lincoln, together with the WLMH Foundation, hereby commit to providing an estimated contribution of \$60,000,000 to the capital project costs to be raised

by the community for the rebuilding of West Lincoln Memorial Hospital; AND

2. That staff from the Towns of Lincoln and Grimsby and the Township of West Lincoln, in conjunction with the WLMH foundation, continue to have formal conversations with the Regional Municipality of Niagara to determine next steps and options for considerations pertaining to funding support from the Region; AND
3. That the Township of West Lincoln CAO, report back to Council, by or before December 1, 2020 with further details, including the financing options and recommended financing models for the individual municipal contribution; AND
4. That the Township of West Lincoln, in conjunction with the WLMH Foundation, continue to work with Hamilton Health Sciences on the next phase, Stage 3 and subsequent stages expeditiously to ensure the completion of the WLMH redevelopment.

Carried

14.3 CAO (Bev Hendry)

Re: Information Report RFI-CAO-04-20 - West Lincoln COVID-19 Recovery Plan – First Phase (May 25, 2020 to July 2, 2020)

The CAO briefly reviewed the contents of her report regarding Phase I of the Township of West Lincoln's COVID-19 Recovery Plan being between May 25, 2020 to July 2, 2020.

Councillor Harold Jonker joined the meeting at 8:31 pm.

Moved By Councillor Christopher Coady

Seconded By Councillor Harold Jonker

1. That Report RFI-CAO-04-2020 – West Lincoln COVID-19 Recovery Plan – First Phase (May 25, 2020 to July 2, 2020) dated May 25, 2020, be received for information.

Carried

14.4 Treasurer/Director of Finance

Re: Recommendation Report No. RFD-T-11-20 - April 2020 Budget Status Report

Moved By Councillor Harold Jonker

Seconded By Councillor Cheryl Ganann

1. That, Report RFD-T-11-20, regarding the “April 2020 Budget Status Report”, be received for information; and,
2. That, Council support the Niagara Region’s requests to the federal and provincial government for assistance to municipalities as they deal with the financial impacts of the COVID-19 pandemic; and,
3. That, staff be directed to collaborate with the Niagara Region and the 11 local area municipalities on any required advocacy strategies to the federal and provincial governments for financial relief related to COVID-19.

Carried

- 14.5 Project Manager (Ray Vachon) & Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report No. RFD-PW-13-2020 - 2020 Road Rehabilitation Tender (PW 2020-02) Award - **BUDGET AMENDMENT**

Moved By Councillor Jason Trombetta

Seconded By Councillor Christopher Coady

AMENDMENT TO BUDGET

1. THAT, Report RFD PW-13-2020, re: 2020 Road Rehabilitation Tender (PW 2020-02) Award - BUDGET AMENDMENT, dated May 25, 2020, be received; and,
2. THAT, Council awards the tender submission by Circle P Paving Inc., for the road rehabilitation works, in the amount of \$889,643.90 (excluding HST); and,
3. THAT, Council hereby approves the budget amendment as shown in Appendix B; and,
4. THAT, a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with Circle P Paving Inc.

Carried

- 14.6 Project Manager (Ray Vachon) & Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report No. RFD-PW-14-2020 - Industrial Park Watermain Tender (PW 2020-01) Award

Moved By Councillor William Reilly

Seconded By Councillor Harold Jonker

1. THAT, Report RFD PW-14-2020, re: Industrial Park Watermain Tender Award, dated May 25, 2020, be received; and,
2. THAT, Council awards the Tender submission to Alfred Beam Excavating Limited for the watermain construction work, in the amount of \$456,920.00 (excluding HST); and,
3. THAT, a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with Alfred Beam Excavating Limited.

Carried

- 14.7 Project Manager (Ray Vachon) & Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report No. RFD-PW-15-2020 - 2020 Bridge Rehabilitation Project Update & BUDGET AMENDMENT

Moved By Councillor Jason Trombetta

Seconded By Councillor Cheryl Ganann

AMENDMENT TO BUDGET

1. THAT, Report RFD PW-15-2020, 2020 Bridge Rehabilitation Project Update & BUDGET AMENDMENT, dated May 25, 2020, be received; and
2. THAT, Council hereby approves a budget amendment up to \$40,000 for the rehabilitation of Bridge 29 (Dockstader Bridge), to be funded through a transfer from the Road Settlement Agreement Reserve.

Carried

14.8 Enforcement Officer (Tiana Dominick) & Director of Planning & Building (Brian Treble)

Re: Report No. PD-31-20 - Recommendation Report - Approval of a new Sign By-law

The Director of Planning & Building advised that unfortunately the Township's Enforcement Officer was unable to attend this evening's meeting due to a family emergency and requested that because of her absence could this matter could be referred to the next Council meeting.

Moved By Councillor Christopher Coady

Seconded By Councillor Harold Jonker

1. That, Report PD-031-20, regarding "Report to Council, Approval of a new Sign By-law", dated May 25, 2020, be RECEIVED and;
2. That, a by-law be adopted at Council in the form found at attachment 1 to this report.

Referred

Moved By Councillor Jason Trombetta

Seconded By Councillor Christopher Coady

That, due to the absence of staff, that Report PD-031-20, regarding "Report to Council, Approval of a new Sign By-law", dated May 25, 2020, be referred to the next Council meeting for consideration.

Carried

14.9 Director of Planning & Building (Brian Treble)

Re: Report No. PD-64-20 - Recommendation Report - Authority to Enter a Development Agreement with Phelps Homes Ltd in Accordance with LPAT Decision (Case No. PL170875) Dated April 15, 2020

Moved By Councillor Cheryl Ganann

Seconded By Councillor Harold Jonker

1. That, Report PD-064-20, regarding "Recommendation Report, Authority to Enter into a Development Agreement with Phelps Homes Ltd in Accordance with LPAT Decision (Case No. PL170875) Dated April 15, 2020", dated May 25, 2020, be RECEIVED; and,

2. That, a by-law be passed to authorize the Mayor and Clerk to sign a Development Agreement that implements the Terms of Section 2 of the Settlement Agreement as ordered by LPAT on April 15, 2020.

Carried

14.10 Director of Planning & Building (Brian Treble)

Re: Report No. PD-063-20 - Recommendation Report - Process to Confirm Naming of Regional Road 24 as Victoria Avenue

Moved By Councillor Harold Jonker

Seconded By Councillor Jason Trombetta

1. That, Report PD-063-20, regarding "Recommendation Report, Process to Confirm Naming of Regional Road 24 as Victoria Avenue", dated May 25, 2020, be RECEIVED; and,
2. That, all property owners and agencies be notified that Council propose to pass a bylaw on June 22, 2020 to name Regional Road 24 as Victoria Avenue.

Carried

14.11 Planner I (Alexa Cooper) & Director of Planning & Building (Brian Treble)

Re: Report No. PD-62-20 - Information Report - Review of new Provincial Policy Statement (2020) (PPS)

Moved By Councillor Harold Jonker

Seconded By Councillor Christopher Coady

1. That, Report PD-062-20 regarding "Review of the Proposed Amendments to the Provincial Policy Statement (PPS)" dated May 25th, 2020, be RECEIVED for review purposes.

Carried

14.12 Director of Planning & Building (Brian Treble)

Re: Report No. PD-060-20 - Recommendation Report - Authority to Proceed in Alternate Fashion with new Site Alteration Requests (in excess of 1000m³) during COVID-19 Pandemic

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

1. That, Report PD-060-20, regarding “Recommendation Report, Authority to Proceed in Alternate Fashion with new Site Alteration Requests (in excess of 1000m³) during COVID-19 Pandemic”, dated May 25, 2020, be RECEIVED; and,
2. That, Council concurs with staff’s recommendation to consider the applications noted above using written comments prior to the discussion of a staff report at a meeting to be held in June, 2020.

Carried

14.13 Councillor William Reilly

Re: Town of Lincoln - Request to Endorse Resolution regarding Request for Emergency Funding for Municipalities from the Government of Canada

Moved By Councillor William Reilly

Seconded By Councillor Christopher Coady

That, the correspondence from the Town of Lincoln, dated May 7, 2020 requesting endorsement of their resolution as adopted at their Special Council Meeting on May 4th, 2020, which supports the positions of Federation of Canadian Municipalities (FCM) and Large Urban Mayors Caucus of Ontario (LUMCO) and requests the Government of Canada to provide emergency funding to municipalities in order to assist with relief efforts as a result of COVID-19 Pandemic; be received and supported.

Carried

14.14 Councillor Christopher Coady

Re: Town of Fort Erie - Request to Endorse Resolution regarding Limit Canada & United States Border Crossing to Essential Traffic Only

Moved By Councillor Christopher Coady

Seconded By Councillor William Reilly

That, the correspondence from the Corporation of the Town of Fort Erie, dated May 5, 2020, requesting endorsement of their resolution adopted at their May 4, 2020 Council meeting requesting the Prime Minister of

Canada to continue limitation of cross- border traffic between Canada and the United States to essential traffic only; be received and supported.

Carried

14.15 Members of Council

Re: Other Business of an Informative Nature

1. Councillor William Reilly

Re: Various Items

Light of Hope

Councillor Reilly stated that he was able to witness the Light of Hope live on Friday, May 15, 2020 which he recorded and posted on the internet.

Dump Truck Activity

Councillor Reilly noted that he had notified staff, after receiving calls from residents over the weekend, regarding approximately 30+ dump trucks travelling along South Grimsby Road 8.

The Director of Planning & Building advised that he also witnessed dump trucks travelling within the municipality on Saturday, which he followed and spoke to two different property owners about the hauling of fill and explained to them the rules. The Director of Planning & Building noted that the one farmer was very immediate in addressing the issue who took his farm tractor and disk to block his driveway. The Director of Planning & Building stated that he felt the farming community understood what the municipality was dealing with.

2. Councillor Cheryl Ganann

Re: Support of Local Restaurants & Businesses

Councillor Ganann stated that residents were showing their support of our local restaurants and commended another local business, located a short distance from Smithville, being Lisa's Country Gardens, who has beautiful plants and baskets for residents to buy. Councillor Ganann stated that she felt it was important to advocate, promote and support our own local businesses.

15. NEW ITEMS OF BUSINESS

There were no new items of business brought forward by any Member of Council.

16. BY-LAWS

Councillor Trombetta advised that he wanted By-law 2020-56 (by-law to authorize a Development Agreement with Phelps Homes Ltd. and any Mortgagees on lands described as Plan M97, Part Lot 8, Wade Road, West Lincoln (as ordered by LPAT, Decision issued April 15, 2020)), pulled and voted on separately as he was opposed to the creation of the subject lot.

Moved By Councillor Cheryl Ganann

Seconded By Councillor Harold Jonker

That, leave be granted to introduce By-laws # 2020-52, 2020-32, 2020-33, 2020-53, ~~2020-54~~-(withdrawn) and 2020-55 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,

That, the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

Carried

Moved By Councillor Cheryl Ganann

Seconded By Councillor Harold Jonker

That, leave be granted to introduce By-law #2020-56 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,

That, the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

Carried

SUMMARY OF BY-LAWS

16.1 BY-LAW 2020-52

A By-law to confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 27th day of April, 2020.

16.2 BY-LAW 2020-32

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Alfred Beam Excavating Limited for the Construction of the Industrial Park Watermain

16.3 BY-LAW 2020-33

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Circle P Paving Inc. for Road Rehabilitation Works.

16.4 BY-LAW 2020-53

A By-law to appoint a Deputy Clerk for the Township of West Lincoln (Jessica Dyson).

16.5 BY-LAW 2020-54

~~A By-law to regulate the size, use, location and maintenance of signs in the Township of West Lincoln.~~

(This By-law was withdrawn - refer to Item 14.8 under Other Business - Referred to next Council Meeting)

16.6 BY-LAW 2020-55

A By-law to adopt the estimates for the year 2020 and to set the Rates of Taxation for the year 2020.

16.7 BY-LAW 2020-56

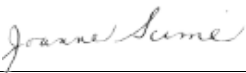
A By-law to Authorize a Development Agreement with Phelps Homes Ltd. and any Mortgagees on lands described as Plan M97, Part Lot 8, Wade Road, West Lincoln (as ordered by LPAT, Decision issued April 15, 2020)

17. CONFIDENTIAL MATTERS

There were no Confidential Matters.

18. ADJOURNMENT

The Mayor declared the meeting adjourned at the hour of 9:15 p.m.



JOANNE SCIME, CLERK

MAYOR DAVE BYLSMA



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
SPECIAL COUNCIL MINUTES

MEETING NO. NINE

June 16, 2020, 11:00 a.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Cheryl Ganann
Councillor Harold Jonker
Councillor Mike Rehner
Councillor William Reilly
Councillor Jason Trombetta

Staff: Joanne Scime, Clerk
Bev Hendry, CAO

Others: Jessica Dyson, Deputy Clerk
Enzo De Divitiis, Chairperson - Pride Niagara

1. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

Prior to proceeding with the Agenda, Mayor Bylsma provided the following announcements:

- (1) Due to efforts to contain the spread of COVID-19 and to protect all individuals, and to comply with the Province's state of emergency order, the Council Chambers will not be open to the public to attend Council Meetings until further notice.
- (2) If Members of the Public had any comments, they were advised that they could provide them by email to the Clerk by 4:30 pm yesterday (Monday, June 15, 2020) and that this matter will be addressed later in the agenda.
- (3) This meeting is being audio and video recorded and will be posted on the Township's web site within 48 hours.

Following the above noted announcement, Councillor Trombetta requested Mayor Bylsma to step down from the Chair of this Special Council meeting as he had been contacted by a couple of Councillors to call a Special Council meeting to address the raising of the Pride Flag, which he refused to do and as such he felt that it would be appropriate for the Mayor to step down as Chair for this meeting and allow the Acting Mayor, Councillor Cheryl Ganann, to chair the meeting.

In response to Councillor Trombetta's comments, Mayor Bylsma stated that he was not willing to step down as Chair of this Special Council meeting and that as per the Procedural By-law he presided Council meetings and that should he wish to provide his opinions/comments and/or enter into debate on the issues to be discussed he would step down from the Chair at that point and request the Acting Mayor to take the position.

Councillor Trombetta appealed the Mayor's point of order and he put forward a resolution challenging Mayor's decision and requesting that he be removed from chairing this meeting.

A recorded vote was put forward by Mayor Dave Bylsma for this motion.

With respect to the resolution that was carried, Acting Mayor, Councillor Ganann, chaired the remainder of the meeting.

Acting Mayor Ganann asked if any Member of Council had any disclosures of pecuniary interest and/or conflict of interest with respect to any items on this agenda.

There were no disclosures of pecuniary interest and/or conflict of interest declared by any Member of Council.

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

1. That, the Mayor's point of order as noted above be appealed/challenged, specifically, with respect to the removal of the Mayor as Chair of this Special Meeting of Council; and,
2. That, the Acting Mayor, Councillor Cheryl Ganann, chair the meeting.

Recorded	For	Against
Mayor Dave Bylsma		X
Councillor Christopher Coady	X	

Councillor Cheryl Ganann	X	
Councillor Harold Jonker		X
Councillor Mike Rehner	X	
Councillor William Reilly	X	
Councillor Jason Trombetta	X	
Results	5	2
Carried (5 to 2)		

2. REQUEST TO ADDRESS ITEMS ON THE AGENDA

In response to the Acting Chair's inquiry regarding whether there were any members of the public that had emailed comments prior to 4:30 pm yesterday, Monday, June 15th, 2020, the Clerk stated that there were a number of letters, emails and a petition that were received from members of the public with respect to the raising of the Pride Flag. The Clerk noted that due to the overwhelming amount of correspondence that was received from members of the public who wished for their comments to be read into the record, she anticipated that it would take over the one hour allocated time frame for this section of the agenda. The Clerk stated that she was not comfortable stopping at the one hour allotted time frame as she had not placed the correspondence in order of their received date and time.

The Acting Mayor noted that should additional time, beyond the one hour period, be needed for the Clerk to complete reading the comments, a resolution could then be put forward at that time.

The Clerk commenced reading the comments that were received from the public, which she noted was being posted on the Township's website as an addendum to the agenda.

The Clerk read comments from the public for approximately one hour at which time the following resolution was brought forward to extend the period of time for this section of the agenda.

Moved By Councillor William Reilly
Seconded By Councillor Mike Rehner

That, the Clerk be and is hereby directed to read all comments that were received and requested to be read into the record prior to the deadline date of 4:30 p.m. on June 15, 2020.

Carried

Moved By Councillor William Reilly

Seconded By Councillor Christopher Coady

That, the provisions of Procedural By-law # 2013-58 as amended, which relate to the "Comments for the Public", be and are hereby suspended in order to allow the Clerk to read all comments received into the record beyond the one hour allocated time frame for this section of the agenda.

Carried

3. APPOINTMENTS/PRESENTATIONS

3.1 Enzo De Divitiis, Chairperson 2020/2021 Pride Niagara Board of Directors

Re: Pride Niagara Request

Mr. Enzo De Divitiis, Chairperson 2020/2021 Pride Niagara Board of Directors, stated that his email which was attached as correspondence to today's agenda had been forwarded to staff with his requests prior to Mayor's Bylsma's radio interview on Thursday June 11, 2020 with CKTB 610/iHeart Radio and that the apology that was provided by the municipality relating to the confusion and miscommunication with respect to his previous emails and requests no longer seemed genuine and were a lie. Mr. De Divitiis stated that he would like to see something positive and progressive coming from this issue and that the majority of the individuals that were opposed to the Pride flag being raised was due to religious and/or personal views which should not be part of the decision and this is not what the Pride flag represents. Mr. De Divitiis stated that the Pride Flag represents equality, justice and freedom with each colour on the flag providing a different meaning for people that are not being represented and that he would like for Council to consider raising the Pride Flag in 2021 and he would also like to see Council receive some education and training so they represent and acknowledge everyone within their community and show accountability in this regard.

There was a number of comments, concerns and questions raised by Members of Council, including but not limited to the following:

1. When was the first time that Pride Niagara had reached out to the local municipalities to raise the Pride flag. (Response - Mr. De Divitiis stated

that Pride Niagara has been reaching out to the twelve local municipalities for 7 to 8 years requesting the Pride flag to be raised).

2. It is a shame that this issue has come to this and that the Pride Flag was not raised once it was determined that the Pride flag had not been raised as the other eleven municipalities had done without issue or controversy.
3. The flying of the Pride Flag does not diminish anyone's rights or beliefs but acknowledges that the LGBTQ community has been discriminated against, marginalized and abused by this country and it says that "you are welcome here".
4. Based on the correspondence received and social media posts, the majority of the community was in support of the Township raising the Pride flag and are supportive of the LGBTQ+ community.
5. Apologize for the Township for not acknowledging and/or addressing the request to raise the Pride Flag and participate in social media promotion in this regard as the request was not to all of Council but to the Mayor only.
6. Suggested that Council should undertake sensitivity training.
7. The Mayor stated that he had no recollection, as a previous Member of Council, over the past 7 to 8 years of the Township ever receiving a request to raise the Pride Flag.
8. Mayor Bylsma stated that he would like to take up Mr. De Divitiis' offer to provide information and training to empower Council Members in order to better understand diversity and equality.
9. The Township has raised other organization's flags without a specific flag raising policy and has set precedent by flying other organization's flags in the past; however, Council should adopt a policy to clearly address these types of matters which staff can then follow based on the policy.
10. The Township currently has two flag related policies which address where the Township has flags and when they are lowered to half-mast; however, the Township does not have a policy with respect to requests for an organization's flags to be raised.

The Acting Chair called a brief recess of the meeting at approximately 1 p.m. for approximately three minutes.

Councillor Christopher Coady moved the a resolution with Councillor William Reilly seconding the motion; however, the Mayor requested that, as per Section 7.17 of the Procedural By-law, that Councillor Coady's motion be separated and voted on separately as there were three distinct propositions as part of the motion.

The original motion read as follows:

That, the correspondence received from Enzo De Divitiis, Chairperson 2020/2021, Pride Niagara Board of Directors, dated June 10, 2020 requesting the Township of West Lincoln to:

1. Raise the Pride Niagara flag on Tuesday, June 1, 2021; and,
2. That, the Township share some type of virtual communication/message on their social media and provide the same for Pride Niagara to share explaining that the Township wanted to be a part of the celebration of equality with Niagara's LGBTQ+ community and that there was a miscommunication and plans are in effect for next year to which would be signed on behalf of the Township of West Lincoln Mayor and Council;

be received and supported; and,

That, the Township of West Lincoln fly the Pride flag for the remainder of June 2020; and,

That, all flag raising requests, outside of this motion, be suspended until such time as Township staff have prepared a flag raising policy and reported back at a future Council or Committee meeting.

The Clerk confirmed that Section 7.17 of the Procedural By-law does allow for the division of a motion if there is more than one distinct proposition. The Clerk stated that it was her opinion that there were three distinct propositions to the motion moved by Councillor Coady.

Following discussion regarding the Mayor's request to divide the motion and how the motions would be voted on, the Acting Chair, put forth the motions in the order that they were presented.

Councillor Rehner requested that a recorded vote be taken for the original motion as presented on the agenda as well as the second motion to fly the Pride Flag for the remainder of June 2020.

Moved By Councillor Christopher Coady
Seconded By Councillor Mike Rehner

That, the correspondence received from Enzo De Divitiis, Chairperson 2020/2021, Pride Niagara Board of Directors, dated June 10, 2020 requesting the Township of West Lincoln to:

1. Raise the Pride Niagara flag on Tuesday, June 1, 2021; and,
2. That, the Township share some type of virtual communication/message on their social media and provide the same for Pride Niagara to share explaining that the Township wanted to be a part of the celebration of equality with Niagara's LGBTQ+ community and that there was a miscommunication and plans are in effect for next year to which would be signed on behalf of the Township of West Lincoln Mayor and Council;

be received and supported.

Recorded	For	Against
Mayor Dave Bylsma		X
Councillor Christopher Coady	X	
Councillor Cheryl Ganann	X	
Councillor Harold Jonker		X
Councillor Mike Rehner	X	
Councillor William Reilly	X	
Councillor Jason Trombetta	X	
Results	5	2
Carried (5 to 2)		

Moved By Councillor Christopher Coady

Seconded By Councillor William Reilly

That, the Township of West Lincoln fly the Pride flag at the Township Office for the remainder of June 2020.

Recorded	For	Against
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Mayor Dave Bylsma		X
Councillor Christopher Coady	X	
Councillor Cheryl Ganann	X	
Councillor Harold Jonker		X
Councillor Mike Rehner	X	
Councillor William Reilly	X	
Councillor Jason Trombetta	X	
Results	5	2

Carried (5 to 2)

Moved By Councillor Christopher Coady
Seconded By Mayor Dave Bylsma

That, all flag raising requests, outside of this motion, be suspended until such time as Township staff have prepared a flag raising policy and reported back at a future Council or Committee meeting.

Carried

4. OTHER BUSINESS

4.1 Councillor William Reilly

Re: Pride Niagara Communications & West Lincoln 2020 flag raising
FOR DISCUSSION

1. Councillor Reilly stated that the issue of raising the Pride Flag had caused an significant impact on our community and what he thought would be an honest error that could be corrected quite easily, ended up becoming an unimaginable situation. Councillor Reilly stated that he hoped that Council and the community will be able to heal from this and be able to move forward.
2. Mayor Bylsma noted that the issue that had occurred with the Pride Flag was an oversight and that he had personal views on this matter and he questioned why this matter needed to be further discussed when there had been ample discussion during Mr. De Divitiis' appointment.

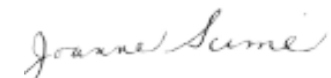
3. The CAO addressed the concerns that were raised regarding the raising of the Pride Flag and the calling of a Special Council meeting. The CAO confirmed that she did have a dialogue with Councillor Reilly regarding the raising of the Pride Flag on June 1st and/or 2nd, and that she had told him at that time that she would get back to him as she was not aware of any requests and/or direction given to staff regarding the raising of the flag. The CAO stated that once she learned that the Chairperson for Pride Niagara had made a request to Mayor Bylsma, she immediately contacted Mr. De Divitiis to rectify the matter and advise him of the proper protocols for approaching Council for the raising of an organization's flag. This was done very promptly and staff were working on putting Mr. De Divitiis' correspondence on the June 29th, 2020 Council agenda for consideration. The CAO stated that she does not take direction solely from the Mayor and/or any one Member of Council and that any direction to be given to staff must be done by the majority of Council. The CAO advised that Council and Staff's roles and responsibilities are well documented in the Municipal Act as well as within Township policies and procedures. The CAO noted that following the correspondence being received from Mr. De Divitiis, staff were contacted about a Special Council meeting being called to address the issue. The CAO noted that running Council meetings are very challenging since the Township facilities closed in the latter part of March. The CAO stated that there was discussion between the Mayor and other Members of Council with respect to the Pride Flag being raised and a Special Council meeting being called. Since the Mayor did not agree with a Special Council meeting being called, a Member of Council asked the Clerk to determine if there was a majority among Members of Council to have a Special Council meeting called, which was done. The CAO advised that a Special Council meeting was called at the call of the majority of Council, which staff accommodated for by providing and organizing a date and time that worked for everyone to be in attendance. The CAO stated that contrary to some comments that had been made by a couple of Members of Council, staff did nothing wrong with the handling of this matter.
4. Councillor Trombetta noted that he was appalled by the views and opinions that the Mayor had stated during his radio interview with CKTB 610 with the same sentiments being echoed by Councillors Coady and Reilly and the fact that his comments, views, beliefs and/or opinions were not the same as other Members of Council. Councillor Trombetta also requested that the Mayor make a public apology

through all Media outlets with respect to his comments made during his radio interview and noted that his comments/views/beliefs/opinions were not the views of Council and the citizens of this community and that if he is not willing to make a public apology then he should resign as Mayor.

5. The CAO responded to the question of when the Pride Flag would be raised by advising that she would make the appropriate arrangements to get the flag raised as quickly as possible.

5. ADJOURNMENT

That Acting Mayor declared this Special Council meeting adjourned at the hour of 3:13 p.m.



JOANNE SCIME, CLERK

ACTING MAYOR CHERYL
GANANN

Friday, May 29, 2020

Mr. Rob MacIsaac, CEO
Hamilton Health Sciences
P.O. Box 2000
Hamilton, ON
L8N 3Z5

Dear Mr. MacIsaac:

Re: Local Share Commitment for the Rebuilding of West Lincoln Memorial Hospital

Please accept this letter as confirmation that the West Lincoln Memorial Hospital Foundation Inc. Governing Board met on the 27th of May, 2020 and the following resolution was adopted with respect to the local share of the new hospital project:

WHEREAS Hamilton Health Sciences (HHS) has a critical and urgent need to rebuild West Lincoln Memorial Hospital (WLMH) in order to continue providing safe, high-quality hospital services for all residents of West Niagara;

AND WHEREAS Hamilton Health Sciences received approval from the Ontario government on December 19, 2019, to proceed to Stage 2 of the government's capital planning process for a new hospital in order to rebuild WLMH;

AND WHEREAS the Province of Ontario's cost share policy for hospital capital projects provides a provincial investment of 90% of the capital construction costs, conditional upon commitment from local fundraising partners to contribute both a 10% local share of financing for the capital construction cost, plus a 100% share of financing for the cost of all furniture, fixtures and equipment (FF&E) and any required parking infrastructure;

AND WHEREAS approval from the Ontario government to proceed with Stage 3 planning for the rebuilding of WLMH requires the timely submission by HHS of a financial plan in Stage 2 outlining the contributors to the local share of financing for the new hospital;

AND WHEREAS HHS is engaged in a dialogue with three west Niagara municipalities, Niagara Region and the WLMH Foundation to determine how the local area municipalities may assist with fulfilling the needed commitment to the local share of financing, and provide a commitment by June 1, 2020, in order to satisfy the Province of Ontario's requirements to proceed with the next stage of planning for a new West Lincoln Memorial Hospital;

AND WHEREAS the respective Chief Administrative Officers from Lincoln, West Lincoln and Grimsby, together with the Regional Chief Administrative Officer have had preliminary conversations on past practices of the Region in supporting hospital redevelopment projects;

AND WHEREAS Councils' of the contributing municipal governments would like staff to further investigate, determine and finalize the financing model to fund, together with the WLMH foundation an estimated, collective \$60,000,000 contribution to the total required local share of financing towards the rebuilding of West Lincoln Memorial Hospital, with a commitment to provide the required funds to HHS upon substantial completion of construction of the new hospital:

THEREFORE, BE IT RESOLVED:

1. That the WLMH Foundation, together with the three local Municipalities, made up of the Towns of Lincoln and Grimsby and the Township of West Lincoln, hereby commit to providing an estimated contribution of \$60,000,000 to the capital project costs to be raised by the community for the rebuilding of West Lincoln Memorial Hospital; AND

2. That the WLMH Foundation, in conjunction with the staff from the Towns of Lincoln and Grimsby and the Township of West Lincoln, continue to have formal conversations with the Regional Municipality of Niagara to determine next steps and options for considerations pertaining to funding support from the Region.

Please note that the Chief Administrative Officer's of the three municipalities; Town of Lincoln, Town of Grimsby, and Township of West Lincoln, have agreed to report back to their respective Council, by or before December 1, 2020 with further details, including the financing options and recommended financing models for the individual municipal contribution.

The WLMH Foundation, in conjunction with the three municipalities and Regional Municipality of Niagara, look forward to continuing to work with Hamilton Health Sciences on the next phase, Stage 3 and subsequent stages expeditiously to ensure the completion of the WLMH redevelopment.

If you have any questions or concerns regarding the above, do not hesitate to contact me or Pamela Ellens, Executive Director at 905.945.9564.

Sincerely,



Kevin Antonides, Chair
WLMH Foundation Inc.

cc. Sam Oosterhoff, M.P.P.

Town of Lincoln
Town of Grimsby
Township of West Lincoln
Aaron Levo, Hamilton Health Sciences, Vice-President
Ron Tripp, Niagara Region
Pamela Ellens, WLMH Foundation Inc., Executive Director



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

June 18, 2020

SENT VIA EMAIL

Hamilton Health Sciences
Attn: Rob MacIsaac
King West, PO Box 2000
Hamilton, Ontario
L8N 3Z5

Dear Mr. MacIsaac:

Re: Commitment to the Local Share of Financing for a New West Lincoln Memorial Hospital

At its meeting of May 19, 2020, the Town of Grimsby Council passed the following resolution:

*Moved by Councillor Freake; Seconded by Councillor Ritchie;
Resolved that Report CAO20-05 dated May 19, 2020 be received;
And that the motion included as Appendix 'A' regarding the Town of Grimsby's
commitment to the local share of financing for a new West Lincoln Memorial
Hospital (WLMH) be approved.*

A copy of Appendix 'A' has been enclosed.

Regards,

Sarah Kim
Town Clerk



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

SK/dk

Cc. Township of West Lincoln

Appendix 'A'

WHEREAS Hamilton Health Sciences (HHS) has a critical and urgent need to rebuild West Lincoln Memorial Hospital (WLMH) in order to continue providing safe, high-quality hospital services for all residents of West Niagara;

AND WHEREAS Hamilton Health Sciences received approval from the Ontario government on December 19, 2019, to proceed to Stage 2 of the government's capital planning process for a new hospital in order to rebuild WLMH;

AND WHEREAS the Province of Ontario's cost share policy for hospital capital projects provides a provincial investment of 90% of the capital construction costs, conditional upon commitment from local fundraising partners to contribute both a 10% local share of financing for the capital construction cost, plus a 100% share of financing for the cost of all furniture, fixtures and equipment (FF&E) and any required parking infrastructure;

AND WHEREAS approval from the Ontario government to proceed with Stage 3 planning for the rebuilding of WLMH requires the timely submission by HHS of a financial plan in Stage 2 outlining the contributors to the local share of financing for the new hospital;

AND WHEREAS HHS is engaged in a dialogue with three west Niagara municipalities, Niagara Region and the WLMH Foundation to determine how the local area municipalities may assist with fulfilling the needed commitment to the local share of financing, and provide a commitment by June 1, 2020, in order to satisfy the Province of Ontario's requirements to proceed with the next stage of planning for a new West Lincoln Memorial Hospital;

AND WHEREAS the respective Chief Administrative Officers from Lincoln, West Lincoln and Grimsby, together with the Regional Chief Administrative Officer have had preliminary conversations on past practices of the Region in supporting hospital redevelopment projects;

AND WHEREAS Councils' of the contributing municipal governments would like staff to further investigate, determine and finalize the financing model to fund, together with the WLMH foundation an estimated, collective \$60,000,000 contribution to the total required local share of financing towards the rebuilding of West Lincoln Memorial Hospital, with a commitment to provide the required funds to HHS upon substantial completion of

construction of the new hospital:

THEREFORE, BE IT RESOLVED:

- a) That the three local Municipalities, made up of the Towns of Lincoln and Grimsby and the Township of West Lincoln, together with the WLMH Foundation, hereby commit to providing an estimated contribution of \$60,000,000 to the capital project costs to be raised by the community for the rebuilding of West Lincoln Memorial Hospital; AND
- b) That staff from the Towns of Grimsby and Lincoln and the Township of West Lincoln, in conjunction with the WLMH foundation, continue to have formal conversations with the Regional Municipality of Niagara to determine next steps and options for considerations pertaining to funding support from the Region; AND
- c) That the Town of Grimsby CAO, report back to Council, by or before December 1, 2020 with further details on the individual municipal contribution; AND
- d) That the Town of Grimsby in conjunction with the WLMH Foundation, continue to work with Hamilton Health Sciences on the next phase, Stage 3 and subsequent stages expeditiously to ensure the completion of the WLMH redevelopment.



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1

905-563-8205

May 26, 2020

Mr. Rob MacIsaac, CEO
Hamilton Health Sciences-King West
P.O. Box 2000
Hamilton, ON
L8N 3Z5

SENT VIA EMAIL: rob.macisaac@hhsc.ca

Dear Mr. MacIsaac,

RE: TOWN OF LINCOLN COMMITMENT IN PROVIDING A LOCAL FINANCIAL CONTRIBUTION TO REBUILD WEST LINCOLN MEMORIAL HOSPITAL

This is to confirm that at the May 25, 2020 Special Council Meeting for the Town of Lincoln, the following resolution was adopted with respect to the above noted matter:

That Report AD-02-20 be received for information; and

WHEREAS Hamilton Health Sciences (HHS) has a critical and urgent need to rebuild West Lincoln Memorial Hospital (WLMH) in order to continue providing safe, high-quality hospital services for all residents of West Niagara;

AND WHEREAS Hamilton Health Sciences received approval from the Ontario government on December 19, 2019, to proceed to Stage 2 of the government's capital planning process for a new hospital in order to rebuild WLMH;

AND WHEREAS the Province of Ontario's cost share policy for hospital capital projects provides a provincial investment of 90% of the capital construction costs, conditional upon commitment from local fundraising partners to contribute both a 10% local share of financing for the capital construction cost, plus a 100% share of financing for the cost of all furniture, fixtures and equipment (FF&E) and any required parking infrastructure;

AND WHEREAS approval from the Ontario government to proceed with Stage 3 planning for the rebuilding of WLMH requires the timely submission by HHS of a financial plan in Stage 2 outlining the contributors to the local share of financing for the new hospital;

AND WHEREAS HHS is engaged in a dialogue with three west Niagara municipalities, Niagara Region and the WLMH Foundation to determine how the local area municipalities may assist with fulfilling the needed commitment to the local share of financing, and provide a commitment by June 1, 2020, in order to satisfy the Province of Ontario's requirements to proceed with the next stage of planning for a new West Lincoln Memorial Hospital;

AND WHEREAS the respective Chief Administrative Officers from Lincoln, West Lincoln and Grimsby, together with the Regional Chief Administrative Officer have had preliminary conversations on past practices of the Region in supporting hospital redevelopment projects;

AND WHEREAS Councils' of the contributing municipal governments would like staff to further investigate, determine and finalize the financing model to fund, together with the WLMH foundation an estimated, collective \$60,000,000 contribution to the total required local share of financing towards the rebuilding of West Lincoln Memorial Hospital, with a commitment to provide the required funds to HHS upon substantial completion of construction of the new hospital:

THEREFORE, BE IT RESOLVED that the three local Municipalities, made up of the Towns of Lincoln and Grimsby and the Township of West Lincoln, together with the WLMH Foundation, hereby commit to providing an estimated contribution of \$60,000,000 to the capital project costs to be raised by the community for the rebuilding of West Lincoln Memorial Hospital;

That staff from the Towns of Lincoln and Grimsby and the Township of West Lincoln, in conjunction with the WLMH foundation, continue to have formal conversations with the Regional Municipality of Niagara to determine next steps and options for considerations pertaining to funding support from the Region;

That the Town of Lincoln CAO, report back to Council, by or before December 1, 2020 with further details, including the financing options and recommended financing models for the individual municipal contribution;

That the Town of Lincoln, in conjunction with the WLMH Foundation, continue to work with Hamilton Health Sciences on the next phase, Stage 3 and subsequent stages expeditiously to ensure the completion of the WLMH redevelopment.

CARRIED UNANIMOUSLY

If you have any questions, please contact Legislative Services, Town Clerk at extension 225.

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

Cc: Sam Oosterhoff, M.P.P.
Aaron Levo, Hamilton Health Sciences, Vice-President
Ron Tripp, Niagara Region
Town of Grimsby
Township of West Lincoln
WLMH Foundation
WLMH Committee

February 28, 2020

Mayor Bylsma
Township of West Lincoln
318 Canborough Street, PO Box 400
Smithville, Ontario, L0R 2A0

Dear Mayor Bylsma,

On September 19, 2019, Niagara Regional Council approved a motion for the Niagara Region to join the Canadian Coalition of Inclusive Municipalities. By way of background, I have enclosed for you the report titled **"CAO 14-2019 Action and Resources to Join the Coalition of Inclusive Municipalities"** which outlines the staff recommendations and resourcing to support this initiative.

On December 12, 2019, Niagara Regional Council approved the resource recommendations in the report as part of the 2020 Regional budget process, and we would like to finalize our commitment by officially joining the Coalition of Inclusive Municipalities in early 2020.

What this entails, is signing a declaration to join the Coalition of Inclusive Municipalities, including a formal announcement via a media release and possible media event.

We would like to invite all twelve municipalities to join in signing this declaration, and participating in a media event, as one Niagara region. For municipalities to participate, the Coalition of Inclusive Municipalities has requested that each municipal Council pass a motion of support. Attached is a draft declaration, which includes all twelve municipalities working with the Niagara Region to develop a joint Plan of Action.

We know that diversity, equity and inclusion matter to all of us in Niagara, and we are determined to work supportively together to tackle racism and discrimination and promote human rights and diversity.

Please respond to indicate your interest in joining in this work. Cassandra Ogunniyi will be reaching out in the coming weeks to follow up on any questions you may have, or additional information we can provide to you, your staff, or your municipal Council.

With thanks,



Ron Tripp, P.Eng.
Acting Chief Administrative Officer

cc: Area Municipal Mayors
Area Municipal CAOs

Declaration to Join the Coalition of Inclusive Municipalities

Given that:

1. The Canadian Commission for UNESCO (United Nations Educational, Scientific and Cultural Organization) is calling on municipalities to join a Coalition of Inclusive Municipalities and to be part of UNESCO's international Coalition launched in 2004; and
2. The Federation of Canadian Municipalities (FCM) endorses the Call for a Coalition of Inclusive Municipalities and encourages its members to join; and

Whereas:

3. Municipal governments in Canada, along with other levels of government, have responsibilities under Canada's *Charter of Rights and Freedoms* as well as federal, provincial and territorial human rights codes, and therefore have an important role to play in combating racism and discrimination and fostering equality and respect for all citizens;

Be it resolved that:

4. The Regional Municipality of Niagara, The Corporation of the Town of Fort Erie, The Corporation of the Town of Grimsby, The Corporation of the Town of Lincoln, The Corporation of the City of Niagara Falls, The Corporation of The Town of Niagara-on-the-Lake, The Corporation of the Town of Pelham, The Corporation of the City of Port Colborne, The Corporation of the City of St. Catharines, The Corporation of the City of Thorold, The Corporation of The Township of Wainfleet, The Corporation of the City of Welland, and The Corporation of the Township of West Lincoln agree to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments (see Appendix A) and agree to develop or adapt a joint Plan of Action led by the Regional Municipality of Niagara accordingly.
5. These Common Commitments and the Municipalities' joint Plan of Action will be an integral part of the Municipalities' vision, strategies and policies.
6. In developing or adapting and implementing the joint Plan of Action toward progressive realization of the Common Commitments, the Municipalities will cooperate with other organizations and jurisdictions, including other levels of government, Indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.
7. The Municipalities will set their priorities, actions and timelines and allocate resources according to their unique circumstances, and within their means and jurisdiction. The Municipalities will exchange their expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

The Regional Municipality of Niagara, insert date (month day, year)

His Worship, Regional Chair Jim Bradley

SIGNATURE OF THE CHAIR



The Corporation of the Town of Fort Erie, insert date (month day, year)

His Worship Wayne Redekop

SIGNATURE OF THE MAYOR

The Corporation of the Town of Grimsby, insert date (month day, year)

His Worship Jeff Jordan

SIGNATURE OF THE MAYOR

The Corporation of the Town of Lincoln, insert date (month day, year)

Her Worship Sandra Easton

SIGNATURE OF THE MAYOR

The Corporation of the City of Niagara Falls, insert date (month day, year)

His Worship Jim Diodati

SIGNATURE OF THE MAYOR

The Corporation of the Town of Niagara-on-the-Lake, insert date (month day, year)

Her Worship Betty Disero

SIGNATURE OF THE MAYOR

The Corporation of the Town on Pelham, insert date (month day, year)

His Worship Marvin Junkin

SIGNATURE OF THE MAYOR

The Corporation of the City of Port Colborne, insert date (month day, year)

His Worship Bill Steele

SIGNATURE OF THE MAYOR

The Corporation of the City of St. Catharines, insert date (month day, year)

His Worship Walter Sendzik

SIGNATURE OF THE MAYOR

The Corporation of the City of Thorold, insert date (month day, year)

His Worship Terry Ugulini

SIGNATURE OF THE MAYOR

The Corporation of the Township of Wainfleet, insert date (month day, year)

His Worship Kevin Gibson

SIGNATURE OF THE MAYOR

The Corporation of the City of Welland, insert date (month day, year)

His Worship Frank Campion

SIGNATURE OF THE MAYOR

The Corporation of the Township of West Lincoln, insert date (month day, year)

His Worship Dave Bylsma

SIGNATURE OF THE MAYOR

Appendix A: Coalition for Inclusive Municipalities, Common Commitments

The municipality as a guardian of the public interest

1. Increase vigilance against systemic and individual racism and discrimination.
2. Monitor racism and discrimination in the community more broadly as well as municipal actions taken to address racism and discrimination.
3. Inform and support individuals who experience racism and discrimination.
4. Support policing services in their efforts to be exemplary institutions in combating racism and discrimination.

The municipality as an organization in the fulfillment of human rights

5. Provide equal opportunities as a municipal employer, service provider, and contractor.
6. Support measures to promote equity in the labour market.
7. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in housing.

The municipality as a community sharing responsibility for respecting and promoting human rights and diversity

8. Involve citizens by giving them a voice in anti-racism initiatives and decision-making.
9. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in the education sector, and in other forms of learning
10. Promote respect, understanding and appreciation of cultural diversity and the inclusion of Aboriginal and racialized communities into the cultural fabric of the municipality.

**MINUTES
WEST LINCOLN PUBLIC LIBRARY
BOARD MEETING**

Meeting #2: Friday, May 22 2020, 11am
Zoom

PRESENT: Board: Julie Adams
 Cheryl Ganann
 Sue Langdon
 Pat Nelson
 Joan Packham
 Wendy Wilson
 Karen Parker

 Staff: Vanessa Holm, Library CEO

ABSENT: Judi Kelly

CONFLICT OF INTEREST:

There were no disclosures of pecuniary interest or conflicts of interest declared by any Members of the West Lincoln Public Library Board.

1. Review and acceptance of minutes of the April 17, 2020 regular meeting

 Moved by Cheryl Ganann and seconded by Pat Nelson:

 That the minutes of the April 17, 2020 West Lincoln Public Library Board meeting be accepted as presented.

 -Carried.

2. Library Business

 a) Library Closure and COVID-19 Update

 The CEO provided an update on the status of the Library Closure in relation to COVID-19. Items of discussion included but were not limited to:

- Discussions of recovery and how it pertains to the library re-opening, including adjusting the service areas to comply with updated regulations;
- Curbside pickup is beginning June 1, the Library has drafted a reopening plan and procedures for pick-up;
- The Library will begin to recall staff in order to facilitate curbside pickup; and,
- The Library CEO continues to meet with the Niagara CEOs group, SMT team and EOC.

 Moved by Karen Parker and seconded by Sue Langdon:

That the West Lincoln Public Library Reopening Plan be accepted as presented, along with the procedure document outlining curbside pickup; and,

That the Board authorizes the CEO to make adjustments to the Reopening Plan as circumstances change within the province or when Public Health makes recommendations, in order to maintain a safe workplace.

-Carried.

Moved by Wendy Wilson and seconded by Julie Adams:

That the West Lincoln Public Library Board approves the CEO to make exceptions and changes to the current Membership and Circulation Policy during the recovery period from the COVID-19 pandemic. These changes are only to be made when current procedures present challenges to maintaining a safe workplace, or for compassionate reasons while our community is in recovery.

-Carried.

Moved by Pat Nelson and seconded by Cheryl Ganann:

That the West Lincoln Public Library Board requires that if an employee chooses to travel during the 2020 COVID-19 Pandemic and they are then advised by the authorities to self-quarantine upon return, the employee will be required to take time off of work as vacation or unpaid leave to fulfill the self-quarantine period.

-Carried.

b) Evergreen Policies

The CEO provided an update on the status of the Evergreen migration. Items of discussion included ensuring that any library materials, such as pamphlets and brochures, are updated with Library policy changes.

3. Financial Matters

a) Budget Status Report

Library CEO presented the budget status report.

Moved by Sue Langdon and seconded by Cheryl Ganann:

That the Budget Status Report, dated April 30, 2020, be received for information.

-Carried.

4. CEO's Report – April 2020

Library CEO presented the April 2020 CEO Report.

5. Correspondence

a) Business Link Media Group


Library CEO informed the Board that she had been contacted by Business Link Media Group; she has been selected as one of Niagara's Top 40 Under 40 business professionals.

6. Set next meeting date

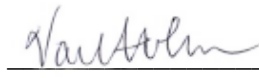
June 19, 2020, at 10am via zoom

7. Adjournment

The Board Chair declared the Library Board meeting adjourned at 11:58am. .



JOAN PACKHAM, CHAIR



VANESSA HOLM, CEO

CEO's Report – April 2020

Recorded Library Uses April 2020

E-books: 1724 check-outs

Social Media and Website:

Twitter

Impressions (times displayed for viewers)	5334
Engagement (any interaction with tweets)	87
Number of posts	25
Most Popular Tweet	Promoting PebbleGo

Facebook

People who saw content	9326
People clicking or engaging with content	743
Number of Posts	31
Most popular post	Readers' Advisory
Viewers over 1 minute (program attendance)	161

Instagram

Posts	15
Post interactions	269
Followers	634
Most popular post	Book cover double

Website

Page views	1335
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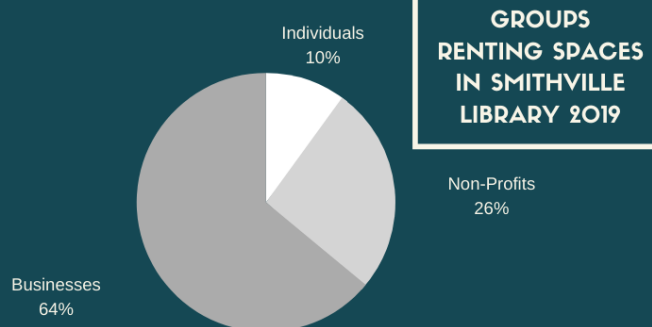
SMITHVILLE LIBRARY USE 2018-2019

2018 (OLD LOCATION) 2019 (COMMUNITY CENTRE)

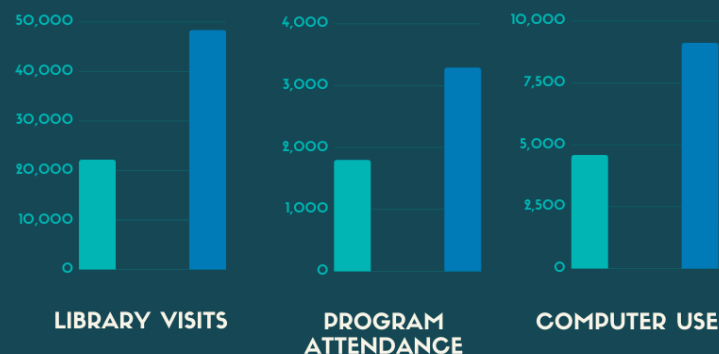
ACTIVE MEMBERS - SMITHVILLE:

2018 1340 members

2019 1674 members



LIBRARY VISITS, PROGRAM ATTENDANCE AND COMPUTER USE



DATE: June 29, 2020
REPORT NO: WLFD-07-20
SUBJECT: Monthly Update – May 2020
CONTACT: Dennis Fisher – Fire Chief

OVERVIEW:

- This report will address May 2020 fire responses and activities.

RECOMMENDATION:

1. That, report WLFD-07-20 regarding “Monthly Update – May 2020”, dated June 29, 2020 be received for information purposes.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 5

- Community Health and Safety – Fostering a safe community where residents can thrive throughout their lives.

Theme # 6

- Efficient, Fiscally Responsible Operations – maintaining a lean organization with innovative approaches and strong asset management.

CURRENT SITUATION:

Emergency Response Calls – May 2020

Station # 1 – 21 Station # 2 – 4 Pelham – 1

Incident	Call Date	Call Time	Nature	District
2020-005722	5/30/2020	12:38:48	2 - Vehicle Fire	St # 1
2020-005669	5/29/2020	7:35:01	52 - Carbon Monoxide Symp	Pel # 2
2020-005653	5/28/2020	17:03:28	4 - Mvc Unknown Extric	St # 1
2020-005623	5/27/2020	22:04:51	118 - Arcing Hydro Lines	St # 1
2020-005521	5/25/2020	18:41:04	1 - Structure Fire	St #1
2020-005481	5/25/2020	8:02:55	10 - Remote Alarm	St # 1
2020-005425	5/23/2020	22:03:43	33 - Burning Complaint	St # 1
2020-005408	5/23/2020	12:20:42	4 - Mvc Unknown Extric	St # 1&2
2020-005368	5/22/2020	18:45:48	33 - Burning Complaint	St # 1
2020-005362	5/22/2020	15:54:56	41 - Mvc Extrication	St # 1
2020-005281	5/20/2020	17:59:30	109 - Barn Fire	St # 1
2020-005091	5/15/2020	14:58:26	8 - Non-Emergency Assist	St # 1
2020-005034	5/13/2020	21:46:02	1 - Structure Fire	St # 1& 2
2020-005022	5/13/2020	16:26:56	4 - Mvc Unknown Extric	St # 1
2020-005021	5/13/2020	15:57:52	41 - Mvc Extrication	St # 1
2020-004898	5/9/2020	11:50:36	3 - Grass Fire	St # 1

2020-004897	5/9/2020	10:22:55	100 - Smoke In The Building	Gr - St # 1
2020-004872	5/8/2020	0:32:26	1 - Structure Fire	St # 1&2
2020-004739	5/3/2020	23:31:02	4 - Mvc Unknown Extric	St # 1
2020-004732	5/3/2020	20:58:51	1 - Structure Fire	GR1, St # 1
2020-004707	5/3/2020	12:25:26	2 - Vehicle Fire	St # 1&2
2020-004669	5/1/2020	22:29:54	33 - Burning Complaint	St # 1

District Legend:

Grimsby = GR, Pelham = PE, Haldimand = HD, Lincoln = L

New Retirees – Nothing to report

New Recruits – Nothing to report

Promotion - Nothing

Training

Online training started April 1st with practical training in groups of 10 following Public Health guidelines.

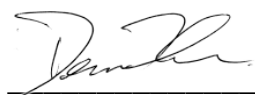
Fire Prevention – Nothing to Report

Apparatus Fleet – Station # 2 New Pumper Rescue – Driver training has been completed. A few small details to complete on the truck, hope to have it in service the first week of July.

Fire Department Activities -

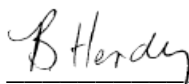
1. 2- Mutual Aid responses into Grimsby area – Ladder Only
2. Mutual Aid – Grimsby's Tanker assisted in 2 structure fires

Prepared by:



Dennis Fisher
Fire Chief / CEMC

Approved by:



Bev Hendry, CAO

DATE: June 29th, 2020

REPORT NO: PD-084-20

SUBJECT: **Information Report**
East Smithville Secondary Plan

CONTACT: Madyson Etzl, Planner II
Brian Treble, Director of Planning and Building

OVERVIEW:

- The purpose of this report is to update Committee and Council on the revised Timeline for the East Smithville Secondary Plan.
- Secondary Plan project that planning staff are working jointly on with the Region as well as MHBC Planning.
- Township Planning Staff, MHBC Plan, Crozier Engineering, along with the Niagara Region had an initial kick off meeting on January 4th 2020, where timelines and next steps were discussed for this project.
- Due to the COVID19 pandemic the timelines for this project have unfortunately been extended. Planning staff, and MHBC Planning staff have worked to develop a new timeline for this project. (attachment 1)
- Planning staff, the Region, and MHBC Planning are discussing different options and dates for a public meeting for the East Smithville Secondary Plan project.
- Planning staff will keep the Committee and Council updated on the next steps for this project.

RECOMMENDATION:

1. That, Report PD-084-20 regarding "Updated Timeline for East Smithville Secondary Plan" dated June 29th, 2020, be RECEIVED for information purposes.

BACKGROUND:

Planning staff, Niagara Region staff, MHBC Planning and Crozier Engineering had met previously on January 4th 2020, to discuss the terms of reference next steps and the appropriate timelines.

CURRENT SITUATION:

Due to COVID19 the East Smithville Secondary Plan timeline has had to be reviewed and extended. (Attachment 1) There will soon be a scheduled time for a zoom public consultation meeting that will take place for all interested members of the public to hold an initial public meeting in the next few months.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this report.

INTER-DEPARTMENTAL COMMENTS

Inter-departmental comments are not applicable to this report.

CONCLUSION

The updated timeline has been reviewed by Planning Staff and the Region and is provided to council to keep everyone updated on the new timeline that the project is now following.

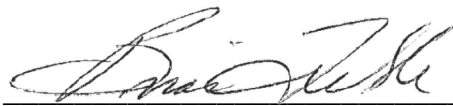
ATTACHMENTS:

1. Updated Timeline

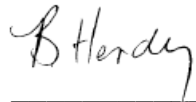
Prepared by:



**Madyson Etzl,
Planner II**



**Brian Treble, RPP, MCIP
Director of Planning and Building**



**Beverly Hendry
CAO**

APPENDIX A | Township of West Lincoln - East Smithville Secondary Plan



Proposed Project Schedule	2020																											
	June				July				August				September				October				November				December			
Phase 1 – Background Research and Constraints Analysis																												
Kick-Off Meeting with Steering Committee to discuss goals and objectives and to finalize work plan and schedule																												
Collect and review background documents regarding land use/servicing/transportation/urban design/other relevant policy and regulatory documents																												
Collect and review existing regulatory framework and current natural heritage policies that apply to lands																												
Complete 2019 significant species data search																												
Prepare consultation strategy, work plan and schedule for stakeholder/public engagement																												
Prepare Employment Land Conversion Analysis																												
Conduct a site visit to examine and confirm the existing site conditions																												
Review of Canadian Pacific Railway setback requirements and compatibility constraints																												
Prepare Transportation and Functional Servicing Analysis																												
Collect and review all applicable documents relating to the natural heritage features on the lands																												
Identification of environmental constraints																												
Prepare draft 'Background Research and Analysis' Report and provide to Township for review																												
Prepare Final Background Report									FD																			
Phase 2 – Technical Review and Preparation of Secondary Plan Policies																												
Prepare draft Secondary Plan goals, objectives and principles																												
Determine high level servicing options to address existing and future infrastructure requirements																												
Prepare up to three draft concept land use plans																												
Review the existing water and wastewater servicing firm capacity from previously prepared servicing studies. Provide recommendations to the Project Team to help guide land-use designations based on allowable densities and the constraints of the existing servicing (if required).																												
Analyze and evaluate existing transportation infrastructure and capacity to determine potential to accommodate growth																												
Address potential impacts from development in order to identify appropriate mitigation and design measures related to preservation of the natural heritage features and functions																												
Identify any opportunities and constraints related to the nearby road network based on the Draft Land Use Schedule (provided by others)																												
Meeting with Steering Committee													M															
Revise draft concept land use plans																												
Determine high level servicing options to address existing and future infrastructure requirements																												
Host stakeholder consultation meeting to review background analysis, goals and vision, and concept land use plans																												
PIC Meeting No. 1 - to include a design charrette																												
Prepare preferred concept plan, draft policy framework and draft urban design policies																												
Propose multi-modal types of transportation linkages within Smithville and to Smithville’s Downtown Area;																												
Assist with the development of policy for a complete street that is attractive and pedestrian-oriented																												
Conduct capacity analysis to determine necessity for a phasing program for new development																												
Perform high-level calculations on the estimated loading and demand for water and waste water servicing based on the provided population and land use data to identify any constraints or upgrades that would be required to support the preferred secondary plan option.																												
Provide recommendations to the Project Team for location of SWM facilities and LID alternatives based on the existing drainage patterns and location of natural features, and proposed land use.																												
Prepare high-level drawings showing the recommended servicing strategies.																												
Provide a high-level SWM servicing plan which address all aspects of drainage and stormwater management for the site.																												
Prepare Final Transportation and Servicing Brief																												
Meeting with Steering Committee																												
Conduct Stakeholder meeting to review preferred concept plan and draft policy framework																												
Prepare a scoped Natural Heritage Constraints Analysis																												
Prepare draft Secondary Plan																												
PIC Meeting No. 2 - Review of draft Secondary Plan and land use concept plan																												
Phase 3 - Secondary Plan/Review, Refinement and Final Implementation																												
Refine Secondary Plan and land use schedules																												
Meeting with Steering Committee																												
Present Secondary Plan at Formal Statutory Public Meeting																												
Revise Secondary Plan and land use schedules based on feedback from Public Meeting																												
Submit final East Smithville Secondary Plan																												

M - Meeting
PC - Public Consultation
FD - Final Deliverable

DATE: June 29th, 2020

REPORT NO: PD-072-20

SUBJECT: **Information Report**
1601-020-19 – Highriver Developments - WITHDRAWAL

CONTACT: Alexa Cooper, Planner I
Brian Treble, Director of Planning and Building

OVERVIEW:

- **Rezoning application 1601-020-19 made by Highriver Developments for a 4 storey apartment building on 255 Station Street has been withdrawn by the applicant and this specific proposal will no longer be pursued.**
- **This report has been written to inform Council and the public of this situation.**

RECOMMENDATION:

1. That, Report PD-072-20 regarding “1601-020-19 – Highriver Developments - WITHDRAWAL” dated June 29th, 2020, be RECEIVED for information purposes.

BACKGROUND:

Rezoning application 1601-020-19 was submitted on November 22nd, 2019. It proposed to construct a 4 storey apartment building on 255 Station Street. A public meeting was held on January 13th, 2020. The Planning/Building/Environmental Committee turned down the application, which was later referred back to staff by Council to give the public and all Councillors a second chance to speak and to provide further detail.

CURRENT SITUATION:

Township Staff received an e-mail from Highriver Developments on June 15th, 2020 stating that they wished for their application to be withdrawn. This report has been prepared to inform Committee and Council that the application has been withdrawn by the applicant and will no longer be pursued.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this report.

INTER-DEPARTMENTAL COMMENTS

Inter-departmental comments are not applicable to this report.

CONCLUSION

Rezoning application 1601-020-19 by Highriver Developments for a 4 storey apartment building on 255 Station Street has been withdrawn by the applicant and this specific proposal will no longer be pursued.

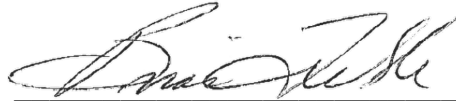
ATTACHMENTS:

1. E-mail correspondence from applicant

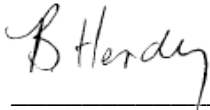
Prepared by:



**Alexa Cooper,
Planner I**



**Brian Treble, RPP, MCIP
Director of Planning and Building**



**Beverly Hendry
CAO**

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From: [Darren Croghan](#)
To: [Brian Treble](#)
Cc: [Alexa Cooper](#)
Date: June 15, 2020 2:53:35 PM

Hello Brian,

Per our conversation on the phone I would like to WITHDRAW the Zoning Application for 255 Station Street. We will no longer be pursuing rezoning of this property. We wish to withdraw the application, design drawings, planning justification report and applicable studies.

Regards,

Darren Croghan
President
647.982.7802



DATE: June 29th, 2020

REPORT NO: PD-075-20

SUBJECT: Information Report
Building Department Shared Services Review

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- Commencing in the spring of 2020, Township staff (CAO and Director of Planning and Building) met with representatives from Pelham, Wainfleet, and Port Colborne to discuss opportunities to share services.
- A number of different areas for potential to share services were raised and discussed, including drainage superintendent services, building services, and IT services.
- An application was made for Modernization Funding from the Province which was granted in February of 2020.
- Terms of Reference were prepared and an RFP released in order to have a consultant undertake a review of service delivery.
- The winning consulting team was GM Blue Plan from Stoney Creek, who were commissioned to explore shared services, as follows:
 - Arrangements to share building services
 - Arrangements to share drainage inspection services
 - Last minute addition of a possible IT arrangement between Pelham and Wainfleet
- A draft report was released on June 11, 2020 for review by the parties to the study. The report is still under review with a joint meeting being scheduled as this report is being written.
- A copy of the draft consultant report is attached to this report for the information of Council. Future staff reports will brief Council on possible options and actions to take in West Lincoln.

RECOMMENDATION

1. That, Report PD-075-20, regarding “Information Report, Building Department Shared Services Review”, dated June 29, 2020, be RECEIVED for information purposes.

ALIGNMENT TO STRATEGIC PLAN

Theme

- Efficient, Fiscally Responsible Operations

BACKGROUND

The attached draft report is in line with recent themes of the Provincial government that

encourage all municipal partners to find cost savings in service delivery where possible. Things like local service reviews that suggest services that could be streamlined and other efforts to find efficiencies and to reduce duplication are encouraged by this Provincial government. This is especially true in areas where customer service standards can be maintained or enhanced and where efficiencies have no negative impacts on the customer experience.

CURRENT SITUATION

This work is being done in an effort to be proactive and to work in keeping with the Province's themes of "lowering costs and improving services for local residents over the long term." Local municipalities took initiative and met to discuss service delivery. The Province provided funds to Municipalities to help "reduce the cost of government when monitoring the quality of service that the people of Ontario expect from all levels of government."

With this goal in mind, Senior Management representatives from the Town of Pelham, City of Port Colborne, Township of Wainfleet, and the Township of West Lincoln have had a series of meetings to discuss topics and service delivery areas where a shared service arrangement may be beneficial, such that cost savings can be found without negatively impacting service delivery.

The areas of shared service review, as were agreed upon; were:

- Building Services
- Drainage Services
- IT Solutions arrangement solely for Wainfleet and Pelham

An RFP was released after money was secured from a Provincial modernization funding program. The consulting team of GM Blue Plan was commissioned in March of 2020 to complete the work. A draft report was released on June 11, 2020 and is attached to this report.

This preliminary staff report is provided to Council for information purposes at this time. Further discussions will occur once approaches and opportunities have been further explored with neighbouring municipalities.

FINANCIAL IMPLICATIONS

Not applicable at this time.

INTER-DEPARTMENTAL COMMENTS

Not applicable at this time.

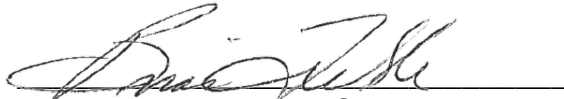
CONCLUSION

This report is provided for information purposes. Future staff reports will discuss options and recommendations.

ATTACHMENTS

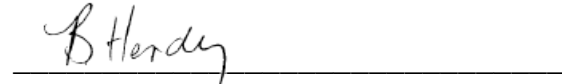
1. Draft - Shared Services Review Report – GM Blue Plan – June 11, 2020

Prepared by:



Brian Treble, RPP, MCIP
Director of Planning and Building

Approved By:



Beverly Hendry
CAO

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Shared Services Review: Building Services, Municipal Drainage Services, IT Services

for the municipalities of:
Town of Pelham
City of Port Colborne
Township of West Lincoln
Township of Wainfleet

Prepared by: GM BluePlan Engineering Ltd

June 2020

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Appendix A – Documentation of IT Services Discussions

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Shared Services Review

Building Services, Municipal Drainage Services, and IT

I. INTRODUCTION

In early 2020 the province of Ontario, through its Municipal Modernization Program, invested in 27 projects to help municipalities conduct service delivery reviews aimed at finding efficiencies and lowering costs in the longer term¹. The Town of Pelham was successful in its application to receive funding from the Province for two projects to review the benefits of sharing Building Services, Municipal Drainage Services, and IT Services with local Niagara area municipalities.

Table 1-1: Projects Receiving Provincial Funding

Project	Participating Municipalities	Project Objectives
1) Shared Services Review of Building Services & Municipal Drainage Services	<ul style="list-style-type: none"> Town of Pelham City of Port Colborne Township of Wainfleet Township of West Lincoln 	Sharing the delivery of these services with the goal of providing efficiencies and consistency in service delivery, improving customer service, and offering service enhancements.
2) Shared Services Review of IT Services	<ul style="list-style-type: none"> Town of Pelham Township of Wainfleet 	Sharing IT infrastructure (hardware, software, and IT support staff) with a goal of attaining efficiencies and improved customer service resolutions for all IT related requests to the users.

GM BluePlan Engineering Ltd. (GMBP) was engaged to assist in conducting both the Building Services and Municipal Drainage Services, and the IT Services review. A consultative approach was used to assess and identify potential models for sharing

¹ <https://news.ontario.ca/mma/en/2020/01/ontario-investing-in-smarter-local-service-delivery.html>

Shared Services Review

Building Services, Municipal Drainage Services, and IT

services between the relevant municipalities for their mutual benefit.

This report represents the final deliverable of the engagement. The first two chapters discuss in general terms the benefits and objectives of sharing municipal services and describe GMBP's methodology and approach to analysing the current state. Service area specific information and the results of our analysis can be found in subsequent sections of this report - **Chapter 4 Building Services, Chapter 5 Municipal Drainage Services, and Chapter 6 IT Services.**

I.I Benefits of Sharing Municipal Services

Sharing services across multiple organizations is an effective way for municipalities to increase efficiency with respect to resource planning (staff, materials, contract administration) and decrease inefficiencies through the reduction of duplication, overlap, and redundancy.

Sharing services is an option for municipalities that are aligned in the following ways:

1) Common interest:	All parties must be clear about their goals and a service agreement must achieve the goals of all groups.
2) Mutual benefit:	All parties must gain from the agreement in proportion to their contribution.
3) Cost effectiveness:	The cost of administering the agreement must be balanced favourably against the value of the partnership.

A shared service structure aims to bring together resources, functions, processes, and skills from dispersed organizations to create economies of scale, increase standardization, pool skill sets, and generate the critical mass required to yield a positive return.

A successful shared service implementation can result in:

- Cost efficiency and economies of scale
- Access to specialized skills and resources
- Improved service
- Increased municipal capacity.

Shared Services Review

Building Services, Municipal Drainage Services, and IT

Obstacles to sharing may include:

- Impact on existing service levels
- Support of staff and labour relations
- Support of the public
- Accountability
- Cost allocation.

I.2 Objectives of the Shared Service Model:

Based on input from Pelham Project Managers, the project Terms of Reference, and interviews with the four participating CAOs, several objectives for a shared service model were identified. Through sharing of services, the four municipalities are seeking to:

- Find efficiencies that result in cost savings in the long term.
- Find process and procedural efficiencies that reduce or eliminate waste or duplication.
- Find opportunities to standardize or make consistent the delivery of service across all four jurisdictions.
- Enhance the customer experience.
- Reduce the organizational risks associated with vacancies in roles critical to the organizations i.e., jobs that fulfill regulatory or mandated functions.
- Increase staff retention so that a return on the investments of training and onboarding can be realized.

Throughout the assignment these objectives were referenced to ensure the analysis and recommendations were appropriate

Shared Services Review

Building Services, Municipal Drainage Services, and IT

2. METHODOLOGY

For assignments of this nature, where multiple municipalities, each bringing their unique set of challenges and service levels, seek opportunities to share and gain efficiencies GMBP tailors the project methodology to match Terms of Reference and the objectives identified by project stakeholders. The following section describes the methodology used to derive recommended models for sharing services.

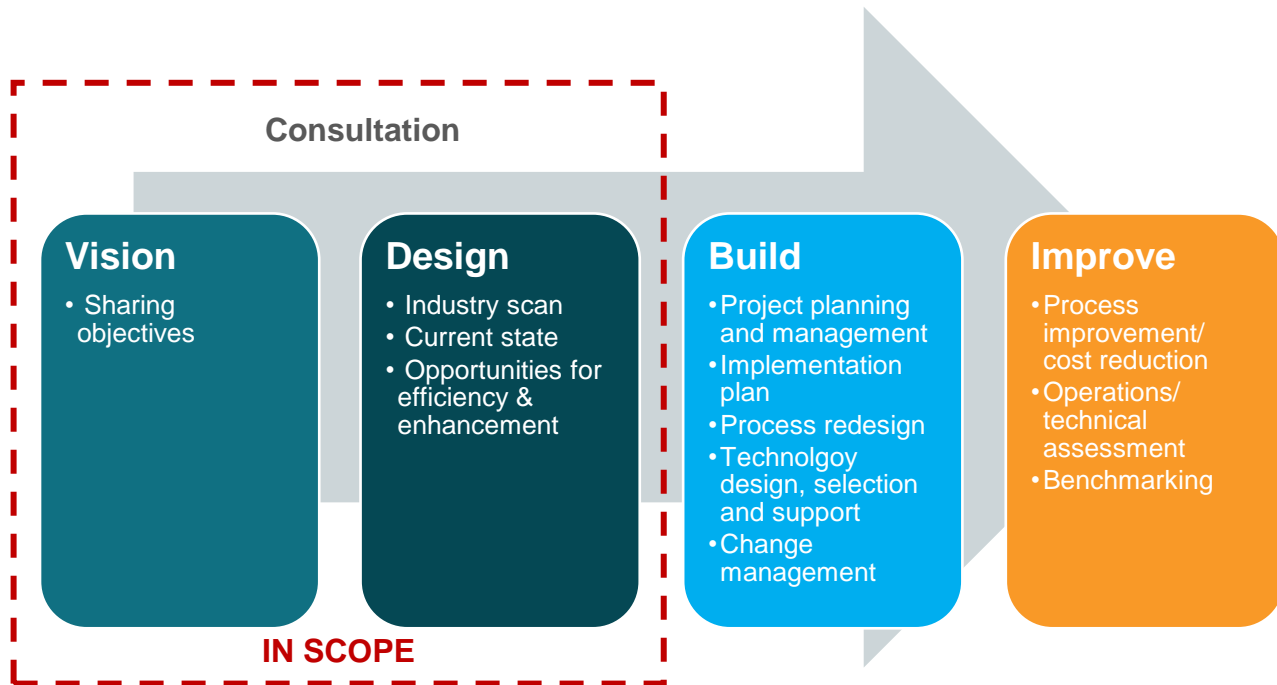
2.1 Approach

GMBP applied a generic shared service review approach (see Figure 2-1) to guide our project work at a high-level and across the review of all three services – Building Services, Municipal Drainage Services, and IT Services. Adopting this approach allowed the project team to be mindful of those elements/tasks that are part of a full implementation of a Shared Service Review but out of scope for this assignment. For example, defining a vision for shared service, while not included in the GMBP scope of work, would be useful in focusing efforts on specific areas of the analysis. To satisfy this element for the purposes of our assignment, brief interviews were conducted with the Chief Administrative Officer from the participating municipalities to gain sufficient understanding regarding desired outcomes.

Shared Services Review

Building Services, Municipal Drainage Services, and IT

Figure 2-1: Approach to a Shared Service Review



2.2 Evaluation Framework

Through interviews and data collection activities, GMBP gathered the information required to assess at a high level the current state at each of the municipalities within three elements of service delivery:

- 1) People
- 2) Process
- 3) Technology

These three elements are often referred to as the 'Golden Triangle', and a balanced framework of these fundamental elements can help an organization achieve harmony and can be used to identify opportunities for improvement. People perform a specific type of work for an organization using processes (and often, technology) to streamline and improve processes. Table 2 describes the People, Process, and Technology framework in more detail.

Shared Services Review

Building Services, Municipal Drainage Services, and IT

Table 2-1: Elements of Service Delivery

Element	Description	Consideration
People	<ul style="list-style-type: none"> • Job functions • Qualification, expertise, competencies • Training, skills development • Resource Management and Succession Planning • Scalability of Operations 	<ul style="list-style-type: none"> • Maximize the benefits to each municipality through leveraging qualifications and experience of the group and by realigning resources to more directly satisfy core functions at the appropriate level within the organization. • Maximize the ability to scale up operations to support higher volumes of permit application. • Minimize organizational risk through the development of a talent pool to facilitate succession planning and career advancement.
Process	<ul style="list-style-type: none"> • Legislation • Corporate requirements and standards • Scope of service • Best practices • Work flows 	<ul style="list-style-type: none"> • Maximize process efficiencies that: <ul style="list-style-type: none"> ○ standardize process and performance measures in order to gain greater reliability of outcomes ○ reduce cost as a result of economies of scale ○ positively impact the customer's experience ○ enable flexibility, scalability of service and access to data required for decision making.
Information & Technology	<ul style="list-style-type: none"> • Tools that enable business process 	<ul style="list-style-type: none"> • Maximize opportunity to consolidate and integrate systems and increase access to data

Using this framework, evaluations of current state and sharing models can be consistently applied.

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2.3 Consultation

Critical to GMBP's approach to shared service reviews is effective and inclusive consultation. This project was conducted entirely during the COVID-19 Pandemic which presented unique challenges to consultation. As a result of social distancing, and in the interest of the health and safety of project participants, all interactions between the consulting team and the participating municipalities were done remotely. In the place of workshops and in-person meetings, the team held one-on-one phone call interviews and relied on email correspondence to gather input and information.

Overall the project benefited from this personalized level of intense consultation and the consulting team very quickly became aware of issues specific to each jurisdiction. One drawback, however, was the limitation of staff time. Throughout this project, key staff were working under extenuating circumstances and were not always able to dedicate the hours required to collect information or respond to information requests. A considerable effort was put forward by the staff involved however, some of the data requested was not made available for analysis. Due to the provincial deadline of June 2020, the consulting team had to proceed with the information provided and used qualitative measures to assess efficiency where it was not possible to quantify benefits. The Shared Service review was thoroughly conducted, and the resulting recommendations were thoughtfully prepared.

A special thank you is offered to the following staff for their commitment to this effort and their participation despite the many demands of providing essential services.

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Table 2-2: Project Stakeholders

Stakeholder	Municipality
Barbara Wiens, Project Manager	Pelham
Mike Guglielmi, Project Manager	Pelham
David Cribbs, Chief Admin Officer	Pelham
William Kolasa, Chief Admin Officer	Wainfleet
Bev Hendry, Chief Admin Officer	West Lincoln
Scott Luey, Chief Admin Officer	Port Colborne
Mike Zimmer, Chief Building Official & Drainage Superintendent	Pelham
Dave Methot, Chief Building Official	Wainfleet
Todd Rogers, Chief Building Official	Port Colborne
John Schonewille, Chief Building Official	West Lincoln
Brian Treble, Drainage Superintendent	West Lincoln
Mark Jemison, Drainage Superintendent	Wainfleet
Alana Vander Veen, Drainage Superintendent	Port Colborne
Darius Zelichowski, IT Manager	Wainfleet

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3. FINDINGS & RECOMMENDATIONS

The findings and recommendations presented in this Chapter represent a summary of the work detailed in Chapters 4, 5, and 6.

Findings and Recommendations are based upon:

- Documents and information forwarded by stakeholders
- Interviews with 14 individuals
- Twelve service review interviews
- An industry scan of leading practices in public sector shared services
- Expertise and experiences of GMBP.

3.1 Industry Trends in Municipal Shared Services

The purpose of the industry scan is to shed light on and deepen our understanding of the various benefits and risks of shared services. Industry research and discussions with municipal leaders revealed a high level of shared service delivery trends.

- Sharing services under a formal agreement is a frequently occurring practice in Ontario and meets the requirements of the Municipal Act.
 - Section 20 of the Municipal Act provides municipalities in Ontario with the legal authority to enter into shared service agreements. The legislation does not prescribe explicit restrictions as to what and who a municipality can share. Under Section 20(1) of the Municipal Act - Joint undertakings:
 - “A municipality may enter into an agreement with one or more municipalities or local bodies, as defined in section 19, or a combination of both to jointly provide, for their joint benefit, any matter which all of them have the power to provide within their own boundaries.”
- A survey conducted by the Ministry of Municipal Affairs and Housing in November 2012 found that 400 of Ontario’s 444 municipalities participated in some form of share service agreement.
- A survey published in 2014 by the Ministry of Municipal Affairs found cost sharing, lower costs, and improved delivery as the three most popular benefits of shared services, and that council support, trust among partners, and staff buy-in were the three most popular factors for success.

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- A 2016 survey conducted by KPMG identified Building Services and IT among the most commonly shared services among Ontario Municipalities.
- 52% of municipalities in Western Ontario share municipal planning & building services².
- Sharing services is thought to be cost effective for services spread out over a large geographic area.
- The Ministry of Finance has identified the aging population as the greatest demographic trend facing Ontario and issues related to an aging workforce will need to be addressed in future plans.

3.2 Types of Sharing Agreements

Many options for structuring a formal shared services agreement³ are available. Those relevant and potentially viable for the objectives of this assignment are described below.

- Memorandum of Understanding - Municipalities can enter into a non-legally binding agreement to share services that describes mutually accepted expectations of all the parties involved.
- Partnership - Two or more organizations can come together to provide a service/function for joint benefit at joint cost. The contributions of all parties do not have to be equal. This option may be used when participating organizations have an interest in shared control and cooperation and neither party can afford to operate and maintain service independently. This can apply in almost any service context.
- Intergovernmental Service Contracts - Intergovernmental contracts exist when one organization pays another for an extension of service. Agreements can specify an ongoing, defined level of service or services can be provided on an 'as needed' basis. Service providers may want to take advantage of economies of scale, while service recipients may want access to expertise. This option is used when smaller communities need to expand operations, which could involve new staff, goods,

² <https://www.amcto.com>

³ <https://www.amcto.com/getattachment/0cdf4352-2b7b-4ac6-8745-52f80226c44e/.aspx>

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internal functions or services. They are used to defray high costs of emplacing a new service or responding to increasing service demands. They are primarily used when there is a sporadic demand for service or a combination of a large area and a small rural population to service. Special attention to fair apportionment is addressed in the agreement, including processes to ensure workload is fairly apportioned.

- Automatic Aid Agreement - Can be used in the event of equipment breakdown, for contingencies or if services are needed on loan. They are more typical to emergency services but may also apply to Municipal Drainage unplanned service requirements.
- Joint Hiring - Municipalities can jointly contract individuals or departments to provide services as a delegation of their powers and duties. The joint hire can perform the same duties for all employers or duties can be tailored as needed.
- Joint Services Committee - Committees can be developed to facilitate cooperation and coordination among organizations. They are generally non-binding discussion forums and can be a precursor to more formal shared service arrangements.
- Municipal Services Corporation - Municipalities can create MSCs to delegate their powers or duties to a corporation with respect to oversight and service programming.

The first three agreements described above are considered most suited to the objective of this assignment.

The Fundamentals of a Sharing Agreement should cover:

- **Scope and division of responsibilities (who does what)**
- **Term of the shared service**
- **Costs**
- **Overall objectives**
- **Dispute resolution**

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3.3 Recommended Models

An opportunity for efficiency or enhancement includes any potential change that would result in improvement to a process or an output. Specific to this assignment, GMBP looked for opportunities where sharing a service could reduce risk, offer potential cost savings or enhance the customer experience.

Based on the explorations of this assignment, the following recommended models are proposed.

Recommended Shared Service Model for Building Services

Discussions with staff and customers revealed that all four municipalities can process requests, answer queries, and issue permits and inspections within reasonable and regulated timelines. GMBP did however find that all four municipalities had concerns regarding filling and retaining qualified CBOs and inspectors, and we found some issues regarding the scalability of the services. Due the requirements of the Building Code and its prescribed processes we believe Building Services to be a good candidate for sharing.

The recommended Model for Building Services is a **Fully Shared Building Services Model**. This model will minimize the risks associated with resourcing by providing a pool of professionals that can be optimally utilized and provides scalability and flexibility to respond to fluctuations in demand for service.

With the critical mass of a seven-person team servicing the four municipalities, this model provides maximum opportunities to standardize practices, procedures, and workflows, adopt best practices, and make service levels consistent.

This model is especially advantageous when e-permitting software is implemented. Not only will the participating municipalities benefit from a shared purchase agreement, but also in the development of the tool, training of staff, and development of supporting workflows.

Although the recommended sharing scenario would result in a significant internal change to Building Service, it is anticipated that the impact of change to the customer (i.e., would be negligible, and would result in improved customer service.

Details of the Building Services review and the recommended options can be found in Chapter 0.

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Recommended Shared Service Model for Municipal Drainage Services

GMBP found that Drainage Services in the four participating municipalities are meeting the service objectives and needs of their organization. We did not find any reason to suggest changes that would significantly impact staff or customers. The following recommended options offer low impact efficiencies that could result in improved coverage, flexibility, scalability, and specialization.

Municipal Drainage Services across the four participating municipalities fall into two significantly different approaches to drain management – a group who maintain their network preventively, and the other who is reactive. As a result, two levels of municipal drainage sharing models are presented – sharing models for municipalities using a reactive (complaint-based) approach and using a preventive approach.

Reactive Approach: GMBP recommends Pelham and West Lincoln share one Drainage Superintendent between both municipalities. This shared staff member would coordinate with Finance, Planning and Tax staff from respective municipalities as required. The agreement allows for one municipality to employ the Drainage Superintendent and extend services to the other. GMBP believes that one FTE could cover the requirements of both municipalities, enable Pelham to untangle the Superintendent role from the CBO role, and provide West Lincoln an opportunity to establish the service in house.

Preventive Approach, Shared Temporary Coverage: GMBP recommends Wainfleet and Port Colborne consider entering an agreement to share staff for temporary coverage for vacations, sickness, demand or short-term vacancy, on an as-needed basis. The agreement allows for one municipality to borrow from another for short-term coverage.

Details of the Building Services review and the recommended options can be found in Chapter 5.

Recommended Shared Service Model for IT Services

IT Services in Pelham and Wainfleet are already efficient/lean from a people perspective (the number of staff each IT staff support is relatively high). And although both departments can respond to the requirements of their respective organizations GMBP found little room for scalability and flexibility to respond to increased pressures associated with future IT trends – i.e., remote connectivity, increased online collaboration and consultation, and cyber threats.

GMBP recommends that Pelham and Wainfleet enter into a **Partially Shared IT Services** model, whereby the organization, through formal agreement, would share an IT resource,

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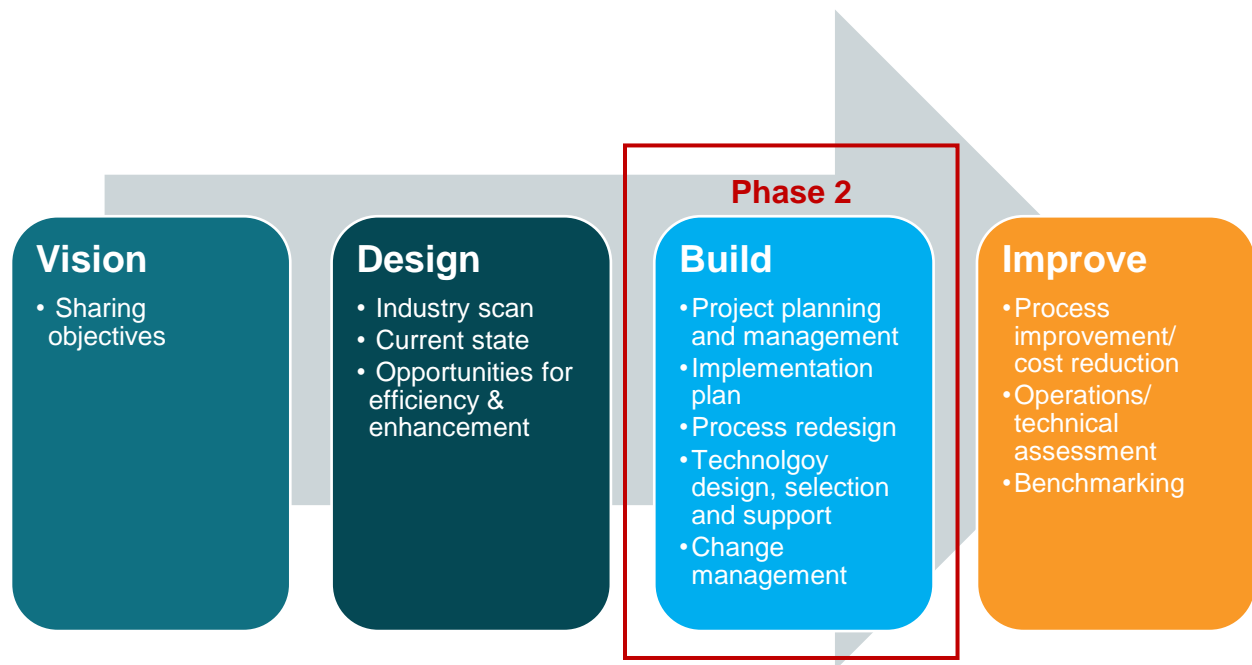
share after hours on call duty, and jointly procure hardware, software, and contracted service when mutually beneficial. This option provides both municipalities with opportunity to reduce risk, increase the scope IT Services at both organizations, find cost savings, and provide small efficiencies. One significant benefit is that the transition from current state into this model would be relatively low impact and cause minimal disruption to IT Services and the users they support.

Details of the Building Services review and the recommended options can be found in Chapter 6.

3.4 Recommended Next Steps

The next step the Shared Service Process is “BUILD”. Following a review of the recommended sharing options, GMBP recommends the participating municipalities agree on service specific sharing objectives, and define some performance benchmarks to guide the planning, and execution activities associated with building the shared services.

Figure 3-1: Shared Service Process



BUILDING SERVICES

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4. BUILDING SERVICES REVIEW

This chapter provides information specific to the GMBP review of Building Services in the four participating municipalities and an analysis of different options for sharing services amongst the jurisdictions. The scope of the Building Services Review consisted of the following tasks:

- Review tasks required in the delivery of Building Services.
- Review personnel required to complete tasks (skill requirements, workload and work cycles, recruitment and retention issues, and salary costs).
- Undertake stakeholder consultation to understand customer experience and opportunities for service enhancements.
- Undertake a review of the shared models in other jurisdictions as it relates to personnel requirements, costs and efficiencies in the delivery of the Services and customer service.
- Identify a preferred shared model for the delivery of shared Building Services across Pelham, Port Colborne, West Lincoln and Wainfleet.

4.1 Industry Scan

Through online research and discussions with Building Officials in other jurisdictions, GMBP gathered information relevant to the scope of the Buildings Review from municipalities who share Building Services.

The following municipalities share Building Services:

- District Municipality of Muskoka share Building Officials/Inspectors with Huntsville, Lake of Bays, and Perry Township.
- Chief Building Official shared between Killarney and St. Charles⁴

⁴ <http://www.municipalityofkillarney.ca/building-department>

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- Currently under review is a share between Adelaide-Metcalf and Strathroy⁵
- Bluewater and South Huron Ontario Share CBOs and inspectors – they each have them, but they have set up an agreement (bylaw) to pay per day for each other's services when needed
- Nipissing Township and Municipality of Callander share a CBO – who is available to Nipissing residents at the Township Office on Tuesday and Thursday.

A detailed conversation with the CAOs of West Grey, the CAO and Buildings Secretary from Chatsworth, as well as their shared CBO provided some details about their sharing agreement.

West Grey and Chatsworth, Ontario

- CBO and inspectors are shared.
- Shared services agreement; all staff are employed by West Grey, and Chatsworth pays a fee for services based on percentage of total building permits.
- Staff consider it a success from cost efficiencies, reduced turnover.
- Able to maintain a consistent level of service.
- Challenges have been inconsistent software (now rectified with both able to process intake applications, permits and inspections electronically).
- Building Services presence at both town halls for questions and appointments, distribution of inspection days, fleet support.
- Advise in a sharing scenario to be aware of benefits of using and purchasing common software (electronic distribution of plans as received, discounts), communicating software (property information and permit software), zoning review process, specialized inspectors, transit time for inspectors, ensuring all members feel equal.

⁵ <https://jobs.muniserv.ca/jobs/chief-building-official-adelaide-metcalf/>

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4.2 Current State Key Findings

The following provides a high-level overview of the four participating municipalities and the GMBP key findings for the elements of a service delivery: people, process and technology.
















Table 4-1: Building Services Key Findings

Element	Key Findings
People	<p>Staff Retention was an issue named by all four municipalities. There is consensus among the CAOs that the roles of CBO and Inspector are particularly vulnerable to “poaching” from outside Niagara Region and among the four participating municipalities. It is understood that salaries and the limited pool of qualified professionals are contributing factors.</p> <p>Specialized Training is required for the CBO and Inspector roles making staff involved in building services uniquely qualified to perform the service. Filling vacancies can take longer when trying to attract specific and rare skill sets. Qualifications limit the mechanisms available to an organization for filling temporary gaps to address increases in workload. CBO and inspectors are not typically offered as contract services.</p> <p>Flexibility of Operations is an issue for all participating municipalities as they lack the scalability to address large influx in demand and must lean upon qualified CBOs who are retired or working for another jurisdiction to fill temporary vacancies and leaves.</p> <p>Aging Workforce is an issue for most municipalities across Ontario. GMBP noted that all staff in the CBO role have been working for over 35 years which means they are nearing retirement, and two CBOs are already retired but acting in a temporary assignment until the role can be filled permanently.</p>

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Table 4-2: Building Services FTEs

	CBO	Deputy CBO	Sr. Inspector	Jr. Inspector	Plans Reviewer	Intake Clerk	Admin Support
Pelham							
Port Colborne							
Wainfleet				0.1 FTE 			0.7 FTE 
West Lincoln				1.1 FTE  			



FTE



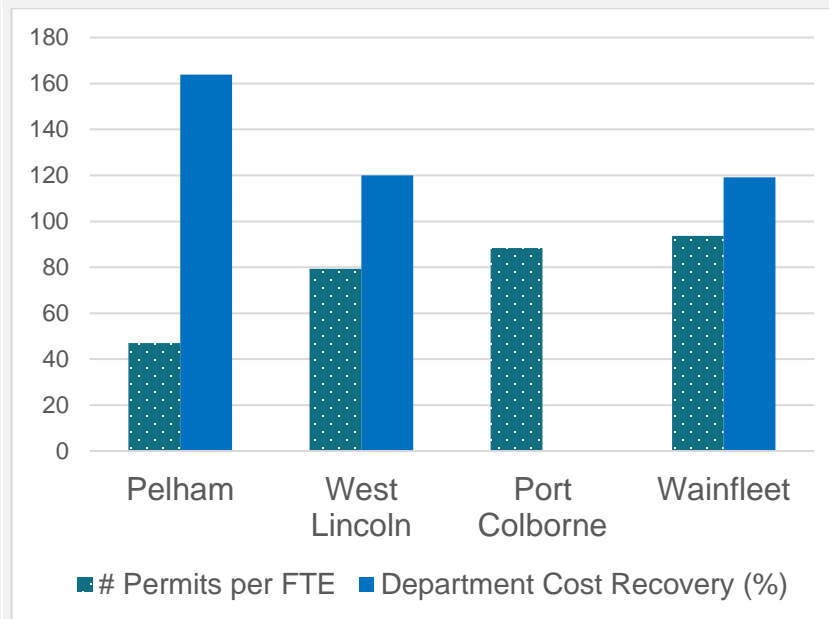
FTE w over 35 years' experience or in an acting capacity

People Efficiencies – while a crude measure of how effectively the service is being delivered the FTE/permit provided some insight into the workload of staff and potentially provides an indication of the effectiveness of business processes.

- Wainfleet issues the most permits and inspections per FTE
- Pelham issues the least number of permits and inspections per FTE
- Port Colborne and West Lincoln both issue a median number of permits and inspections per FTE

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A general target for organizational structure is to establish and maintain roles to allow all roles to carry out legislated duties efficiently while allowing and planning for coverage (planned or unplanned, such as vacation or pandemic), succession and development.

Process

Scope of Service Due to its role in the enforcement of the Ontario Building Code, Building Services across all jurisdictions is similar with one exception, West Lincoln and Wainfleet are responsible for Building Code Part 8 inspections (on-site sewage systems), while Pelham and Port Colborne receive this service from the Region of Niagara. In West Lincoln, Part 8 inspections are performed by contract staff. In Wainfleet, Part 8 inspections are by a bylaw enforcement officer.

Other minor variations in scope were likely a reflection of dealing with a different “demographic” of customer. For example, a Building Services department who deals primarily with a more experienced customer (builders, developers, contractors) will need to devote less time to the intake process than municipalities with more residents who are applying for a permit for the first time.

Interactions with Other Municipal Departments is required by all participating municipalities; they circulate applications to Planning staff for zoning review.

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Application Intake and Inquires Counter service done well can streamline the building permit process and can help a municipality continue to meet its legislated deadlines for permit reviews, since educating and guiding the applicant before application submission can help ensure the intake of a complete application that requires little, if any, correspondence to process.

Application Review Process occurs in each municipality and is considered a worthy investment of staff time. All municipalities have focused extra effort in the review of applications before submission to help streamline the application process and adhere to legislated permit deadlines. In Wainfleet, this support is provided by the CBO – applications are taken in by the Clerk and reviewed and inspected by the CBO. Efforts have been made to reduce the total number of staff hours required to process an application. In West Lincoln, general inquires support is provided in limited technical capacity by the Clerk or the Inspector if available; applications are taken in by the Clerk, reviewed and inspected by the Inspector or CBO. Pelham has dedicated intake staff to support applications and customer support.

Permit Issuance across all four municipalities is completed within the legislated timeframes. Residential permits are issued in an average of 6 days (across Pelham, Wainfleet and West Lincoln), while the legislated requirement is 10, but none advertise or publish a faster turnover of permit applications as an internal target.

Inspections are conducting inspections within the legislated timeframes. West Lincoln has the largest land area, translating to the most amount of transit time for inspectors, while Pelham and Port Colborne have the least.

Budget Process in Pelham, Wainfleet and West Lincoln all recover the cost of their building services, 164% - in the case of Pelham. Port Colborne operates in a negative cost recovery, relying on reserve inputs.

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	Operating Revenues ⁶ \$	Operating Expenses \$	Net Revenues \$
Pelham (2019)	713,260	435,305	277,955
Port Colborne	Not available		
Wainfleet (2019)	209,521	175,742	33,779
West Lincoln (2018)	505,755	421,383	84,372

Fees have recently been reviewed in Wainfleet in an effort to improve cost recovery. This resulted in a positive contribution to reserve for the past two calendar years. Port Colborne has not carried out a formal review of fees but continues to monitor fees using internal resources with an objective to set fees at an affordable level while maximizing department revenues.

Customer Service is important to all four municipalities, each taking a nuanced approach that reflects the needs of its customer base. For example, Wainfleet's customers are mostly homeowners and agricultural owners using contractors, with limited commercial and no industrial activity. Port Colborne noted that most customers are private citizens with limited building experience, with limited commercial, industrial or volume builders. As a result, Port Colborne Council agreed to taking on an additional inspector to ensure the department can operate within legislated requirements while offering extensive time and guidance to customers. This elevated customer service level has pushed the department into a negative cost recovery position, but Council agrees the service is important to the community.

Good customer service was generally described as:

⁶ Not including reserve interest

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	<ul style="list-style-type: none"> - permits issued within timeframes less than the legislated requirements - inspections conducted within the legislative requirements for time (especially ‘critical’ inspections such as septic or plumbing, where inspection delays can be costly or provide extensive safety or scheduling delays) - citizen questions are answered in a timely manner - permit applications are complete at intake. <p>Levels of Service included the following</p> <ul style="list-style-type: none"> - Based on customer demographics, Port Colborne staff also strive to deliver value-added customer service, providing guidance and extra time to less experienced applicants, especially since Port Colborne noted a smaller customer base of experienced volume builders. - Pelham provides full-time counter service, allowing walk-in or call-in citizens to speak to an intake clerk promptly, and an inspector or the CBO if they are available. Inversely, Wainfleet requests any unscheduled inquiries (counter or phone) to book an appointment with the CBO for all technical questions. These bookings are often scheduled on specific days. To supplement this, the Administrator is trained to check for completeness of an application package but not for any technical review. <p>A general target for customer service is to offer technical counter service to walk-in or call-in citizens, and continue to meet legislated deadlines for service provision, with especially prompt response to ‘critical’ inspections. A shared service model should therefore allow all municipalities to:</p> <ul style="list-style-type: none"> - Continue to meet legislated deadlines for delivery - Counter service by technical staff (but not necessarily CBO) - Prompt inspection response any day of the week.
Information and Technology	<p>Technology is a critical consideration in sharing services and differs across the four municipalities. This also became evident with the provision of requested data for this assignment – some municipalities were able to mine data readily while others were not able to provide some core data based on technological restrictions. For example, total inspections by type is not easily tallied in Pelham and in Port Colborne since inspection records</p>

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are maintained through Microsoft Outlook calendars, and total overall inspections was provided by Pelham, Wainfleet, and West Lincoln only.

E-Permits and Payments Wainfleet has purchased Evolta/Cloudpermit to handle all aspects of the application and inspection process, as currently Wainfleet uses City Reporter and does not manage applications electronically. All four participating municipalities believe technology would improve business processes associated with Building Services.

When Evolta/Cloudpermit is implemented (within 3-4 weeks), Wainfleet will be able to receive and process applications fully electronically. Wainfleet is seeking to reduce staff time spent on inquiries and pre-review of applications by offering more FAQs on the website and prompt electronic response of digital inquiries. Wainfleet is also anticipating the Evolta/Cloudpermit implementation will allow for permit status to be tracked electronically by the customer, email correspondence of project milestones to the customer, online application fee handling, inspection management, department statistics and reporting, tracking of hours spent and administering agency comments on applications. West Lincoln also processes applications fully electronically through City Software. Port Colborne and Pelham continued to require hard copy submissions – a process that became challenging during the 2020 pandemic.

Port Colborne does not require hard copy drawings at the project sites, nor does it have electronic drawing access. The CBO brings the corresponding drawing sets and file boxes to site for each inspection, posing a significant document control risk and efficiency impact.

Electronic Correspondence with applicants and citizens can benefit both the municipality and the citizens. This includes fulsome website information, email requests or other digital platforms to collect public questions or feedback about building. Educating citizens and applicants of the building process and permit requirements can reduce time spent in intake and permit application later, and lead to an overall more positive customer service experience. All municipalities recognized this factor and have used varying approaches to address the customer service need, some including electronic correspondence.

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4.3 Enhancements

In addition to a recommendation regarding Building Services shared models for sharing, GMBP suggest the following initiatives that improve the success of a sharing scenario. These enhancements may aid individual municipalities in finding some efficiency improvements if sharing is not pursued.

People

- Prepare an amalgamated Fees Study(s) including salary reviews for opportunities with cost recovery, especially important for Port Colborne and Wainfleet.
- Prepare a succession plan for critical roles within Building Services.

Process

- Prepare a business case and formally request that Part 8 (OBC) inspections be assumed by the Region of Niagara for Wainfleet & West Lincoln, as is currently the case for Pelham and Port Colborne.
- Document workflows, especially related to intake, plans review, monitoring, reporting/ statistics and document control.
- Enhance the Secretary role at Wainfleet through technical training to allow for more technical 'Counter service' removing the counter service function from the CBO role.

Technology

- Prepare a business case at Port Colborne and Pelham for the purchase and implementation of a permitting and payment tool (e.g. Evolta/Cloudpermit has been identified as advantageous by participants) to allow for new efficiencies related to digital workflow, customer experience, fees management, document control, to name a few. Economies of scale with technology purchased for multiple municipalities are possible.

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4.4 Sharing Model Options

Three models for Building Services sharing have been developed to respond to key findings and find benefit for each of the participating municipalities. For comparison, the 'status quo' option is also provided, and includes recommended enhancements.

Figure 4-1: Four Options of Sharing Building Services

Option 1 Fully Shared Building Services Model	Option 2 Partial Shared Building Services Model	Option 3 Temporary Coverage Model
<p>Shared CBO, Deputy, Inspectors, Admin Clerk</p> <ul style="list-style-type: none"> • Central CBO, inspection, and admin support function • Intake remaining with each municipality • Maximize opportunities for resource and workflow efficiency, scalability and flexibility • Requires standardization of process and tools, and consistency of service levels and service delivery 	<p>Shared CBO and Deputy</p> <ul style="list-style-type: none"> • Central CBO function providing adequate coverage of critical and mandated role of CBO • No requirement for standardization of process or tools 	<p>Covering Temporary Shortfalls</p> <ul style="list-style-type: none"> • Agreements to share services as required to cover temporary staffing shortfalls (vacation, vacancy, sickness, capacity). • Coverage would be minimal and aimed at achieving regulatory requirements.

Detailed Descriptions of the basic concepts for each option are described below.

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Option I – Fully Shared Building Services Model

People

- CBO, Deputy CBO, Four (4) Inspectors, and (1) Administrative Clerk are shared amongst the four municipalities.
- Intake Clerks remain independent of the shared model.
- CBO is appointed by each municipality and has the responsibility/authority to perform duties as legislated and as collectively agreed upon. CBO has authority over the Deputy CBO. CBO provides short-term backup for the Deputy CBO as required.
- Deputy CBO is appointed by each municipality and has the responsibility/authority to perform duties as legislated and as collectively agreed upon. Deputy CBO serves as a Senior Inspector and may perform CBO duties when required for coverage. Deputy CBO has authority over Inspectors and Administrative Clerk. Deputy CBO covers critical Administrative Clerk duties when required for coverage.
- Administrative Clerk dispatches and assigns Inspectors to projects, prepares all agency reporting on behalf of all municipalities and maintains regular communication with Intake Clerks.
- Intake clerks are independent of shared model, dedicated to each municipality and directly funded by respective Town budgets. Backup for this role, however, can be provided as needed from the shared Inspectors for short-term periods (long-term would need to be a filled position by the municipality). Intake Clerks would be included on regular staff meetings to ensure connectivity.
- This model may also be expanded to Municipal Drainage or other services or may be adjusted should less than four municipalities choose to participate.

Process

Agreement

- A shared service agreement is a suited agreement structure. Fundamentally, staff are employed by a prime municipality and services are extended to other municipalities at a set fee under a formal agreement, but the group is managed and operates as an 'independent' group to ensure objectivity and fair allocation.

Location

- Several options are available for the location of the shared group. For staff cohesion, this model is most effectively achieved through the establishment of the

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group at a central municipal location (repurposing/refurbishment of an existing municipal building or office). A central location can help minimize transit time for inspections (up to 30 minutes for transit from a central location to the furthest boundary locations). One-time capital investment may be involved for establishment of a new/refurbished shared location.

- Locations may also be:
 - distributed (CBOs at one location, inspectors at another – not a common setup)
 - rotating (this is common in the industry – staff rotate attendance at each Town office – say for one week at a time)
 - a hybrid, especially based on newer work from home options that may arise from the pandemic response.
- Special arrangements would be required to ensure regular connection and inclusion of intake staff within group meetings.

Fleet

- Like the staff resources, fleet may be set up as the property of the prime municipality, and its services extended to the member municipalities as required.
- Some municipalities interviewed maintained individual ownership of vehicles, and staff use the vehicle associated with the jurisdiction of the project/inspection at hand. This approach has been challenging.

Workflows

- Customer service starts at the counter and with online or phone inquiries. With this shared model, a dedicated, trained Intake Clerk is employed by each municipality and carries out that ‘first line of response’ for customers. With many technical and administrative concerns addressed at this level, intake of applications is anticipated to be streamlined. Special or more challenging requests are forwarded to a shared Inspector, if required, but the greater investment each municipality makes in developing excellent intake personnel, the less inefficiency in the permit intake process and more streamlined permit reviews. Plans review and inspection are performed by a shared Inspector (assigned through the Administrative Clerk and software), while permits and correspondence are managed electronically. However, the Intake Clerk remains available as a representative of the service group at each location. Review and signoff is performed by the Deputy CBO and CBO accordingly, while the Administrative Clerk provides reporting and statistics to the municipalities as required.

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- For this model to be successful, the need for standardization is more important for this than any of the other options. Workflows and corresponding workflows will need to be documented and agreed upon.
- Permit applications may continue to be distributed through Planning staff for zoning reviews. This may be a new workflow for Wainfleet but is the most robust in ensuring a thorough zoning check is performed, without relying on the shared Inspectors' knowledge of the specific zoning by-laws.

Technology

- Aligned software is critical for the success of this model, and in itself allows for some municipalities to experience significant workflow efficiencies.
- Both software for permit management and for assignment of inspection/plans review resources will be required.
- Reporting tools within the software are essential for monitoring of the agreement effectiveness, Council communication, sharing fees, and accountability of resource management during demand periods.

Option 2 – Partial Shared Building Services Model

People

- CBO/Deputy CBO are appointed by each municipality and have the responsibility/authority to perform duties as legislated and as collectively agreed upon. CBO has authority over the Deputy and Deputy CBO has authority over assigned Inspector based on jurisdiction of the application. CBO provides short-term backup for the Deputy CBO as required, and vice versa.
- Intake clerks and other administrative support remain the responsibility of each Town, directly funded by respective Town budgets.
- This model may also be expanded to Municipal Drainage or other services or may be adjusted should less than four municipalities choose to participate.

Process

Agreement

- A shared service agreement is a suited agreement structure. Fundamentally, staff are employed by a prime municipality and services are extended to other municipalities at a set fee under a formal agreement, but the CBO and Deputy CBO are managed and operate as an 'independent' group to ensure objectivity and fair allocation.

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Locations

- Rotate presence at all four offices on a regular schedule. Inspections do not have to be scheduled based on CBO availability.

Fleet

- One dedicated vehicle would be required which would also be a shared capital item. Pay the percentage of the permit towards the capital (fee only, home municipality has the capital).

Workflows

- Permit applications may continue to be distributed through Planning staff for zoning reviews. This may be a new workflow for Wainfleet but is the most robust in ensuring a thorough zoning check is performed, without relying on the shared Inspectors' knowledge of the specific zoning by-laws.

Technology

- Transition to aligned e-permitting software is not essential, but would be far more effective, allowing for remote signoffs and processing.
- Aligned software is critical for the success of this model, and in itself allows for some municipalities to experience significant workflow efficiencies.
- Performance feedback from all four municipalities. Accountability and reporting of resource assignment and use is achievable through resource management software and monitored and trended by the CBO. This is essential for Council communication, sharing fees, and accountability of resource management during demand periods.

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Option 3 –Temporary Coverage Model

- Formal agreements are set up to allow for municipalities to borrow temporary services as needed to cover temporary shortfalls (vacation, vacancy, sickness, capacity).
- If software is not aligned, the objective of shared service is to 'keep the lights on', while the municipality supports with administration, email, approvals, and level of service gaps as required.
- Municipalities will ensure that CBO and Deputy CBO have appropriate authority in jurisdictions as required.
- This model may also be expanded to Municipal Drainage or other services or may be adjusted should less than four municipalities choose to participate.

4.5 Financials

Although cost savings are a shared model objective, GMBP was unable to provide a detailed cost savings evaluation since much of the salary data was missing. Using hourly rates⁷ for current salaries provided by West Lincoln as average salaries for all municipalities, the following coarse comparison was prepared for the recommended Full Sharing Model.

⁷ Estimates for average salaries used for evaluation, including benefits, based on salaries provided by West Lincoln and averages

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Table 4-3: Model 1 – Full Sharing - Coarse Estimate in Annual Savings Salaries (plus benefits)

Municipality	Current	Full Share Model	Potential Annual Savings
Pelham	\$ 459,420	\$ 252,401	\$ 207,019
West Lincoln	\$ 283,777	\$ 254,562	\$ 29,215
Port Colborne	\$ 274,883	\$ 274,008	\$ 876
Wainfleet	\$ 157,273	\$ 195,503	\$ (38,230)

The following should be noted: Although transfer to reserve could diminish for Wainfleet to cover additional salary costs, the potential impact on level of service for Wainfleet is significant: residents get full time counter presence with an intake clerk, more prompt inspection response and equivalent permit processing times.

CBO	Deputy CBO	Senior Inspector	Inspector	Intake Clerk	Administrative Secretary
\$ 115,456	\$ 102,195	\$ 95,565	\$ 83,148	\$ 68,878	\$ 70,493

Pelham could experience significant savings in salaries, but an impact on level of service may result.

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4.6 Model Benefits

For each model presented, benefits are summarized in the table below based on the previously defined elements of service delivery evaluation framework.

Figure 4-2: Benefits for the Three Sharing Options

Element	Option 1 Fully Shared Building Services Model	Option 2 Partial Shared Building Services Model	Option 3 Temporary Coverage Model
People			
Job Function	Benefit	Benefit	-
Training, skills development	Benefit	Benefit	-
Resource Management	Benefit	Benefit	Minor Benefit
Succession Planning	Benefit	-	-
Scalability of Operations	Benefit	Benefit	Minor Benefit
Process			
Legislation	Benefit	Benefit	Benefit
Corporate requirements and standards	Benefit	-	-
Scope of service	Benefit	-	-
Best practices	Benefit	-	-
Work flows	Benefit	-	-
Technology			
Tools to enable business process	Benefit	-	-

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4.7 Recommended Model

Considering the project objectives and results of the evaluation, we recommend the four (or fewer) municipalities consider the model described in Option 1 – Full Share Building Services.

Project objectives are satisfied through Option 1:

- ✓ Find efficiencies that result in cost savings in the long term.
- ✓ Find process and procedural efficiencies that reduce or eliminate waste or duplication.
- ✓ Find opportunities to standardize or make consistent the delivery of service across all four jurisdictions.
- ✓ Enhance the customer experience.
- ✓ Reduce the organizational risks associated with vacancies in roles critical to the organizations i.e., jobs that fulfill regulatory or mandated functions.
- ✓ Increase staff retention to realize a return on the investments of training and onboarding.

Each municipality may experience benefits to varying degrees, but overall, the model can allow for a sustainable service offering, allowing for a positive and efficient customer experience while maintaining legislative requirements.

Also, with this model, people, process and technology elements are considered and better synergized as a group and as a service across all four municipalities. Specifically, the model allows for:

- People – sharing human resources while remaining cognizant of communication and connection factors.
- Process – adjusting processes while staying attentive to levels of service.
- Technology – streamlining technology, which has tremendous potential benefits for all four municipalities.

Although some additional expenditures may be experienced for salaries and the level of service for customers may improve substantially, since duties would be performed by the most suitably skilled role, inspections can happen all days of the week and counter service would no longer require an appointment.

Note - Pelham may experience some cost savings by using a shared model.

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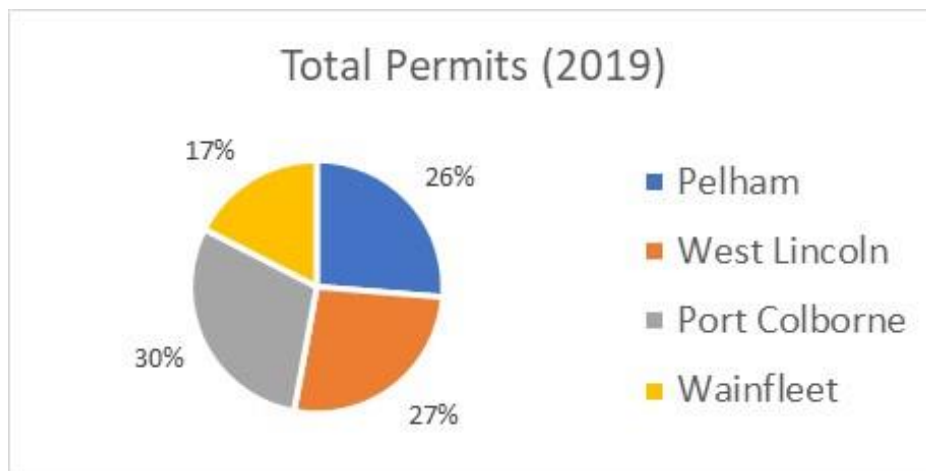
Customer service across the four municipalities would be consistently provided, allowing customers to experience a predictable and consistent inquiry, permit, and inspection process.

Agreement

A Memorandum of Understanding or Extension of Services Agreement may be most suited to the fully shared arrangement described. Potential cost savings will be dependent on the structure of the agreement and how costs will be apportioned.

Under Section 7 of the Ontario Building Code Act, municipalities are provided with the authority to establish fees for building services and associated permits and the ability to operate respective building departments at full cost recovery. If all four municipalities shift towards a full cost recovery model, the potential cost savings of this opportunity would be the annual differential between the expenditures and revenues.

Figure 4-3: Permit Apportionment



In the initial arrangement, the municipalities may wish to apportion the costs associated with building controls on the historic average of building permits per year. Figure 4-3 illustrates the distribution of building permits on an annual basis – an average from the past several years could be used to calculate an apportionment cost for each municipality.

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Beyond the cost apportionment formula which would allow for the distribution based upon historic averages, another common practice in the municipal sector for the sharing of building control services is one municipality builds the capacity within their organization and then sells the service to the other municipalities. The costs of providing the service are done based on hourly or daily rates, while vehicle use and charges may remain in the individual municipal budgets. Vehicle charge out rates may be used if preferred and can also have a capital replacement component built in to address the eventual need to replace the assets associated with the delivery of the service.

MUNICIPAL DRAINAGE SERVICES

Shared Services Review

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5. MUNICIPAL DRAINAGE SERVICE REVIEW

5.1 Background

Drainage issues are regulated under the Drainage Act. Primarily through the Council appointment of a Drainage Superintendent, the local municipality is responsible for the management of the drainage systems located within municipal boundaries, and the cost of work is assessed to the landowners in the watershed of the drain.

Management of municipal drains is vital to the communities, roads, and surrounding lands in rural Ontario by reducing flooding and property damage while maintaining safety. Municipal drain management is especially fundamental for an effective and competitive agricultural industry.

Through the Drainage Act, the Province provides grants towards assessments on agricultural land for cost of municipal drain construction, improvement, maintenance, repair and operations, and grants towards Drainage Superintendent costs. The Superintendent's responsibilities may also include other duties related to municipal drains, and some of the Superintendent's time performing related duties is eligible for grants under the Drainage Act.

Several of the municipalities have shared a Drainage Superintendent in the past with mixed success.

Shared Services Review

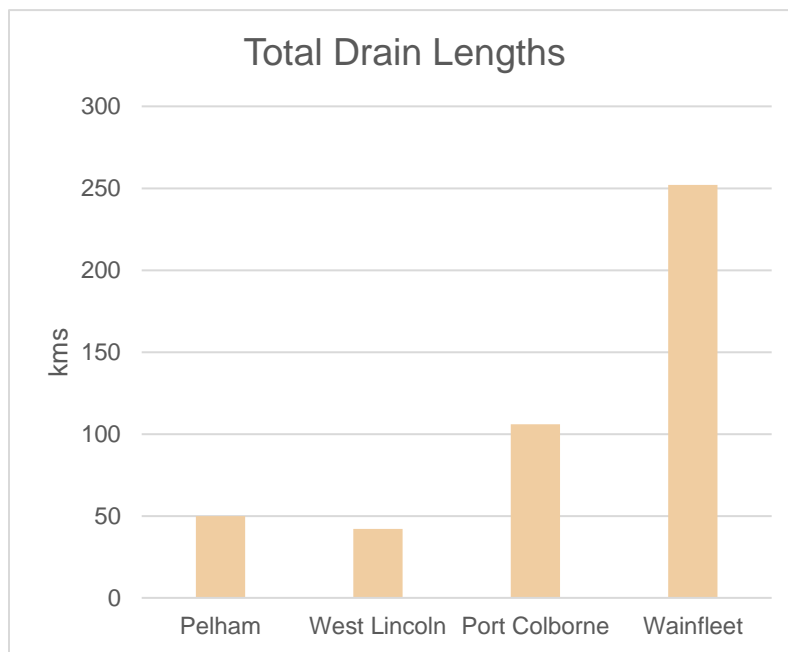
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5.2 Current State

The four municipalities each present different scale of networks, staffing structure and service approach.

Wainfleet maintains the largest drain network of the four municipalities, and the largest in Ontario at 252km. Comparative sizes of the drain networks are shown in Figure 5-1.

Figure 5-1: Total Drainage Lengths



Based solely on the considerable difference in drain network size, it is expected that the efforts to maintain the existing municipal drains would vary for the four municipalities. From interviews, it is also apparent that two different approaches to service delivery have been adopted - reactive (complaint based) and preventive – which also impacts the resources required to provide drainage services.

Both Pelham and West Lincoln take a reactive (complaint-based) approach to municipal drain services. Since municipal drain maintenance costs are shared amongst benefitting property owners, both municipalities prefer to perform drain maintenance or initiate new construction only when prompted by property owners. All drain maintenance and new drain construction is contracted to external organizations in an effort to maintain objectivity, keep an 'arm's length' from the work at hand, and for ease of billing/grant applications.











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Inversely, Wainfleet and Port Colborne have established a preventive municipal drain maintenance program and a hands-on approach with pre-engineering and permitting. With this approach, a portion of the total drain network is 'maintained' each year (e.g. vegetation removal, culvert maintenance, excavation). Both municipalities have also arranged for supporting heavy equipment and clerical staff to offset contractor costs for maintenance work, and to allow for greater flexibility with scheduling, especially working within permit timing constraints. Both municipalities expressed a desire for more supporting staff – specifically a biologist for assisting with the quality of permit applications and maintenance work. For new drains, external engineering firms are engaged, and internal staff strive to offset some of the engineering costs through internal staff (permit applications, surveying, species identification). Like Pelham and West Lincoln, construction of new drains is contracted to external organizations.

Organizational structures for each municipality also vary, as shown in the Table below.

Table 5-1: Drainage Services FTEs

	Drainage Superintendent	Municipal Drain Technologist	Equipment Operator	Other	Total FTE
Pelham	0.1 FTE 			0.1 FTE 	0.2
Port Colborne				0.2 FTE 	3.2
Wainfleet					2
West Lincoln	0.2 FTE 			0.1 FTE 	0.3

The FTEs assigned to the municipal drain services vary across all four municipalities.

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Reactive Service Approach:

Pelham and West Lincoln, municipalities that both adopted a reactive approach to drain maintenance, employ 0.4 and 0.8 FTEs per 100km of municipal drain, respectively.

- Pelham co-shares the Drainage Superintendent role with the Chief Building Official. No Drainage Superintendent job description is available.
- Under Council appointment, West Lincoln has contracted the Drainage Superintendent services to a consulting firm, with additional contribution provided by a staff Project Manager, totalling 0.3 FTEs.

Preventive Service Approach:

Port Colborne and Wainfleet, municipalities that both adopted a preventive approach to drain maintenance, employ higher rates of 1.0 and 3.0 FTEs per 100km of municipal drain, respectively.

	Kms Drain	Strategy	FTEs/100km
Pelham	50	Reactive	0.4
West Lincoln	252	Reactive	0.3
Port Colborne	42	Preventive	1.0
Wainfleet	106	Preventive	3.0

For all four municipalities, general responsibilities related to municipal drainage services include:

- Customer response and liaising (drainage inquiries, complaint investigation, customer education).
- Plan and supervision of construction, maintenance and repair of municipal drainage works.
- Management of municipal drain maintenance – based on customer complaints.
- Management of new municipal drains - petition and construction process - including engagement of Drainage Engineer & contractor, general oversight of construction work.

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- Operation of municipal drainage works by investigating concerns and maintaining compliance with Provincial Drainage Act requirements and legislation.
- Drain billing oversight (coordination with Planning and Financial staff).
- Management of provincial grant administration.
- Participation and attendance at drainage meetings, open houses.
- Representing/managing response for appeals as required (contracted or in-house).

In addition, Port Colborne and Wainfleet, having adopted a preventive service approach, also include the following responsibilities:

- Assistance with pre-engineering for new drain construction, to offset external engineering firm fees.
- Management of a preventive drain maintenance program – including inspection of all drains on a multi-year cycle, program operational and capital planning, oversight of internal maintenance staff and equipment.
- Assistance with pre-engineering for drain maintenance, including species assessment, permit application, surveying.

Challenges

The overall ongoing challenges the municipalities face include:

People:

- Sustainability – Retention and succession planning of personnel is a challenge, especially for co-shared and specialized roles, and for municipalities with less dedicated staff.
- Outsourcing – There is some corporate risk when the whole of a service is outsourced. In municipal service provision, especially reviewing opportunities for efficiency, it is good practice to retain functions/responsibilities that are of high value to the organization. In this case, Municipal Drainage Services is considered high value (high risk) because of the legislative requirements, the specialized nature of the service (i.e., qualified/certified Drainage Inspector), the contact with the community, and its direct connection to billing. Shedding some aspects of the service could be beneficial especially if those tasks are either lower value to the organization (low risk) or highly technical where it would not be reasonable to keep in-house.

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Process:

- From an asset lifecycle perspective, preventive (rather than reactive) maintenance may prove less costly in the total service life of the drains, ultimately posing less financial burden to benefitting land owners. When regularly and preventively maintained (sediment removal, brush vegetation cutting and removal, grading, culvert maintenance, etc.), drain performance is sustained throughout the service life of the drain. Smaller rehabilitation measures throughout the life of a drain can extend its service life, while lack of maintenance until symptoms of major deficiency arise (such as flooding) may shorten its service life.
- Efficient and successful billing relies on current and correct property owner data. When property ownership changes, municipality billing staff rely on MPAC for current data. However, when property boundaries change (due to subdivision, severance or other planning activities), lands on municipal drains, allocation, and benefitting owners may change. The approved property changes must be regularly communicated, at a minimum, to the Drainage Superintendent, and a process must be in place to ensure Engineer's Reports' assessment schedules and billing information is accordingly updated.
- Documented workflows can lend to increased efficiencies and are helpful with training, definition of roles, and consistency of service provision. The process of creating documented workflows can be beneficial in itself, helping to identify authorities, responsibilities, process, and gaps.
- Customer service is a challenge, requiring a significant amount of education, site investigation, awareness of invasive species (beavers!) and need for quick response, especially since many drainage customers are agricultural businesses and municipal drain performance can directly impact crops.

Customer Experience

In all interviews with drainage staff, it was noted that the agricultural customer base appreciates the on-site response, drainage concerns being investigated, and the general level of service being provided by each municipality. Wainfleet and Port Colborne staff also noted that the agricultural customers understand and generally do not object to the need and cost for preventive drain maintenance.

GMBP interviewed a business in Pelham that owns land on municipal drains in Pelham, and also operates farms on municipal drains or with drainage issues in Port Colborne, Wainfleet and Haldimand County. The business representative noted:

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- In Pelham, a field entrance culvert on a municipal drain was replaced in coordination with the Town several years ago. The rep noted that the level of service from the Town was satisfactory. He also expressed concern that the contractor pricing, since coordinated through the Town, was considered to be expensive and a longer time to coordinate, compared to what could have been installed directly by the business under the Town's supervision. The culvert was replaced since it was failing from rotting, making the ditch unpassable, and the company's farming equipment is only getting larger to accommodate farming demands.
- In comparison, this same company deals with the County of Haldimand on municipal drain matters and feels the level of customer service there is equivalent and satisfactory.
- In Wainfleet, this company's experience with the Township's response to drainage matters not related to a municipal drain has been slower than municipal drain response. He noted that the preventive maintenance related to municipal drains has been excellent.

A second business that operates in multiple municipalities preferred to be contacted when this busy May season has passed.

A private resident on a municipal drain in West Lincoln noted general satisfaction with the drain, and that the billing is not issued with any accompanying information, backup or explanation.

Industry Scan

"OMAFRA-ICSC-Interim-Report-2-Provincial-Survey-Results" (July 2019) is a broader research project to assess the potential of inter-community service cooperation as a possible tool to address the impacts of climate change in small communities. In it, 10% of the 29 Ontario municipalities surveyed share stormwater and wastewater management.

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Building Services, Municipal Drainage Services, and IT

The following municipalities⁸ share some portion of drainage duties:

- Township of Wellesley & Township of Wellington North
- Municipality of Bluewater, Municipality of South Huron
- Municipality of Central Manitoulin, Tehkummak Township, Township of Assiginack
- Township of North Stormont, Russell Township
- The Manager of Public Works for Town of Amherstburg is contracted to be the Drainage Superintendent of the Township of Pelee Island. Amherstburg has a full-time Drainage Superintendent.
- North Perth & South Perth formerly shared a Drainage Superintendent.

An informative article⁹ about North Perth and Perth South describes the benefits of shared drainage and other services states:

“An example of savings realized through PACT in 2016 was the sharing of a drainage superintendent between Perth South and North Perth. According to Pullia’s report, the five-year average cost of drainage superintendent services from an engineering firm has, in the past, cost Perth South \$75,534 annually.

Through a shared service agreement established at the end of 2015, North Perth hired a full-time drainage superintendent, which Perth South then hired to work two days a week at a cost of \$28,768 – nearly \$47,000 less than Perth South had been paying previously.”

⁸ Check out DSAO.net – see membership list:

⁹ <https://www.mitchelladvocate.com/2017/07/10/getting-the-most-bang-from-the-taxpayers-buck/wcm/913ead01-9494-6268-015f-98194b8e742e>

Shared Services Review

Building Services, Municipal Drainage Services, and IT

5.3 Sharing Options

As described above, two fundamentally different approaches to municipal drainage services exist in the four municipalities, making implementation and benefits of a singular shared model challenging. Establishing one shared group that provides municipal services using two significantly different approaches would be challenging to administer, maintain consistently, and could prove frustrating for customers, especially those that own or work with municipal drains across multiple municipalities. As a result, two levels of municipal drainage sharing models are presented – sharing models for municipalities using a reactive (complaint-based) approach and using a preventive approach.

Pelham, West Lincoln

Option 1 Reactive Approach

Full Share Model

- **Shared Drainage Superintendent**

Wainfleet, Port Colborne

Option 2 Preventive Approach

Full Share Model

- **One Drainage Superintendent**
- **Two Municipal Drain Technologists**
- **One Environmental Technologist**
- **Two heavy equipment operators**

Option 3 Preventive Approach

Temporary Coverage Model

- **Emergency sharing of resources**

In all options, salaries of shared services may be eligible for provincial benefit through the Ministry of Agriculture, Food and Rural Affairs, and benefit could be allocated to sharing municipalities in accordance with the agreement. Timesheets and logs prepared for grant application support is also valuable for agreement monitoring and communication. Salaries, benefits (to 35%) and expenses (to 18%).

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Option 1: Reactive Maintenance Approach, Shared Drainage Superintendent

Prerequisite: Member municipalities provide municipal drainage using a reactive, complaint-based approach. (Currently, this approach is used by Pelham and West Lincoln.)

Model: Share services of one Drainage Superintendent. For Pelham and West Lincoln, this role can be filled by a staff member extending services to a second municipality, rotating municipal offices (for connectivity and team connections). This shared staff member would coordinate with Finance, Planning and Tax staff from respective municipalities as required. The agreement allows for one municipality to employ the Drainage Superintendent and extend services to the other, rotating coverage at both municipal offices for consistent presence and reliable communication, and the basis of the agreement can be fee or time-based.

Currently, Pelham has 0.4 FTE/100km drain and West Lincoln has 1.6 FTE/100km drain. This sharing scenario totals 1 FTE managing a total of 92km of municipal drains, or 1.1 FTE/100km drain, an intermediate value for resource application.

Benefits:

- Sustainable personnel, as it allows Pelham to separate CBO/Drainage roles, especially for future filling of positions with suitable skillsets.
- Allows West Lincoln to bring the service in-house, if the shared resource is internally provided.
- Role, responsibilities, and authorities objectively provided by a dedicated full-time person, rather than an external party or a part-time basis from staff serving alternate roles.
- Scalable model, since climate change, growth, and increasing agricultural service levels will only increase demand on this role.
- More consistent billing across member municipalities.
- Drainage Open House, an effective customer communication initiative, could be offered to a broader scope of citizens.
- Ease of management and billing for municipal drains that traverse both member municipalities.

Risks:

- Inconsistent coverage between municipalities was identified as a former challenge with a shared Drainage Superintendent. A robust, well-monitored sharing

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agreement with defined levels of service expectations would be required to avoid this risk.

- From an asset lifecycle perspective, reactive (rather than preventive) maintenance may prove more costly in the total service life of the drains and may pose more financial burden to benefitting land owners. When not regularly and preventively maintained (sediment removal, brush vegetation cutting and removal, grading, culvert maintenance, etc.), rehabilitation options may become more limited, drain performance deteriorates, and intervention measures shift to reconstruction rather than rehabilitation. Smaller rehabilitation measures throughout the life of a drain can extend its service life, while lack of maintenance until symptoms of major deficiency arise (such as flooding) may shorten its service life. A reactive approach may also contribute to unplanned and costly failures from lack of monitoring.
- Long-term coverage demand from one municipality could tax the model with unequitable resource allocation.

Should Port Colborne or Wainfleet consider shifting the service delivery approach from preventive to reactive, this shared service model could also be expanded to include these municipalities. If so, a small amount of additional shared resources may be required – this could be in the form of part-time Administrative Support to the shared Drainage Superintendent, or additional coverage if the shared service is contracted to an external firm.

Option 2: Preventive Maintenance Approach, Full Share of Services

Prerequisite: Member municipalities providing municipal drainage using a preventive approach in a drain maintenance program. Currently, this approach is used by Wainfleet and Port Colborne.

Model: Fully share a service group of staff, which can also include vehicles and equipment. The agreement allows for one municipality to employ the full group while extending services to the other member municipality based on a fee or time basis. For Wainfleet and Port Colborne, shared staff may include:

- One Drainage Superintendent
- Two Municipal Drain Technologists
- One Environmental Technologist (environmental or biology skillset, able to assist Municipal Drain Technologist)
- Two heavy equipment operators.

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Currently, Port Colborne has 3.0 FTE/100km drain and Wainfleet has 0.8 FTE/100km drain. This sharing scenario totals 6 FTEs managing a total of 358km of municipal drains, or 1.7 FTE/100km drain, an intermediate value for resource application.

Other shared resources may include staff vehicles, heavy equipment for drain maintenance work, and IT Tools.

Benefits:

- Quality of maintenance work (maintenance work performed by staff)
- Control of compliance (related to preparing permit applications, permit compliance, Engineer's report compliance, maintenance work)
- Customer service – communication with residents by staff rather than contractor
- Reduced contracted services using internal staff, can reduce costs
- Control of work with reduced control to contracted services
- Ease of scheduling using internal staff rather than relying on tendering process with contracted services
- Municipal drains more likely to reach service life, or extended service life, with preventive maintenance
- Sustainable personnel, as it allows for movement, development, succession, coverage
- Scalable model, since climate change, growth and increasing agricultural service levels will only increase demand on this service.
- More consistent or centralized billing across member municipalities can be pursued, consistent policy for billing would need to be established.
- Drainage Open House, an effective customer communication initiative, could be offered to a broader scope of citizens.
- Ease of management and billing for municipal drains that traverse both member municipalities.

Risks:

- Potential shift of level of service or culture from individual municipalities to centralizing the service. New level of service should be defined, Council-approved, and explained to citizens to alleviate this risk.
- Dedication of sufficient resources to all member municipalities equitably. A well-monitored agreement with clearly defined expectations can alleviate this risk.
- Communication with supporting staff (finance, planning) at respective municipalities can be challenging. Rotating offices and regular group meetings can alleviate this risk.

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- Underutilizing shared staff.
- Long-term increased demand from one municipality could tax the model with unequitable resource allocation.

Should Pelham or West Lincoln consider shifting the service delivery approach from reactive to preventive, this shared service model could also be expanded to include these municipalities. If so, additional shared resources may be required.

Option 3: Share Temporary Coverage

Prerequisite: Member municipalities providing municipal drainage using a preventive approach in a drain maintenance program. Currently, this approach is used by Wainfleet and Port Colborne.

Shared Model: Share staff for temporary coverage for vacations, sickness, demand or short-term vacancy, on an as-needed basis. The agreement allows for one municipality to borrow from another for short-term coverage. The agreement can be fee-based or purely mutual aid as required.

Benefits:

- Better coverage for Drainage Superintendent, support staff, heavy equipment operators or even contract specialized services, such as a biologist, for specific projects.
- Better prepared for emergencies or unplanned shortages of resources.
- Customer service – improved interactions between member municipalities may prove beneficial to customers, especially for drains that cross municipal borders.
- Scalable model, since climate change, growth, and increasing agricultural service levels will only increase likelihood of unplanned need for resources.

Risk:

- Long-term coverage from the supporting municipality could tax the model with unequitable resource allocation.

This shared service model may also be feasible between municipalities delivering services with a reactive approach.

IT SERVICES

Shared Services Review

Building Services, Municipal Drainage Services, and IT

6. IT SERVICES REVIEW

6.1 Scope of the Review

This chapter provides information specific to the GMBP review of potential options for sharing IT Services between Pelham and Wainfleet. The objective of the IT Services Review is to attain efficiencies and improve customer service.

The scope of this review consists of the following three primary areas:

1. Hardware: review of the current physical devices and networks that are in place including maintenance, function and application and consider how sharing would result in efficiencies.
2. Software: review of programs and applications of significance that are currently in use within each municipality as well as licensing type and procurement and consider how a sharing the IT service would result in efficiencies.
3. Staff: review of both the number of staff and workload and consider how a sharing scenario would result in efficiencies and increase customer service.

To accomplish the objective of the assignment, a questionnaire was sent to the IT Managers at Pelham and Wainfleet and follow up meetings were held to clarify responses and deepen GMBP's understanding of current issues. The following describes the current state at both organizations and offers suggestions regarding potential opportunities to share services as a way to find efficiencies, cost savings, improve customer service, and provide afterhours / emergency on-call IT services.

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6.2 Industry Scan

Sharing IT services is not uncommon among municipalities in Ontario. Sharing partners typically benefit in the following ways:

- Cost savings through increased purchasing power/volume pricing, and potentially attracting a more vendors/contractors.
- Cost savings by sharing applications, system and data backup infrastructure - (Lambton County IT is an example of an upper tier who extends IT services to some of its 11 lower tier municipalities including system and data backup).
- Access to systems hosted by another organization. For example, Niagara Region provides GIS to lower tier municipalities through NiagaraNavigator.
- Pooling knowledge and experience to benefit from the collective skills and past experience of staff. Niagara Region hosts GNIag- a GIS community for users in Niagara Region to come together stay current on technology, review software, and discuss issues.
- Enabling sharing of other municipal services through common systems and data, e.g. should Pelham and Wainfleet decided to share Building Services, a common e-permitting tool would increase the benefit of sharing and enable seamless workflow and dataflow between the organizations.

Shared Services Review

Building Services, Municipal Drainage Services, and IT

6.3 Current State Key Findings

The following outlines key findings resulting from in-depth discussion regarding the participating municipalities and their respective IT environments and resources. Documentation of these one-on-one interviews is included in **Appendix A**.

People

- Pelham has one full-time and one part-time staff dedicated to maintaining the IT systems and responding to requests from Pelham's 69 staff. IT staff per FTE ratio is 1:46¹⁰ (based on FTE reported in Pelham's 2018 FIR).
- Wainfleet has one individual dedicated to IT Services and 36 staff. IT staff per FTE ratio is 1:36¹¹ (based on FTE data reported as part of Wainfleet's 2018 FIR).
- With respect to people capacity, GMBP suggest the following IT Services trends be considered
 - **Note:** typically, organizations with fewer than 500 FTE have a ratio of 1:18¹² illustrating that IT Services in both organizations are already somewhat running at capacity.
- With respect to people capacity, GMBP suggest the following IT Services trends be considered. Each of the following represents additional potential pressures on IT resources:
 - Communities, council, and staff are shifting to digital and online tools for collaboration, public engagement, and education which puts additional pressures on IT to support new tools and services to more customers (including the public).
 - Recent requirements to work from home due to social distancing highlight the need for the IT departments to be flexible and responsive to operational conditions to

¹⁰ <https://efis.fma.csc.gov.on.ca/fir/ViewFIR2018.htm#2600>

¹¹ <https://efis.fma.csc.gov.on.ca/fir/ViewFIR2018.htm#2600>

¹² <https://www.workforce.com/news/ratio-of-it-staff-to-employees>

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	<p>support municipal services, especially essential service, and highlights the need for remote connectivity to city systems and data.</p> <ul style="list-style-type: none"> ○ According to the Municipal Information Systems Association, increased awareness within municipal leadership of threats to cyber security is an emerging trend which will require action, education and response.¹³ ● Both manager positions require the skills of a formally trained IT Administrator. ● Unplanned vacancies in the critical role of IT Manager would present a risk to the organizations, however filling vacancies is not expected to be problematic. While training would be required to learn the unique and individual configurations of the municipalities, finding a qualified IT staff should not be an issue from a recruitment perspective. ● The Pelham IT Manager is backed up by a part-time employee. ● Neither organization is currently staffed to provide 24/7 IT Services. Increasing the hours of operation would require either additional staff, or shared support contract for 24/7 support.
Process	<ul style="list-style-type: none"> ● Procure and maintain all hardware as required– patches, repairs, upgrades. ● Procure and maintain all software as required – installations, patches, upgrades. ● Respond to staff requests – both municipalities have a formal process for receiving staff requests however both note that staff opt to call or email instead. ● Provide IT support to staff.

¹³ <https://www.itworldcanada.com/article/five-cyber-security-trends-to-prepare-for-gartner/411448>

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Technology	<p>Hardware:</p> <ul style="list-style-type: none"> Both municipalities have a similar overall hardware configuration. Pelham uses Hewlett Packard (HP) machines provided through an account with IBM, and Wainfleet has an account with Dell for Dell systems. In both municipalities, iPads and iPhones are the predominant mobile devices. In Pelham, they achieve redundancy by backing up their systems and data to the Pelham Recreation Center, while backups are locally stored at Wainfleet. <p>Software:</p> <ul style="list-style-type: none"> Apart from mobile devices which are standardized on Apple's iOS (varying versions depending on the age of the device) both municipalities have standardized to the Microsoft platform, with Windows 10 as the desktop operating system, and Microsoft Server being used on enterprise servers. Both municipalities use MS Office suite for desktop users and MS SQL Server as their primary enterprise database system Both municipalities use Vadim iCity Financials, Stone Orchard Cemetery software. <p>Additionally:</p> <ul style="list-style-type: none"> Pelham has the following: AutoCAD licenses, ESRI Enterprise License Agreement (ELA) to use the ESRI GIS suite of applications, and the current implementation of Marmak. Wainfleet currently utilizes the Region of Niagara's GIS, has implemented CityWide and is in the process of implementing Evolta/Cloudpermit for building applications permitting and inspection.
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6.4 Sharing Model Options

Two models have been developed to suit the sharing objectives of Pelham and Wainfleet and are based on current state key findings. Both model options consider a scenario for emergency after hours support.

Figure 6-1 - IT Services Sharing Models

Option 1 Fully Shared IT Services Model	Option 2 Partially Shared IT Services Model
<p>Single department servicing both Pelham and Wainfleet</p> <ul style="list-style-type: none"> • 4 FTE (includes optional GIS staff) • Maximize opportunities for resource and workflow efficiency, scalability and flexibility. • Improved purchasing power. • Extended business hours and emergency on call support. • Potential to improve customer service through specialized skills and expertise. • High impact change but highly disruptive to customers. 	<p>Agreement to share some IT services</p> <ul style="list-style-type: none"> • Pelham = 1.5 FTE Wainfleet = 1.5 FTE • Pelham's part time staff to provide equal support to Wainfleet. • Joint procurement of hardware, software, and services where possible, practical and mutually beneficial. • Emergency on call support • Moderate opportunities for efficiencies but very little disruption to those using IT Services

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Option 1: Fully Shared IT Services Model

A single IT department would be created to service the needs of both municipalities. One municipality (suggest Pelham) would employ the group and extend equal service to the other.

People	
FTE:	<p>The group would consist of 3 or 4 FTEs:</p> <ul style="list-style-type: none"> • 1 IT Manager • 1 Senior System Administrator • 1 System Administrator (in lieu of Pelham's 0.5 FTE) • 1 GIS Technician (optional new position) <p>With 4 FTEs (includes optional GIS position) the ratio of IT support per staff is 1:26 and without the GIS position is 1:35. This new ratio is a slight improvement for Wainfleet but a significant improvement to Pelham. This potential additional capacity could be used to address the pressures anticipated by IT Services trends identified in Section 6.3.</p>
Coverage	In this model, IT staff would provide each other the necessary back up to fill temporary vacancies and short-term leaves with minimal disruption to service delivery.
GIS Service:	<p>Both municipalities indicated the need for GIS services. In a full sharing scenario, an additional FTE could result in a valuable increase to the scope of service offered by IT Services.</p> <p>Alternatively, consider investigating the option to outsource GIS service. Outsourcing highly technical and specialized services is a valid service delivery option as it provides the department with the opportunity to gauge what the resource requirements would be if/ when the service is brought in-house.</p>
Customer Service:	Increasing the number of staff with the department could provide opportunities to evaluate specific specialization needs (networking vs. application implementation) and increase the department's ability to

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	effectively support and administer specialized services and software, resulting in improved customer service.
Staff Retention:	Increasing Pelham's part-time position to full-time status could add to the attractiveness of the job and promote the retention of staff.
Succession Planning:	Opportunities to develop succession plans for the role of IT Manager, and Senior System Administrator.
After hours support:	3-4 FTEs would provide enough resources to perform some afterhours support. By staggering working hours, full IT Services could be extended (for example 7am-6pm) and emergency on call service could be provided in off hours.
Location:	Although some costs would be involved in relocating and outfitting office space, GMBP suggests collocating the new Fully Shared IT Services Department. Consider investigate the feasibility of using the Pelham Community Centre.
Process	
Help Desk:	<p>The new department would need to develop processes and performance standards for standardized Help Desk functions.</p> <p>Because IT Services could potentially be moved to a central location, there would be greater reliance on a Ticketing System and remote assistance.</p>
Procurement:	<p>A single business making higher-volume purchases could expect some economies of scale and could potentially attract bids from more vendors.</p> <p>Combining maintenance, support contracts, license agreements could also offer some cost savings. This would, however, require some degree of standardization of hardware and software.</p>
System and Data Back Up:	In a full shared model, the department should share rack space providing the both municipalities with off-site back up; it was suggested that Pelham's arena would be a reasonable location.

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Technology	
System rationalization	Over time, the two organizations would need to consider eliminating duplicate systems with the same function and settle on uniform hardware. Ideally there would be a high degree of standardization between both municipalities from an IT perspective.

Model 2: Partially Shared IT Services Model

Both municipalities remain independent but, when mutually beneficial, share some services through various forms of agreement.

People	
FTE	<p>Pelham = 1 Manager, 0.5 IT Support</p> <p>Wainfleet = 1 Manager, 0.5 IT Support</p> <p>An agreement to share 1 FTE (currently Pelham's part-time staff) between Pelham and Wainfleet. The FTE would remain an employee of Pelham, Wainfleet would pay half the cost of the FTE and would receive equal service.</p> <p>The IT support to staff ratio in Pelham would remain as the current state 1:46 and Wainfleet would see an improvement to 1:24 (current state for Wainfleet was 1:36).</p>
Coverage:	This model would benefit Wainfleet by providing additional coverage to help overcome periodic upswings in workload and coverage for short term vacancies and help administer on-call support.
Retention and Succession Planning:	By making the current part-time staff member full time, Pelham would improve its ability to retain and attract staff to that role. It also provides opportunity for succession planning at Pelham.
GIS Services:	An alternative to offering the service internally, Pelham and Wainfleet could share a service contract with a GIS services provider. Sharing the contract would reduce administrative costs and could provide

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	economies of scale. This allows both municipalities to test the service and gauge if offering GIS in-house would be beneficial in the future.
After hours support:	Agreement to share emergency on-call IT Support duties between the IT Services from both organizations. The three partially shared FTEs would rotate the responsibility of being on call for both municipalities. As the on-call function would only be for emergencies, it is not expected that this additional duty would overwhelm the current complement.
Process	
Procurement	When possible, jointly purchase hardware, software, licensing agreements, maintenance contracts, and consulting services. For example, review current individual purchasing agreements for Microsoft software and iPad/iPhones to see if they may be amalgamated into a single agreement for both Municipalities. This would reduce the cost of administering the contracts and could provide some economies of scale.
Business Processes:	Standardization of business process and protocols to facilitate the sharing of Pelham's IT Services staff and after-hours support.
Knowledge Sharing	Potential opportunities to learn from each other by creating a Pelham/Wainfleet IT Services Committee that would meet to discuss new and different ways to share and find efficiencies and discuss and demonstrate new and existing technology so that both municipalities benefit from knowledge and experience of IT Services and the user groups with the organizations. For example, Wainfleet could benefit from seeing Pelham's Marmak application suite for roads and work-orders, and Pelham could benefit from Wainfleet's experience with Evolta/Cloudpermit.
Technology	Look to include in the evaluation of the need for new technology, the benefits of sharing (either through joint procurement or using a solution that exists in the partner municipality).

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6.5 Recommendations

Considering the project objectives and our discussion with both IT Service Managers, GMBP recommends that Pelham and Wainfleet consider the model described in **Option 2– Partially Shared IT Services**.

Through agreements to share an IT Services FTE, and develop agreements to share after hours support, jointly procure hardware, software and contracted service, both municipalities have opportunity to expand scope, reduce risk, save money and find efficiencies. While there are more benefits of the Full Share Model, the impact of change to both organizations would be significantly disruptive. The Fully Shared model would be a reasonable option if there were a service delivery issue at Pelham and Wainfleet; GMBP did not find any evidence that this was the case at either organization.

APPENDIX A

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Building Services, Municipal Drainage Services, and IT

Staff

Pelham	Wainfleet
Generally, describe the total time dedicated to dealing with IT related tasks by staff. Do you feel that is adequate (more staff required, or current staff compliment adequate)?	
<ul style="list-style-type: none"> ▪ 1 + 1/2 FTE (IT support assistant) ▪ IT hours technically 8.30 to 4.30, but really, support could be required any time. ▪ Workload varies, but another FTE would be beneficial. 	<ul style="list-style-type: none"> ▪ Current staff is one person. There is generally enough time to keep pace with current demand. ▪ Administers IT at Town Hall and the Public Library. ▪ Scheduled for 35 hours per week. ▪ Occasional extra time required as needed by larger projects, or to address critical issues. ▪ Regularly work remotely, about 1 hour a week. That includes backups, maintenance, updates and other tasks best done outside of business hours.

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Hardware

Pelham	Wainfleet
Do you have a listing of primary hardware systems that are housed or administered internally? This would include how many servers, computers (laptop / desktop) and other major hardware that you are responsible for. This may also include mobile devices such as phones and tablets.	
<p>Overall:</p> <p>Primarily Hewlett Packard, single vendor - government licensing account with CDW and Softchoice.</p> <p>Mobile devices: mostly Apple; in addition: Android phones (Samsung); MS Surfaces</p> <p>Details:</p> <ul style="list-style-type: none"> ▪ Microsoft Exchange 2013 Server, ▪ MS Server 2012 DNS/DHCP/File server at Town Hall and Tice Road (Public Works Location), ▪ Vadim iCity Financials (MS Server 2012 with SQL 2012 R2), ▪ MS Storage Server 2012 (Data server for archival data), ▪ Legacy Lotus Notes Server (Server 2003) <p>Mobile devices: spreadsheet provided</p>	<p>Overall:</p> <p>Primarily Dell Systems, vendor account with Dell.</p> <p>Mobile devices: mostly Apple</p> <p>Details:</p> <ul style="list-style-type: none"> ▪ Server: <ul style="list-style-type: none"> ▪ Dell R420 ▪ Dell T420 ▪ Dell R440 <p>Laptops standardized on Dell - 25</p> <p>Desktops Dell - 22</p> <p>Tablets all except 2 are iPads, 1 Android, 1 Surface Pro - 15</p> <p>Cell phones – approx. 28, some are PTT</p>

Share Services Review

Building Services, Municipal Drainage Services, and IT

Are there any hardware systems that are maintained externally to the municipality or by external staff or consultants? For example, does the Region of Niagara administer or maintain any hardware for the municipality?	
No	<ul style="list-style-type: none"> ▪ One CISCO router connecting us to St. Catharines Fire Dispatch ▪ Telephone System (to be replaced with hosted service) ▪ Water meter ▪ Fuel pump station controller ▪ Door and fire alarm system ▪ 4 workgroup printers
Do you have a logical diagram showing the relationship of these hardware systems available?	
Yes, provided	No. The Fire dispatch router is routed to one internal node.
How is hardware/software/network security handled?	
<ul style="list-style-type: none"> ▪ Active Directory ▪ Cisco Meraki MDM for Mobile devices ▪ Barracuda 300 Email Security Gateway 	<ul style="list-style-type: none"> ▪ Policies ▪ Backups ▪ Passwords ▪ Physical security ▪ Barracuda Spam and Antivirus ▪ Kaspersky on the UTM Firewall

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Building Services, Municipal Drainage Services, and IT

Software

Pelham	Wainfleet
Typically, what operating systems and versions are you running on both server and personal systems? For example, MS Server 2018, MS Windows 10 etc.	
<ul style="list-style-type: none"> ▪ Servers: Microsoft, 2012 and up ▪ Clients: Win10Pro + 1 Win7Pro 	<ul style="list-style-type: none"> ▪ Servers are VMs on Xen (free version): Windows 2008, Windows 2012, Windows 2016, Debian 9 ▪ Desktops: Windows 10, Ubuntu 18.04, Debian 9 (5 devices, including 1 server version)
Do you have a listing of primary applications that you administer internally inclusive of standard office applications such as MS Word?	
<ul style="list-style-type: none"> ▪ MS Office ▪ Unitrends Enterprise Backup, Adobe Acrobat Pro DC ▪ L-Squared Digital Signage, ESRI GIS, AutoCAD 2020, ASI Winfuel, ASI WinFluid ▪ Bell Employee Usage Reporting, eSCRIBE E-Agenda, Marmak Road Patroller ▪ PSR (Public Service Request), StoneOrchards Cemetery ▪ Broadsoft UC-One software, Vadim iCity Financials, Questica Reporting, Noratek City Reporter 	<ul style="list-style-type: none"> ▪ MS Office 2013 ▪ Vadim iCity Accounting (Finance Department 6 users, and 5 users with limited access) – runs on SQL Server; StoneOrchards cemetery software on SQL Server 2008
Are any of these current systems part of an enterprise license agreement?	
ESRI GIS, Vadim iCity Financials, Adobe Acrobat Pro	Yes. Windows OS

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How widespread is the usage of each software for these systems? For example, a single enterprise system may be accessed by all staff; all staff may have a copy of MS Office; only 2 staff may have a copy of AutoCAD etc.	
Enterprise systems are accessed by all staff, Vadim, Acrobat, MS Office. AutoCAD is only accessed by our Engineering Dept (6 users), ESRI is accessed by Planning Dept (5 users).	<ul style="list-style-type: none"> ▪ MS Office – all users ▪ Internal chat – all users ▪ Fire Pro – 6 users – on PostgreSQL ▪ StoneOrchard – 4 users
Are there any systems that are maintained by staff or agencies external to the municipality such as the Region of Niagara; or services that are provided on behalf of the municipality such as website or email hosting?	
<p>eSolutions Group hosts our website and will perform system updates/upgrades and any additional custom enhancements that we might request.</p> <p>Content management is handled by staff, mainly our Marketing and Communications Officer.</p> <p>If staff have any issues, they will contact IT to try and solve internally. If unable to resolve a ticket would then be created with eSolutions Group.</p> <p>Email managed in house, nothing is maintained by the Region</p>	<ul style="list-style-type: none"> ▪ GIS/Mapping System (Region) ▪ Building Permits ▪ CityWide ▪ IaR (iamresponding.com) ▪ Will be moving website - project underway, significantly improved functionality including ability for direct requests
Does the municipality maintain any social networking accounts or similar services?	
Facebook, Twitter, Instagram - maintained by Marketing & Communications	Facebook, Twitter, but may shift focus to website

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Does the municipality have any expert systems? For example, SCADA, Burnside, etc.	
Vadim iCity Financials, ActiveNET, Marmak Road Patroller, Marmak Fixed Assets	Vadim iCity Financials
What is the current financial system in place?	
Vadim iCity Financials	Vadim iCity Financials
What enterprise database is in use?	
MSSQL 2012 R2	MSSQL 2008, PostgreSQL
How are system backups handled?	
<ul style="list-style-type: none"> ▪ Unitrends 750 Backup appliance. ▪ Main file server is backed up three times daily 5AM, 12PM, 5:30PM. ▪ Vadim iCity server is backed up three times daily, 5AM, 12PM, 6PM. ▪ SQL real-time transactional backup is performed by SQL scripts created on the Vadim Financial server. ▪ Backups at HQ and two additional locations 	Internal backups using Synology devices and software. Spread among separate buildings on the same campus. Five most recent copies are maintained, each of those copied to another backup device with a 12hour delay.
Are there any systems in place that are not supported by the vendor anymore? Are any approaching end of life?	
No	Windows 2008. Used internally only.
Is there a document management system in place?	
TABFusion	No

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Services

Pelham	Wainfleet
Are there any applications that you would like to have in place that are of an enterprise nature such as a maintenance management system, web-GIS etc?	
<ul style="list-style-type: none"> Currently we are working on a web based Fixed Asset system which will indicate Capital completion projects. The data will export from our Vadim iCity software, into Questica Financial reporting software and ultimately linked into our website. There is an enterprise agreement with ESRI through the Region - would like to hire a GIS person and have WebGIS, make some of the data available to staff and residents online 	Hosted ArcGIS, managed by the Region - discussions in progress, but is not finalized yet
How are public service requests are received?	
PSR, will direct the request to appropriate staff, and send out email notifications on status change	<ul style="list-style-type: none"> Mail Phone Internal chat In person New website will include online communication/ payments
How are internal work requests between departments are assigned / relayed?	
<ul style="list-style-type: none"> PSR, email, phone, text. IT mostly receives email/calls - user preference 	<ul style="list-style-type: none"> Mail Phone Internal chat In person

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Who issues/assigns work and what is the process?	
<ul style="list-style-type: none"> Organizational work that would impact the entire Town would usually come from our Senior Leadership Team. Our Director of Finance (who IT reports to) will provide the IT department with the details and scope of the work/project. IT will provide feedback, suggestions, impact and timelines. If the work is more of a technical issue, the work would be assigned via the PSR system. 	Management assigns work and those responsible for the completion.
How are scheduled work/PMs tasks assigned / determined? Are there schedules of some form?	
<ul style="list-style-type: none"> PSR does have an SLA time frame for completion of particular requests. Major tasks, such as system wide implementation are completed via an internal workplan document. 	All departments handle their own schedules as needed. Often in coordination with supervisors or other departments. Some people wear multiple hats.
How are regulatory work assignments determined / tracked?	
PSR, internal work plans.	<p>Each department responsible for their own area</p> <p>Tasks and assignments discussed during regular Operational Leadership Team (OLT) meetings</p>
How is staff time tracked or is it?	
Staff time is tracked via Vadim iCity Time Entry program	<ul style="list-style-type: none"> Self-reporting Finance and people in supervisory roles verify their staff's attendance reports

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Building Services, Municipal Drainage Services, and IT

Does field staff have access to data in the field? Do they require access, or would it be a nice to have?	
Yes. Building Department uses Noratek City Reporter to complete Building Inspections using iPads. Public Works has access to laptops to complete Marmak Road patrols and Work Orders.	<ul style="list-style-type: none"> ▪ Cell phones ▪ Tablets
As above do field staff have municipality-owned mobile devices?	
Yes, also recently reviewed who requires a mobile device	Yes
Who does or how is end user support handled?	
IT Department will handle the initial request. If the request is unable to be resolved or involves the software vendor, a ticket would be created with the software provider.	By IT directly
How do end users submit IT requests? Is there a ticket system or just via email?	
PSR, but staff mostly use email/calls	<p>No ticket system; it is not felt that one is needed at this time.</p> <p>IT requests are submitted via mail, phone, internal chat, in person</p>
How are changes to the IT environment handled?	
Internally by IT staff	Try to sandbox where possible
How are system users currently managed? (Active directory? HR system?)	
AD. Vadim iCity for Payroll/HR users	HR

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How is physical access to the buildings managed (key cards? Who maintains that system?)	
Electronic 4-digit access codes are provided to staff. These codes are unique to each user. Managed by Facilities.	Key fobs. The system maintained internally by IT and Public Works Manager
Are there mobile or remote work policies and if so, is there a VPN?	
Yes, a VPN is present	Zyxel VPN
How are updates / new applications rolled out?	
<p>Mobile devices:</p> <ul style="list-style-type: none"> ▪ vendors will notify when new release is available ▪ IT-controlled AppleIDs ▪ IT rolls out using an MDM <p>Other:</p> <ul style="list-style-type: none"> ▪ WSUS ▪ staff will coordinate with IT for the manual updates of specific software like ESRI, AutoCAD (admin rights required) 	
Is there any in-house application development?	
No	Minimal. Mostly ad hoc reports if not present in the existing apps
Are there any development environments that we should be aware of?	
No	Delphi

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Is there any interaction between IT and the Region of Niagara, and if so, how is this organized?	
<p>Only interaction is our quarterly NAMIC meetings</p> <p>IT can reach out when purchasing software - the Region usually includes clauses for lower-tier municipalities if they purchased the same, e.g. PhishMe</p>	<ul style="list-style-type: none"> ▪ All municipal IT departments have quarterly meetings. ▪ Questions, issues and requests are handled via group or individual mail ▪ A pretty closely-knit mutual support group
Who is responsible for handling the new 911 requirements that are being rolled out?	
Fire Department	Fire Department
Is there an asset register in place? How are regulatory asset management projects being handled?	
Currently we are implementing a Fixed Assets program using Marmak	<ul style="list-style-type: none"> ▪ CityWide ▪ Accounting Department handles assets in co-operation with various departments
Has a Threat Risk Assessments been done, and if yes, what were the findings?	
No. However Deloitte does complete an annual IT audit focusing more on user access controls, system backups, new hire and terminations.	Yes. There are issues to resolve
How is sensitive data protected (i.e. tax roll)/ managed?	
<p>All electronic data is stored on servers with particular group/user permissions.</p> <p>Hard copy data is stored by the particular department.</p> <p>Tax rolls would be handled by our Tax Clerk.</p>	<ul style="list-style-type: none"> ▪ General Policies ▪ Physical Security ▪ IT policies

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The documentation is stored in a locked room at our Town Hall.	
Are there any current IT projects ongoing or any planned in the immediate future?	
<ul style="list-style-type: none"> ▪ Questica Reporting integration. ▪ Paymentus integration with our Vadim iCity Financial software for Building Permits, Planning Applications, Taxes, Utility Billing, Burn Permits, Parking Citations. ▪ VoIP software - Cisco BroadWorks ▪ Duo Security - 2-factor authentication, especially considering remote work 	<ul style="list-style-type: none"> ▪ Upgrade Windows Servers to 2019 ▪ Upgrade Exchange Server to 2019 ▪ Outsourced development and hosting of the website ▪ HA storage NAS ▪ Migration to a hosted phone system ▪ Online payment processing ▪ Move to newer MSSQL and Windows Server ▪ New UTM device, to include more robust security and sandboxing
Are there any known user requests that would be of significant benefit to the business, that are not possible/feasible at the moment due to the lack of tools/resource availability?	
<ul style="list-style-type: none"> ▪ in house GIS specialist ▪ Paymentus 	None that would be considered major at this point.
Anything IT thinks would be beneficial to do, but they don't have the time/the tools?	
	<ul style="list-style-type: none"> ▪ Document management system ▪ Licensed XEN ▪ Geographically remote location for a backup device ▪ HA for Exchange ▪ Various management tools ▪ Netwrix Auditor ▪ Adaxes
Are there any "pinch points" that we should be aware of?	
	<ul style="list-style-type: none"> ▪ WAN speed (at the moment significantly improved due to the

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	agreement for the duration of the pandemic, but long-term will have to be negotiated)
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Quality Control

Version	Author	Reviewer	Date Submitted
1 – DRAFT	Andrea Clemencio, Lena Dianda, James Burn	Marjorie Prentice	June 11, 2020

DATE: June 29th, 2020

REPORT NO: PD-058-20

SUBJECT: **Technical Report**
Leonard & Lynn Snippe
Zoning By-law Amendment
File No. 1601-002-20

CONTACT: Alexa Cooper, Planner I
Brian Treble, Director of Planning and Building

OVERVIEW:

- An application for rezoning was submitted by Leonard & Lynn Snippe for the lands legally described as Concession 4, Part of Lot 10, in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5657 Regional Road 65.
- This application for rezoning is required as a condition of consent for surplus severance application B01/2020WL, that was conditionally approved by the Township of West Lincoln's Committee of Adjustment on February 27th, 2020.
- The severed residential lot is proposed to be rezoned to Rural Residential 'RuR' with no site specific exceptions.
- The retained agricultural lot is required to be rezoned from Agricultural 'A' to Agricultural Purposes Only 'APO' with a site specific exception to recognize a deficient lot size of 21.6ha whereas 39ha is the required minimum.
- A Recommendation Report will be prepared by Township Staff following input from the public meeting and any agency comments, and will be presented at a future Planning/Building/Environmental Committee or Council Meeting.

RECOMMENDATIONS:

1. That, report PD-058-20, regarding "Leonard & Lynn Snippe Zoning By-law Amendment File No. 1601-002-20", dated June 29th, 2020 be RECEIVED; and,
2. That, a Recommendation Report be presented at a future Planning/Building/Environmental Committee meeting.

ALIGNMENT TO STRATEGIC PLAN

- Strategic, Responsible Growth

BACKGROUND:

The subject lands are legally described as Concession 4, Part of Lot 10, Gainsborough, in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5657 Regional Road 65 (see attachment 1 for a survey sketch).

This application for rezoning has been submitted to fulfil a condition of consent for application B01/2020WL, a surplus farm dwelling severance which was conditionally granted approval by the Committee of Adjustment on February 27th, 2020. This will enable the applicants to retain the farm parcel and dispose of the surplus farm dwelling on the property.

The Zoning By-law Amendment proposes to rezone the ±0.4 hectare severed lot with an existing dwelling to a Rural Residential 'RuR' zone with no site specific exceptions. The remaining ±21.6 ha parcel of agricultural land to be retained is required to be rezoned to Agricultural Purposes Only 'APO' with a site specific exception to recognize a deficient lot area of 21.6 ha whereas 39 ha is the required minimum.

CURRENT SITUATION:

1. Provincial Policy Statement (PPS)

The PPS guides the growth and development of the Province and provides the general framework for planning in the Province. All planning decisions must be consistent with the PPS. The policies regarding Agriculture are within the 'Wise Use and Management of Resources' section of the PPS. The lot creation policies in the PPS for the Agricultural area are very specific and limited in the number of instances where severances in the agricultural area can occur. The PPS allows for surplus farm severances in the following instances:

As a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.

The retained agricultural lands will need to be rezoned to Agricultural Purposes Only, which will meet the intent of the PPS to prohibit a new residential dwelling on the vacant severed agricultural parcel. The severed residential property will need to be rezoned to Rural Residential 'RuR' to recognize the continued residential use on the property.

2. A Place to Grow – Provincial Growth Plan (P2G)

Applications filed after June 16, 2006 must conform to the A Place to Grow – Provincial Growth Plan. Section 1.2.3 of the P2G provides direction on how to read the Growth Plan, specifically noting that: *This Plan must also be read in conjunction with other provincial plans as defined in the Planning Act that may apply within the same geography.*

Section 4.2.6 of the Growth Plan contains policies for the Agricultural System in Ontario. These policies aim to preserve, protect and enhance Ontario's Agricultural System. Where agricultural uses and non-agricultural uses interact outside of settlement areas, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed (4.2.6.3). The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network will be maintained and enhanced (4.2.6.4). The retention of existing lots of record for agricultural uses is encouraged, and the use of these lots for non-agricultural uses is discouraged (4.2.6.5).

3. Greenbelt Plan

Applications must conform to the Greenbelt Plan if they fall within the mapping provided with the Greenbelt Plan. Since the subject lands are outside the area designated in the Greenbelt Plan, the Greenbelt Plan does not apply.

4. Regional Policy Plan (RPP)

The Regional Policy Plan (RPP) provides general policies that are to be applied across the Niagara Region. The policies regarding severances in the agricultural area are similar to those found in the PPS. The policies allow for surplus farm severances as a result of a farm consolidation, so long as residential dwellings are prohibited in perpetuity on any vacant remnant parcel of agricultural land.

The policies in the RPP also permit surplus residential lot sizes to be a maximum of 1 acre, or 0.4 hectares, unless it has been identified that additional lands are required for legal or technical reasons. The consent application was approved conditionally to sever ± 0.4 hectares (± 1.0 acres) of residential land.

5. Township of West Lincoln Official Plan (OP)

The Township OP allows for severances in the agricultural area where two or more farms, being contiguous or non-contiguous, have been amalgamated under the ownership of a bona fide farmer and an existing house, which is capable of habitation and is considered surplus to the needs of the farmer. The remaining agricultural lands must be rezoned as Agricultural Purposes Only in perpetuity to prevent any future houses on the agricultural lands. As such, the severed agricultural land is being rezoned to Agricultural Purposes Only, which will prevent any future houses from being constructed on the agricultural lands.

The policies in the Township's OP state that a new residential lot being created through a surplus farm dwelling severance should not be larger than 0.4 hectares, nor include more Good General Agricultural land than is required to support the residence and private services required to serve that residence. The application proposes a residential lot size of ± 0.4 hectares. The Township's OP also requires the residential dwelling to be a minimum of 10 years of age. The existing residential house on the subject property

was built in 1900 according to Municipal Property Assessment Corporation (MPAC) data.

6. Township of West Lincoln Zoning By-Law (ZBL)

The majority of the property is currently zoned Agricultural 'A' in the Township's Zoning By-law. The proposed application is to rezone the severed ± 0.4 hectare (± 1.0 acre) residential lot from Agricultural 'A' to Rural Residential 'RuR', with no site specific exception.

Additionally, the application proposes to rezone the remaining ± 21.6 hectares (± 53.5 acres) of retained Agricultural land to Agricultural Purposes Only 'APO' with a site specific exception to recognize the deficient lot area whereas 39 hectares (96 acres) is the required minimum. The APO zoning will preclude any new residential dwellings in perpetuity.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this application.

INTER-DEPARTMENTAL COMMENTS

Agencies were notified by way of e-mailed and mailed notice on May 1st, 2020. Notice was also posted on the Municipality's website and through the posting of a Yellow Sign on the subject property once the notice was sent out to the public.

Township Public Works had comments regarding the proposed application.

The Niagara Region commented on the original severance application, and addressed the rezoning application through those comments. The Region has no objection to the rezoning provided the severed agricultural lands are re-zoned to preclude any new dwellings in perpetuity. This is proposed to be done by rezoning the remnant lands to Agricultural Purposes Only (APO).

The Niagara Peninsula Conservation Authority (NPCA) also commented through the original consent application and provided no objections to the application as proposed.

Agency Comments can be found at attachment 2 to this report.

PUBLIC COMMENTS

Public Notice was provided via regular mail to all property owners within a 120m distance of the property lines. No public comments have been received as of June 26th, 2020.

CONCLUSION

Township Staff have completed a preliminary review of this application against the applicable planning policy.

The residential lot will need to be rezoned to a Rural Residential 'RuR' zone with no site


specific exception. The ±21.6-hectare parcel of agricultural land to be retained is required to be rezoned to Agricultural Purposes Only 'APO' with a site specific exception to recognize a deficient lot size whereas 39 hectares is the required minimum.

A future staff report will provide a recommendation to Planning/Building/Environmental Committee for this application following input received through the public meeting process.

ATTACHMENTS

1. Survey Sketch
2. Agency Comments
3. Draft By-law


Prepared by:



Brian Treble, RPP, MCIP
Director of Planning and Building



Alexa Cooper
Planner I



Beverly Hendry
CAO

x:\pb-planning reports\rezoning\2020\6. june\pd-058-20 - snippe apo\pd-058-20 - snippe apo.docx

SURVEYOR'S SEAL

SKETCH

THIS IS AN ORIGINAL COPY IF EMBOSSED BY THE SURVEYOR'S SEAL, OR PDF CERTIFIED

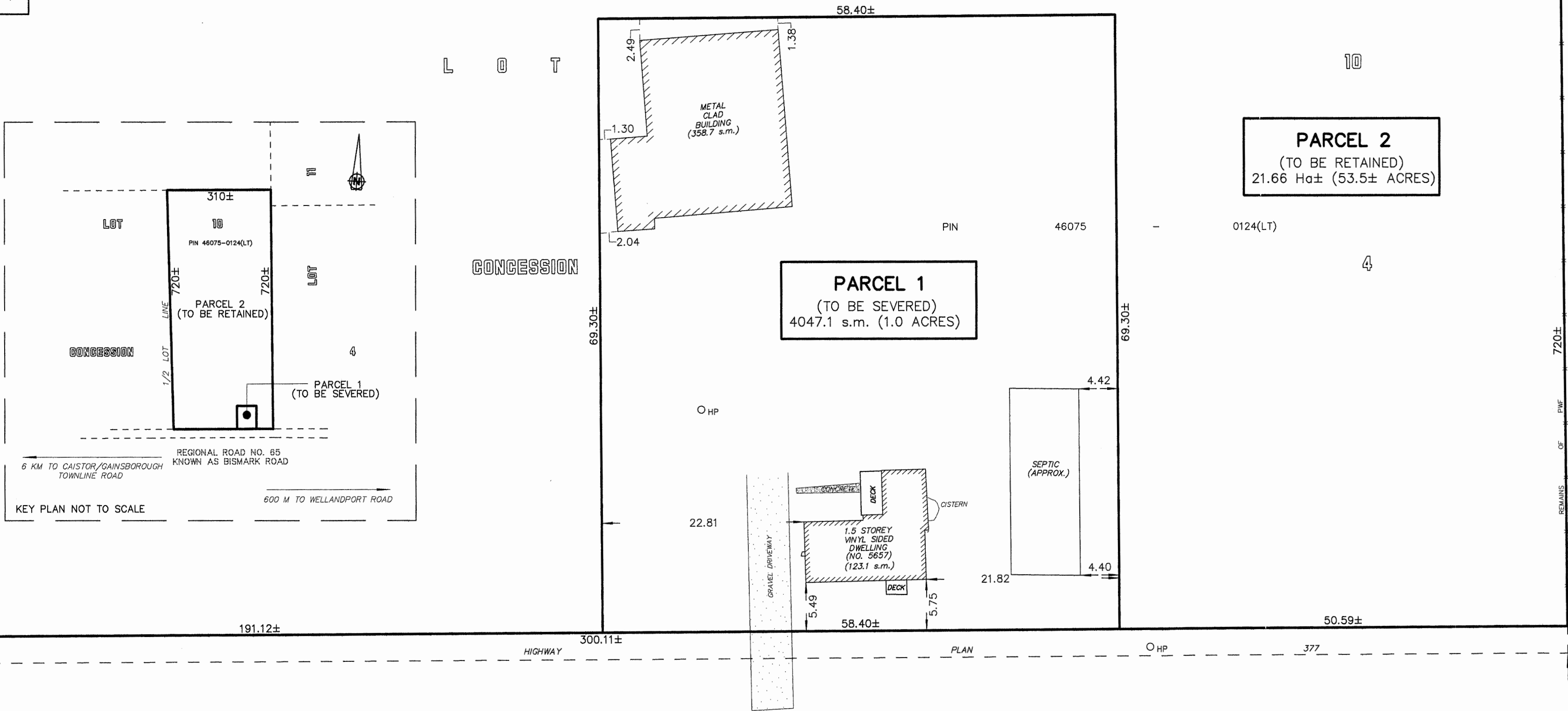
SKETCH FOR SEVERANCE APPLICATION

0 10 20 30 40m

SCALE 1 : 400

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

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PROPERTY DESCRIPTION

PART OF LOT 10
CONCESSION 4
GEOGRAPHIC TOWNSHIP OF GAINSBOROUGH
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA
PIN 46075-0124(LT)

LEGEND & NOTES

PIN DENOTES PROPERTY IDENTIFIER NUMBER
PWF DENOTES POST AND WIRE FENCE
HP DENOTES HYDRO/UTILITY POLE

ALL DISTANCES AND AREAS ARE APPROXIMATE

BOUNDARY NOTE

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR MORTGAGE OR TRANSACTION PURPOSES. BOUNDARY INFORMATION HAS BEEN DERIVED FROM REGISTRY OFFICE RECORDS AND PLANS AND FROM ACTUAL FIELD WORK.

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
- THIS SKETCH IS PROTECTED BY COPYRIGHT ©
- THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH THE SURVEYOR'S SEAL, OR PDF CERTIFIED.

FIELD WORK COMPLETED: NOVEMBER 13, 2019

NOVEMBER 29, 2019

Date

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 400

SURVEY : 19-321

DRWN BY : J. H.

318 Canborough St. P.O. Box 400
Smithville, ON
L0R 2A0
T: 905-957-3346
F: 905-957-3219
www.westlincoln.ca



Memo

To: Alexa Cooper, Planner I
From: Jennifer Bernard, Coordinator of Engineering Services
Date: May 22, 2020
Re: File No. 1601-002-20 – 5657 Regional Rd 65

A review has been completed on the application for a Zoning By-law Amendment to rezone the property legally described as Concession 4, Part of Lot 10, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5657 Regional Road 65.

Public Works has no comments to provide on this application.



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
 Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

January 31, 2020

Our File No.: PLCON202000100

BY E-MAIL ONLY

Planning Department/Committee of Adjustment
 318 Canborough St. P.O. Box 400
 Smithville, ON L0R 2A0

Attention: Alexa Cooper, Secretary-Treasurer Committee of Adjustment

Subject: Application for Consent, B01/2020WL
 CON 4 PT LOT 10
 5657 Regional Road 65, West Lincoln ON L0R1Y0
 ARN 260202001019500

Further to your request for comments for the Application for Consent pertaining to the above noted property, the following is offered.

An application to sever the off the existing residential use from the agricultural land at a size of 0.4 hectares (1.0 acres). The remaining agricultural land will be 21.7 hectares (53.5 acres) in size.

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the NPCA Mapping of **5657 Regional Road 65**, in the Township of West Lincoln and notes that property is impacted by the NPCA Regulated Area with a several watercourses including one draining over 125 hectares, and a Provincially Significant Wetland (PSW) and buffer area.

NPCA Policy

NPCA Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The NPCA's *Policies for the Administration of Ontario Regulation 155/06 and the Planning Act* (NPCA policies) provides direction for managing NPCA regulated features.

The NPCA's Regulation Mapping illustrates that the subject lands contain Provincially Significant Wetland (PSW) associated with the St. Ann's Slough Forest Wetland Complex. The PSW provides for natural flood attenuation during storm events and, as such, it is important to maintain the hydrologic function of wetlands to assist in minimizing flooding impacts downstream. The severance is well outside of the PSW and buffer zone. As such the NPCA is satisfied that the proposed consent will have no negative impact on the adjacent wetland feature.

The subject parcel is impacted by Parkers Creek watercourse and several small tributaries regulated by the NPCA. Parkers creek is draining over 125 hectares, however upon internal review the NPCA does not have a flooding concern. Any works or site alterations within 15 metres of a watercourse may require approval from the NPCA and should be discussed with NPCA staff prior to commencement of said works or site alteration.

Conclusion

As such the NPCA has no objections to the proposed consent application B01/2020WL.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter. Please send notice of your Committee's decision and notice of any case management hearing.

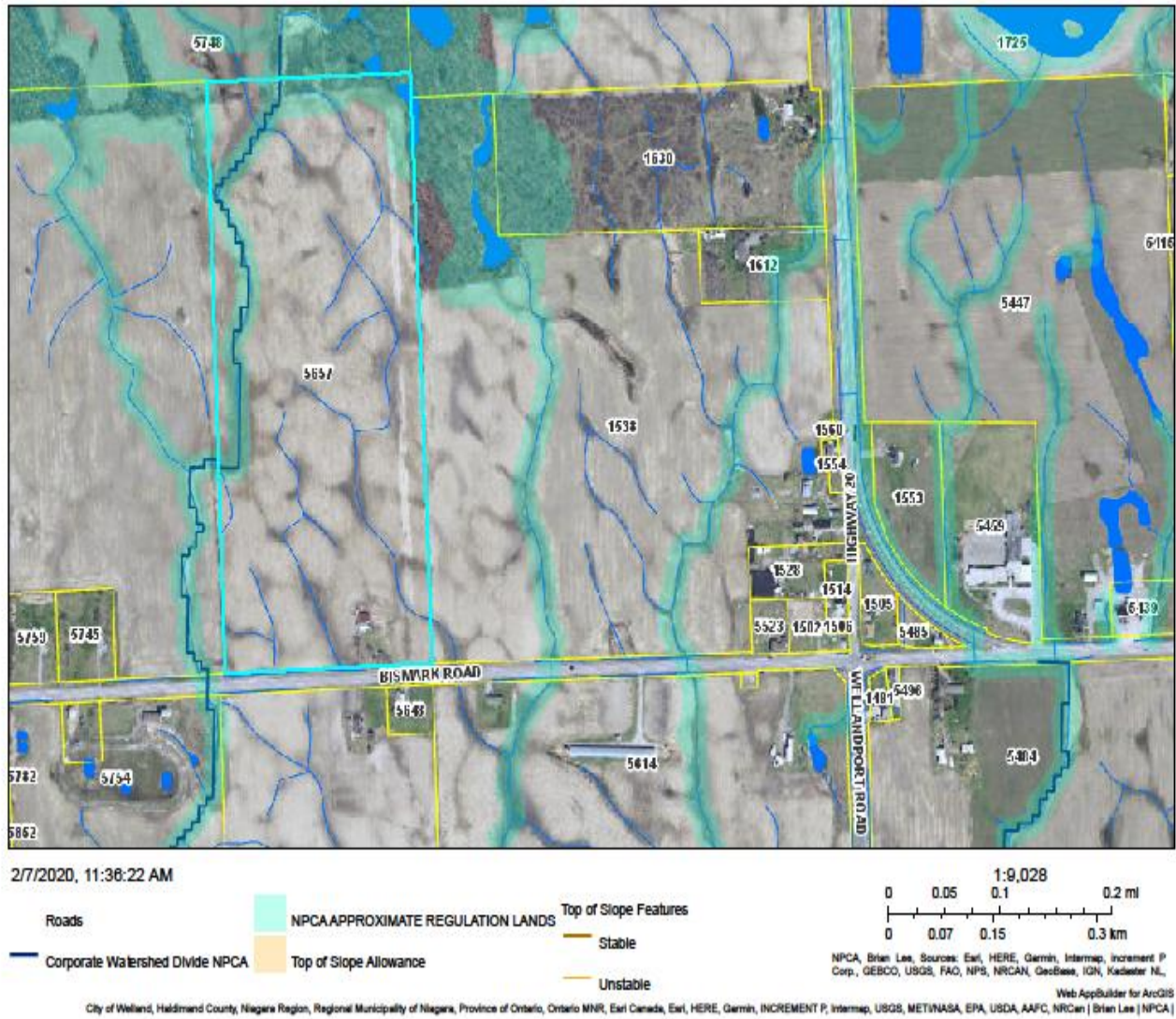
Sincerely,

Jessica Abrahamse

Jessica Abrahamse M.E.S.

Watershed Planner
(905) 788-3135, ext. 235

5657 Regional Road #65



**Planning and Development Services**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

February 13, 2020

File No.: D.06.12.CS-20-0012

Alexa Cooper
Secretary-Treasurer, Committee of Adjustment
Township of West Lincoln
318 Canborough Street
Smithville, ON L0R 2A0

Dear Ms. Cooper:

**Re: Regional and Provincial Comments
Proposed Surplus Farm Dwelling Severance
Township File No.: B01/2020WL
Applicant: Leonard & Lynn Snippe
Address: 5657 Regional Road 65 (Bismark Road)
Township of West Lincoln**

Regional Planning and Development Services staff has reviewed the above-noted consent application, which proposes to sever off the existing rural residential use (Parcel 1) from the agricultural lands (5657 Regional Road 65) at a size of ~0.4 hectares (~1.0 acres). The remaining agricultural land (Parcel 2) will be ~21.7 hectares (~53.5 acres) in size. The submitted consent application represents a surplus farm dwelling severance. A pre-consultation meeting for this proposal was held at the Township of West Lincoln on October 17, 2019 with the applicant, and staff from the Township, Region and Niagara Peninsula Conservation Authority. The following Provincial and Regional comments are provided to assist the Committee in considering this application.

Provincial and Regional Policies

According to the Provincial Policy Statement (PPS) the property is located within a prime agricultural area and is designated as within the Good General Agricultural Area in the Regional Official Plan (ROP). Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected. Both the PPS and the ROP permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided that new residential dwellings are prohibited in perpetuity on any vacant remnant parcel of farmland created by the

D.06.12.CS-20-0012

February 13, 2020

severance, and the new lot will be limited to a size required to accommodate the use and appropriate sewage and water services.

The information provided with the consent application indicates that the purchaser (Leonard and Lynn Snippe) are bona fide farmers, with a principal residence located in West Lincoln. The purchaser of the agricultural land at 5657 Bismark Road currently farms 513 acres of owned lands, and 11 rented agricultural parcels throughout the Township.

The ROP provides that the size of any new lot shall not exceed an area of 0.4 hectares (1 acre) except to the extent of any additional area deemed necessary to support private water and sewage services. The proposed surplus farm dwelling severance, if approved, would result in the creation of a 0.4 hectare (1 acre) rural residential parcel, in line with the ROP policy. The remnant agricultural parcel should be rezoned to preclude its use for residential purposes (i.e. through an Agricultural Purposes Only 'APO' zone).

Private Sewage Services

Staff notes that the Township of West Lincoln is responsible for their own private septic system review. As such, the Committee should look to the Township's comments with respect to the private septic system requirements.

Regional Permit Requirements

The applicant should be advised that should a new entrance for the severed farm parcel be proposed from Regional Road 65 (Bismark Road), the applicant will be required to obtain the necessary Regional Construction Encroachment and Entrance Permits from Niagara Region's Transportation Services Division, Public Works Department. Permit applications can be made online through the Region's website using the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

Conclusion

Regional Planning and Development Services staff does not object to the consent application from a Provincial or Regional perspective, subject to the satisfaction of any local requirements and conditional on the remnant farm parcel (Parcel 2) being rezoned to preclude any new dwellings in perpetuity (i.e. Agricultural Purposes Only 'APO' zone).

Please send notice of the Committee's decision on this application.

D.06.12.CS-20-0012

February 13, 2020

If you have any questions or wish to discuss these comments further, please contact the undersigned at extension 3352 or Aaron Butler, MCIP, RPP, Senior Development Planner, at extension 3264.

Best regards,

A handwritten signature in black ink, appearing to read 'Aimee Alderman', with a stylized, flowing script.

Aimee Alderman, MCIP, RPP
Development Planner

cc: Mr. A. Butler, MCIP, RPP, Senior Development Planner, Niagara Region
Mr. R. Alguire, Development Approvals Technician, Niagara Region

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020- XX

**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;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

1. THAT Schedule 'A' Map 'E6' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 4, Part of Lot 10, in the Township of West Lincoln, known municipally as 5657 Regional Road 65, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'E6' 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.
3. THAT Map 'E6' 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 with a site specific exception 'APO-XXX' zone.
4. THAT Part 5 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
APO-XXX
Permitted Uses:
As per the parent zone.
Regulations:
As per the parent zone, except: a minimum lot area of 21 hectares.
5. THAT all other provisions of By-law 2017-70 continue to apply.
6. 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
DAYth DAY OF MONTH, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2019-XX**Location:**

This By-law involves a parcel of land located on the north side of Regional Road 65, legally known as Concession 4, Part of Lot 10, in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5657 Regional Road 65.

Purpose & Effect:

Part 1 of the subject lands were zoned as Agricultural 'A'. The rezoning for Parcel 1 zoned the subject lands to a Rural Residential 'RuR' Zone with no site specific exception.

Part 2 of the subject lands were zoned Agricultural 'A'. The rezoning for Part 2 rezoned the subject lands to an Agricultural Purposes Only 'APO' Zone with a site specific exception to recognize a deficient lot size of 21.6 hectares whereas 39 hectares is the required minimum.

Public Consultation:

The Public Meeting was held on June 29th, 2020. The Township received verbal and written comments from [REDACTED] neighbour(s) regarding this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-002-20

Applicants: Leonard & Lynn Snippe

DATE: June 29th, 2020

REPORT NO: PD-074-20

SUBJECT: Technical Report
Site Alteration Application
8365 Young Street – Bruno and Lilly Tassone
File No. 3000-001-20

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- During the spring of 2019, Mr. and Mrs. Tassone approached the Township about importing fill to 8365 Young Street.
- The fill was proposed to be imported to change the level of the ground in a specific low area and a proposed orchard area, as it affected lands zoned Agricultural 'A' at 8365 Young Street. The 'A' Zone permits agricultural uses plus uses accessory to the agricultural use.
- An application for a site alteration permit was submitted on March 17, 2020, just at the start of the pandemic. Notice was mailed to all affected agencies on April 15, 2020. Notice was then mailed to all neighboring property owners on June 1st, 2020, once a Consultation process (through Zoom technology) had been set.
- A proposed elevation plan has been prepared for the property and is dated March 13, 2020, and is found at attachment 2 to this report.
- Under this application, up to 1500 loads (15,000m³) is proposed.
- Based on the current site alteration by-law, a security deposit of \$5000.00 will be required along with a signed site alteration agreement, if this application is accepted. The deposit is required to ensure that all conditions are completed to the satisfaction of the Township, including the use of the land for agricultural purposes and to ensure no road damage, etc.

RECOMMENDATION

1. That, Report PD-074-20, regarding "Technical Report, Site Alteration Application, 8365 Young Street – Bruno and Lilly Tassone, File No. 3000-001-20", dated June 29th, 2020, be RECEIVED; and,
2. That, a recommendation report be provided at a future Council or Committee meeting.

ALIGNMENT TO STRATEGIC PLAN

Theme

- **Efficient, Fiscally Responsible Operations**

BACKGROUND

Township staff first received an inquiry that site alteration work was proposed at 8365 Young Street in early 2019. Township staff have met with Mr. and Mrs. Tassone on site and advised them of the need to involve an engineer in order to design a plan with proper swales, etc. Staff have also had discussions with an agent for Mr. and Mrs. Tassone who has been helping them design their farm plan.

It has been observed by staff that there has been fill imported to this property in the past to create a berm along Young Street. This work was done prior to the Township's current Site Alteration By-law (By-law 2016-41), and possibly as early as 2011.

CURRENT SITUATION

A site alteration permit application has been submitted for review. The application was received on March 17, 2020. The applicant proposes to import additional fill in order to raise the level of the soil on approximately 3.36 hectares (8.3 acres) of land by upwards of 1 metre at its lowest point.

It will be a requirement of the Township that the topsoil be stripped away prior to soil being imported and that the topsoil be placed back on the land after the project is complete.

Additional fill is being requested in an area to the east of the existing house as a feature to slow down wind speeds around an area that is proposed to be planted as a small fruit orchard.

In total, up to 15,000m³ (1500 truckloads) of soil is proposed to be imported and includes a mix of fill materials. Site Alteration By-law 2016-41 (as amended) permits up to 500m³/year of fill with no permit required. Between 500m³ and 1000m³ of soil being imported required a permit approved by Township staff; with anything more than 1000m³ of fill requiring approval of Township Council. The importation of less than 1000m³ of topsoil is exempt from the by-law.

Staff have been on site on one occasion and have observed the site from the road as well. The main area to be filled is north of the house and not very visible from the road. The drainage will be controlled by swales. Tan area of land to the north and west currently drains though this property.

The lands zoned 'A' (General Agriculture) are permitted to be used for agricultural purposes. The levelling of the land is permitted should agricultural improvements result. It is staff's opinion that the compliance with zoning is maintained, so long as the fields are able to be farmed again. Evidence that this can occur (crop can grow) will be required before the security deposit is returned.

Staff have a minimum of four concerns that will need to be addressed prior to a recommendation report being submitted, which are as follows:

1. Receipt of a statement by the farmer of the land that importing soil to raise the elevation of the proposed area to the north west of the house will improve the land for agricultural purposes.
2. Impacts on drainage have been raised as a concern by most of the neighbours. It appears an area to the north and west drains through this site and this should be accommodated in the new plan.
3. No plan has been provided for the fruit orchard and staff request a plan for this area as well.
4. A current condition assessment of Young Street prior to commencement of any works.

This technical report is written in order to consider comments from neighbours, agencies, and Council before a recommendation report is prepared.

FINANCIAL IMPLICATIONS

If approval is ultimately granted, a security deposit for a total of \$5000.00 will be required to be provided by the owners and will be held, should approval be granted, until the work is completed and an agricultural crop is growing on the lands.

INTER-DEPARTMENTAL COMMENTS

Planning staff circulated the Notice of this application to the following agencies on April 15, 2020:

- NPCA
- Town of Grimsby
- City of Hamilton
- Region of Niagara
- Township Planning
- Township Building and By-law Department
- Township Public Works

There have been no comments from any of these agencies.

PUBLIC COMMENTS

There have been 4 public comments from neighbouring property owners received at this time. Three were received via email correspondence (attachment 3) and the other has spoken to Township staff since the notice was circulated. The main concern of the neighbour, who spoke with Township staff, was to ensure that the land is graded in such a way that the water from the lands to the north and west can continue to drain through the Tassone's property.

The email correspondence are from neighbours to the south east and south west who

also want to ensure that fill is properly graded so as to not impact drainage on their property. Concern is also expressed about imported fill, truck traffic on local roads, road damage, etc.

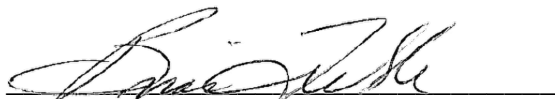
CONCLUSION

This technical report is provided in response to a site alteration application that was received on March 17, 2020. Notice was circulated to agencies on April 15th, 2020 and to the public on June 1st, 2020. To date, four public comments have been received, three via email and one verbally. A recommendation report will follow once adequate agency and public comment have been received and staff concerns have been sufficiently addressed.

ATTACHMENTS

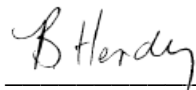
1. Location Map
2. Site Alteration Plan
3. Public Comments

Prepared by:



Brian Treble, RPP, MCIP
Director of Planning and Building

Approved By:



Beverly Hendry
CAO

X:\pb-Planning Reports\Working Copy\2020\6. June\Pd-074-20 - Tassone - Site Alteration - TECH\PD-074-20 Tech Report - Site Alteration 8365 Young Street - TASSONE.docx



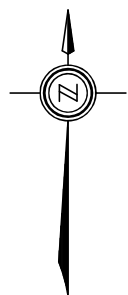
Location Map
ADDRESS

May 2020

0 87.5 175 350 Meters



SCALE: 1 : 1500 metres.



METRIC NOTE
DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE
ELEVATIONS ARE GEODETIC, DERIVED FROM
GPS OBSERVATIONS USING THE CAN-NET
NETWORK NAD 83 (CSRS).

- LEGEND**
- 150.0 EXISTING GROUND (COMPILED)
 - 150.0 EXISTING GROUND - DATE LEVELS TAKEN: FEBRUARY 13, 2020
 - 150.0 PROPOSED GROUND
 - FINISHED GRADING - DATE LEVELS TAKEN:
 - TFW DENOTES TOP OF FOUNDATION WALL ELEVATION
 - LUP DENOTES UTILITY POLE
 - GW DENOTES GUY WIRE
 - DOWNSPOUT & DIRECTION
 - DRAINAGE DIRECTION
 - SETBACK MEASUREMENT

OWNER: BRUNO AND LILLY TASSONE
ADDRESS: 8365 YOUNG STREET
LOT: LOT 19, CONCESSION GORE A
TOWNSHIP OF SOUTH GRIMSBY

MARCH 13, 2020
DATE

From: [REDACTED]
To: [Jeni Fisher](#)
Subject: Site Alteration File No. 3000-001-20
Date: June-18-20 12:02:53 PM

Hello, this is in regards to the letter received dated June 1st, from Joanne Scime, Clerk, about alterations to our neighboring property 8365 Young St, Mr and Mrs Tassone.

We are located at 8293 Young St, immediately to the east side of the location described.

#1. We have no major issue with the alterations described.

#2. Our only concern is that water runoff be considered. ie. that the alternations will not cause major new runoff into our forested area.

And more importantly for example, If any alterations were to be done in the low lying areas that are to the FRONT/SOUTH side of their house, we would want the owners (or the town) to ensure that water runoff be considered, as this area would definitely impact our small creek which runs through the middle of our main usable lawn backyard area.

Please feel free to reach out for any questions or concerns. Mr and Mrs Tassone of 8365 Young St may reach out to us as well.

thank you!

Matt and Kristen Salari
8293 Young St
Grassie
[REDACTED]

From: [REDACTED]
To: [Jeni Fisher](#)
Subject: Site Alteration File No. 30000-001-20
Date: June-22-20 1:16:35 PM

Attention: Brian Treble

This email is in response to the application for site alteration for Bruno and Lilly Tassone No. 3000-001-20. We firmly object to this proposal as residents on this street. We object to the quantity of truck loads this would take. It does major damage to our road, noise level and overall increase traffic on residential road ways. We further object to this as we never know what type of contaminates are coming in with the loads and ending up in our streams and land.

Further to this we feel this land owner has already taken unnecessary fill in the past and has destroyed healthy trees in the process. We feel he could use this land fill just left dumped along south east roadside to help level his property as well as use fill from pond dig. This would eliminate the need to bring in additional fill at this time.

[REDACTED]
[REDACTED] This again is ruining our roads and exposing us to increase noise level and air pollution as well as all the environmental concerns. We request your aid in stopping illegal fill and dumping on our roads in Grassie.

Sincerely,

Kim and Doug Hepburn

From: [REDACTED]
To: [Jeni Fisher](#)
Subject: Site Alteration File No. 3000-001-20
Date: June-22-20 3:01:15 PM

Our family is opposed to this application, as it is our belief that there are no plans for agricultural (fruit trees), as this area is not suitable for any orchard, climate or soil conditions. Information has been received that landowners can be paid in the vicinity of \$70.00 per load to dump fill on our property, and 10,000 cu. meters translates into approx. 1,000 truck loads. Back in 2013, another neighbor residing at 8350 Young St. W., Doug SIMS also took advantage of this, resulting in an existing 20 ft. high pile of fill that cannot be farmed. Approx. excess of 1,000 loads trucked in and piled high. I strongly suggest that Council drive south on Road 14 from Young St. and personally view the mountain of fill on east side of R.14 which rendered the land useless. I believe that Tassone has same plan and no orchard will ever materialize, just pocket the cash, and thank you.

With the weight and volume of trucks that would be using this road, we believe it will take a toll on this rural road. In light of how West Lincoln had been used and abused in the past by Greedy land owners, I strongly recommend that this application be refused. It appears from the drawings that the effected area encroaches NPC REGULATED LANDS as well requiring acres of bush to be removed.

DATE: June 29, 2020

REPORT NO: RFD PW-16-2020

SUBJECT: **Road Widening - Condition of Consent
9547 North Chippawa Road
Land Transfer Declaration as a Public Highway
File No: B13/2019WL**

CONTACT: Mike DiPaola, P.Eng., Director of Public Works & Recreation
Jennifer Bernard, C.E.T., Coordinator of Engineering Services

OVERVIEW:

- As part of a condition of consent, lands have been conveyed to the Township to accommodate road widening requirements.
- A By-law is required to dedicate parts of North Chippawa Road and Concession 2 Road as a Public Highway.

RECOMMENDATION:

1. That, Report RFD PW-16-2020, re: Road Widening - Condition of Consent, 9547 North Chippawa Road, Land Transfer Declaration as a Public Highway, File No: B13/2019WL dated June 29, 2020, be received; and,
2. That, a By-Law be passed to declare Part 2 on Reference Plan No. 30R-15564 and Part 1 on Reference Plan No. 30R-15565 on North Chippawa Road, and Part 1 on Reference Plan No. 30R-15563 on Concession 2 Road as Public Highway.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1

- Strong Transportation Connections - West Lincoln's goal is to have transportation infrastructure that is safe for motorists, cyclists and pedestrians, and networks that are well-maintained and connected within our community.

BACKGROUND:

On October 30, 2019, the Committee of Adjustment approved file number B13/2019WL, an application for consent for 9547 North Chippawa Rd. Approximately 0.6 hectares of residential land was severed from 9547 North Chippawa Rd as part of a surplus farm dwelling severance and 67 hectares of agricultural land was retained. A condition of consent required that a land transfer for the purposes of future road widenings on North Chippawa Rd and Concession 2 Rd be provided in accordance with Township Policy POL-PW-1-18.

As per Township Policy POL-PW-1-18, for road widenings greater than 150m in length, the Township shall contribute \$4.23/metre for each metre in excess of 150m. This contribution serves as a one-time payment towards the increased cost of survey or the relocation of assets such as trees, fences, etc. In this case the total length of the road widening in excess of the 150m limit is 1172m, therefore the Township shall contribute \$4,957.56.

REPORT:

The land transfer has now been received and confirmed by Staff. Reference Plan Nos. 30R-15563, 30R-15564 and 30R-15565 are included as Attachment 'A' and dated January 31, 2020. The lands labelled as Part 2 on Reference Plan No. 30R-15564 and Part 1 on Reference Plan No. 30R-15565 on North Chippawa Road, and Part 1 on Reference Plan No. 30R-15563 on Concession 2 Road have now been transferred. In order to complete the process, Staff is now requesting Council pass a By-law to establish these lands as Public Highway.

FINANCIAL IMPLICATIONS:

The Township's contribution of \$4,957.56 will be assumed within the roads operating budget.


INTER-DEPARTMENTAL COMMENTS:

This report has been reviewed by the Clerk's Department.

CONCLUSION:


In summary, Staff recommends that Council pass a By-law dedicating the above mentioned lands as a Public Highway.

Prepared by:



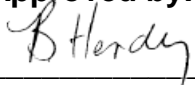
Jennifer Bernard C.E.T.
Coordinator for Engineering Services

Submitted by:



Mike DiPaola, P.Eng.
Director of Public Works & Recreation

Approved by:

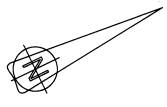


Beverly Hendry
Chief Administrative Officer

Attachment 'A' - Reference Plan Nos. 30R-15563, 30R-15564 and 30R-15565

PLAN OF SURVEY OF
PART OF LOTS 18 AND 19
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF CAISTOR
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1" = 1000'
RASCHE & HYDE LTD.
ONTARIO LAND SURVEYORS



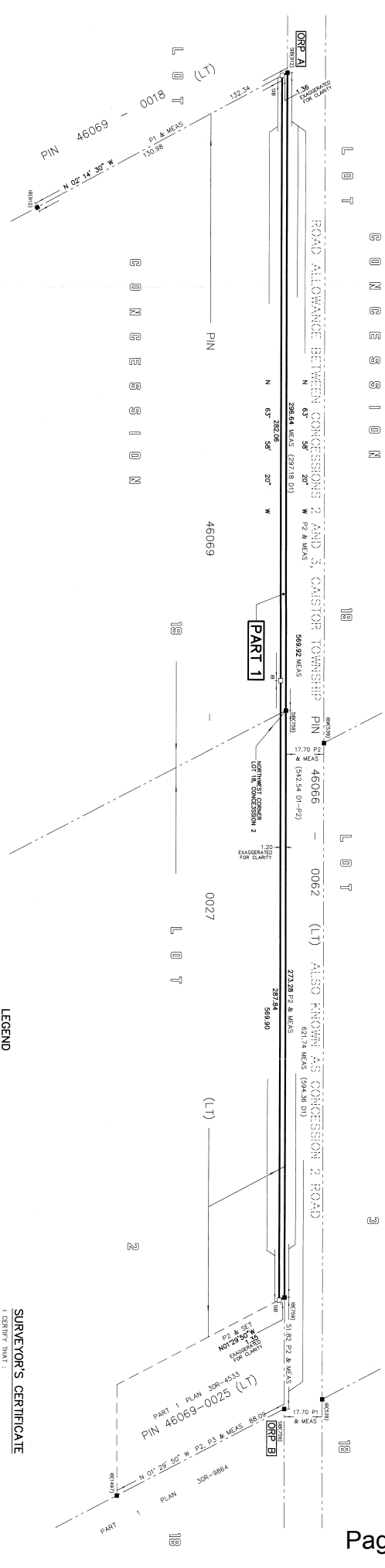
SCHEDULE			
PART	LOT	CONCESSION	PIN
1	1	2	46069-0027 (LT)

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE LAND
TITLES ACT
DATE
JANUARY 29, 2020

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

PLAN 30R-15023
RECEIVED AND DEPOSITED
Jan. 31, 2020
DATE

REPRESENTATIVE
RASCHE & HYDE LTD.
DIVISION OF NIAGARA NORTH (No. 20)



INTEGRATION DATA	
POINT ID	NORTHING
ORP A	4788712.61
ORP B	4788712.61
ORP C	4788712.61

BEARING NOTE
BEARINGS HEREON ARE ORIO, UTM ZONE 17, AND R.A. COSE.
COSE (EPOCH 2010.0) DERIVED FROM OBSERVED REFERENCE POINTS
(ORP) USING THE CAN-MET VMS NETWORK AND ARE REFERRED TO
THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE).

METRIC NOTE
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND
— D — DENOTES SURVEY MONUMENT PLANTED
— S — DENOTES STANDARD IRON BAR (25mmx25mmx120mm)
— B — DENOTES SHORT STANDARD IRON BAR (25mmx25mmx60mm)
— W — DENOTES WOODEN MONUMENT
— P — DENOTES PILE
— R — DENOTES RASCH & HYDE LTD.
— O — DENOTES OBSERVED REFERENCE POINT

SURVEYOR'S CERTIFICATE
I, HAROLD D. HYDE, A
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT
AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 20th DAY OF JANUARY 2020.
DATE
JANUARY 29, 2020
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

RASCHE & HYDE LTD.
Ontario Land Surveyors
P.O. Box 6, 1111 Highway 41 East, Unit B
Don Mills, Ont. M3B 2K1
(416) 492-7171 (ext. 1000)
(416) 492-7172 (ext. 1000)

SCALE 1" = 1000'
SURVEY BY: J. MATHISON
DRAWN BY: J. MATHISON

CAUTION
COORDINATES CANNOT, IN THESE CASES, BE USED TO RE-ESTABLISH
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DATE Jan. 31, 2020 **Φ**

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE JANUARY 29, 2020

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
PART OF LOT 19
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF CAISTOR
TOWNSHIP OF WEST LINCOLN

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

SURVEYOR'S CERTIFICATE

DATE JANUARY 29, 2020 7624
HAROLD D. HYDE

RASCH + HYDE LTD

P.O. Box 6, 1333 Highway #3 East, Unit B DUNNVILLE, ONT, N1A 2X1 905-774-2188 (FAX 905-774-4000)	P.O. Box 550, 74 Jarvis St. FORT ERIE, ONT, L2A 5 905-871-9257 (FAX 905-871-9748)
---	--

HAROLD D. HYDE OLS.

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

AVERAGE COMBINED SCALE FACTOR (CSF = 0.999669331)

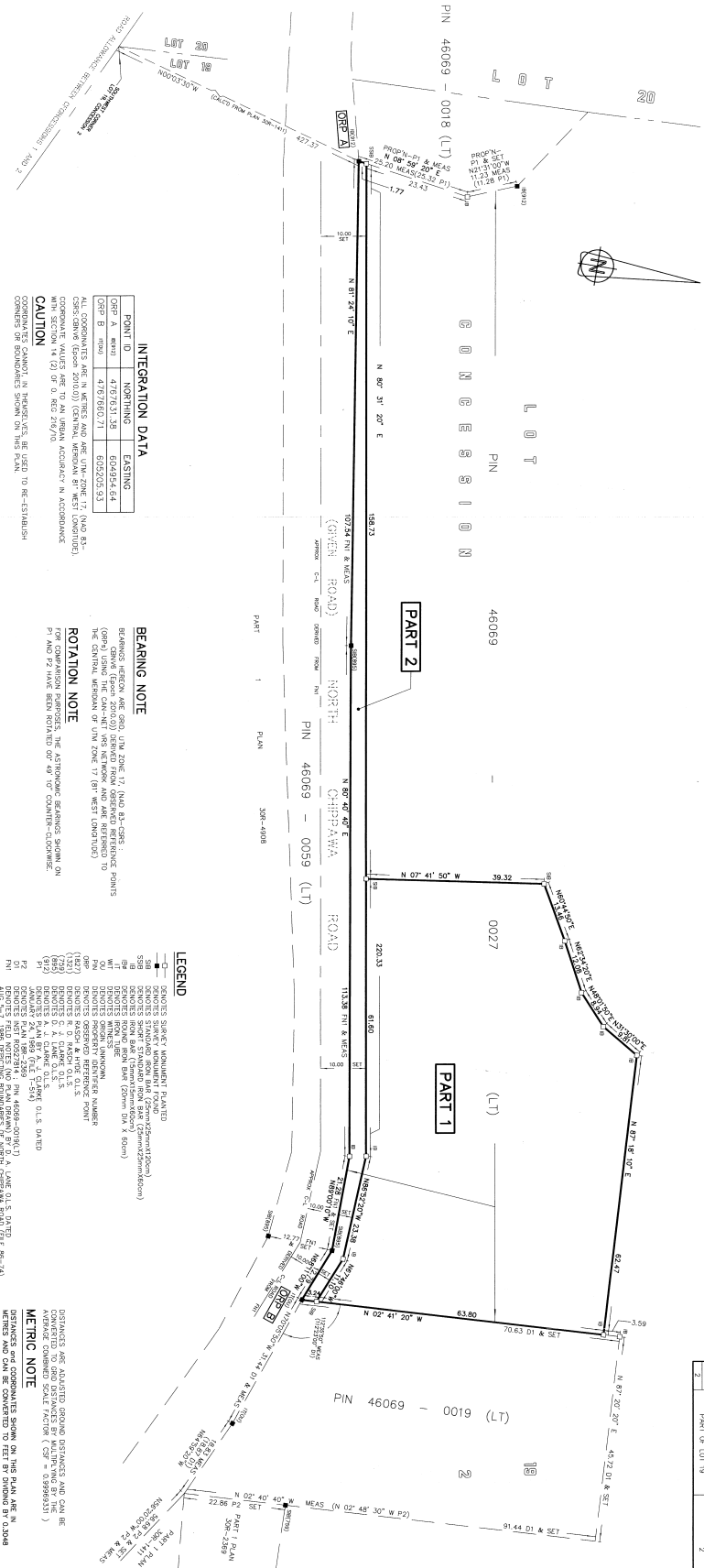
METRIC NOTE

[illegible]

ROTATION NOTE

BEARINGS HEREON ARE ORIO, UTM ZONE 17, (NAD 83—CSRS : CHANU (Epoan 2000)) DERIVED FROM OBSERVED REFERENCE POINTS (ORPOs) USING THE CAN-NET V55 NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE).

POINT ID	NORTHING	EASTING
ORP A (m2)	4767651.38	60494.64
ORP B (m2)	4767660.71	605205.93



PART	LOT	CONCESSION	PIN
1	PART OF LOTS 18 AND 19	2	PART OF 46069-0027 (LT)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 30R-15
RECEIVED AND DEPOSITED
Jan. 31, 2020

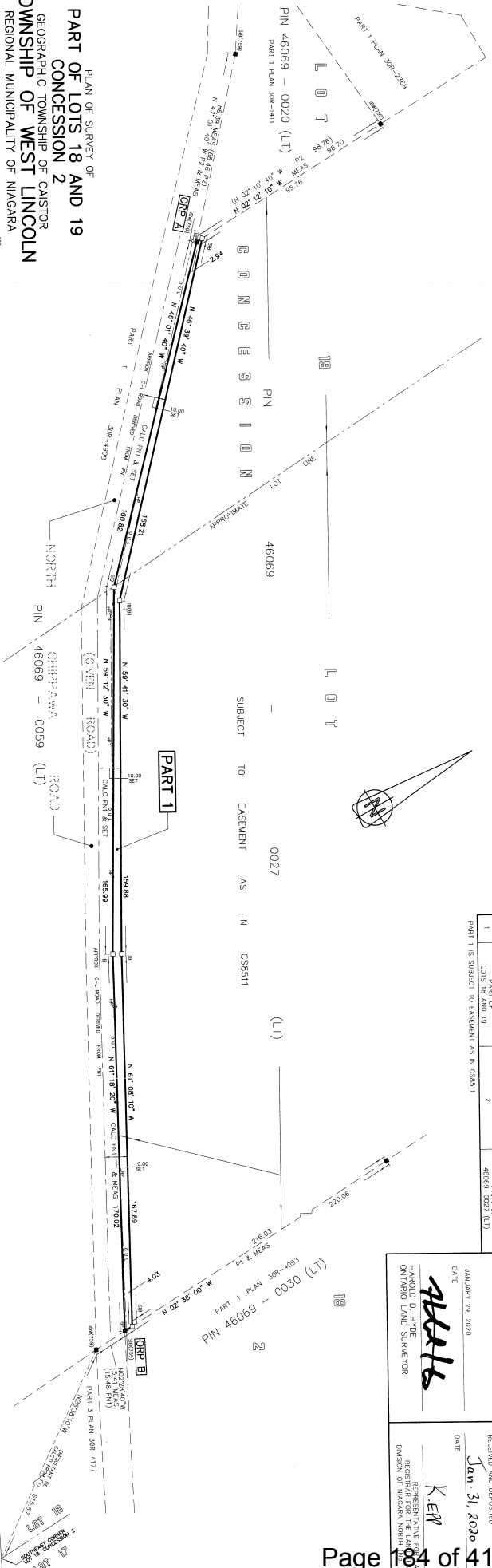
DATE 7/6/10
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

DATE _____

K. EPP

REPRESENTATIVE FOR ANNUAL
REGISTRAR FOR THE LANDS
DIVISION OF NIAGARA NORTH AND SOUTH

Page 184 of 410 565



PLAN OF SURVEY OF
PART OF LOTS 18 AND 19
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF CAISTOR
TOWNSHIP OF WEST LINCOLN

KASCH & HYDE, LTD.
TARIO LAND SURVEYORS

SCALE 1 : 1000

SURVEYOR'S CERTIFICATE

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 20th DAY OF JANUARY 2020.

JANUARY 29, 2020

HAROLD D. HYDE
MARIO LAND SILVEYTOR

LEGEND

- [illegible]

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP A (646759)	4767552.67	605363.74
ORP B (546759)	4767274.49	605771.08

BEARING NOTE

BEARINGS HEREON ARE GRID, UTM ZONE 17, (NAD 83-CSRS ; CANV6 (Epoch 2010.0)) DERIVED FROM OBSERVED REFERENCE POINTS (ORP2) USING THE CAN-NET VRS NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE).

ROTATION NOTE

FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P1 HAVE BEEN ROTATED 01° 00' 15" COUNTER-CLOCKWISE.

FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P2 HAVE BEEN ROTATED 00° 42' 40" COUNTER-CLOCKWISE.

RASCH + HYDE LTD.

Ontario Land Surveyors

P.O. Box 6 1333 Highway #3 East, Unit B	P.O. Box 350, 74 Jarvis Street
---	--------------------------------

905-871-9757
FORT ERIE, ONT, L2A 5Y1

(FAX 905-774-4000)	(FAX 905-811-9740)
HAROLD D. HYDE O.I.S.	

SCALE 1 : 1000	SURVEY : 19-130-2	DRAWN BY : T. N.
----------------	-------------------	------------------

DATE: June 29, 2020
REPORT NO: RFD-T-12-20
SUBJECT: May 2020 Budget Status Report
CONTACT: Donna DeFilippis, Treasurer/Director of Finance

OVERVIEW:

- **Presentation and Analysis of operating and capital expenditures as of May 2020 compared to the 2020 approved budget.**
- **Analysis of COVID-19 Pandemic Impact on the Township of West Lincoln's Financial Position is included in this report**

RECOMMENDATION:

- 1) That, Report RFD-T-12-20, regarding the "May 2020 Budget Status Report", be received for information; and,
- 2) That, Council approves that water services will not be disconnected for non-payment for the remainder of 2020.

BACKGROUND:

The Finance Department has completed a review of operating results up to the end of May 31, 2020. **Appendix A** is a summary of the Operating Revenues and Expenditures up to May 31, 2020. The analysis has taken into account the timing and seasonality of certain budget lines. The column titled "Budget" under the "Operating YTD" heading on the attached analysis indicates the portion of the budget that would be expected to be expended as of May 31, 2020. This report summarizes the actual operating expenditures up to May 31st, 2020 by service area. **Appendix B** to this report is a presentation of May 31st results by "object" code and includes Capital expenditures. Finally, **Appendix C** to this report provides Council with a snapshot of the Uncommitted Reserve and Reserve Fund Balances projected to December 31, 2020.

Revenue Analysis:

At the end of February, the first property tax instalment bills have been generated, with the first instalment due and payable on February 28th, 2020. The second instalment date is April 30th, 2020. The final property tax bills should be issued in late June, with two instalment dates proposed for the end of July and the end of September. The impact of the COVID-19 Pandemic on Township Revenues will be discussed later in this report.

Expenditure Analysis:

Township operating budgets are currently within the approved budget. The impact of the COVID-19 Pandemic on Township Expenditures will be discussed later in this report.

Purchasing Activity:

The Township's purchasing policy grants the CAO purchasing authority up to \$100,000. In the month of May, the CAO approved the following (the Amount column is before taxes):

Vendor	Amount	Project
Associated Engineering	\$ 39,246	Brock St. Rd and Watermain
Watson & Associates	\$ 32,900	Water & Wastewater Study and Financial Plan
Premier Equipment	\$ 41,459	ParkTractor
Gauboc Construction Ltd.	\$ 69,225	Sidewalks-Townhall and John Street
Anthony's Excavating	\$5.40/m	Rural Ditching

The above prices are within the approved project budget.

Financial Impact of COVID-19:

Council has approved the following measures as a means of providing financial relief to West Lincoln residents and property owners:

Council approved the following effective March 17, 2020 to June 30, 2020:

- The waiver of penalty for non-payment or late payment of taxes levied and charged in 2020;
- The waiver of penalty and any other associated fees for non-payment or late payment of water bills issued in 2020;
- The waiver of penalty on Accounts Receivable amounts past due;
- The waiver of NSF (non-sufficient funds) charges; and,
- Water services will not be disconnected for non-payment of the first quarterly water bills, which will be due on May 1st, 2020.

The above measures resulted in a loss of revenue to the Township of \$56,470. Over the above period we have had 3 customers drop out of our Pre-Authorized Payment Plans. These plans currently have approximately 1,200 customers enrolled in them.

Staff is recommending that the current practice resulting from COVID-19 of not disconnecting water services be continued for the remainder of 2020. Staff is anticipating that this recommendation will result in an estimated loss in revenue of \$4,000. Before COVID-19, water customers would face disconnection of water services if balances were left unpaid following two months after the due date. Reconnection would take place only once payment was received in full. In order to manage water arrears for the remainder of 2020, staff will review individual cases and have the authority to add outstanding balances to property tax accounts.

Attached as **Appendix D** to this report is a summary of the financial impact of COVID-19 on the Township finances. The report outlines lost revenue, additional expenditures and mitigating factors. It is estimated that the Township would have an **overall negative impact of \$129,600 up to December 31, 2020** as a result of the COVID-19 pandemic. If savings in other budget lines are not realized, a transfer from the Contingency Reserve will be required. In addition, any Capital expenditures incurred related to the current crisis will be funded through the Contingency Reserve. The projected loss related to water of \$14,880 included in the above amount will have a negative impact on the water reserve.

The Township closed all of its facilities to the public, except the Township office, effective March 14th, 2020. The Township office closed to the public at noon on March 17th, 2020. The closure of the West Lincoln Community Centre resulted in the cancellation of booked rentals, March Break Camp, drop-in programs and fitness classes. In addition, the spring fitness program has been cancelled. These cancellations have resulted in estimated loss revenue to the Township of \$88,230. This figure assumes that no field rental fees are collected in 2020.

In addition, due to the current economic impact of COVID-19 on the business community, staff has made the decision not to approach local businesses for flower basket sponsorship, resulting in a further loss in revenue of \$5,000. Staff is also projecting a loss in investment and banking interest revenue of \$23,000 due to lower interest rates.

In response to the current crisis, the Township has incurred some additional costs such as the purchase of additional hand sanitizer, cleaning supplies, protective equipment and signage. Also, additional expenditures have been incurred related to Information Technology as the Township transitions to conducting business while maintaining social distancing. New ways of conducting business with the use of technology have been quickly implemented to ensure service continuity. At this point, actual costs incurred are \$16,620. An estimated additional cost of \$60,000 has been included in the analysis and includes anticipated Capital expenditures that will be incurred as the Township transitions into opening to the public. This figure is strictly an estimate, and will be updated as actual costs are determined.

Mitigating factors have provided an offset to the lost revenue and additional expenditures. The estimated total of \$89,000 results from the delay in hiring of new positions approved in the 2020 budget. This savings is up to June 30th, after which hiring would commence. Also, the Township will have lower expenditures due to the laying off of crossing guards and the cancellation of spring fitness classes. Canada Day will be celebrated virtually, in collaboration with other Niagara municipalities. Staff is projecting a savings from the cancellation of Township Canada Day programming of approximately \$34,700.

The Emergency Orders issued in response to the Pandemic and overall financial volatility has impacted the issuance of building permits. This may result in home building deferrals which would impact the Township's Supplementary Tax Revenues.

The Library will also have lower expenditures as they have had to lay-off part-time staff. However, the impact has not been reflected in this analysis, as any savings within the Library are transferred into the Library reserve.

Staff will continue to monitor the financial impacts as a result of the COVID-19 pandemic and will update Council as required. **Appendix D** includes an estimate of the loss in productivity costs that the Township has incurred. For example, several staff members have been active participants in the EOC (Emergency Operations Center) which has impeded their ability to complete their regular duties. In addition, certain employees have been working on modified schedules, resulting in a loss of productivity. Although these costs have been budgeted for, there has been a loss in capacity. This may result in delays to regular projects and may impact service delivery. Staff has estimated that the loss in productivity due to the current emergency is approximately \$729,700 up to the end of December 31, 2020. This opportunity cost is included in **Appendix D** as that data will be used by the Niagara Region in their advocacy activities to both the Provincial and Federal governments, on behalf of all Niagara municipalities.

CONCLUSION:

It is concluded that Council receive the May 2020 Budget Status Report as an item of information and that Council support the continuance of not shutting off water services to those customers unable to pay their water invoices.

Prepared by:



Donna DeFilippis
Treasurer/Director of Finance

Approved by:



Bev Hendry
CAO

APPENDIX "A"

TOWNSHIP OF WEST LINCOLN

For the Five Months Ending Sunday, May 31, 2020

		Operating YTD				Operating Total		
		Actuals	Budget	Variance (\$)	Variance (%)	Budget	Variance (\$)	Variance (%)
General	General	(\$3,539,044.94)	(\$3,778,635.00)	(\$239,590.06)	6. %	(\$9,068,700.00)	(\$5,529,655.06)	61. %
	Equipment	141,359.14		-141,359.14	0. %		-141,359.14	0. %
Total General		-3,397,685.80	-3,778,635.00	-380,949.20	10. %	-9,068,700.00	-5,671,014.20	63. %
General Government								
	Governance	97,298.39	120,760.00	23,461.61	19. %	289,800.00	192,501.61	66. %
	Corporate Management	852,440.40	684,580.00	-167,860.40	(25. %)	1,643,000.00	790,559.60	48. %
Total General Government		949,738.79	805,340.00	-144,398.79	(18. %)	1,932,800.00	983,061.21	51. %
Protection Services								
	Fire	260,966.02	517,345.00	256,378.98	50. %	1,241,600.00	980,633.98	79. %
	Building Permit & Inspection Se	57,656.37	40,375.00	-17,281.37	(43. %)	96,900.00	39,243.63	40. %
	Provincial Offences Act	-7,032.05	-7,455.00	-422.95	6. %	-17,900.00	-10,867.95	61. %
	Animal Control	4,775.76	8,835.00	4,059.24	46. %	21,200.00	16,424.24	77. %
Total Protection Services		316,366.10	559,100.00	242,733.90	43. %	1,341,800.00	1,025,433.90	76. %
Transportation Services								
	Roads Paved &Unpaved	717,975.34	863,450.00	145,474.66	17. %	2,072,300.00	1,354,324.66	65. %
	Traffic Operations & Roadside I	-22,020.37	101,435.00	123,455.37	122. %	243,400.00	265,420.37	109. %
	Winter Control	224,196.53	285,240.00	61,043.47	21. %	684,600.00	460,403.47	67. %
	Crossing Guards	23,694.50	28,505.00	4,810.50	17. %	68,400.00	44,705.50	65. %
	Streetlights	-34,427.27	10,535.00	44,962.27	427. %	25,300.00	59,727.27	236. %
	Bridges & Culverts	18,392.78	91,915.00	73,522.22	80. %	220,600.00	202,207.22	92. %
Total Transportation Services		927,811.51	1,381,080.00	453,268.49	33. %	3,314,600.00	2,386,788.49	72. %
Environmental Services								
	Wastewater	-15,923.67		15,923.67	0. %		15,923.67	0. %
	Storm Sewer	8,066.54	48,125.00	40,058.46	83. %	115,500.00	107,433.46	93. %
	Water	-48,339.27	5.00	48,344.27	966885. %		48,339.27	0. %
Total Environmental Services		-56,196.40	48,130.00	104,326.40	217. %	115,500.00	171,696.40	149. %
Heath Services								
	Cemeteries	16,365.56	34,670.00	18,304.44	53. %	83,200.00	66,834.44	80. %
Total Heath Services		16,365.56	34,670.00	18,304.44	53. %	83,200.00	66,834.44	80. %
Recreation & Cultural Services								
	Parks	42,757.32	161,120.00	118,362.68	73. %	386,700.00	343,942.68	89. %
	Recreation Programs	105,344.22	151,245.00	45,900.78	30. %	363,000.00	257,655.78	71. %
	Recreational Facilities	199,344.37	232,450.00	33,105.63	14. %	557,900.00	358,555.63	64. %
	Libraries	182,573.00	267,045.00	84,472.00	32. %	640,900.00	458,327.00	72. %
Total Recreation & Cultural Services		530,018.91	811,860.00	281,841.09	35. %	1,948,500.00	1,418,481.09	73. %
Planning & Development								
	Planning & Heritage	181,018.55	114,865.00	-66,153.55	(58. %)	275,700.00	94,681.45	34. %
	Drainage	14,062.28	17,335.00	3,272.72	19. %	41,600.00	27,537.72	66. %
	Climate Change	14,824.74	6,250.00	-8,574.74	(137. %)	15,000.00	175.26	1. %
Total Planning & Development		209,905.57	138,450.00	-71,455.57	(52. %)	332,300.00	122,394.43	37. %
		-503,675.76	-5.00	503,670.76	(10073415. %)		503,675.76	0. %

APPENDIX "B"

TOWNSHIP OF WEST LINCOLN

Summary of All Units

For the Five Months Ending Sunday, May 31, 2020

	YTD				Annual		
	Budget	Actual	Variance (\$)	Variance (%)	Budget	Remaining (\$)	Remaining (%)
Operating Revenue							
Tax Levy	\$3,137,670.00	\$3,527,253.33	(\$389,583.33)	(12.%)	\$7,530,400.00	\$4,003,146.67	53.%
Street Light Levy	32,875.00	46,621.56	-13,746.56	(42.%)	78,900.00	32,278.44	41.%
Sidewalk Levy	45,625.00	56,225.16	-10,600.16	(23.%)	109,500.00	53,274.84	49.%
Supplemental Levy	25,000.00		25,000.00	100.%	60,000.00	60,000.00	100.%
Payment In Lieu	298,040.00	464.77	297,575.23	100.%	715,300.00	714,835.23	100.%
User Fees	2,103,345.00	1,233,980.00	869,365.00	41.%	5,048,000.00	3,814,020.00	76.%
Government Transfers	558,370.00	452,628.44	105,741.56	19.%	1,340,100.00	887,471.56	66.%
Other Revenue	466,535.00	187,225.69	279,309.31	60.%	1,119,700.00	932,474.31	83.%
Funding From Reserves	274,040.00		274,040.00	100.%	657,700.00	657,700.00	100.%
Total Operating Revenue	6,941,500.00	5,504,398.95	1,437,101.05	21.%	16,659,600.00	11,155,201.05	67.%
Operating Expenses							
Salaries and Wages	2,174,450.00	1,927,226.89	247,223.11	11.%	5,218,700.00	3,291,473.11	63.%
Benefits	622,790.00	538,365.57	84,424.43	14.%	1,494,800.00	956,434.43	64.%
Debt Interest	257,955.00	313,652.63	-55,697.63	(22.%)	619,100.00	305,447.37	49.%
Administrative Expenses	125,140.00	56,883.53	68,256.47	55.%	300,300.00	243,416.47	81.%
Supplies and Equipment	148,555.00	100,965.25	47,589.75	32.%	356,500.00	255,534.75	72.%
Repairs and Maintenance (Materials Only)	620,725.00	587,511.20	33,213.80	5.%	1,489,700.00	902,188.80	61.%
Utilities	201,530.00	143,932.90	57,597.10	29.%	483,700.00	339,767.10	70.%
Insurance	99,245.00	91,336.93	7,908.07	8.%	238,200.00	146,863.07	62.%
Subscriptions and Periodicals	2,960.00	3,666.06	-706.06	(24.%)	7,100.00	3,433.94	48.%
Contracted Services	1,293,520.00	704,031.13	589,488.87	46.%	3,104,400.00	2,400,368.87	77.%
Special Projects	277,675.00	142,519.86	135,155.14	49.%	666,400.00	523,880.14	79.%
Rents and Financial Expenses	27,375.00	11,893.73	15,481.27	57.%	65,700.00	53,806.27	82.%
External Transfers	15,540.00	34,050.00	-18,510.00	(119.%)	37,300.00	3,250.00	9.%
Internal Functional Adjustments	-5.00		-5.00	100.%			0.%
Allocation of Program Support	5.00		5.00	100.%			0.%
Tax Write Off	31,165.00	8,725.30	22,439.70	72.%	74,800.00	66,074.70	88.%
Debt Principal	297,875.00	331,139.97	-33,264.97	(11.%)	714,900.00	383,760.03	54.%
Contribution to Reserves	744,995.00		744,995.00	100.%	1,788,000.00	1,788,000.00	100.%
Total Operating Expenses	6,941,495.00	4,995,900.95	1,945,594.05	28.%	16,659,600.00	11,663,699.05	70.%
Operating Surplus/(Deficit)	5.00	508,498.00	-508,493.00			-508,498.00	0.%

APPENDIX "B"

	YTD				Annual		
	Budget	Actual	Variance (\$)	Variance (%)	Budget	Remaining (\$)	Remaining (%)
Capital Revenue							
User Fees	723,495.00		723,495.00	100.0%	1,736,400.00	1,736,400.00	100.0%
Government Transfers	417,500.00	90,930.00	326,570.00	78.0%	1,002,000.00	911,070.00	91.0%
Other Revenue	2,085.00	8,035.00	-5,950.00	(285.0%)	5,000.00	-3,035.00	(61.0%)
TCA Sale Proceeds		2.00	-2.00	0.0%		-2.00	0.0%
Proceeds From Debentures	392,750.00		392,750.00	100.0%	942,600.00	942,600.00	100.0%
Funding From Reserves	1,064,460.00		1,064,460.00	100.0%	2,554,700.00	2,554,700.00	100.0%
Total Capital Revenue	2,600,290.00	98,967.00	2,501,323.00	96.0%	6,240,700.00	6,141,733.00	98.0%
Capital Expenditures							
Land Improvements	166,665.00	28,058.63	138,606.37	83.0%	400,000.00	371,941.37	93.0%
Facilities	791,665.00	50,357.86	741,307.14	94.0%	1,900,000.00	1,849,642.14	97.0%
Equipment	88,085.00	42,636.23	45,448.77	52.0%	211,400.00	168,763.77	80.0%
Rolling Stock	263,330.00	680,488.45	-417,158.45	(158.0%)	632,000.00	-48,488.45	(8.0%)
Transportation Infrastructure	787,710.00	758,720.76	28,989.24	4.0%	1,890,500.00	1,131,779.24	60.0%
Environmental Infrastructure	502,835.00	6,330.08	496,504.92	99.0%	1,206,800.00	1,200,469.92	99.0%
Total Capital Expenditures	2,600,290.00	1,566,592.01	1,033,697.99	40.0%	6,240,700.00	4,674,107.99	75.0%
Capital Surplus/(Deficit)		-1,467,625.01	1,467,625.01	0.0%		1,467,625.01	0.0%

RESERVE FUND AND RESERVE BALANCES WITH 2020 BUDGET IMPACTS

	PROJECTED UNCOMMITTED December 31, 2019		BUDGET IMPACTS 2020	PROJECTED UNCOMMITTED 2020	
RESERVE FUNDS:					
BUILDING REVENUES RESERVE	\$	718,848	-\$ 196,500	\$	522,348
LIBRARY	\$	98,185	-\$ 26,200	\$	71,985
TOTAL RESERVE FUNDS	\$	817,033	-\$ 222,700	\$	594,333
RESERVES:					
ARENA BUILDING FUND	\$	-	\$ 1,400	\$	1,400
RECREATION	\$	1,003	\$ -	\$	1,003
TECHNOLOGY	\$	21,878	-\$ 11,200	\$	10,678
PLANNING RESERVE	\$	15,114	\$ 80,000	\$	95,114
CEMETARIES	\$	30,000	-\$ 35,000	-\$	5,000
ACCESSIBILITY RESERVE	\$	29,491	\$ -	\$	29,491
EQUIPMENT RESERVE	\$	284,443	-\$ 117,000	\$	167,443
STREET LIGHTS	\$	53,079	\$ -	\$	53,079
ELECTION EXPENSE	\$	50,765	\$ 36,000	\$	86,765
RATE STABILIZATION RESERVE	\$	59,000	\$ -	\$	59,000
FIRE RESERVE	\$	145,900	\$ 213,000	\$	358,900
FACILITY RESERVE	\$	84,242	-\$ 25,600	\$	58,642
WORKING FUNDS	\$	135,159	-\$ 45,000	\$	90,159
SIDEWALKS	\$	121,179	\$ 9,000	\$	130,179
INSURANCE	\$	187,655	\$ -	\$	187,655
SETTLEMENT ROAD AGREEMENT RESERVE	\$	361,112	-\$ 270,000	\$	91,112
BRIDGES	\$	72,498	\$ 23,000	\$	95,498
WATER DEPT. PROJECTS	\$	556,534	-\$ 157,500	\$	399,034
ROADS-WINTER CONTROL	\$	412,100	\$ 63,100	\$	475,200
WIND TURBINE COMMUNITY FUND RESERVE	\$	557,219	-\$ 243,000	\$	314,219
SEWER PROJECTS	\$	898,307	-\$ 266,300	\$	632,007
CAPITAL	\$	1,106,167	-\$ 177,500	\$	928,667
CONTINGENCIES	\$	704,599	-\$ 129,100	\$	575,499
INDUSTRIAL PARK	\$	160,570	\$ -	\$	160,570
HOSPITAL RESERVE	\$	1,250,000	\$ -	\$	1,250,000
TOTAL RESERVES	\$	7,298,014	-\$ 1,051,700	\$	6,246,314
TOTAL RESERVE FUNDS AND RESERVES	\$	8,115,047	-\$ 1,274,400	\$	6,840,647

APPENDIX "D"

FINANCIAL IMPACT OF COVID-19 ESTIMATED TO DECEMBER 31, 2020

		Actual	Estimated	Total
REVENUE LOSS				
Relief Measures				
Waiver of Current Tax Interest				
	April	\$ 7,020.00	\$ -	\$ 7,020.00
	May	\$ 20,030.00	\$ -	\$ 20,030.00
	June	\$ 16,045.00	\$ -	\$ 16,045.00
		<u>\$ 43,095.00</u>	<u>\$ -</u>	<u>\$ 43,095.00</u>
Waiver of Water Penalty & Charges				
	April	\$ 1,340.00		\$ 1,340.00
	May	\$ 5,200.00	\$ -	\$ 5,200.00
	June	\$ 2,380.00	\$ 1,980.00	\$ 4,360.00
	July to Dec	\$ -	\$ 3,980.00	\$ 3,980.00
		<u>\$ 8,920.00</u>	<u>\$ 5,960.00</u>	<u>\$ 14,880.00</u>
Waiver of AR Interest				
	April	\$ 1,260.00		\$ 1,260.00
	May	\$ 280.00	\$ -	\$ 280.00
	June	\$ 935.00	\$ -	\$ 935.00
		<u>\$ 2,475.00</u>	<u>\$ -</u>	<u>\$ 2,475.00</u>
Total Relief Measures		<u>\$ 54,490.00</u>	<u>\$ 5,960.00</u>	<u>\$ 60,450.00</u>
Closures				
Facility Rentals (includes Arena)		\$ 33,260.00	\$ -	\$ 33,260.00
March Break Camp		\$ 7,490.00		\$ 7,490.00
Fitness Classes		\$ 2,080.00	\$ 9,000.00	\$ 11,080.00
Public Skating & Drop-In			\$ 5,800.00	\$ 5,800.00
Field Rental			\$ 30,600.00	\$ 30,600.00
Total Closures		<u>\$ 42,830.00</u>	<u>\$ 45,400.00</u>	<u>\$ 88,230.00</u>
Other				
Beautification Sponsors		\$ -	\$ 5,000.00	\$ 5,000.00
Decrease in Bank Interest Revenue			\$ 23,000.00	\$ 23,000.00
Total Other		<u>\$ -</u>	<u>\$ 28,000.00</u>	<u>\$ 28,000.00</u>
TOTAL REVENUE LOSS		<u>\$ 97,320.00</u>	<u>\$ 79,360.00</u>	<u>\$ 176,680.00</u>
ADDITIONAL EXPENSES		<u>\$ 16,620.00</u>	<u>\$ 60,000.00</u>	<u>\$ 76,620.00</u>
MITIGATING FACTORS				
Non-Hiring of New 2020 Staffing Positions		\$ -	\$ 69,500.00	\$ 69,500.00
Cancellation of Township Canada Day Programming			\$ 34,700.00	\$ 34,700.00
Crossing Guard Layoffs		\$ -	\$ 14,000.00	\$ 14,000.00
Fitness Classes Instructors		\$ -	\$ 5,500.00	\$ 5,500.00
TOTAL MITIGATING FACTORS		<u>\$ -</u>	<u>\$ 123,700.00</u>	<u>\$ 123,700.00</u>
TOTAL		<u>\$ 113,940.00</u>	<u>\$ 15,660.00</u>	<u>\$ 129,600.00</u>
OPPORTUNITY COST (note 1 below)				<u>\$ 729,700.00</u>

Note 1: Opportunity Cost represents staff time allocated towards managing the pandemic, as well as staff at-home, unable to work

DATE: June 29th, 2020

REPORT NO: PD-078-20

SUBJECT: Recommendation Report
Importation of Fill (Mr. and Mrs. Bozich – Schilstra Builders,
Agent)
8006 Concession 7 Road, South Grimsby Ward, Township of
West Lincoln
File No. 3000-003-20

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- On July 12th, 2019, a building permit was issued for a new house at 8006 Concession 7 Road, South Grimsby. A location map is found at attachment 1 to this report.
- As part of the building permit package, a site sketch was provided as completed by Rasch & Hyde and dated June 19, 2019 and as found at attachment 2 to this report.
- The elevation of the residence was shown as approximately 1 metre above the existing grade.
- On this basis, as the house was nearing completion, Schilstra Builders commenced the importing of fill, without approval. Fifty loads are permitted as part of a building permit.
- Complaints started to be received around March 25th, 2020 about truck traffic, dust, and mud on the road, as well as about the volume of fill being hauled in.
- Upon inspection, staff determined that well in excess of 250 truckloads (2500m³) of soil had been imported. Under the site alteration by-law, only 500m³ (50 truckloads) is permitted when tied to a building permit.
- The site sketch tied to the building permit provides no detail or evidence of proposed grading and the Building Code only requires proper slopes for water flow away from the foundation.
- This site alteration application is therefore to recognize the already imported soil in excess of the by-law, as well as to request the further importation of another 500m³ (50 truckloads) to complete the planned grading change and then to import topsoil. The by-law allows up to 1000m³ (100 truckloads) of topsoil. It must however be true topsoil.

RECOMMENDATION

1. That, Report PD-078-20, regarding “Recommendation Report, Importation of Fill (Mr. and Mrs. Bozich – Schilstra Builders, Agent), 8006 Concession 7 Road, South Grimsby Ward, Township of West Lincoln”, dated June 29th, 2020, be RECEIVED; and,
2. That, importing up to 500m³ of additional soil for a total, not exceeding, 3000m³ (300 truckloads) be permitted, provided that the following conditions are met:
 - a. That the site is properly graded and topsoil applied in such a manner that the lands can be properly maintained and will adequately grow crop, hay or lawn (as planned).
 - b. That the site sketch that was submitted with the application be updated to show finished elevation.
 - c. In order to ensure completion of this project, that a \$5000.00 security deposit and a site alteration agreement be signed.
 - d. That a penalty be imposed such that another non-refundable \$1000.00 be paid as a double permit fee.
 - e. That a permit such as the one found at attachment 3 to this report be issued following the completion of the conditions above; and,
3. That open roadside ditches be maintained and entrance permits be approved to the satisfaction of the Township of West Lincoln Public Works Department.
4. That any requirements of the Niagara Peninsula Conservation Authority (NPCA) must be complied with.
5. That a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with John and Leeanne Bozich (Schilstra Builders – Agent).

ALIGNMENT TO STRATEGIC PLAN

Theme

- **Efficient, Fiscally Responsible Operations**

BACKGROUND

On July 12th, 2019 a building permit was issued for a new residence at 8006 Concession 7 Road. The site sketch shows an elevation of the house that is 1 metre above the existing grade. The Building Code only requires that the soil be graded so that water flows away from the foundation. The grading plan showed no further detail on intended final grades.

In March of 2020, soil importation began and complaints also started to be received by the Township. Upon inspection, grade had been changed dramatically with more than 250 truckloads already having been delivered to the site. The truck drivers were aggressive and the trucking company did not follow the instruction of the By-law

Enforcement Officer to cease soil delivery immediately.

Ultimately, the builder was contacted to shut the company down due to non-compliance with the site alteration by-law.

CURRENT SITUATION

Builders need to understand that a building permit is not free reign to do what they want with the elevation of the land. Grading and drainage plans should be prepared before such work begins.

The Site Alteration By-law 2016-41 was amended in 2019 to allow only 50 truckloads (500m³) of fill tied to a building permit. This amendment was made because of complaints of 5 houses that were constructed in 2018 and 2019 with substantial elevation changes and substantial soil importation, far beyond anything required as part of a normal building permit.

This new 50 load limit will be enforced and builders must abide by this new rule. In this file there is no plan, there was no indication provided to the Township of the grading change that was contemplated. Perhaps this is an effort by some builders to accept payment for the receiving of soil from the soil haulers. The works at 8006 Concession 7 Road were a complete violation of the site alteration by-law, well beyond the normal amount of fill required for a building permit, with no final grading plan. These types of situations must come to an end.

Beyond 50 truckloads (500m³) of soil, the intent of the site alteration by-law is that these lands must be improved for agricultural purposes, as part of any site alteration permit, this is not the plan, or the intent in this case. Therefore, it is a violation of the Site Alteration By-law.

Two options exist:

1. Either the soil be removed such that the maximum permitted volume of 500m³ (50 truckloads) be enforced; or,
2. that an additional 500m³ (50 truckloads) of fill (total of 3000m³ (300 truckloads) and up to 1000m³ of topsoil (true topsoil) be permitted such that the builders vision is completed, with conditions met, including a penalty of a double permit fee.

Staff are prepared to accept option 2 in this case since this is the builders first violation. Should Council concur; the builder is hereby put on notice that no further violations will be supported. Permit applications for new houses now contain a clause that a maximum of 50 loads of imported soil is permitted.

FINANCIAL IMPLICATIONS

Not applicable as security will be collected to finish the project, unless option 1 is chosen and the recommendations of this report are not supported. At that point this will

become a by-law matter with enforcement costs.

INTER-DEPARTMENTAL COMMENTS

Staff from the Planning, Building, By-law and Public Works Departments have all been involved in this file. When the trucking company was ignoring the orders of the By-law Enforcement Officer, the Township, with the assistance of Public Works staff, was prepared to close the road. It should never have to come to that point.

Notice was circulated to agencies on June 1st, 2020. The NPCA has commented about a possible interest in two mapped water features that should be buffered and protected.

PUBLIC COMMENTS

No comments have been received from the neighbours as part of this notice process. Notice was circulated to the public on June 1st, 2020. Complaints were received from the public before the site alteration permit application was submitted.

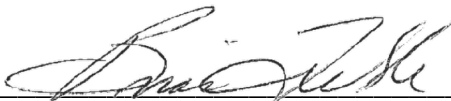
CONCLUSION

Staff recommend approval as outlined in this report, based on an understanding that this is a one-time exception and that further breaches of the site alteration by-law by this builder and all other builders will not be tolerated.

ATTACHMENTS

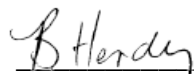
1. Location Map
2. Site Sketch – Rasch & Hyde Ltd.
3. Draft Permit
4. Agency Comments
5. Draft Authorizing By-law

Prepared by:



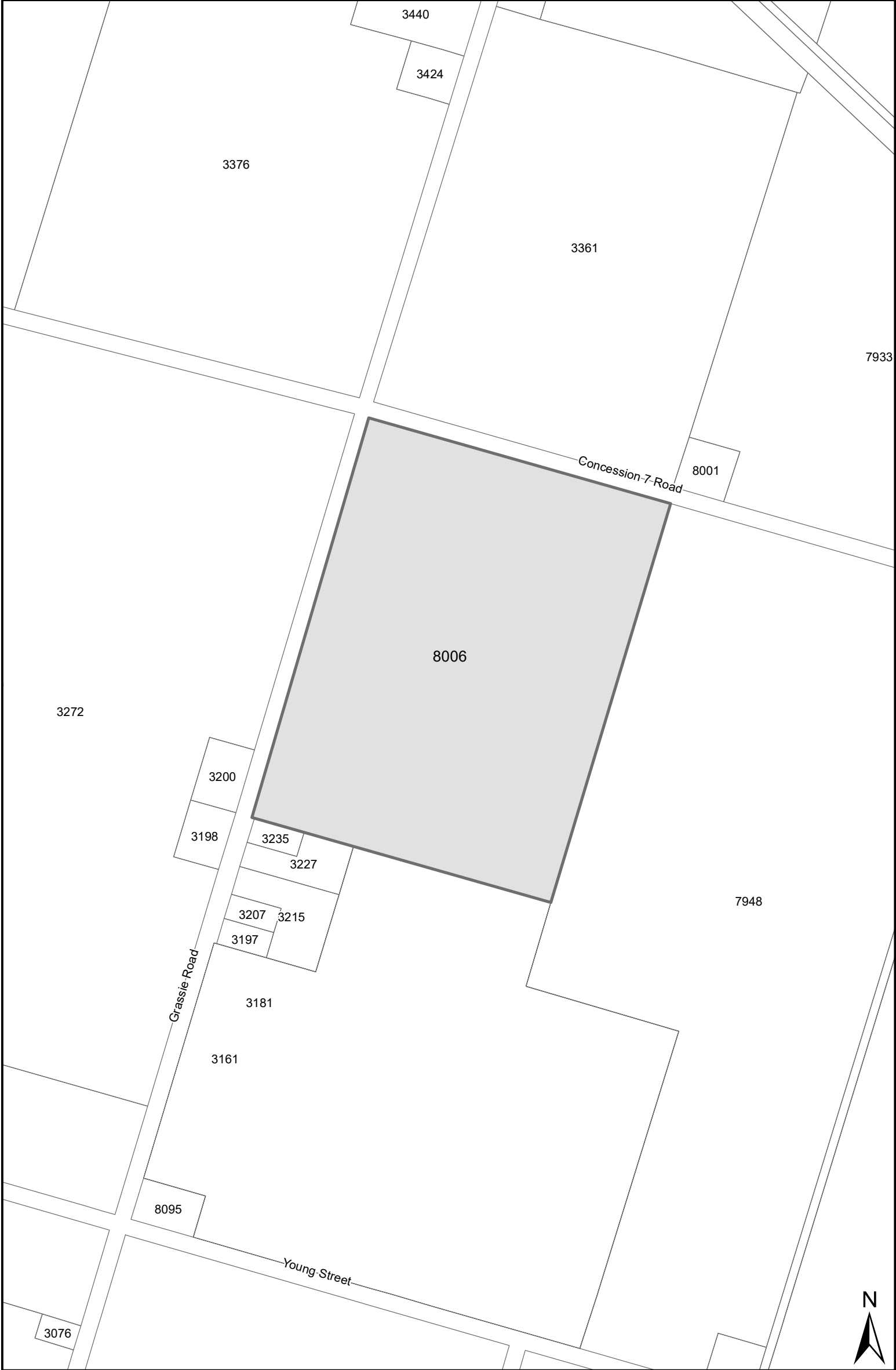
Brian Treble, RPP, MCIP
Director of Planning and Building

Approved By:



Beverly Hendry
CAO

X:\pb-Planning Reports\Working Copy\2020\6. June\PD-078-20 Site Alteration - Bozich - Schilstra Builders\PD-078-20 - Site Alteration - 8006 COncession 7 - Bozich - Schilstra Builders.docx



Location Map
8006 Concession 7 Road

May 2020



SKETCH

THIS IS AN ORIGINAL
COPY IF EMBOSSED BY
THE SURVEYOR'S SEAL,
OR PDF CERTIFIED

CONCESSION 7 ROAD
(ROAD ALLOWANCE BETWEEN CON. 7 AND GORE A)

SITE BENCHMARK (TBM)
SPIKE IN HYDRO POLE
ELEV : 194.79m

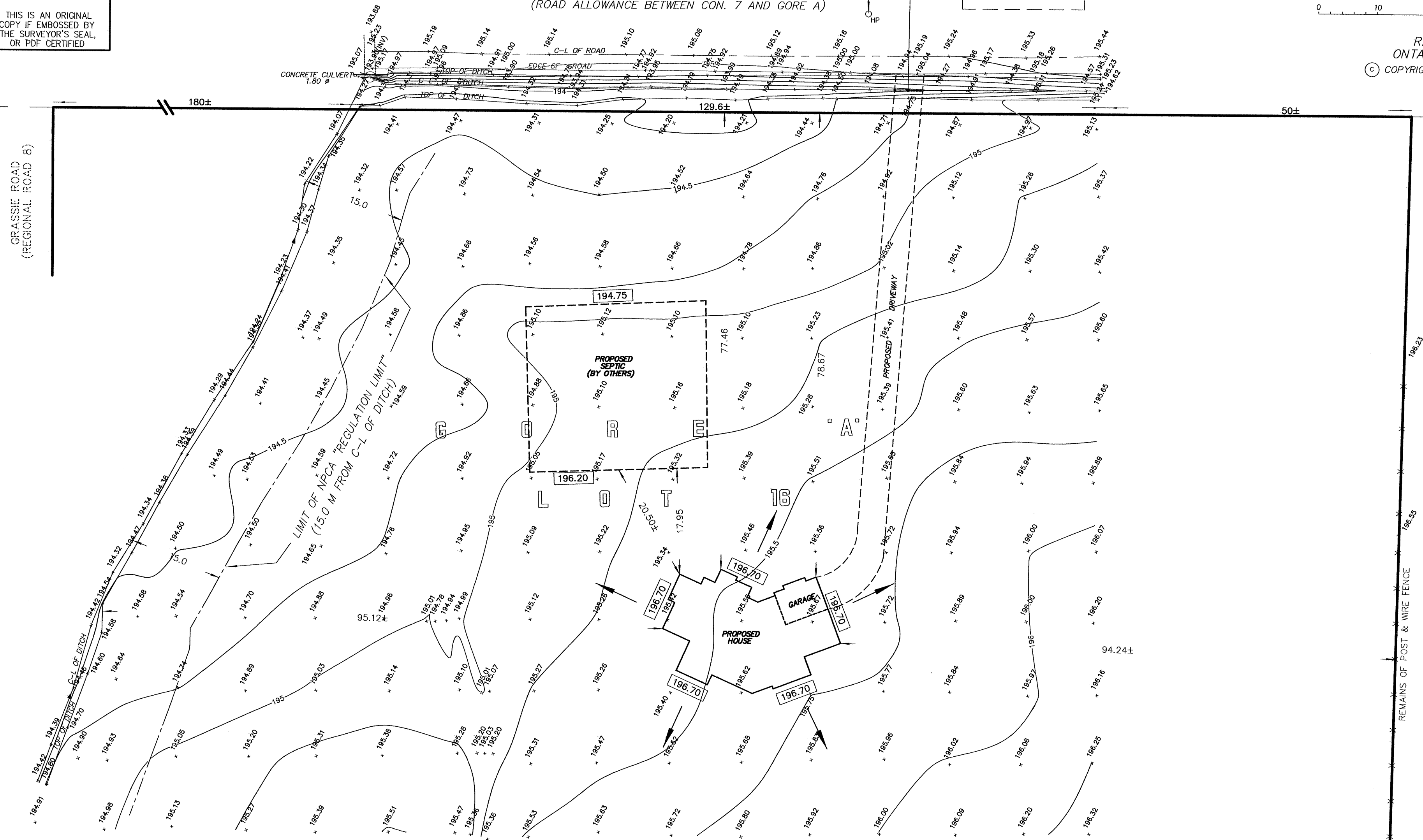
INSTALL CULVERT TO
TWL SPECIFICATIONS

SKETCH SHOWING TOPOGRAPHICAL INFORMATION
AND SITE PLAN FOR CONSTRUCTION OF NEW HOUSE
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

0 10 20 30 40 50 m

SCALE 1 : 500

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS
© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2019



PROPERTY DESCRIPTION

PART OF LOT 16, GORE A, AS IN R0217224
SOUTH GRIMSBY
TOWN OF WEST LINCOLN
PIN 46046-0016(LT)

ELEVATION NOTE

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED
TO MTO BENCHMARK 00819708339 (AKA 339-70)
HAVING AN ELEVATION OF 194.755m (CGVD-1928:1978)

LOCATION : METAL CLAD BARN (OWNED BY MR. S. GRZYBEK) ON NORTH
SIDE OF HWY 20, 4.9 KM EAST OF JCT OF HWY 20 AND SOUTH
GRIMSBY RD 18 IN THE HAMLET OF FULTON, 6.6 KM WEST OF UNITED
CHURCH IN THE HAMLET OF SMITHVILLE, 121.9 M WEST OF SOUTH
GRIMSBY RD 11 AND 8, 1.4 M NORTH OF CENTRELINE OF HWY 20.
TABLET IS SET HORIZONTALLY IN SOUTH FACE OF CONCRETE
FOUNDATION, 5.58 M WEST OF S.E. CORNER, 37 CM EAST

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK.
ANY ELEVATION DISCREPANCIES TO BE REPORTED TO RASCH & HYDE LTD.

PROPOSED GRADES (DERIVED FROM ARCHITECTURALS)

FFE: 197.31
T/FDN: 196.90
GRADE @ APRON: 196.70
BASEMENT SLAB: 194.28
U/S FTG: 194.00

CAUTION

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED
EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
- THIS SKETCH IS PROTECTED BY COPYRIGHT ©
- THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH THE
SURVEYOR'S SEAL, OR PDF CERTIFIED.

LEGEND

C-L	DENOTES	CENTRELINE
HP	DENOTES	HYDRO/UTILITY POLE
OUL	DENOTES	OVERHEAD UTILITY/HYDRO LINE
FFE	DENOTES	FINISHED FLOOR ELEVATION
ORP	DENOTES	OBSERVED REFERENCE POINT
MTO	DENOTES	MINISTRY OF TRANSPORTATION ONTARIO
(INV)	DENOTES	INVERT OF CULVERT
TWL	DENOTES	TOWNSHIP OF WEST LINCOLN
TBM	DENOTES	TEMPORARY BENCHMARK
NPCA	DENOTES	NIAGARA PENINSULA CONSERVATION AUTHORITY
+100.00	DENOTES	EXISTING GROUND ELEVATION
100.00	DENOTES	PROPOSED FINISHED GRADE
—	DENOTES	PROPOSED SURFACE RUN-OFF

METRIC NOTE

DISTANCES AND ELEVATIONS COORDINATES SHOWN ON THIS SKETCH ARE
IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

FIELD WORK COMPLETED: APRIL 30, 2019

REVISED: JUNE 19, 2019

DATE

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 500

FILE NAME : 19-105

DRWN BY : J.H.



TOWNSHIP OF WEST LINCOLN
SITE ALTERATION PERMIT

Site Alteration Permit No.: 004-2020 Date: 2020/06/30
(YY/MM/DD)

Permit Fee: \$1000.00 + penalty Security: \$5000.00

Address of Site: 8006 Concession 7 Road, Pt Lot 16, Conc Gore A

Name of Owner: John and Leeanne Bozich

Name of Builder: Schilstra Builders Inc.

Nature of Approval: To retroactively approve the importation of upwards of 2500m³ (250 truckloads) of fill by Schilstra Builders Inc. to the above mentioned site and to further approve the additional importation of 500m³ (50 truckloads) of fill and up to 1000m³ (100 truckloads) of true topsoil to complete the project.

The undersigned has applied for a Site Alteration Permit pursuant to the provisions of the Township of West Lincoln, By-law 2016-41, as amended.

The permit is valid until June 30, 2021.

Pursuant to the Site Alteration By-law, the undersigned hereby acknowledges that the sole responsibility for the completion of the work undertaken as part of this application including compliance with any conditions rests entirely with the Owner and/or Applicant.

The undersigned certifies to the Township that any and all Fill used in completing the Site Alteration contains no contaminants within the meaning of the Environmental Protection Act, R.S.O. 1990, c.E. 19. The undersigned hereby releases and agrees to indemnify and save harmless the Township, its employees, representatives, agents and contractors, from and against all claims, demands, damages, causes of action, costs, expenses and other liabilities of any nature, which may arise in the event that the Fill is determined to contain contaminants.

The undersigned also agrees that the total costs of all works will be entirely the responsibility of the Owner.

Signature of Owner/Applicant Township of West Lincoln Approval

Date of Approval (YY/MM/DD)

Conditions:

1. Ground to be final grading such that overland flow to all Municipal Drains and natural swales is not impeded. At direction of the Township of West Lincoln and the Niagara Peninsula Conservation Authority, this may be required to involve an expert in drainage to ensure that there is no impact to overland flow. NPCA approval may be required and is the applicants responsibility.
2. That no more than 500m³ of additional fill be imported to this site (total 3000m³).
3. That no more than 1000m³ of true topsoil be imported to this site.
4. That the site sketch provided with the building permit be updated to show the final elevation of the lands located at 8006 Concession 7.
5. That a \$1000.00 penalty, as a double permit fee be paid.
6. All other provisions of By-law 2016-41, (as amended) are applicable.
7. That all works are completed in accordance with the Township of West Lincoln Municipal Engineering Standards and NPCA Regulations, if applicable.
8. That Schilstra Builders Inc. be and are hereby required to comply with the Site Alteration By-law 2016-41, as amended; and that further infractions in the Township of West Lincoln in relation to a building permit (or otherwise) will not be supported.

The personal information on this form is collected under the authority of Section 11 of the Municipal Act, as amended. The information is used for the purpose of processing this application and

administering the By-law. Questions regarding the collection of this information should be directed to the Township Clerk at jscime@westlincoln.ca.

DRAFT

From: [Madison Hill](#)
To: [Jeni Fisher](#)
Subject: RE: Notice - Bozich - Schilstra - Site Alteration - File No. 3000-003-20
Date: June-22-20 3:34:07 PM
Attachments: [3A0EE919BBD44D40BAD3041C50D48585.jpg](#)
[E335A2534A3F49E09C67A35A9F811D63.png](#)
[84941B3E592B47FAA3E19E4127E5A3BB.png](#)
[54C6DC58A01141D1A5E8AE2E0D72B0A3.png](#)

Good afternoon Jeni,

The watercourse to the west, and a small portion of the watercourse to the north of the proposed site alteration are identified as potential unmapped wetland (MAX). While the proposal states that the majority of the site alteration has already been completed I have the following comments to minimize impacts on ecological function of the surrounding watercourses:

Appropriate erosion and sedimentation control measures should be implemented to minimize potential impact to the watercourses to the west and north of the development.

Timing of grading activities during the summer months shall avoid high runoff volumes.

Vegetative cover shall be restored in all areas of disturbed ground within the development area as soon as feasible to limit potential sediment sources.

NPCA policy requires a 10 m natural buffer for watercourses containing intermittent flow, warmwater systems or general/impacts aquatic or riparian habitat, but also provides opportunity to reduce the requirement to address existing conditions. Given the adjacent land use is agricultural and a 10 m buffer has not been maintained historically a minimum 5 m vegetated buffer should be maintained to prevent erosion of the banks and impediment of ecological function. This buffer should retain existing vegetation and/or be seeded with native grasses and wetland tolerant species to promote infiltration within the drainage channels and to further promote water quality restoration.

Furthermore, formal review and approval in the form a permit will be required for this work.

Thanks,

Madison Hill
Regulations Officer

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2
Tel: 905-788-3135 | extension 266
mhill@npca.ca
www.npca.ca

Thank you for your email. Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. NPCA enforcement, permitting and planning functions are continuing to operate, however there may be delays in receiving responses to inquiries or complaints due to staff restrictions and remote work locations. Updates with regards to NPCA operations and activities can be found on our website at www.npca.ca/our-voice, the NPCA Facebook page at <https://www.facebook.com/NPCAOntario> and on Twitter at https://twitter.com/NPCA_Ontario.

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For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-XX

A BY-LAW TO AUTHORIZE A SITE ALTERATION AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND JOHN AND LEEANNE BOZICH (SCHILSTRA BUILDERS INC, AGENT) FOR LANDS DESCRIBED AS PART LOT 16, CONC GORE A, IN THE FORMER TOWNSHIP OF SOUTH GRIMSBY, NOW IN THE TOWNSHIP OF WEST LINCOLN BEING 8006 CONCESSION 7 ROAD.

WHEREAS the Corporation of the Township of West Lincoln deems it expedient to enter into a Site Plan Agreement with John and Leeanne Bozich (Schilstra Builders Inc, Agent) for lands legally described as Part Lot 16, Conc Gore A, in the former Township of South Grimsby, now in the Township of West Lincoln being 8006 Concession 7 Road;

AND WHEREAS approval and authority for such Agreement is required;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

1. THAT the Council of the Corporation of the Township of West Lincoln enter into a Site Alteration Agreement with John and Leeanne Bozich (Schilstra Builders Inc, Agent), on the Lands described as Part Lot 16, Conc Gore A, in the former Township of South Grimsby, now in the Township of West Lincoln, being 8006 Concession 7 Road.
2. That the Mayor and Clerk be and each of them is hereby authorized to sign the said Site Alteration Agreement and any other document or documents necessary to implement the intent of this By-law and the said Site Alteration Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. That a copy of the said Site Alteration Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A", and shall form part of this By-law, upon registration on title.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29TH DAY OF JUNE, 2020.

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

DATE: June 29th, 2020

REPORT NO: PD-079-20

SUBJECT: Recommendation Report
Site Alteration Application – Budd Developments Inc.
(Rankin Construction Inc. – Agent)
2881 South Grimsby Road 5 being Lot 1, Plan M94
File No. 3000-004-20

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- Budd Development Inc has been in discussions with Township Planning Staff since 2019 and submitted a partially complete planning application in 2020 for the development of Station Meadows West Community.
- In April of 2020, Rankin Construction Inc. approached Township staff about placing up to 100 loads (1000m³) of fill on the Budd Development Inc. lands. Staff approval of the site alteration permit was granted on April 20th, 2020.
- On May 20th 2020, Rankin Construction approached the Township about importing up to another 300 loads (3000m³) of fill on this site.
- The fill is being removed as part of the Regional Road 20 construction project and the fill is ultimately required by Budd Developments Inc. for the development of Station Meadows West.
- The lands are designated urban residential (low and medium density) in the North West Quadrant Secondary Plan and are zoned 'D' (Developmental) in the Township of West Lincoln Zoning By-law.
- Township Planning Staff anticipate that a public meeting will be held in the fall of 2020 to consider a development plan for these lands.
- In the meantime, the importing of fill to the benefit of both parties seemed like a reasonable request. Unfortunately, they have started to construct a berm without permission and may not have been conscientious operators, which has led to complaints. Further, it appears that far in excess of 1000m³ has already been imported to the site, prior to proper Council approval.

RECOMMENDATION

1. That, Report PD-079-20, regarding "Recommendation Report, Site Alteration Application – Budd Developments Inc. (Ranking Construction Inc. – Agent), 2881 South Grimsby Road 5 being Lot 1, Plan M94", dated June 29th, 2020, be RECEIVED; and,
2. That, a site alteration permit in a form similar to that found at attachment 3 to this report be approved by Township Council, subject to conditions as noted in the permit;

including that the construction of a berm along the CPR lands be halted as it is not part of this permit and that the soil be stock piled on site for the time being.; and,

3. That, all efforts be taken to acknowledge and protect neighbouring residents, including, but not limited to: dust control, speed control, noise control, obedience of the highway traffic act, etc. Failure to do so will provide by-law staff with authority to revoke this permit; and,
4. That, the permit be issued with a \$1000.00 penalty for double permit fee to be paid for breach of the permit issued by Township Staff (File No. 3000-002-20).

ALIGNMENT TO STRATEGIC PLAN

Theme

- **Efficient, Fiscally Responsible Operations**

BACKGROUND

The subject property is designated low and medium density residential and is anticipated to be developed in the short to medium term as a residential community with singles, towns and condo town house type developments. In order to develop the land, elevation changes will be necessary so that gravity flow sewers will be able to adequately address sewer needs for the development. Further, some form of berm will be required along the CPR lands. The nature and design of a berm has not been reviewed nor approved by Township staff or Council at this time.

CURRENT SITUATION

The Regional Road 20 upgrading project has been on the Regional books for years and is finally being completed by Rankin Construction Inc. Rankin has excess soil from various parts of their construction project that they need to dispose of. Budd Developments Inc will have a need for soil when his residential development commences construction.

Rather than having soil hauled away and then different soil hauled back to Smithville, this solution accommodates both developers equally, and is a much more environmentally friendly solution.

Initially, Rankin did not expect to be moving more than 1000m³ of soil and therefore applied for a permit that only required staff approval (file no. 3000-002-20). Now, as their project rolls on, up to an additional 3000m³ of soil may need to be disposed of. Therefore a Council approval is now required.

The lands are designated urban residential and are intended to accommodate low and medium density residential development over the short and medium term. As a result, if a subdivision approval had already been granted, then the importation of soil would have been considered part of that approval process and would not have required a site alteration permit. Since planning approvals have not been granted, this approach is

required.

Although the land has been planted with crops for the last several years, Budd Developments Inc., his engineers, and planners have been working with the Township in order to complete the planning application so that the public meeting process can soon commence on this Station Meadows West Community.

FINANCIAL IMPLICATIONS

Not applicable to this report.

INTER-DEPARTMENTAL COMMENTS/AGENCY COMMENTS

Notice of this Site Alteration application was circulated to affected agencies on June 3rd, 2020. Agencies notified included, Township Building, Township Public Works, Township Fire Department, as well as NPCA, Region of Niagara, Town of Grimsby and City of Hamilton.

At the time of writing this report, the NPCA has responded to advise of no objections.

PUBLIC COMMENTS

The public within 120 metres of this property received a Notice of Site Alteration Application that was also mailed on June 3rd, 2020. To date, several residents of Northridge Drive have now expressed concern about the berm, noise, dust, hours of operation, future use, etc.

Staff wish to note that the berm is not approved and was not to be constructed as part of any site alteration permit. The contractor is in breach of this request and has agreed that no further berm construction will occur under the site alteration permit.

On June 22, 2020, written correspondence was received from several neighbours on Northridge Drive who expressed concerns about dust, noise, hours of operation, etc. Therefore, a condition of dust suppression, as required, has been included in the permit as a condition.

A response from Rankin Construction Inc. is found at Attachment 6 to this report.

CONCLUSION

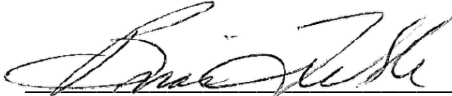
Staff recommend that a permit be issued for a total of no more than 4500m³ (450 truckloads of fill total). This permit is in addition to the 1000m³ (100 truckloads) as previously approved by staff and the 500m³ (50 truckload limit) that does not require approval. The draft permit, as attached to this report, is recommended to be approved, such that Rankin Construction Inc and Budd Developments Inc can benefit from each other's mutual needs and minimize the hauling of fill in and out of the Township.

Respect for the road and the neighbours must be maintained or the permit may be revoked.

ATTACHMENTS

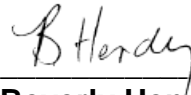
1. Location Map
2. Sketch of Stock Piles (Rankin Construction Inc.)
3. Draft Permit
4. Agency Comments
5. Public Comments
6. Response from Rankin Construction Inc.

Prepared by:



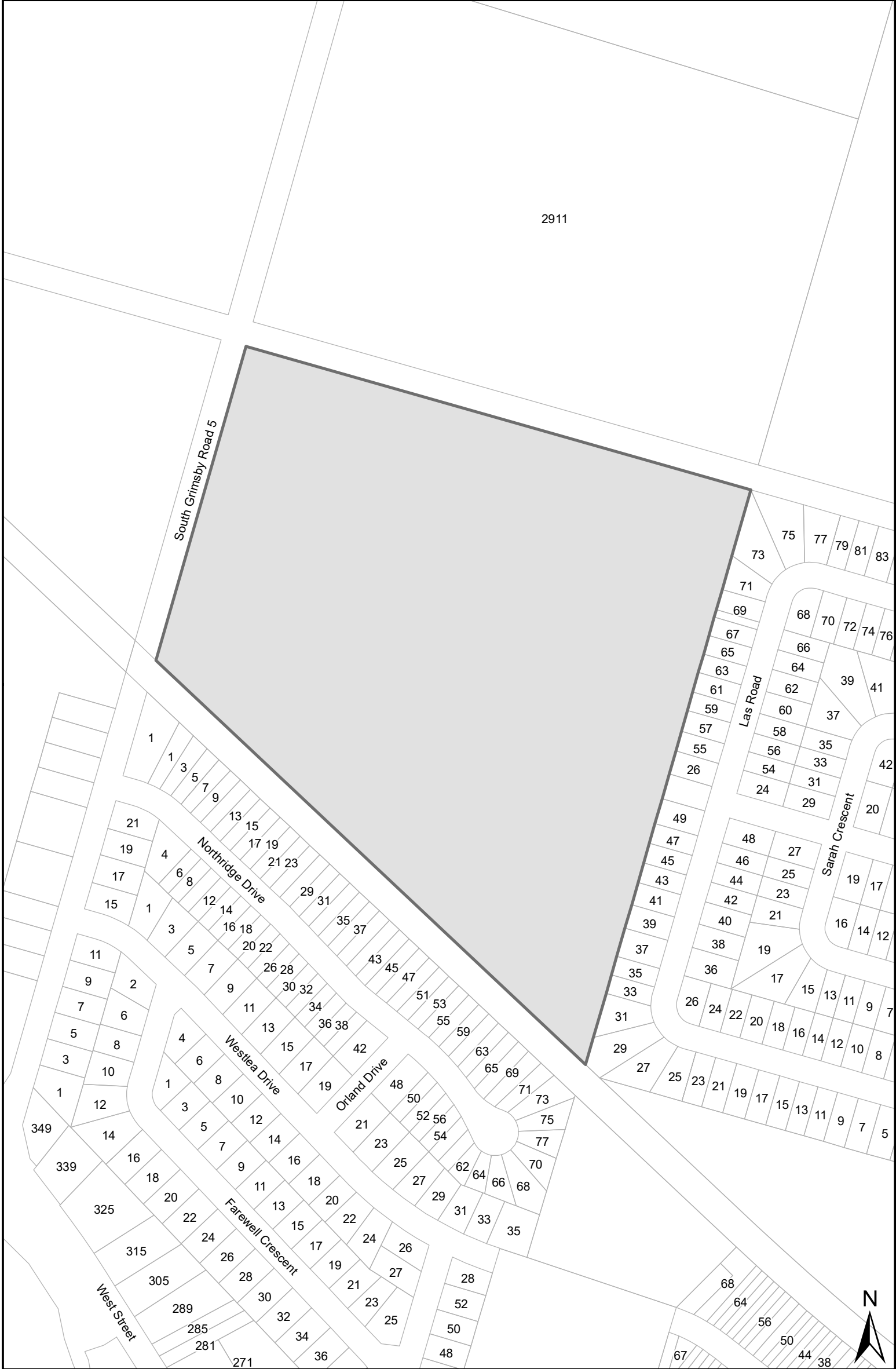
Brian Treble, RPP, MCIP
Director of Planning and Building

Approved By:



Beverly Hendry
CAO

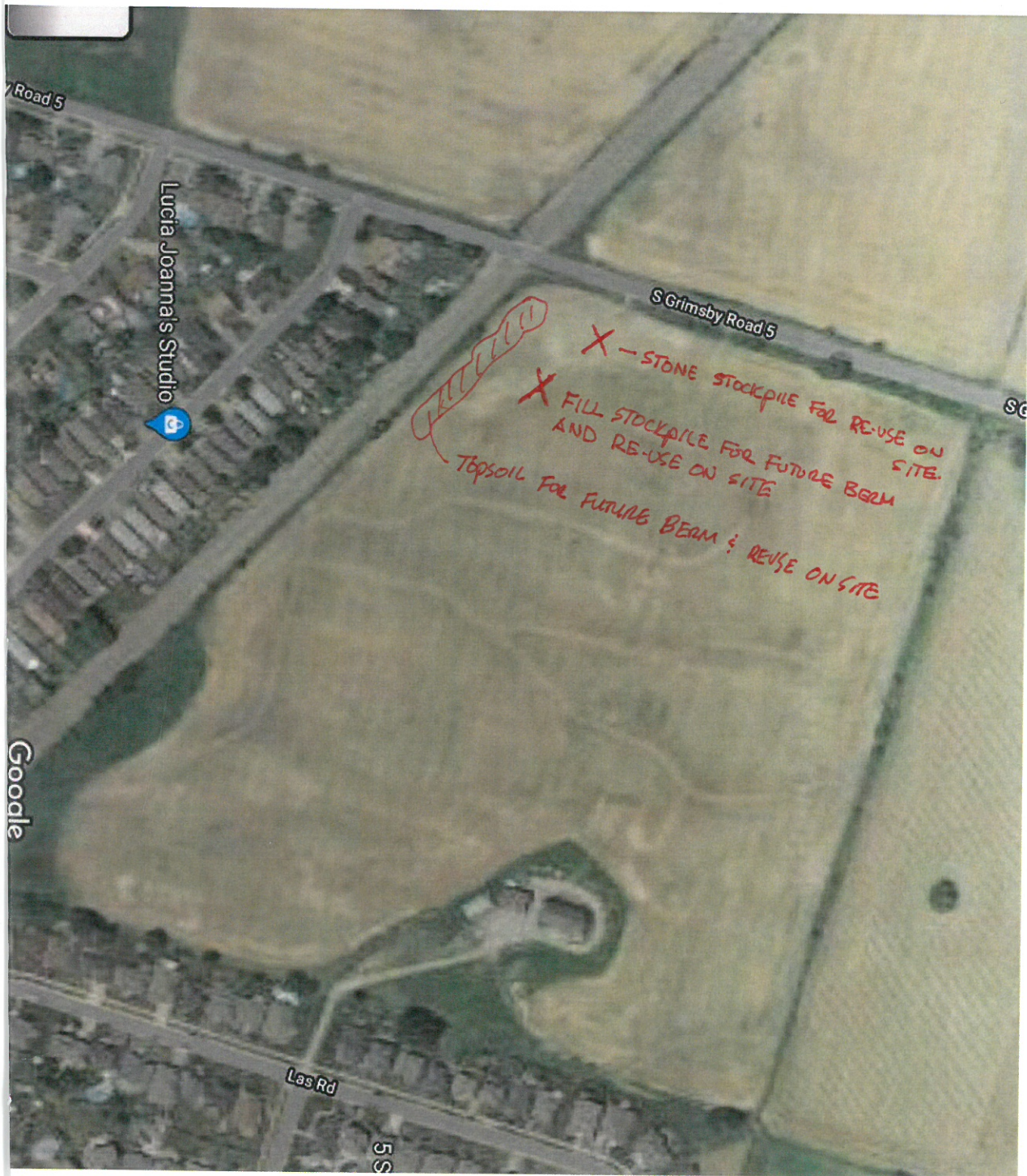
X:\pb-Planning Reports\Working Copy\2020\6. June\PD-079-20 - Site Alteration - Budd Developments - Rankin\PD-079-20 Rec Report - Site Alteration 2881 S grimsby Rd 5 Budd Developments - Rankin.docx



Location Map
Plan M94, Lot 1

June 2020





From: [Madison Hill](#)
To: [Jeni Fisher](#)
Subject: RE: Notice - Budd - Rankin - Site Alteration - File No. 3000-004-20
Date: June-22-20 3:34:45 PM
Attachments: [4BE879DFB9994CCBACB2E1924B50C385.png](#)
[C5E6836E07EB489D9BA930C334EED61D.png](#)
[3BA55D53C6474BFE968BA98BBC9F23D2.png](#)

Good afternoon,

This work will not interfere with any NPCA regulated features and therefore, will not require a permit.

Thanks,

Madison Hill
Regulations Officer

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2
Tel: 905-788-3135 | extension 266
mhill@npca.ca
www.npca.ca

Thank you for your email. Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. NPCA enforcement, permitting and planning functions are continuing to operate, however there may be delays in receiving responses to inquiries or complaints due to staff restrictions and remote work locations. Updates with regards to NPCA operations and activities can be found on our website at www.npca.ca/our-voice, the NPCA Facebook page at <https://www.facebook.com/NPCAOntario> and on Twitter at https://twitter.com/NPCA_Ontario.

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To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

Date: 2020-06-18 6:47 p.m. (GMT-05:00)

To: [REDACTED]

Subject: Budd Development Inc.- South Grimsby Road 5

Hi!

Have some concerns about the granular material being brought in and stored at this location. Everything in the backyard, and even the vehicles in our driveway are covered with thick dust and dirt. Too many dump trucks coming up and down the road, last time with the construction by St. Martin,s the Road 5 was torn up and I was driving behind a dump truck that popped up a big piece of asphalt and damaged the front of my car. Maybe a suggestion that maybe there should be water trucks watering things down so it does not get as dusty. Thank-you very much!

To Township of West Lincoln Council

Re: Site Alteration File No: 3000-004-20

Regarding the site alteration application and plan that is under consideration by Council members for the Township of West Lincoln. As residents close to this site please take the following into consideration when discussing this application.

As neighbours of 2881 South Grimsby Road 5, We have been dealing with the alterations to this Lot for the past month. This application has not been approved by council, however the property is currently being altered as if the approval has already been awarded, and we have concerns. The companies Budd Development and Rankin Construction have been operating on this property for the past month. We feel they have demonstrated a complete lack of consideration for our Townships Council members in regards to the approval of their application and in regards to the noise by-laws for the operation of construction equipment. We understand that the berm is not part of the application for site alteration and has already been approved by council.

1. Excessive dust/dirt: We are southern neighbours to this lot, since the beginning of the site alterations, we have had to deal with an excessive amount of dirt and dust on our properties. We have been unable to enjoy our own properties as everything is coated in a fine layer of dirt being stirred up from the moving equipment and lack of control measures to counter this. Some of us suffer from health conditions such as asthma and allergies which are being aggravated even more due to the changes happening. We cannot open the windows of our houses, keep vehicles and patio furniture clean, must wipe down all surfaces prior to use and now must wash all plants everyday to keep them healthy and alive.
2. Disregard for construction noise by-laws: We have been woken up several times in this past month from the machinery running prior to 7am. We understand the draw to start early to beat the heat. However these by-laws are in place for a reason. Some of us have children with sensory issues, the constant noise is detrimental to the well being of our children. Some of us are required to work shift work, the frustration of trying to sleep while this commotion is taking place is detrimental to the health of these individuals.
3. During this time of Covid-19, some residents are working from home. We have had to resort to wearing headphones and ear plugs during the day to be able to concentrate on work.

We have had to endure the tamper running all day long to pack down the dirt on the berm, but the noise and vibrations inside our own homes is so bad that we must wear ear protection the pressure and pain that this causes.

4. As this site is being altered, the increase in truck traffic has been ridiculous. We now have speeding dump trucks constantly running up and down a residential road with small children. These trucks are being overloaded and are not being tarped. We are now dealing with spillage on South Grimsby Road 5 due to the disregard of MTO regulations. We are curious as to the weight restrictions of South Grimsby Road 5. This road presently requires work to be done and this will only amplify this need.
5. On more than one occasion, trucks have pulled onto south grimsby road 5 into oncoming traffic without yielding properly to vehicles with the right of way. This will cause harm to the tax paying residents of West Lincoln, this is a complete disregard to the basic regulations of the Ontario Highway Traffic Act.
6. As the truck traffic has been increased so have the casualties on the road ways. We have noticed a great deal of animal casualties on the road ways. This we understand is a common thing to happen, however there is more then there has ever been in this past month. This will in turn attract more predation and other scavengers to the area. We already have to combat coyotes, with the surplus of fresh meat will only draw more to the area causing even more issues.
7. This is a residential area and this property has been zoned for development only. This is not a place for commercial activities. We have not been informed of a re-zoning application for this lot nor the expiration of this current application being considered. Will this lot only be used for 6 months to store excess materials? Will they start to store hazardous materials on this lot? Is the fill that is being stored on this lot contaminated? Where will this end?
8. The site alteration application enclosed with our notices indicate the materials are to be stored for future development and reuse on site. If this is the case why are there constant deliveries and refills.

We do not want our families exposed to something caused by these site alterations and furthermore who would be liable if there are health risks and property damage due to the use of this land in such a way. Please take our concerns seriously when considering the approval of this application. As we are concerned, tax paying residents of this town.

Regards,

Residents of Northridge Drive and surrounding areas
See Attached

Residents in agreement with the above letter regarding the site alteration file No: 3000-004-20

Name	Address	Phone Number
Jay Simett	3 Northridge	
Levi Smith	1 Northridge	
John Othman	1 Northridge	
Angela Simett	3 Northridge	
Mike Smith	7 Northridge	
Ashley Chapman	9 Northridge	
Kate Travis	7 Northridge	
Devon Travis	7 Northridge	
Paul Wiebe	6 Northridge	
Roger Gaden	17 NORTHBRIDGE DR	
Dave Papier	11 Northridge DR	
Scott Williams	14 Northridge Dr	
Tamara Young	-	
Dave Bantelie	13 Northridge	
D. Bantelie	13 Northridge dr	
Shelly	15 NORTHBRIDGE DR	
	15 NORTHBRIDGE	
Katie Heid-Thompson	1 Northridge Pr	
Alana Harkness	1A Northridge Dr.	
Bob Drenlop	1A Northridge Dr.	
Ashley Othmer	1 Northridge Dr.	

From: Sto Tritchew <tritchew@rankinconstruction.ca>
Date: June 24, 2020 at 8:42:41 AM EDT
To: Brian Treble <btreble@westlincoln.ca>

Subject: FW: Site Alteration File: 3000-004-20

Brian,

Firstly, I would like to state that Rankin Construction and Budd developments did not act with lack of consideration to Town staff, and council regarding of approvals. We were in contact with the town staff right from the start and submitted the applications and required fees throughout the process and stayed in contact as work progressed. Unfortunately COVID may have thrown a few curve balls at us, but I think with the cooperation between the Town, Rankin and Budd we were able to work through it as well as could be expected. Also I do not believe we have been in contravention of the noise by-laws as the workers know that they cannot start before 7:00 am. If that did happen I do apologize and have stressed again to everyone that 7:00 am is the absolute earliest work can proceed.

Please see below comments to the various points, I used the same numbering to make it easier to follow:

1. **Excessive dust/dirt:** Please be assured that we are mindful of the dust issues that are present on construction projects and are trying to stay on top of it with water on the roads and dirt areas and calcium on the gravel areas and these are applied on a daily basis. It can be a fine line between dust and mud tracking if

too much water is applied and we are trying to find that line and will continue to do so. To try and help with the situation we will keep the activity limited to the west end of the site near SG RD 5 and place more water as required and scrape and sweep the roads as needed if mud is tracked.

2. **Disregard for noise bylaws:** As mentioned earlier if this has happened we do apologize and have already addressed it with all the crews that work cannot commence prior to 7:00 am with prior approvals or for emergencies only.
3. As mentioned in item No. 1 we will limit work to the west limit of the site near SG RD 5 only and we will discontinue use of the compaction equipment. Looking at Niagara Navigator we are between 40 and 60 meters away from the closes homes in this area and therefore surprised that the noise and vibration is so apparent when we are with 10 meters of many homes on Station St and West street and have had very few complaints.
4. The distance from RR 20 to the train tracks where they slow down to cross is such a short distance it would be difficult for a loaded truck to gain much speed in such a short distance, we have however spoken to the trucking firms and warned them against speeding. As far as trucks being overloaded and with spillage on SG RD 5 I personally drive down this road every day or two when on site and have never seen any sign of spillage on the roads, I have asked our site foreman to also monitor and if they notice anything to make certain it is cleaned up right away. The spillage being referred to may be mud tracking after watering the site to prevent dust issues but as mention in item one above we will monitor and react as required.
5. We hire trucking firms who have licensed professional drivers and can only assume they are following the Ontario Traffic Act. We will however bring up this concern.
6. We have no comment on this issue
7. The material being delivered to the site is for the future development and no commercial activity is taking place. We can assure you that no hazardous or contaminated fill is being delivered to this site.
8. The materials are being stored for future development and reuse on our site as per the permits.

I did notice a section of asphalt breaking up on SG Rd 5 at the driveway entrance to the Budd property as we turn in and out of the site and please be assured we will repair this area when we have finished with this site in the next several weeks.

I hope this addresses the concerns expressed in the letter to council from the residence of Northridge drive, it is unfortunate that they did not contact me with their concerns earlier so we could address them as they occur before it got to this stage. My contact information is below and I would be happy to meet and discuss any concerns in future before they get to this stage.

Should you have any questions please do not hesitate to contact me.

Regards,

Sto Tritchew, C.E.T.
Senior Vice President



20 Corporate Park Drive
Suite 100-101
St.Catharines, ON L2S 3W2
Office : 905 684-1111
Cell: 905 321-1156
Fax: 905 684 2260
E mail: tritchew@rankinconstruction.ca
www.rankinconstruction.ca

DATE: June 29, 2020
REPORT NO: RFD-T-13-20
SUBJECT: **New Administration Fee for Temporary Bulk Water Accounts**
CONTACT: Donna DeFilippis, Treasurer/Director of Finance

OVERVIEW:

- Staff are proposing a new administration fee upon activation of temporary bulk water accounts, which will help offset staff time and resource costs incurred by the Township
- This change, along with others described in this report, is brought forth for approval to amend By-law 2004-42.

RECOMMENDATION:

1. That, Report RFD-T-13-20, dated June 29, 2020 regarding “New Administration Fee for Temporary Bulk Water Accounts”, be received; and,
2. That, the following changes to By-law 2004-42, being a By-law to Regulate the Supply of Water and to Provide for the Imposition and Collection of Water Rates, be approved and effective July 1, 2020:
 - a. Update Section 1, by adding in the definition of “Bulk Water Customer”; and,
 - b. Amend Schedule “C” Water Filling Station Rates, to include an “Account Fee for Infrequent Users” section to state a non-refundable, taxable \$40.00 administrative fee is to be charged upon each account activation, and by removing the refundable \$50.00 daily deposit requirement.
3. That, Council provide approval for staff to investigate further long-term alternatives to the bulk water financial processes currently in place.

ALIGNMENT TO STRATEGIC PLAN:

Undergoing the recommendations in this report will allow the Township to work towards its goals of operating in an efficient and fiscally responsible manner.

BACKGROUND:

The Township provides for the dispensing of water at the Water Filling Station on London Road in Smithville. This service was intended to provide commercial customers with bulk, potable water for their business and agricultural operations. The Township also allows for usage by infrequent, private customers. Currently, these infrequent customers pay a \$50 deposit for each incidence that an account is activated. This deposit is returned, net of usage costs. This current practice is not recovering the costs related to providing this service.

CURRENT SITUATION:

Commercial customers must provide a \$250.00 deposit upon account activation. This deposit is returned upon the account being deactivated, less any amount owing to the Township. This type of customer is invoiced monthly for their bulk water consumption. In order to open such an account, customers must provide their HST number or Business Registration Number, which is verified by staff.

Infrequent, private bulk water customers must pay a \$50.00 daily deposit upfront. Staff will then create a temporary account within the Township's bulk water consumption tracking software, and a temporary access code is provided, which allows access to the fill station. The consumption charges are calculated and are deducted against the deposit amount, with the residual returned to the customer. This process occurs each time, regardless of whether the customer is new or returning. As noted above, servicing this customer type involves more time and resources compared to commercial accounts.

Staff are proposing that the practice of accepting a refundable \$50.00 daily deposit for infrequent, private buyers be stopped. In its place, staff recommend a \$40.00 non-refundable, taxable administration fee be charged for each temporary account created. It should be noted that this fee will be in addition to the normal consumption charges, which will still be tracked and charged to the customer accordingly.

The purpose of this new administration fee will be to offset the costs incurred by the Township associated with the administration of these temporary accounts. Implementation of this fee will ensure equity among the Township ratepayers, in that water costs are recovered through user fees, not tax dollars. At the present time, there is no administration fee charged by the Township for the set-up of temporary accounts. Staff reviewed the process and has determined that a \$40 taxable fee is reasonable given the resources expended in the process

Furthermore, the current by-law does not define a 'Bulk Water Customer'. Updating bulk water customer definitions and provisions would ensure that the bulk water filling station is used mainly for commercial and agricultural customers, as intended.

Staff would like to highlight that these measures proposed will address concerns in the short-term. Staff intend to investigate further alternatives for processing of the bulk water accounts, to ensure long-term benefits.

FINANCIAL IMPLICATIONS:

The implementation of an administration fee is recommended to offset the costs associated with the administration of temporary bulk water accounts. This fee will generate nominal additional revenue.

CONCLUSION:

Staff recommend that Council approve the following changes to By-law 2004-42: Update Section 1 by defining a "Bulk Water Customer" and amend Schedule "C" by

removing the \$50.00 daily, refundable deposit requirement and adding a \$40.00 non-refundable, taxable account administration fee for private, infrequent buyers. These changes are reflected in the amending by-law.

Staff also request that Council provide approval to investigate further long-term alternatives to the bulk water financial processes currently in place.

Prepared by:



Lisa Kasko-Young
Water Clerk

Reviewed by:



Katelyn Hall
Deputy Treasurer

Submitted by:



Donna DeFilippis
Treasurer/Director of Finance

Approved by:



Bev Hendry
CAO

DATE: June 29, 2020

REPORT NO: RFI PW-17-2020

SUBJECT: **West Lincoln Community Centre (WLCC) 2019 Update**

CONTACT: Mike DiPaola, P.Eng., Director of Public Works and Recreation

OVERVIEW:

- The purpose of this report is to provide an update on the West Lincoln Community Centre during its first year (2019) of operation.
- Staff will continue to track, collect, measure, and document trends/strengths/opportunities and provide annual updates, in an effort to track and modify programs/activities to suit the needs of our community.
- Once data is collected and a benchmark is established regarding events, programs, rental/advertising revenue, and building use, the establishment of a West Lincoln Community Centre Advisory Committee would then be reconsidered.

RECOMMENDATION:

1. That, Report RFI PW-17-2020, re: West Lincoln Community Centre (WLCC) 2019 Update, dated June 29, 2020, be received for information.

ALIGNMENT TO STRATEGIC PLAN:

Theme 2:

- Support for Business, Opportunities for Residents – Creating a positive image and a community where it is easy to do business.

Theme 4:

- Local Attractions – Providing amenities, programs and services that bring the community together.

BACKGROUND:

At its meeting on October 21, 2019, the Public Works/Recreation/Arena Committee passed a motion that the establishment of an Advisory Committee for the West Lincoln Community Centre be referred to staff for further investigation and that staff report back at a future Committee meeting in 2020. The purpose of the Advisory Committee would include, but not be limited to:

- Help promote, and or facilitate special events and, bring new ideas and suggestions from the public with the assistance from staff, to help generate revenue opportunities that can be used towards the operational costs of the WLCC and,

- Help promote clubs of all natures including sports, the arts, community fundraisers, and other social/educational/activity gatherings within the facility.

CURRENT SITUATION:

The building of the West Lincoln Community Centre was substantially complete in April 2019. The outside civil site works and landscaping continued into the Fall of 2019, with some outstanding minor work yet to be completed. The General Contractor intends to complete this work over the next few months.

Prior to the total completion of the building construction, the Smithville Library opened to the public in October 2018. Following that the rest of the building opened in February 2019 with the arena and lobby areas being fully operational. The community rooms and the gymnasium became fully operational once the building was substantially completed in April 2019.

Staff is recommending the approach of tracking, collecting, measuring, and documenting successes/challenges, and make changes/improvements as deemed necessary and recommend that the implementation of an Advisory Committee, be held off until we have more consistent data and base usage data.

With the unanticipated onset of COVID-19 and the closure of the facility being three months at the time of the writing of the report, we anticipate that with movement into Stage 3 of the Province of Ontario's "A Framework for Reopening our Province" that we will have more consistent base data after 2021.

Staff will also implement a satisfaction and feedback strategy for visitors and participants of the WLCC. This will provide additional data and allow staff to better assess the qualitative outcomes of the facility and programming along with the quantitative data already being collected. Staff will also continue to have regular meetings with key stakeholders in the user community e.g. hockey, figure skating, Age Friendly Committee etc. to receive feedback and implement changes as appropriate.

Attached to this Report are a number of appendices. Each appendix provides a yearly summary and data related to various initiatives and programs offered at the WLCC.

This data will be collected and reported on over a few years in order to establish a "scorecard" or benchmark. Once this is established, along with feedback from the community, staff will then be able to reconsider if a West Lincoln Community Centre Advisory Committee is beneficial. This approach will support what assistance the Advisory Committee would be able to provide to staff and clearly define the Committee's role/objective.

FINANCIAL IMPLICATIONS:

There are no financial implications as a result of this report.

INTER-DEPARTMENTAL COMMENTS:

This Report was reviewed by the Township CAO, the CEO of the West Lincoln Public Library, and the Township Clerk.

CONCLUSION:

Staff investigated the establishment of a West Lincoln Community Centre Advisory Committee, as per the motion passed by the Public Works/Recreation/Arena Committee at its October 21, 2019 meeting.

The WLCC opened in February of 2019. Since this is a new facility, staff's approach is to track, collect, measure, and document trends/strengths/opportunities, over the next few years, in order to establish a benchmark/scorecard. Once this is established, staff will reconsider if West Lincoln Community Centre Advisory Committee is beneficial.

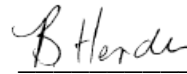
Staff will continue to provide annual updates to this Committee and requests that the West Lincoln Community Centre (WLCC) 2019 Update be received for information purposes.

Prepared / Submitted by:



Mike DiPaola, P.Eng.
Director of Public Works & Recreation

Approved by:



Bev Hendry
Chief Administrative Officer

APPENDIX A – Hours of Operation & Staffing Levels

APPENDIX B – Drop in Programs

APPENDIX C – Fitness Programs

APPENDIX D – Township Events

APPENDIX E – Advertising / Vending Revenue

APPENDIX F – Rentals / Community Connections

APPENDIX G – Camps

APPENDIX H – Smithville Library

APPENDIX 1 - HOURS OF OPERATION / STAFFING LEVELS

		Arena Ice/Floor				Walking Track, Gymnasium, Community Rooms					Smithville Public Library		
		Hours	Staff			Hours	Staff				Hours	Staff	
			Full Time	Part Time	Administration		Full Time	Part Time	Administration			Full Time	Part Time
Winter 2019 (old facility)	Monday to Friday	6:00am to 12:00am	3	2	1	N/A			2	Monday & Friday	3:00pm to 8:00pm	Mon - 1	Mon - 1 Fri - 2
	Saturday	7:00am to 12:00am	3	1	1	N/A			2	Tues, Wed, Thur, & Sat	10:00am to 5:00pm	Tue & Thu - 2 Wed & Sat - 1	Wed. & Sat - 1
	Sunday	9:00am to 12:00am	3	1	1	N/A			2	Sunday	Closed	Closed	
Spring 2019	Monday to Friday	9:00am to 4:00pm	-	1/2	1	9:00am to 4:00pm		1/2	2	Monday & Friday	3:00pm to 8:00pm	Mon - 1	Mon - 1 Fri - 2
	Saturday	9:00am to 1:00pm	-	1/2		9:00am to 1:00pm		1/2		Tues, Wed, Thur, & Sat	10:00am to 5:00pm	Tue & Thu - 2 Wed & Sat - 1	Wed. & Sat - 1
	Sunday	Closed	Closed			Closed	Closed			Sunday	Closed	Closed	
Summer 2019	Monday to Friday	9:00am to 9:00pm	1/2	1/2	1	9:00am to 9:00pm	1/2	1/2	2	Monday & Friday	3:00pm to 8:00pm	Mon - 1	Mon - 2 Fri - 3
	Saturday	9:00am to 1:00pm	-	1/2		9:00am to 1:00pm		1/2		Tues, Wed, Thur, & Sat	10:00am to 5:00pm	Tue - 3 Wed & Sat -1 Thu - 2	Tue - 1 Wed & Sat - 2 Thu - 1
	Sunday	Closed	Closed			Closed	Closed			Sunday	Closed	Closed	
Fall 2019	Monday to Friday	6:00am to 12:00am	3	1	1	9:00am to 10:00pm	1	1	3	Monday & Friday	3:00pm to 8:00pm	Mon - 1	Mon - 2 Fri - 3
	Saturday	7:00am to 12:00am	3	1		9:00am to 10:00pm	1	1	1	Tues, Wed, Thur, & Sat	10:00am to 5:00pm	Tue - 3 Wed & Sat -1 Thu - 2	Tue - 1 Wed & Sat - 2 Thu - 1
	Sunday	9:00am to 12:00am	3	1		9:00am to 9:00pm	1	1		Sunday	1:00pm to 5:00pm		3

NOTES:

*Staffing does not include seasonal part time

*Old arena facility in operation until Feb 18, 2019

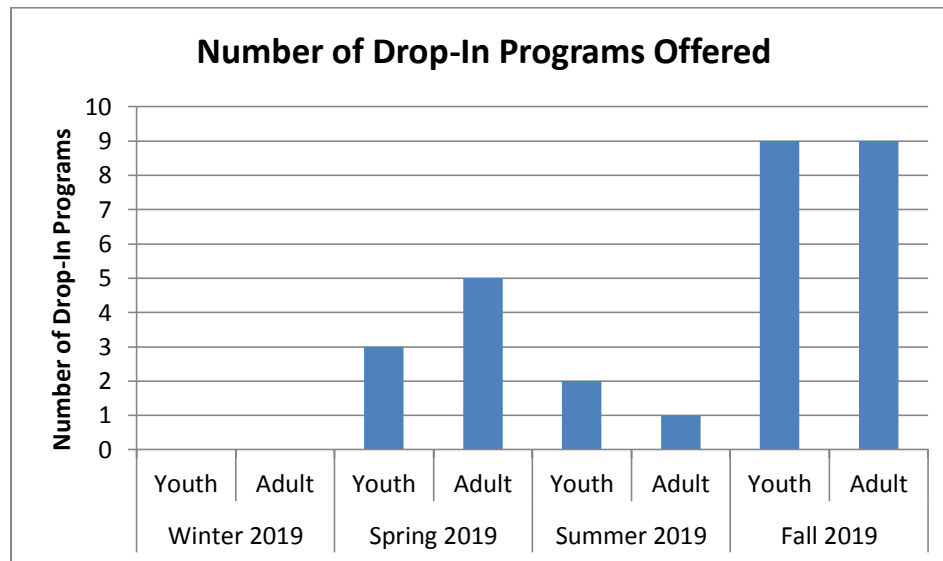
* Administration Staff for Arena Ice/Floor is the "Manager of Parks, Recreation, & Facilities"

*Administration Staff for Walking Track, Gymnasium, Community Rooms are:

- Coordinator of Recreation Services
- Recreation & Wellness Programmer
- Customer Service & Administration Associate

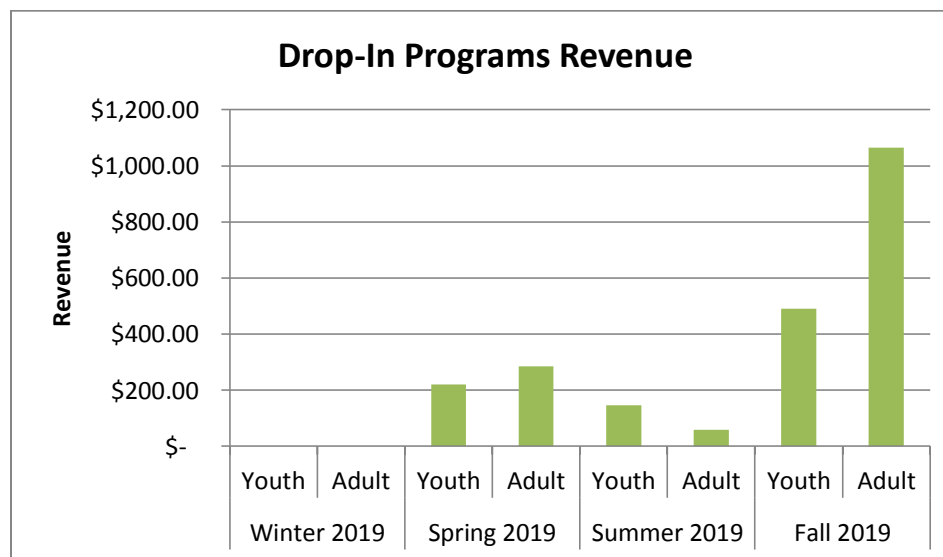
APPENDIX B Drop-In Programs

Drop-In programs began in the West Lincoln Community Centre in Spring 2019 with a basic schedule of program options. Through the summer months, the schedule of drop-in programs was reduced to accommodate the Summer Camp program in the facility and with anticipated lower participation rates. In the Fall session, an increased schedule of drop-in programs was offered and attendance was good. Although not reported here, the Winter 2020 session, which offered similar number of programs as the Fall session, had shown a dramatic increase in attendance (resulting in increased revenue) before the closures due to Covid-19.



*Youth Includes Family

*Adult Includes Older Adult



Drop-in Fees

Adult	\$5.00
Discount Card (10 visits)	\$40.00
Child/Youth	\$2.00
Discount Card (10 visits)	\$15.00
Older Adult 55+	\$3.00
Discount Card (10 visits)	\$25.00

Spring Drop-in Schedule

West Lincoln Community Centre

RECREATION SERVICES

West Lincoln Community Centre
177 West Street, Smithville, ON
905.957.3346 ext 4694
recreation@westlincoln.ca
www.westlincoln.ca

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 5:30pm-7:00pm Youth Basketball May 13, 27, June 3, 10, 17, 24 7:00pm-8:30pm Adult Basketball May 13, 27, June 3, 10, 17, 24	1:00pm-3:00pm Adult Basketball May 14, 21, 28, June 4, 11, 18, 25 	10:30am-12:00pm Pickleball May 8, 15, 22, 29, June 5, 12, 19, 26 		10:30am-12:00pm Pickleball & Older Adult Social May 10, 17, 24, 31, June 21, 28 	10:00am-12:00pm Family Basketball May 25, June 1, 8, 22, 29

DROP-IN PROGRAM DETAILS

Basketball-practice basketball skills and play scrimmages in a non-competitive environment.

Family Basketball-all ages are welcome. Guardians are required to stay in the gym with children. The gym will be divided in two to accommodate all ages if necessary. Adults do not pay.

Youth Basketball-participants must be between the ages of 9 and 17. The gym will be divided in two if necessary.

Adult Basketball-participants must be 18 or older

Pickleball-is a fun game that can be enjoyed by all abilities. This sport combines different elements of badminton, tennis and table tennis. Pickleball participants must be 18 or older.

FACILITY ETIQUETTE

1. Indoor shoes only in gymnasium. Locker Rooms are available for use.
2. No food or drink allowed in the gymnasium. Water is permitted.
3. Facility users must treat each other and staff with respect.
4. No horseplay, swearing, boisterous activity or noise pollution.
5. Facility users must put equipment away after use.
6. Discrimination and/or harassment of any kind will not be tolerated and will result in immediate removal from the Community Center.

Staff may ask participants to leave if Facility Etiquette Guidelines are not being met.

DROP IN FEES

Adult	\$5.00	Discount Card (10 visits)	\$40.00
Child/Youth	\$2.00	Discount Card (10 visits)	\$15.00
Older Adult 55+	\$3.00	Discount Card (10 visits)	\$25.00

Registration and Waiver Form

Visit www.westlincoln.ca to print a participation waiver. Bring it with you on your first visit.

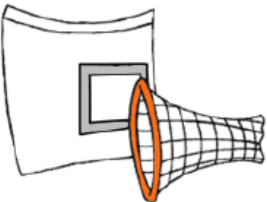
West Lincoln
Your Future Naturally

Summer Drop-in Schedule

West Lincoln Community Centre

RECREATION SERVICES

West Lincoln Community Centre
177 West Street, Smithville, ON
905.957.3346 ext 4694
recreation@westlincoln.ca
www.westlincoln.ca

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 <p>4:00pm-6:00pm Youth Basketball July 8, 15, 22, 29, August 12, 19, 26</p>		<p>4:00pm-6:00pm Youth Basketball July 3, 10, 17, 24, 31, August 7, 14, 21, 28</p>	<p>10:30am-12:00pm Pickleball July 4, 11, 18, 25, August 8, 15, 22, 29</p>		

DROP-IN PROGRAM DETAILS

Youth Basketball-practice basketball skills and play scrimmages in a non-competitive environment. Participants must be between the ages of 9 and 17. The gym will be divided in two if necessary.

Pickleball-is a fun game that can be enjoyed by all abilities. This sport combines different elements of badminton, tennis and table tennis. Pickleball participants must be 18 or older.

FACILITY ETIQUETTE

1. Indoor shoes only in gymnasium. Locker Rooms are available for use.
2. No food or drink allowed in the gymnasium. Water is permitted.
3. Facility users must treat each other and staff with respect.
4. No horseplay, swearing, boisterous activity or noise pollution.
5. Facility users must put equipment away after use.
6. Discrimination and/or harassment of any kind will not be tolerated and will result in immediate removal from the Community Center.

Staff may ask participants to leave if Facility Etiquette Guidelines are not being met.

Drop-in Fees

Adult	\$5.00	Discount Card (10 visits)	\$40.00
Child/Youth	\$2.00	Discount Card (10 visits)	\$15.00
Older Adult 55+ \$3.00		Discount Card (10 visits)	\$25.00

Registration and Waiver Form

Visit www.westlincoln.ca to print a participation waiver. Bring it with you on your first visit.

Rentals

Facility rentals are available!

Full Gymnasium (Prime)	\$30/hour
Half Gymnasium (Prime)	\$15/hour
Full Gymnasium (Non-Prime)	\$20/hour
Half Gymnasium (Non-Prime)	\$10/hour

Contact Recreation Services for availability!



West Lincoln
Your Future Naturally

Fall Drop-in Schedule




West Lincoln Community Centre

September 16 to December 21

RECREATION SERVICES

West Lincoln Community Centre
177 West Street, Smithville, ON
905.957.3346 ext 4694
recreation@westlincoln.ca
www.westlincoln.ca



Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 5:30pm-7:00pm Youth (9-13) Basketball	11:30am to 1:00pm Badminton 1:00pm-2:30pm Adult (18+) Open Gym	10:30am-12:00pm Pickleball 1:00pm-2:30pm Adult (18+) Open Gym 4:00pm-5:30pm Youth (13-18) Open Gym 5:30pm-7:00pm Family Open Gym (half)	 11:30am-1:00pm Pickleball 1:00pm-2:30pm Table Tennis 	10:30am-12:00pm Pickleball 10:30am-12:00pm Older Adult Social 7:00pm-8:30pm Youth (9-13) Open Gym 8:30pm-10:00pm Youth (13-18) Open Gym	9:00am-10:30am Family Open Gym 10:30am-12:00pm Youth (9-18) Open Gym
Thanksgiving Monday, October 14 is excluded			Occasionally, Drop-in programs may be cancelled due to special circumstances. Watch for notifications at the West Lincoln Community Centre Reception Desk.		
					October 5 is excluded November 2 is excluded November 16 is excluded





Winter Drop-in Schedule West Lincoln Community Centre January 20 to April 3

RECREATION SERVICES

West Lincoln Community Centre
177 West Street, Smithville, ON
905.957.3346 ext 4688
recreation@westlincoln.ca
www.westlincoln.ca



Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
 4:00pm-5:30pm Youth (9-18) Open Gym 5:30pm-7:00pm Youth (9-18) Basketball	11:30am-1:00pm Badminton (18+) 1:00pm-2:30pm Adult (18+) Open Gym 4:00pm-5:30pm Youth (9-18) Open Gym Sponsored by: Kiwanis Club of West Lincoln 7:15pm-8:30pm Pickleball (18+) 8:30pm-10:00pm Adult (18+) Basketball	9:30am-12:30pm Pickleball (18+) 1:00pm-2:30pm Adult (18+) Open Gym 4:00pm-5:30pm Youth (9-18) Open Gym 5:30pm-7:00pm Family Open Gym 8:30pm-10:00pm Adult (18+) Volleyball	 10:30am-12:00pm Pickleball (18+) 11:30am-1:00pm Pickleball (18+) 1:00pm to 2:30pm Table Tennis Occasionally, Drop-in programs may be cancelled due to special circumstances. Watch for notifications at the West Lincoln Community Centre Reception Desk.	10:30am-12:00pm Older Adult Social Begins Jan. 10 Excluding Feb. 14 7:00pm-9:00pm Youth (9-18) Open Gym 5:30pm-7:00pm Family Open Gym (Excluding Mar. 28)	

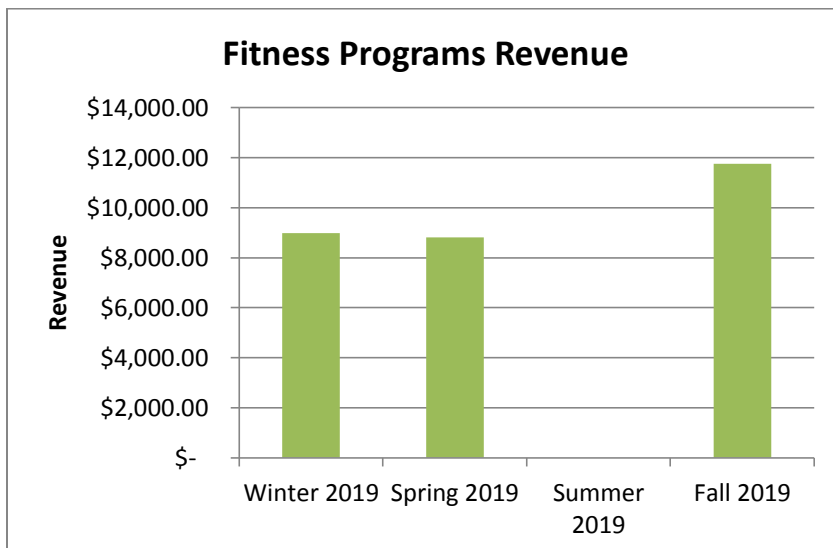
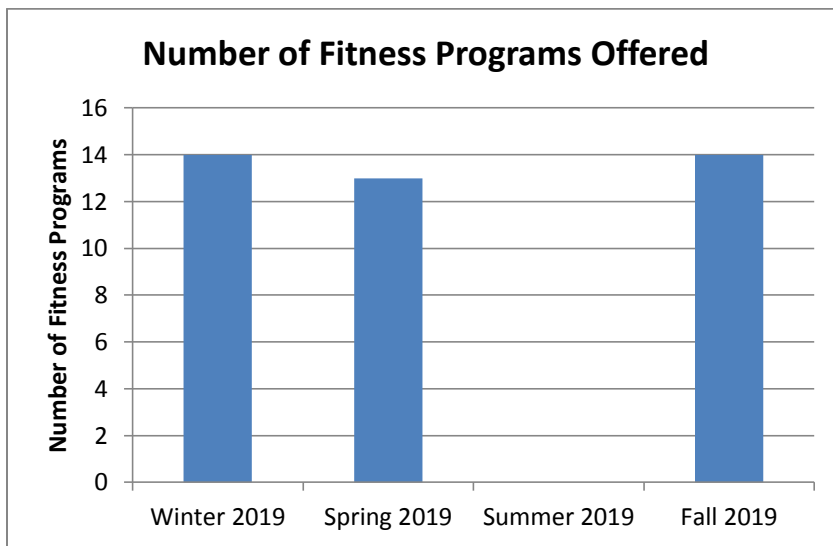


NO DROP-IN PROGRAMS DURING MARCH BREAK
CONTACT RECREATION SERVICES FOR RENTALS

APPENDIX C Fitness Programs

Fitness programs are offered three (3) times per year during the Winter, Spring and Fall sessions. Each session is ten (10) weeks in duration and is designed with programs based on previous success and community desire. In general, programs are intended for adults and registrants are able to select appropriate classes for themselves based on the program description and their abilities. Discounts are provided for those registering for multiple programs and for Older Adults (55+).

The Winter 2019 session was not offered at the West Lincoln Community Centre. Programs were held at various other facilities. The Community Centre opened in February 2019, however the Winter 2019 session was still complete at the other facilities. All programs in the Spring 2019 and Fall 2019 were offered at the Community Centre.



Fitness Class Fees

Most Fitness Classes are \$85.00
(In Winter 2019 classes were \$75)
Tai Chi \$40 (first timer)
Tai Chi \$25 (returning)

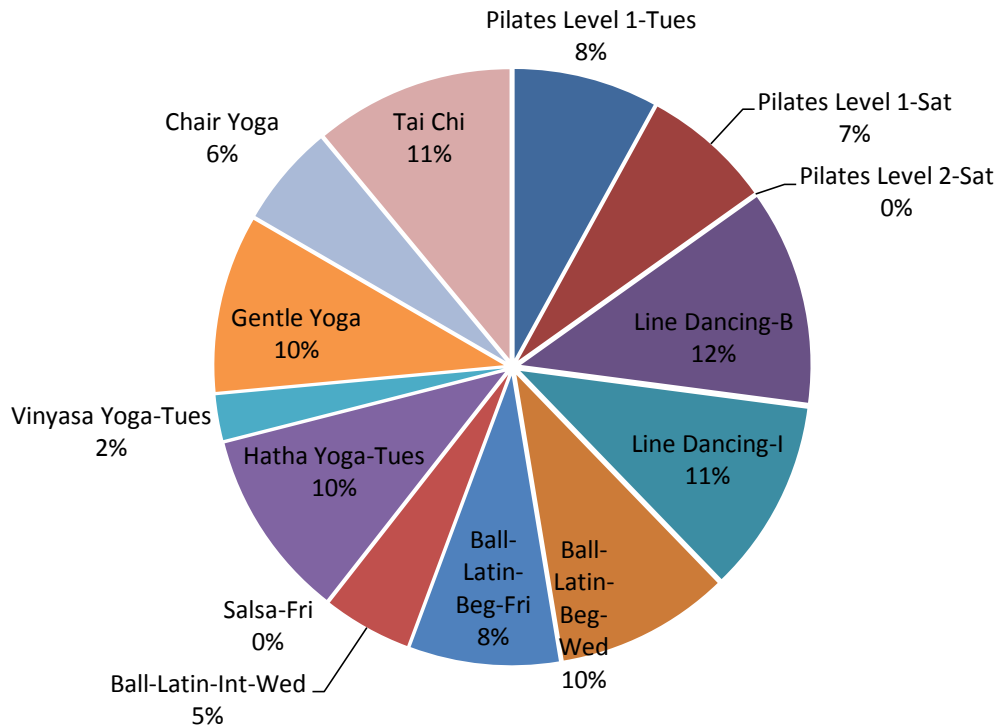
Discounts

Combine any of the \$85 classes
2 classes-\$10 discount
3 classes-\$20 discount
4 classes-\$40 discount
5 or more classes-\$70 discount

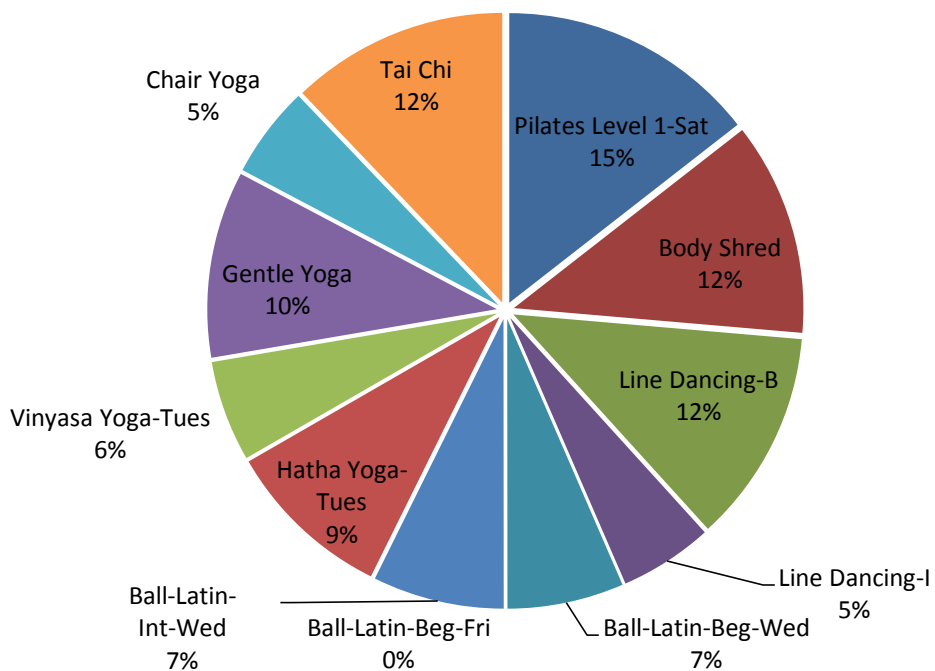
Older Adults 55+

Older Adults (55+) receive a 10% discount on any \$85 fitness class.
(Tai Chi and Drop-In Programs not included)

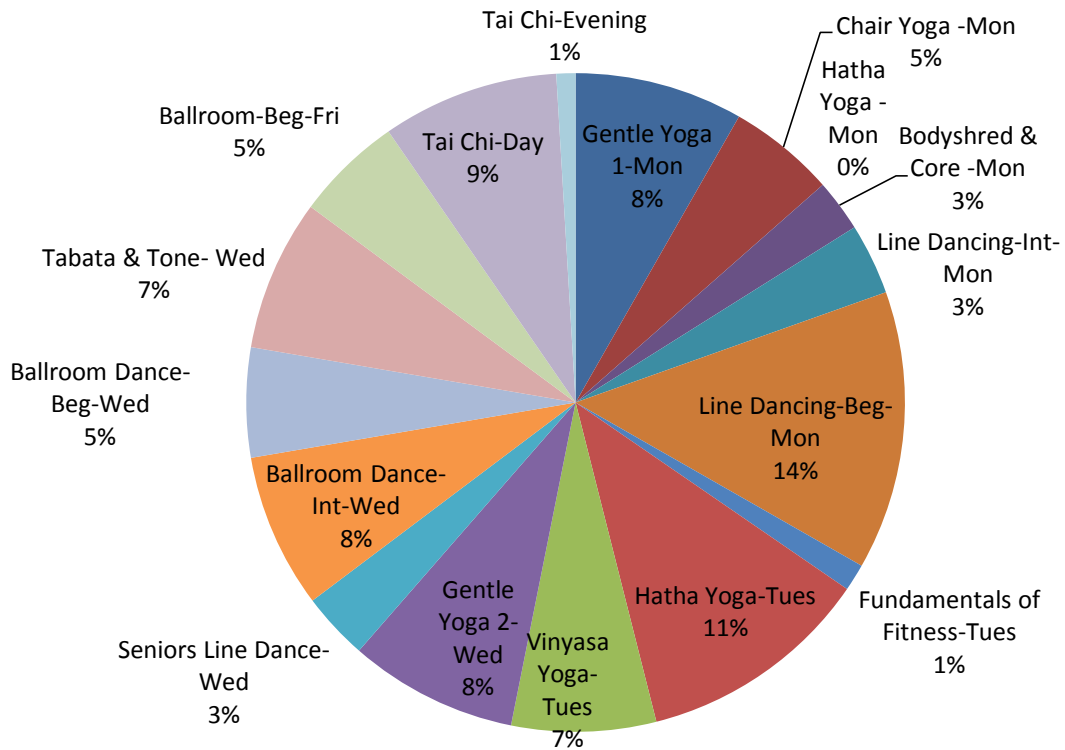
2019 Winter Fitness Attendance



2019 Spring Fitness Attendance



2019 Fall Fitness Attendance



Winter Fitness HAVE YOU EXERCISED TODAY?

Pilates Level 1 With Dawn-\$75

Smithville United Church
Saturdays 9:30am to 10:30am
Jan. 26 to Apr. 13
(excluding Feb. 16, Feb. 23)
-OR-

Smithville Christian High School
Tuesdays 6:00pm to 7:00pm
Jan. 22 to Apr. 2 (excluding Mar. 12)

Traditional Pilates will give you a workout that is effective in building strong core, improving posture, and increasing strength with an emphasis on alignment, balance and coordination. Bring water, a mat and 2lb weights.

Pilates Level 2 With Dawn-\$75

Smithville United Church
Saturdays 10:30am to 11:30am
Jan. 26 to Apr. 13
(excluding Feb. 16, Feb. 23)

Build on Level 1 by focusing on developing core strength, flexibility, balance and stamina with intermediate and advanced exercises at multiple levels and a more advanced pace. Focus on breathing patterns and alignment while engaging deep core muscles. Bring water, mat and 2lb weights.

Country Line Dancing Beginner-\$75

West Lincoln Arena Hall
Mondays 8:00pm to 9:00pm
Jan. 21 to Apr. 8
(excluding Feb. 18, Mar. 11)

Dust off the cowboy boots for a fun night out with friends and a great way to get active. This is a beginner class where you and your friends can learn the newest country line dances!

Country Line Dancing Intermediate-\$75

West Lincoln Arena Hall
Mondays 7:00pm to 8:00pm
Jan. 21 to Apr. 8
(excluding Feb. 18, Mar. 11)

If you have already taken the Beginner Country Line Dancing class or have some experience, then you are ready for the "next step"! Keep the fun going and learn many more new dances!

Ballroom & Latin Dance Beginner-\$75/person

(Singles Welcome - No Experience)
West Lincoln Arena Hall

Wednesdays 8:00pm to 9:00pm
Jan. 23 to Apr. 3 (excluding Mar. 13)
-OR-

Fridays 7:00pm to 8:00pm
Jan. 25 to Apr. 5 (excluding Mar. 15)

Do you want to learn to dance? Are you going on vacation, getting married or is it on your bucket list? Learn Waltz, Salsa, Tango, Merengue, Jive (Swing), Bachata, Foxtrot, Cha Cha and more.

Ballroom & Latin Dance Intermediate-\$75/person

West Lincoln Arena Hall
Wednesdays 7:00pm to 8:00pm
Jan. 23 to Apr. 3 (excluding Mar. 13)

Couples Dance Intermediate is a great way to have fun socializing with other couples. Learn more variations to each dance that was covered in the Beginner Class and more!

Couples Salsa Dance-\$75

West Lincoln Arena Hall
Fridays 8:00pm to 9:00pm
Jan. 25 to Apr. 5 (excluding Mar. 15)

Latin Clubs are filled with dance enthusiasts. Have you always wanted to learn Latin Dancing such as Salsa, Bachata and Merengue? Build your confidence and improve your social life? Burn calories and get in shape while dancing and having FUN? Here is your chance to impress.

Hatha Yoga With Kristin-\$75

Smithville Train Station
Tuesdays 6:30pm to 7:45pm
Jan. 22 to Apr. 2 (excluding Mar. 12)

Hatha Yoga is a mid to slow paced class, focusing on building strength and balance while learning to quiet the mind and connect with breath. Enjoy flowing through poses in a supportive environment. These classes are best suited for those who have fundamental understanding of asana practice and movements. Bring a mat and water.

Vinyasa Flow With Kristin-\$75

Smithville Train Station
Tuesdays 8:00pm to 9:15pm
Jan. 22 to Apr. 2 (excluding Mar. 12)

Vinyasa Flow Yoga will have more challenging poses like arm balances, and will have a quicker pace than Hatha. Bring a mat and water.

Gentle Yoga With Kristin-\$75

Smithville Train Station
Mondays 9:00am to 10:00am
Jan. 21 to Apr. 8
(excluding Feb. 18, Mar. 11)

This class is slow-paced and will focus on strengthening, relaxing, stretching, and breathing. Gentle Yoga is for those who need support with their practice. Participants will use supports as needed. Bring a mat, blanket and water.

Chair Yoga With Kristin

Smithville Train Station
Mondays 10:15am to 11:15am
Jan. 21 to Apr. 8
(excluding Feb. 18, Mar. 11)

A gentle form of Hatha yoga where students can experience the benefits of yoga without having to get up or down from the floor. Students perform postures and breathing exercises with the assistance of a chair. Benefits include increased balance, strength, flexibility, range of motion, and stress reduction. Bring a mat and water.

Tai Chi-\$40

West Lincoln Arena Hall
Tuesdays & Thursdays 10:00am to 11:00am
Start Date: Jan. 15 (20 classes)

Bring balance and flexibility to your life by practicing the health improving movements of Tai Chi. This is a gentle fitness class suitable for older adults and is adaptable to all fitness levels. Reduce tension, improve your circulation, and increase strength and flexibility. Suitable for all ages.

Combine any of the \$75 classes
2 classes-\$10 discount
3 classes-\$20 discount
4 classes-\$40 discount
5 or more classes-\$70 discount

Multiple Class

Discounts

Recreation Services

905.957.3346 ext. 4694

www.westlincoln.ca
recreation@westlincoln.ca

Spring Fitness HAVE YOU EXERCISED TODAY?

Pilates Level 1-\$85 RCPL

West Lincoln Community Centre
Saturdays 9:30am to 10:30am
Apr. 27 to July 13
(excluding June 1, 8)

Traditional Pilates will give you a workout that is effective in building strong core, improving posture, and increasing strength with an emphasis on alignment, balance and coordination. Bring water, a pilates mat & 2lb weights.

BodyShred & Core-\$85 RCB&C

West Lincoln Community Centre
Tuesdays 7:00pm to 8:00pm
May 14 to July 16

Instructor, Marsha is certified to teach this amazing new class! Jillian Michaels' Bodyshred is a 30 minute high intensity program. With the addition of core movements, you will get a total body workout. Bring water, a mat and weights (8lbs or less).

Line Dancing Beginner-\$85 RCCLD

West Lincoln Community Centre
Mondays 8:00pm to 9:00pm
Apr. 29 to July 15
(excluding May 20, July 1)

Dust off the cowboy boots for a fun night out with friends and a great way to get active. This is a beginner class where you and your friends can learn the newest country line dances!

Line Dancing Intermediate-\$85 RCCLD

West Lincoln Community Centre
Mondays 7:00pm to 8:00pm
Apr. 29 to July 15
(excluding May 20, July 1)

If you have already taken the Beginner Country Line Dancing class or have some experience, then you are ready for the "next step"! Keep the fun going and learn many more new dances!

Ballroom & Latin Dance

Beginner-\$85/person RCCDN (Singles Welcome - No Experience)

West Lincoln Community Centre
Wednesdays 8:00pm to 9:00pm
Apr. 24 to June 26
-OR-

Fridays 7:00pm to 8:00pm
Apr. 26 to June 28

Do you want to learn to dance? Are you going on vacation, getting married or is it on your bucket list? Learn Waltz, Salsa, Tango, Merengue, Jive (Swing), Bachata, Foxtrot, Cha Cha and more.

Ballroom & Latin Dance

Intermediate-\$85/person RCCDN

West Lincoln Community Centre
Wednesdays 7:00pm to 8:00pm
Apr. 24 to June 26

Couples Dance Intermediate is a great way to have fun socializing with other couples. Learn more variations to each dance that was covered in the Beginner Class and more!

Hatha Yoga-\$85 RCYGH

West Lincoln Community Centre
Tuesdays 6:30pm to 7:45pm
Apr. 23 to July 9
(excluding May 21, June 18)

Hatha Yoga is a mid to slow paced class, focusing on building strength and balance while learning to quiet the mind and connect with breath. Enjoy flowing through poses in a supportive environment. These classes are best suited for those who have fundamental understanding of asana practice and movements. Bring a mat and water.

Vinyasa Flow-\$85 RCVF

West Lincoln Community Centre
Tuesdays 8:00pm to 9:15pm
Apr. 23 to July 9
(excluding May 21, June 18)

Vinyasa Flow Yoga will have more challenging poses like arm balances, and will have a quicker pace than Hatha. Bring a mat and water.

Gentle Yoga-\$85 RCYGG

West Lincoln Community Centre
Mondays 9:00am to 10:00am
Apr. 22 to July 8
(excluding May 20, July 1)

This class is slow-paced and will focus on strengthening, relaxing, stretching, and breathing. Gentle Yoga is for those who need support with their practice. Participants will use supports as needed. Bring a mat, blanket and water.

Chair Yoga-\$85 RCYCH

West Lincoln Community Centre
Mondays 10:15am to 11:15am
Apr. 22 to July 8
(excluding May 20, July 1)

A gentle form of Hatha yoga where students can experience the benefits of yoga without having to get up or down from the floor. Students perform postures and breathing exercises with the assistance of a chair. Benefits include increased balance, strength, flexibility, range of motion, and stress reduction. Bring a mat and water.

Tai Chi-\$40 RCTAI

West Lincoln Community Centre
Tuesdays & Thursdays 10:00am to 11:00am
Start Date: April 23 (20 classes)

Bring balance and flexibility to your life by practicing the health improving movements of Tai Chi. This is a gentle fitness class suitable for older adults and is adaptable to all fitness levels. Reduce tension, improve your circulation, and increase strength and flexibility. Suitable for all ages and experience.

Tai Chi For Beginners-\$40 RCTAI

West Lincoln Community Centre
Wednesdays & Fridays 5:45pm to 6:45pm
Start Date: April 24 (20 classes)

This Tai Chi class is meant for those who have never done Tai Chi. It will be a "Beginners" class. Try it out and experience all of the health benefits that Tai Chi has to offer. (minimum 10 students)

Multiple Class *Discounts*

Combine any of the \$85 classes
2 classes-\$10 discount RCDS2
3 classes-\$20 discount RCDS3
4 classes-\$40 discount RCDS4
5 or more classes-\$70 discount RCDS5

Older Adults 55+

Older Adults (55+) receive a 10% discount on any fitness classes with the exception of Tai Chi and Drop-In Programs. RC55+

Recreation Services

905.957.3346 ext. 4694
www.westlincoln.ca
recreation@westlincoln.ca

Register at:

Township Administrative Office
318 Canborough Street
Smithville, ON L0R 2A0
Monday to Friday 9:00am to 4:30pm

Fall Fitness HAVE YOU EXERCISED TODAY?

All fitness classes are held at the West Lincoln Community Centre

BodyShred & Core-\$85 RCB&C

Mondays 7:15pm to 8:15pm
Sept. 16 to Nov. 25 (excluding Oct. 14)
Jillian Michaels' BodyShred is a 30 minute high intensity program. With the addition of core movements, you will get a total body workout. Bring water, a mat and weights (8lbs or less).

Tabata & Tone-\$85 RCTNT

Wednesdays 7:15pm to 8:15pm
Sept. 18 to Nov. 20
The first half of the class is focused on Tabata workouts, an interval training program that will build muscle and burn calories. The second half of class features total body toning exercises. Bring water, a mat and weights (8lbs or less).

FUNDamentals of Fitness-\$85 RCFOF

Tuesdays 6:00pm to 7:00pm
Sept. 17 to Nov. 26 (excluding Oct. 1)
This is a slow paced class for beginners to fitness and will consist of body-weight movements and resistance band training. Bring water and a mat.

Tai Chi-\$40 RCTAI

Tuesdays & Thursdays 10:00am to 11:00am
Start Date: Sept. 24 (20 classes)
-OR-
Wednesdays & Fridays 6:45pm to 7:45pm
Start Date: Sept. 25 (20 classes)
MUST PRE-REGISTER (min. 10 to run class)
Bring balance and flexibility to your life by practicing the health improving movements of Tai Chi. This is a gentle fitness class suitable for older adults and is adaptable to all fitness levels. Reduce tension, improve your circulation, and increase strength and flexibility. Suitable for all ages and experience.

Multiple Class Discounts

Combine any of the \$85 classes
2 classes-\$10 discount RCDS2
3 classes-\$20 discount RCDS3
4 classes-\$40 discount RCDS4
5 or more classes-\$70 discount RCDS5

Older Adults 55+

Older Adults (55+) receive a 10% discount on any fitness class with the exception of Tai Chi and Drop-In Programs. RC55+

Recreation Services

Ballroom & Latin Dance

Beginner-\$85/person RCCDN (Singles Welcome - No Experience)

Wednesdays 8:00pm to 9:00pm
Sept. 18 to Nov. 20
-OR-
Fridays 7:00pm to 8:00pm
Sept. 20 to Nov. 22
Are you going on vacation, getting married or is it on your bucket list? Learn Waltz, Salsa, Tango, Merengue, Jive (Swing), Bachata, Foxtrot, Cha Cha and more.

Ballroom & Latin Dance

Intermediate-\$85/person RCCDN

Wednesdays 7:00pm to 8:00pm
Sept. 18 to Nov. 20
This intermediate dance class is a great way to have fun socializing with other couples. Learn more variations to each dance covered in the beginner class and more!

Line Dancing

Beginner-\$85 RCCLD

Mondays 8:00pm to 9:00pm
Sept. 16 to Nov. 25 (excluding Oct. 14)
Dust off the cowboy boots for a fun night out with friends and a great way to get active. This is a beginner class where you and your friends can learn the newest country line dances!

Line Dancing

Intermediate-\$85 RCCLD

Mondays 7:00pm to 8:00pm
Sept. 16 to Nov. 25 (excluding Oct. 14)
If you have already taken the beginner class or have some experience, then you are ready for the next step! Keep the fun going and learn many more new dances!

Seniors'

Line Dancing-\$85 RCSLD

Wednesdays 2:00pm to 3:00pm
Sept. 18 to Nov. 20
A great class to learn line dancing! A memory workout that will improve balance, coordination, flexibility and build your confidence. Make new friends and lift your spirits!

Registration Options

905.957.3346 ext. 4694
recreation@westlincoln.ca
www.westlincoln.ca

Vinyasa Flow-\$85 RCYVF

Tuesdays 8:00pm to 9:00pm
Sept. 17 to Nov. 19
Vinyasa Flow will take you through asana sequences at a quicker pace and links movement with breath. This class builds strength and stamina and explores more challenging poses such as arm balances and backbends. Bring a mat, a strap and water.

Hatha Yoga-\$85 RCYGH

Tuesdays 6:30pm to 7:45pm
Sept. 17 to Nov. 19
-OR-
Mondays 5:30pm to 6:45pm
Sept. 16 to Nov. 25 (excluding Oct. 14)
Hatha Yoga is a mid to slow paced class, focusing on building strength and balance while learning to quiet the mind and connect with your breath. Enjoy flowing through poses in a supportive environment. Classes are best suited for those who have a fundamental understanding of asana practice and movements. Bring a mat, a strap and water.

Gentle Yoga-\$85 RCYGG

Mondays 9:00am to 10:00am
Sept. 16 to Nov. 25 (excluding Oct. 14)
-OR-
Wednesdays 9:00am to 10:00am
Sept. 18 to Nov. 20
This class is slow paced and will focus on strengthening, relaxing, stretching, and breathing. Gentle Yoga is for those who need support with their yoga practice. Participants will use supports as needed. Bring a mat, blanket, a strap and water.

Chair Yoga-\$85 RCYCH

Mondays 10:15am to 11:15am
Sept. 16 to Nov. 25 (excluding Oct. 14)
A gentle form of Hatha where students experience the benefits of yoga without having to get up or down from the floor. Students perform postures and breathing exercises with the assistance of a chair. Benefits include increased balance, strength, flexibility, range of motion, and stress reduction. Bring a mat, a strap and water.

Township Administrative Office
CASH CHEQUE DEBIT
318 Canborough Street
Smithville, ON L0R 2A0
Monday to Friday 9:00am to 4:30pm
West Lincoln Community Centre
CASH CHEQUE ONLY
177 West Street
Smithville, ON L0R 2A0
Tuesday to Saturday 8:30am to 4:00pm

Winter Fitness HAVE YOU EXERCISED TODAY?

All fitness classes are held at the West Lincoln Community Centre



Yoga for Youth-Girls-\$40 RCYYG

Ages 12 to 18

Thursdays 6:00pm to 6:45pm
Jan. 16 to Mar. 26 (excluding Mar. 19)

Yoga for Youth-Guys-\$40 RCYYB

Ages 12 to 18

Thursdays 7:00pm to 7:45pm
Jan. 16 to Mar. 26 (excluding Mar. 19)

Yoga is a great way to learn how to reduce stress, as well as improve concentration, mood, balance and flexibility. Hockey, soccer and other athletes use yoga to improve their game. Join this fun yoga class with friends and/or teammates. Bring a mat, a strap and water.

Hatha Yoga-\$85 RCYGH

Tuesdays 6:30pm to 7:45pm
Jan. 14 to Mar. 24 (Excluding Mar. 17)
-OR-

Hatha Yoga-\$85 RCYGH

Thursdays 8:00pm to 9:15pm
Jan. 16 to Mar. 26 (Excluding Mar. 19)

Hatha Yoga is a mid to slow paced class, focusing on building strength and balance while learning to quiet the mind and connect with your breath. Enjoy flowing through poses in a supportive environment. Classes are best suited for those who have a fundamental understanding of asana practice and movements. Bring a mat, a strap and water.

Vinyasa Flow-\$85 RCYVF

Tuesdays 8:00pm to 9:00pm
Jan. 14 to Mar. 24 (Excluding Mar. 17)
Vinyasa Flow will take you through asana sequences at a quicker pace and links movement with breath. This class builds strength and stamina and explores more challenging poses such as arm balances and backbends. This is not a beginner class. Bring a mat, a strap and water.

Line Dancing

Beginner-\$85 RCCLD

Mondays 8:00pm to 9:00pm
Jan 13 to Mar. 30

(Excluding Feb. 17, Mar. 16)

Dust off the cowboy boots for a fun night out with friends and a great way to get active. This is a beginner class where you and your friends can learn the newest country line dances!

Line Dancing

Intermediate-\$85 RCCLD

Mondays 7:00pm to 8:00pm
Jan 13 to Mar. 30

(Excluding Feb. 17, Mar. 16)

If you have already taken the beginner class or have some experience, then you are ready for the next step! Keep the fun going and learn many more new dances!

Couples Ballroom-Latin Dance

Beginner-\$85/person RCCDN

(Couples - No Experience)

Wednesdays 8:00pm to 9:00pm
Jan. 15 to Mar. 25 (Excluding Mar. 18)
-OR-

Couples Ballroom-Latin Dance

Beginner-\$85/person RCCDN

(No Experience)

Fridays 7:00pm to 8:00pm
Jan. 17 to Mar. 27 (Excluding Mar. 20)
Are you going on vacation, getting married or is it on your bucket list? Learn Waltz, Salsa, Tango, Merengue, Jive (Swing), Bachata, Foxtrot, Cha Cha and more.

Couples Ballroom-Latin Dance

Intermediate-\$85/person RCCDN

Wednesdays 7:00pm to 8:00pm
Jan. 15 to Mar. 25 (Excluding Mar. 18)
This intermediate dance class is a great way to have fun socializing with other couples. Learn more variations to each dance covered in the beginner class and more!

Registration Options

Township Administrative Office

CASH CHEQUE DEBIT
318 Canborough Street
Smithville, ON L0R 2A0
Monday to Friday 9:00am to 4:30pm

West Lincoln Community Centre

CASH CHEQUE ONLY
177 West Street
Smithville, ON L0R 2A0
Tuesday to Saturday 8:30am to 4:00pm

Older Adult Line Dancing-\$85

RCSLD

Wednesdays 11:15am to 12:15pm
Jan. 15 to Mar. 25 (Excluding Mar. 18)

A great class to learn line dancing! A memory workout that will improve balance, coordination, flexibility and build your confidence. Make new friends and lift your spirits!

Gentle Yoga-\$85 RCYGG

Mondays 9:30am to 10:30am
Jan 13 to April 6

(Excluding Feb. 3, 17, Mar. 16)
-OR-

Wednesdays 9:30am to 10:30am
Jan. 15 to Mar. 25 (Excluding Mar. 18)

This class is slow paced and will focus on strengthening, relaxing, stretching, and breathing. Gentle Yoga is for those who need support with their yoga practice. Participants will use supports as needed. Bring a mat, blanket, a strap and water.

Chair Yoga-\$85 RCYCH

Mondays 10:45am to 11:45am

Jan 13 to April 6
(Excluding Feb. 3, 17, Mar. 16)

A gentle form of Hatha where students experience the benefits of yoga without having to get up or down from the floor. Students perform postures and breathing exercises with the assistance of a chair. Benefits include increased balance, strength, flexibility, range of motion, and stress reduction. Bring a mat, a strap and water.

Tai Chi-\$40(new) \$25(return) RCTAI

Tuesdays & Thursdays 10:00am to 11:00am
Start Date: Jan. 14 (20 classes)

Bring balance and flexibility to your life by practicing the health improving movements of Tai Chi. This is a gentle fitness class suitable for older adults and is adaptable to all fitness levels. Reduce tension, improve your circulation, and increase strength and flexibility. Suitable for all ages and experience.

Multiple Class Discounts

Combine any of the \$85 classes
2 classes-\$10 discount RCDS2
3 classes-\$20 discount RCDS3
4 classes-\$40 discount RCDS4
5 or more classes-\$70 discount RCDS5

Older Adults 55+

Older Adults (55+) receive a 10% discount on any \$85 fitness class. RC55+
(Tai Chi and Drop-In Programs not included)

Recreation Services
905.957.3346 ext. 4688
recreation@westlincoln.ca
www.westlincoln.ca

APPENDIX D

Township Events at WLCC and Other Facilities

Family Day

The West Lincoln Community Centre held a soft opening by hosting the annual 2019 Family Day event at the new facility. The estimated attendance was 1,000.

Easter Egg Hunt

The 2019 Easter Egg Hunt was quickly moved to the new facility when the weather promised to make an outdoor event impossible. Community response was positive and the facility offered an indoor option and the potential for expanded programming for the event in the future. The estimated attendance was 750.

Age Friendly Forum

The Township's Age Friendly Committee held the Age Friendly Forum in the West Lincoln Community Centre with great success. The event made use of the new facility's audio visual components and technology to present an accessible program to the community. The estimated attendance was 300.

Music in the Park

The 2019 Music in the Park concert series was held on the West Lincoln Community Centre property. Several comments were made about the sense of community that was created with the event being held close to the new playground, splashpad and skatepark. The estimated attendance over 4 concerts was 600.

Harvest Routes

The 2019 Harvest Routes event was held at the new facility along with events taking place at the Caistor Community Centre, the Wellandport Community Centre and all three branches of West Lincoln Libraries. Rental costs for the event were decreased and the West Lincoln Community Centre proved to be an excellent location for the event. A total attendance for the event over all locations was 2,000.

Parade

The 2019 Santa Claus Parade made use of the expanded parking lot at the West Lincoln Community Centre to stage entries and bands for the start of the parade.

Township Meetings and Gatherings

Many Township departments have made use of the new facility by booking meetings and gatherings throughout 2019. The community rooms and the gymnasium offer staff with expanded opportunities for hosting business events.

Township Events at Other Locations

Earth Day (various Township parks)-estimated participants 70

Public Works and Emergency Services Open House (Township Administrative Office)-estimated attendance 300

Canada Day (Leisureplex Township Park)-estimated attendance 1,000

Movies in the Park (Leisureplex Township Park)-estimated attendance 150

APPENDIX E

Advertising/Vending Revenue

Advertising Revenue

In August of 2019, the Township entered into an advertising agreement with Nustadia Media. The agreement is a 3 year term for the administration of the arena board advertising with \$12,500 revenue guaranteed per year. Revenue reported in 2019 is pro-rated based on the start date of this agreement.

Digital sign rentals are undertaken on a regular basis as per the Township's Policy.

2019 Actual Advertising Revenue	\$10,430.00
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Canteen / Vending Revenue

The Township also joined with Vendomatic to begin a pilot project in May of 2019 for the administration and operation of vending machines in the West Lincoln Community Centre. The project guarantees the Township 15% of all vending machine sales.

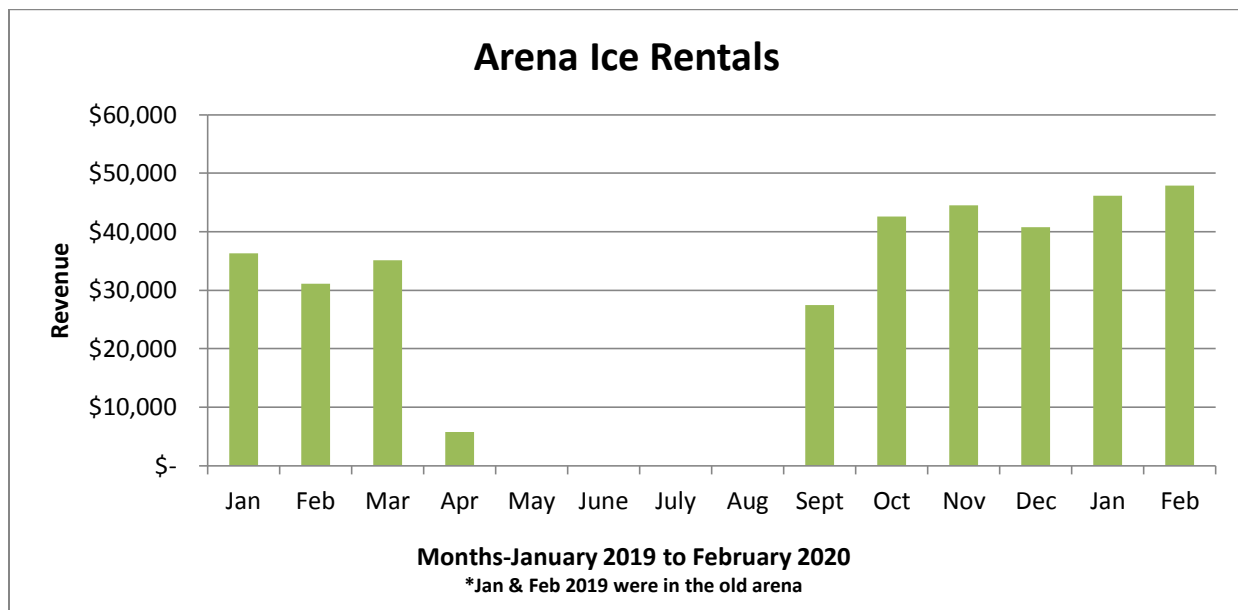
In November 2019, the West Lincoln/West Niagara Minor Hockey Associations signed an agreement with the Township to operate the concession area at the Community Centre. The agreement provides the Township 15% to 20% annually based on a sliding scale of net concession revenue. This revenue will be captured and reported in 2020.

2019 Actual Canteen/Vending Revenue	\$650.00
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APPENDIX F Facility Rentals & Community Connections

Arena Ice Rentals

The West Lincoln Community Centre held a soft opening in February 2019. Arena ice rentals were completely moved from the old facility to the new facility in March 2019 to complete the ice season. For comparison purposes, January & February 2020 at the new facility averaged \$45,000 of revenue per month.



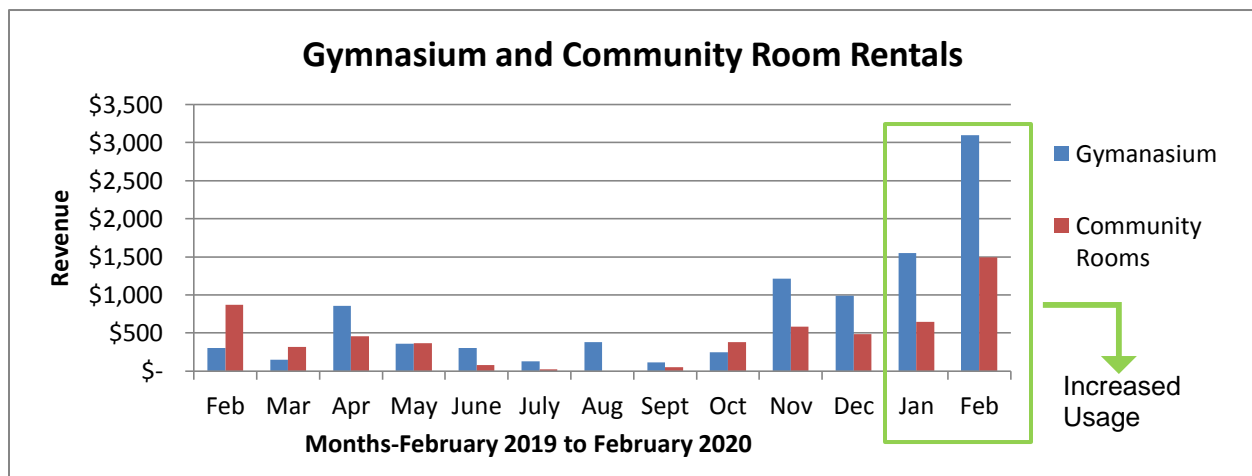
* New Arena Ice fees beginning in September 2019.

** January & February 2019 ice rentals took place at the old arena

APPENDIX F Facility Rentals & Community Connections

Gymnasium / Community Room Rentals

The gymnasium and community rooms opened for rentals slowly in February 2019. By Spring 2019, the gymnasium and community rooms became fully opened for rentals with limitations around availability due to the Township Summer Camp through the summer months. By Fall 2019, the gymnasium and community rooms became popular rental facilities in the community and usage increased moving into 2020. For comparison purposes, January & February 2020 increased dramatically (\$4,500 revenue for Feb 2020).



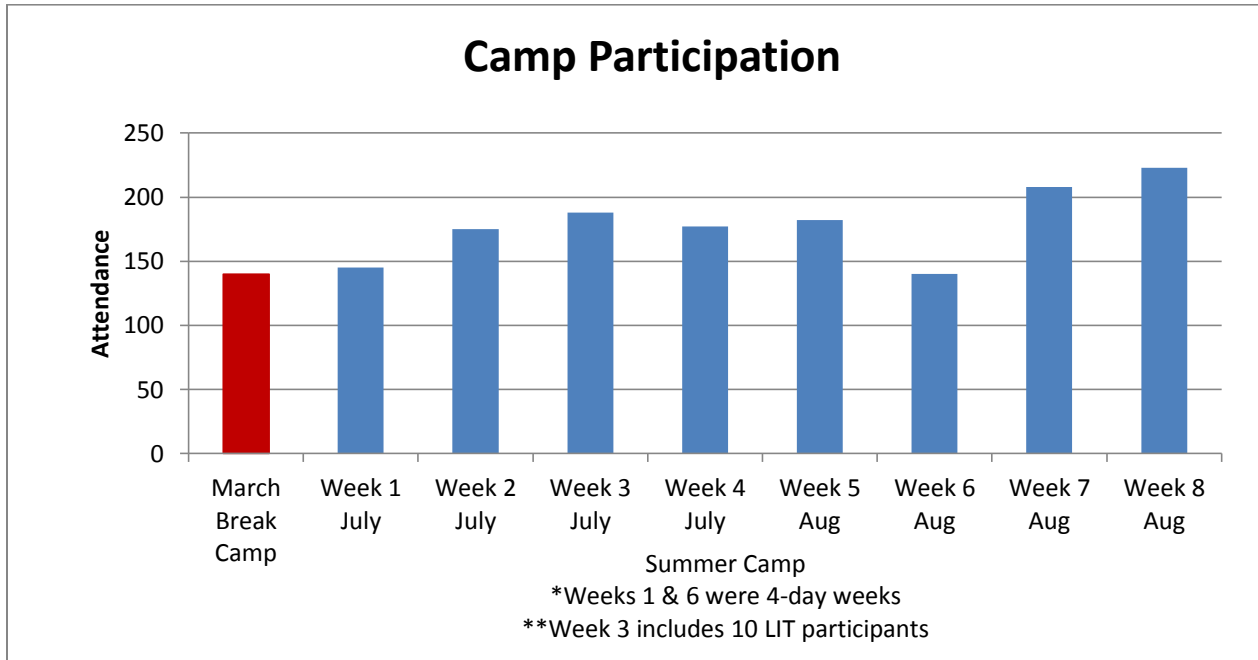
Community Connections

The opening of the West Lincoln Community Centre created opportunities for local organizations and businesses to host their events at the facility. In 2019, significant community connections were made through rental arrangements with events such as:

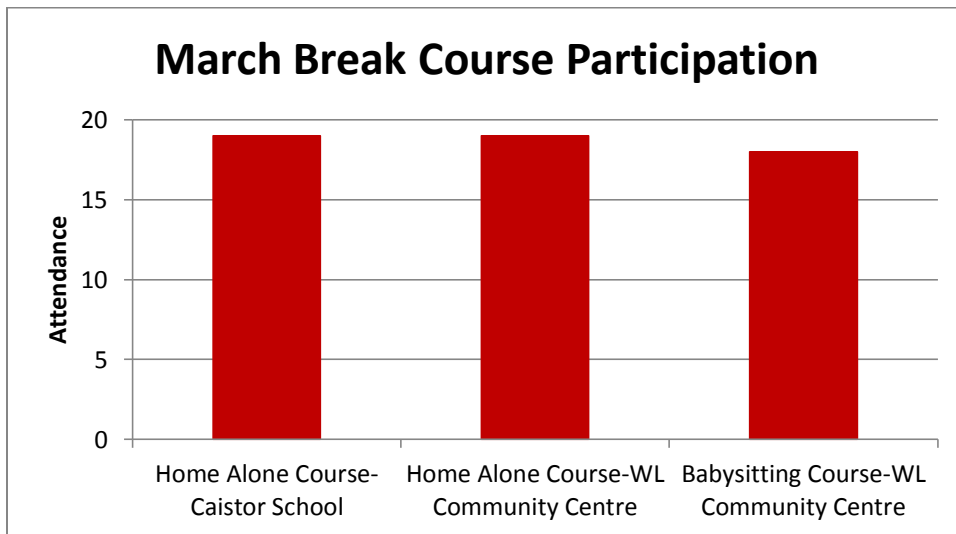
- West Lincoln/West Niagara Minor Hockey Tournaments
- Kiwanis Tree Lighting
- Chamber of Commerce BBQ
- Chamber of Commerce Home Show.
- Healthy Safe & Strong Program (Partnership with Niagara Region)

APPENDIX G Camps

Camps run during March Break and for 8 weeks in the summer. Camps are for children between the ages of 4 and 12 years old. In 2019 a Leader in Training program was run in conjunction with Camp during Week 3.



During March Break, three (3) course were provided, in addition to the Camp program, as follows:



Total March Break Camp and Courses Revenue \$6,800

Total Summer Camp Revenue \$43,500

APPENDIX H

West Lincoln Public Library – Smithville Branch

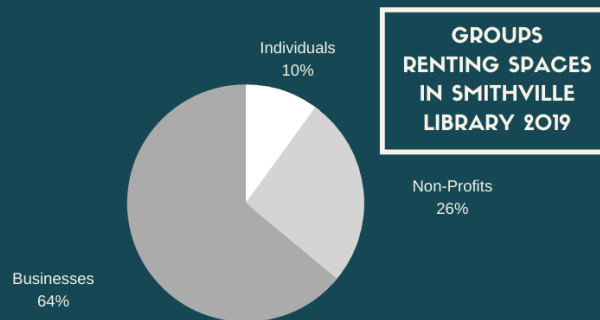
SMITHVILLE LIBRARY USE 2018-2019

2018 (OLD LOCATION) 2019 (COMMUNITY CENTRE)

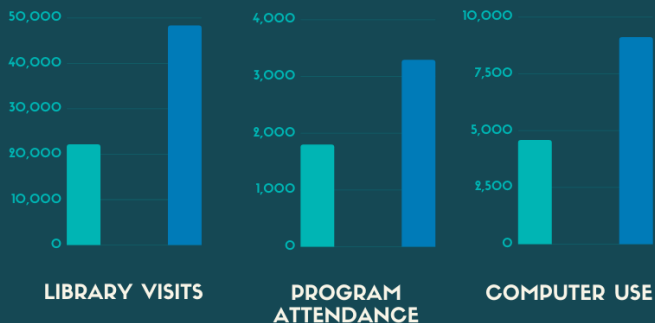
ACTIVE MEMBERS - SMITHVILLE:

2018 1340 members

2019 1674 members



LIBRARY VISITS, PROGRAM ATTENDANCE AND COMPUTER USE



The new Smithville Branch is truly a community hub where residents can and do meet with other like-minded people. They take the time to have a cup of coffee from the coffee bar and sit and visit by the fireplace.

The library is a safe space where tutors meet with individuals needing extra assistance. The study room is great for this, as well as being available for those who just need a quiet place to work.

Wait times for public computers have greatly dropped with the addition of extra computers. With plenty of seating and outlets throughout the library, there are many places where people can set up with their own laptops.

More program space means we are better able to partner with local organizations and community groups, such as EarlyOn.

For the first time the Smithville Branch was open on Sundays from September 2019 to March 2020, offering another day for patrons to use the space and materials that the library provides.

Once residents realized the new Smithville Branch offered meeting spaces, bookings for the meeting room and program room took off! The meeting room is used by individuals, businesses and local community groups. The very versatile and spacious program room is used by individuals reserving the space for a variety of needs, including baby/bridal showers and birthdays, as well as events hosted by local community groups.

Of course, all the extra space for programs and materials has allowed library use to flourish. Membership has increased by over 25%, and library visits have more than doubled!

APPENDIX H



Above: Workshop with The Watering Can in the Library Program Room

Below: Kids in the Library Kitchen (left), Reading Readiness (right)





REPORT Council

DATE: June 29, 2020.

REPORT NO: PD-031-20

SUBJECT: Report to Council
Approval of a new Sign By-law

CONTACT: Tiana Dominick, Enforcement Officer
Brian Treble, Director of Planning and Building

OVERVIEW:

- Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting structures including fences and signs.
- The Township of West Lincoln does not currently have a by-law enacted regarding signage. Preparation of a new Sign By-law was a commitment made at the time of passing the new Zoning By-law 2017-70.
- On January 13, 2020 Information Report PD-188-19 was presented to Planning / Building / Environmental Committee with a draft by-law. Comments were only received from one person regarding that report.

RECOMMENDATION

1. That, Report PD-031-20, regarding "Report to Council, Approval of a new Sign By-law", dated June 29, 2020, be RECEIVED and;
2. That, a by-law be adopted at Council in the form found at attachment 1 to this report.

ALIGNMENT TO STRATEGIC PLAN

Theme

- **Support for Business and Employment Opportunities for Residents**
- **Strategic, Responsible Growth**

BACKGROUND / CURRENT SITUATION

The Township of West Lincoln does not currently have an enacted by-law regarding the authorization and placement of signs. The Enforcement Officer has attended various complaints in 2019 concerning the erecting of signage, where having a sign by-law would have been an appropriate resource.

Some of the key highlights of the draft Sign By-law are as follows:

1. The provisions of the Sign By-law shall regulate the erection of signs on any and all properties within the boundaries of the Township.
2. Prohibits signage which includes but is not limited to: any sign which constitutes a danger or hazard to the public; any business signs on residential lands, any signs located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition; and abandoned signs.
3. Outlines specific setbacks for the installation of various signs.
4. States permit fees which range from \$150.00-\$1,000.00.
5. Failure to comply with this by-law may result in a fine from the Enforcement Officer under the Part I of the Provincial Offences Act.
6. Permits the maximum of six (6) portable ground sign permits per calendar year to each eligible property.
7. Prohibits the display of a portable ground sign for more than thirty (30) consecutive days from the date the permit is issued.
8. Section 3.21 "Sign Maintenance" states that every owner of any sign is solely responsible for ensuring the sign or advertising device is kept in good repair and in compliance with the provisions of this by-law.
9. Enforcement of this by-law is proposed to be enacted on a complaint basis.

FINANCIAL IMPLICATIONS

Schedule "A" and "B" of the said by-law institute monetary fines / fees, which would partially cover the administration of the by-law.

Signs that have already been erected before the adoption of this Sign By-law will be "grandfathered" in, and fees will only be applied to new sign applicants.

INTER-DEPARTMENTAL COMMENTS

Township Planning and By-law Enforcement staff have had discussions about this report, as well as staff from the Clerk's Department and Public Works Department.

In February of 2020, the Enforcement Officer provided the Committee and the public with a draft edition of the Sign By-law for comment. Only one inquiry was received with questions from a local business owner.

CONCLUSION

Ultimately, staff recommend that a Sign By-law be enacted to regulate the size, use, location and maintenance of signs in the Township of West Lincoln. Staff will monitor the by-law once in effect and will recommend amendments as required and as changes arise.

ATTACHMENTS

1. Draft of the Sign By-law

Prepared By:

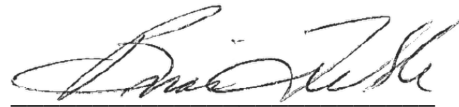


Tiana Dominick, Enforcement Officer

Approved By:



Bev Hendry, CAO



Brian Treble, Director of Planning & Building

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020 XXX

**A BY-LAW TO REGULATE SIZE, *USE*, LOCATION AND
MAINTENANCE OF *SIGNS* IN
THE TOWNSHIP OF WEST LINCOLN**

WHEREAS subsection 8(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 11 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to pass by-laws respecting structures including fences and *signs*;

AND WHEREAS section 99 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides rules that apply to a by-law of a municipality respecting advertising devices, including *signs*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that a municipality may pass by-laws imposing fees or charges on any *person* for services or activities provided or done by the municipality or done on behalf of it;

AND WHEREAS section 425 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to pass by-laws providing that a *person* who contravenes a by-law of a municipality passed under that Act is guilty of an offence;

AND WHEREAS subsection 436(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

AND WHEREAS section 444 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that a municipality may make an order to require a *person* to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient to pass a by-law respecting *signs* in the Township of West Lincoln.

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

SECTION 1 GENERAL PROVISIONS

1.1 SHORT TITLE

1.1.1 This by-law shall be known as the “*Sign By-law*”.

1.2 DEFINITIONS

1.2.1 For the purpose of this by-law:

- (1) “*abandoned sign*” means a *sign* located on a *property* which becomes vacant or unoccupied for a period of greater than ninety (90) days or any *sign* which pertains to a time, event, purpose, or business which has passed or is no longer applicable;
- (2) “*advertising device*” means any device or object *erected*, located or displayed so as to attract public attention to any goods or services or facilities or events and includes *flags*, banners, pennants, and lights;
- (3) “*altered*” or “*alterations*” means, when *used* in reference to a *sign* or *sign structure*, to change any one or more external dimensions and / or construction material, but shall not include the replacement of the plastic face, painting, repainting, cleaning or other normal maintenance and repair of a *sign* that does not involve structural changes;

-
- (4) “*animated sign*” means a video screen that electronically displays or projects visual images including, but not limited to, video, trailers, digital or computer images and does not include a *read-o-graph*;
- (5) “*authority having jurisdiction*” means the *Township*, the Regional Municipality of Niagara, the Ministry of Transportation and the Niagara Peninsula Conservation Authority;
- (6) “*awning*” means a space frame system, movable or fixed, covered with fabric or like material attached and projecting from a building or structure, but not forming an integral part thereof, and includes a canopy;
- (7) “*billboard sign*” means an outdoor *sign* maintained by a *person*, firm, corporation or business engaged in the sale or rental of the space on the *sign* to a client, upon which space is displayed information that advertises goods, products, or services not necessarily sold or offered on the *property* where the *sign* is located, and the *sign* is either single faced or double faced;
- (8) “*Chief Building Official*” means the *Chief Building Official* appointed by *Council* under the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended, or the *person* to act in that capacity in his or her absence;
- (9) “*contractor’s identification sign*” means a *sign* identifying the contractor involved in the undertaking of improvements, including but not limited to, maintenance, landscaping, renovation, construction, or demolition;
- (10) “*combustible material*” means a material that fails to meet the acceptance criteria of CAN4-S114, “Standard Method of Test for Determination of Non-combustibility in Building Materials” or any similar standard incorporated into the Ontario Building Code subsequent to the enactment of this by-law;
- (11) “*community event sign*” means any *sign* 3m² [32.29 ft²] or less in area advertising a community event such as, but not limited to, a craft show, car show, festival, fair, carnival, fundraiser, charitable or other similar event;
- (12) “*construction sign*” means a *sign* which identifies or provides information relating to or advertising the development of the construction of a building on the lands on which the *sign* is *erected*;
- (13) “*Council*” means the Council of the Township of West Lincoln;
- (14) “*development sign*” means a *sign* which displays the name or corporate identification of a builder or developer, or provides direction to a new home development in progress and located within an approved registered plan of subdivision or condominium plan within the *Township*;
- (15) “*directional sign*” means any on-premises *sign* which gives directions or instruction for the control of vehicular or pedestrian traffic and shall include an entry and exit *sign*;
- (16) “*directory sign*” means a *sign* listing the tenants of a multi-tenant building containing at least two distinct tenant units which *sign* includes only the municipal address and a list of tenants or occupancies for identification purposes;
- (17) “*drive through facility*” means the *use* of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to *persons* remaining in motorized vehicles, that are in a lane *designated* for that purpose;
- (18) “*erect*” means to conduct any action involved in the *erection*, installation, construction, extension, repair, reconstruction, replacement or material alteration of a *sign*;
- (19) “*fascia sign*” means a *sign* attached to, marked or inscribed on, *erected* or placed against a wall forming part of a building, or supported by or through a wall of a building, including a painted *wall sign* and an *awning sign*, however,

- a *fascia sign* shall not include any other *sign* defined in this by-law unless otherwise stated;
- (20) “*flag*” means a *sign* made of cloth or lightweight material attachable by one edge to a pole or rope, but is not *used* for commercial advertisement;
- (21) “*frontage*” means the length of the *street line*;
- (22) “*grade*” means the average elevation of the finished surface of the ground where it meets the base of the *sign* or *sign structure*, but does not include any embankment specifically installed for the *sign*, planter box or other structure;
- (23) “*ground sign*” means a *sign* supported by uprights or braces embedded in a foundation in the ground to a depth of at least 1.2m [3'-11 1/4"] and which is not attached to any part of a building;
- (24) “*height*” means the vertical distance from the average elevation of the finished *grade* immediately below a *sign* measured to the highest point of the *sign* and includes the supporting structure;
- (25) “*home based business*” means a home industry or home occupation *use* as defined in the *Township’s* Comprehensive Zoning By-law 2017-70, as amended from time to time;
- (26) “*incidental sign*” means a *sign* of minor consequence and size and without limiting the foregoing, shall include a holiday decoration, metal plaque, community gateway *sign*, any *sign* which is part of equipment or display, and *signs* affixed to or painted on around a construction site;
- (27) “*inflatable sign*” means an *advertising device* designed to be inflated and which is tethered to the ground, a building, structure, vehicle or similar support and includes a hot air balloon;
- (28) “*Municipal Clerk*” means the *Municipal Clerk* of the Corporation of the Township of West Lincoln or a *person* delegated by the *Municipal Clerk* for the purpose of this by-law;
- (29) “*property*” means any parcel of *land* which can be alienated or otherwise disposed of separately and apart from any abutting *lands*, whether or not such parcel is described in a registered deed, or shown on a registered plan of survey or subdivision;
- (30) “*property line*” means any boundary of a *property*;
- (31) “*property line, front*” means the *property line* that divides the *property* from a public or private *street* provided that for a *corner property*, through *property*, or through *corner property*:
- (a) the shortest of the *property lines* that divide the *property* from the public or private *street* shall be deemed to be the *front property line*;
- (b) where such *property lines* are of equal length and where one *property line* abuts a Regional Road or Provincial *highway*, the *front property line* shall be deemed to be that *property line* which abuts the Regional road or Provincial *highway*; and
- (c) where such *property lines* are of equal length and where both *property lines* abut public *streets* under the same jurisdiction, the *Township* may designate which *property line* is the *front property line*.
- (32) “*mobile new home development sign*” means a *sign* which is not permanently installed or affixed to the ground advertising the sale of new homes and may provide directions to a site or identification of a site, sales office, or model home;
- (33) “*neighbourhood event sign*” means a *sign* advertising a private auction, garage sale, bake sale, bazaar, church even tor other similar neighbourhood event within the *Township*;

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- (34) “*Officer*” means an *Enforcement Officer*, a *Building Inspector*, a *Chief Building Official*, or other *person* appointed or employed by the *Township* for the enforcement of by-laws;
- (35) “*open house sign*” means a *sign* which is not permanently installed or affixed to the ground intended to direct traffic to a building or *property* for sale or lease, but shall not include a *mobile new home development sign*;
- (36) “*owner*” means and includes the:
- (a) *owner* of the *sign*;
 - (b) *owner* of the real *property* on which the *sign* is located; or
 - (c) the *person*, for the time being, managing or receiving the rent of the *sign* or the real *property* on which the *sign* is located.
- (37) “*person*” means and includes an individual, firm, corporation, association or partnership and includes an occupant or an *owner* of a *property*;
- (38) “*pole sign*” means a *sign* greater than 3m [9'-10 1/8"] in *height* directly supported from the ground with the aid of any building or structure other than the *sign structure*;
- (39) “*portable ground sign*” means any *sign* specifically *designed* or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes *signs* commonly known as an a-frame or *mobile sign*;
- (40) “*poster*” means a printed notice conveying information that is intended to be displayed for a temporary period of time and includes, but is not limited to, a handbill, leaflet, notice, and placard;
- (41) “*public property*” means *property*, land, or buildings owned by the *Township*, the Region of Niagara, or a local board as defined in the Municipal Affairs Act, as amended, or owned by the Provincial or Federal governments;
- (42) “*read-o-graph*” means any part of a *sign* which is *designed* so that any identification or advertisement is readily interchangeable by manual or electronic means and includes an electronically controlled message centre;
- (43) “*real estate sign*” means a *sign* installed, *erected* or displayed on a *property*, temporarily or otherwise, for the notification that a building, premise or portion thereof is offered for sale, rent or lease;
- (44) “*Region*” means the Regional Municipality of Niagara;
- (45) “*roof sign*” means any *sign* which is located entirely on or above the roof of a building or is located entirely on top or above the parapet of a building or other similar structure and projects above the roof of a building;
- (46) “*sidewalk sign*” means a free standing *sign* located on but not permanently anchored in the ground and, without limiting the generality of the foregoing, shall include *signs* commonly referred to as ‘A’ frame, ‘T’ frame and sandwich boards but shall not include any other *sign* defined in this by-law;
- (47) “*sight triangle*” means a triangular area on a *property* determined by measuring a specified distance along each *street line* and joining such point with a straight line, as prescribed in the *Township’s* Comprehensive Zoning By-law 2017-70, as amended;
- (48) “*sign*” means any board, plate, panel, object, surface or device upon, within, against, through or by which there is inscribed, painted, affixed, borne or projected declaration, demonstration, *insignia* or illustration *used* for the purpose of direction, information, advertisement, promotion or identification including any related *sign structure*, structural trim, and *advertising device*;
- (49) “*sign area*” means the entire area of the surface of the *sign* and where a *sign* is not bounded or enclosed within a distinct area or frame, the *sign* shall be

that of a rectangle, circle or other simply geometric shape containing all letters, symbols and devices on the *sign*;

- (50) “*sign permit*” means a permit issued by the *Chief Building Official* pursuant to the provisions of this by-law;
- (51) “*sign structure*” means the supports, uprights, bracing and / or framework of the *sign*;
- (52) “*sports facility fencing*” means any fence of open construction which is contained within the *property* boundaries of a public or private park, sports field, or recreational facility which is either a permitted *use* in accordance with the *Township’s* Comprehensive Zoning By-law 2017-70 or an accessory to such permitted *use* but shall exclude all division fences and *property* boundary fences;
- (53) “*street*” means any public highway but does not include a provincial highway;
- (54) “*street line*” means any *property line* that divides a *property* from a public *street*;
- (55) “*substantially alter*” means the removal, alteration or replacement of the primary structural elements of the *sign* or where more than 75% of the *sign* is removed, *altered* or replaced;
- (56) “*Township*” means The Corporation of the Township of West Lincoln or the geographical area of the municipality, as the context requires;
- (57) “*use*” when *used* in conjunction with the words: residential, agricultural, industrial, non-residential, open space or similar words, shall mean such *uses* as may be permitted under the Comprehensive Zoning By-law 2017-70 of the *Township*;
- (58) “*use, agricultural*” means any lands zoned to permit the growing of crops, including nursery and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry or fish; aquaculture, apiaries, agro-forestry, maple syrup production, and associated on farm buildings and structures;
- (59) “*use, residential*” means any lands zoned to permit the establishment of buildings or structures for *use* as dwelling units and related accessory *uses*;
- (60) “*wall sign*” means a *sign* which is supported by the wall of a building; and
- (61) “*window sign*” means a *sign* posted, painted, placed or affixed in or on a window exposed to public view, and shall include an interior *sign* that faces a window exposed to public view and located within 1m [3’ – 3 3/8”] of a window.

1.3 INTERPRETATION

- 1.3.1 In this by-law statutory references are to Statutes of Ontario and the regulations made thereunder and shall be deemed to refer to such statutes and regulations as amended, consolidated, re-enacted and in force from time to time.
- 1.3.2 This by-law shall be read with all changes of gender and number required by the context or circumstances.
- 1.3.3 For the purpose of this by-law:
 - (1) “m” means metres;
 - (2) “mm” means millimetres;
 - (3) ‘ means feet (i.e. 5’ = 5 feet);
 - (4) “ means inches (i.e. 5” = 5 inches);

- (5) values contained in [] denote imperial equivalents to the prescribed metric value.

1.4 APPLICATION

- 1.4.1 The provisions of this by-law shall regulate the *erection* of *signs* on any and all *properties* within the boundaries of the *Township*.
- 1.4.2 When referring to the maximum *sign area* of either *fascia signs* or *ground signs*, the area being referenced is the total area of all fascia or *ground signs* located on a building or *property* that require a *sign permit*.
- 1.4.3 The requirements for *signs* contained in this by-law shall not apply to any *sign erected* by:
- (1) the Township of West Lincoln;
 - (2) the Regional Municipality of Niagara; or
 - (3) any Department or Ministry of the Federal or Provincial Government.

SECTION 2 PROHIBITIONS AND PERMITS

2.1 GENERAL PROHIBITIONS

- 2.1.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed any *sign* not expressly permitted by this by-law and without limiting the generality of the foregoing, the following types of *signs* and *sign* features are strictly prohibited:
- (1) *abandoned signs*;
 - (2) *animated signs* including those with moving lights that will adversely affect adjacent properties or vehicular traffic, however does not include a *read-o-graph sign*;
 - (3) the *use* of light or lights on the *sign* where the lights revolve, flash, rotate or move in any way that will adversely affect adjacent properties or vehicular traffic;
 - (4) any *sign* which *uses* words such as “STOP”, “LOOK”, “ONEWAY”, “DANGER”, “YIELD” or any other similar word, phrase, symbols or characters in such a manner as may interfere with, mislead or confuse vehicular traffic;
 - (5) any *sign* which in the opinion of the *Chief Building Official* or designate is indecent or may tend to corrupt or demoralize;
 - (6) any *sign* which creates or constitutes a danger or hazard to the public;
 - (7) any *sign* which obstructs or impedes the maintenance operations of the *Township*;
 - (8) any business *sign* on lands of *residential uses* other than where such *signs* may be permitted elsewhere in this by-law;
 - (9) the illumination of any *sign* other than where such *signs* may be permitted to be illuminated or luminous elsewhere in this by-law;
 - (10) any *sign* located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition;
 - (11) any *sign* interfering with or obstructing the view of an authorized traffic *sign* or *signal*, located on *public property*, or a *sign* resembling any authorized traffic *sign* or *signal* other than a stop *sign* or other traffic *sign* meant solely for local traffic safety purposes and located on private *property*; and
 - (12) any *sign* located within a *sight triangle*.

- 2.1.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed:
- (1) a *sign* without a permit where a permit is required by this by-law;
 - (2) a *sign* for which a permit has been obtained except in accordance with the approved plans and drawings attached to the permit;
 - (3) a *sign* in a manner that is not in accordance with the regulations provided in this by-law or the conditions of any variance granted under this by-law; and
 - (4) a *sign* which is on, over, partly on or over *public property*, including road allowances, except as may be provided elsewhere in this by-law.
- 2.1.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* within any portion of a *street* or road allowance within the *Township* except as may be provided elsewhere in this by-law.
- 2.1.4 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed any *sign* or cause any *sign* to be affixed, *erected*, or otherwise displayed on any utility pole, light standard, or traffic control device managed and controlled by a public authority, commission or local board unless express written consent of the public authority, commission or local board has been provided and a copy of such consent forwarded to the *Township*.
- 2.1.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* overhanging a sidewalk or other pedestrian walkway unless the vertical distance, measured from the bottom of the overhanging portion of the *sign* to the surface of the sidewalk or walkway is at least 2.4m [7'-10 1/2"] or in accordance with the Ontario Building Code.
- 2.1.6 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* within 0.6m [1'-11 5/8"] of the vehicular travelled portion of a private lane or roadway, or of a motor vehicle parking area unless the minimum vertical distance between *grade* and the bottom of the overhanging *sign* faces is at least 4.25m [13'-11 1/4"] or in accordance with the Ontario Building Code.
- 2.1.7 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* in a location that may interfere with or damage any above or below ground municipal, regional or utility service which has been lawfully placed at that location.
- 2.1.8 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* on a vehicle or trailer which is placed and / or located on a *property* for the purpose of displaying said *sign* or advertisement.
- 2.1.9 Except as provided for elsewhere in this by-law, no *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* for a business or *use* other than a business or *use* actively operating on the *property* on which the *sign* is displayed.

2.2 REQUIRED PERMITS

- 2.2.1 No *person* shall affix, *erect* or relocate or cause to be affixed, *erected* or relocated any *sign* without first having obtained a permit from the *Chief Building Official* in accordance with the provisions of this by-law.
- 2.2.2 Every application for permit shall be submitted on the form prescribed by the *Township* for the purpose, which may be *altered* from time to time, and shall be accompanied by:
- (1) two (2) site plans of the *property* on which the *sign* is proposed to be *erected* showing the *property lines* and *street lines* of the *property*, the location of the *sign* in relation to the said *property lines* and *street lines* as well as to any other buildings or structures on the subject *property*;
 - (2) two (2) complete plans of the proposed *sign* and its structure, those plans being prepared by a competent *person*;

- (3) such other documents as may be specified by the *Chief Building Official* where, in their opinion, additional documents or materials may be deemed necessary to ensure that the proposed *sign* complies with this by-law as well as any other applicable law;
 - (4) confirmation or certification from an architect, professional engineer, land surveyor or other competent *person* licensed in the province of Ontario as may be requested by the *Chief Building Official* where, in their opinion, such documentation is deemed necessary to ensure public safety and / or compliance with this by-law; and
 - (5) valid proof of issuance of any other permit or approval required to be issued by any other *authority having jurisdiction*.
- 2.2.3 In addition to the required information prescribed in article 2.2.2, every application for a permit submitted for the *erection* of an *inflatable sign* shall contain information regarding the method of adequately securing the *inflatable sign*.
- 2.2.4 Where the issuance of a permit to *erect* a *sign* is required by any other *authority having jurisdiction*, the provisions of article 2.2.1 for the obtaining of a permit from the *Township* shall still be applicable.
- 2.2.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* except in accordance with the permit issued for such *sign* and no *person* shall make a material change or cause a material change to be made to a plan, specification or document or other information on the basis of which a permit was issued without notifying the *Chief Building Official* and filing details of such change with them for the purpose of obtaining authorization for such change prior to proceeding with the implementation of the change.
- 2.2.6 Where a permit has been issued in accordance with the requirements of article 2.2.1, the *person* to whom the permit is issued shall notify the *Chief Building Official* of the commencement and completion of the *erection* of the *sign* in order to arrange for an inspection of the *sign* by an *Officer* to confirm the installation is in compliance with the approved drawings as well as the provision and regulations of this by-law.

2.3 PERMIT EXEMPTIONS

- 2.3.1 The exceptions provided in this subsection do not prohibit any municipal or other government authority from requiring a permit or approval for any *sign* under other legislation, regulations or by-laws.
- 2.3.2 Notwithstanding the provisions of subsection 2.2, provided the *sign* complies with all other applicable requirements of this by-law, a *sign permit* from the *Chief Building Official* is not required for any *sign* or *signs*:
- (1) *erected* by any federal, provincial or regional government agency which are located on lands of the government agency and are *used* solely to identify the agency or its mandate;
 - (2) *erected* or required to be *erected* by a government or government agency or any local board established by such government or government agency;
 - (3) serving as a regulatory *sign* including, but not limited to entrance, exit, parking or traffic *signs* on private *property*, provided such *sign* shall not exceed 0.4m² [4.31ft²] in area per face;
 - (4) serving as a traffic direction *sign erected* in conformance with the provisions of subsection 3.9;
 - (5) in the form of *flags* of corporate, education or religious organizations provided that not more than three (3) *flags* are located on any single *property*;
 - (6) in the form of emblems or *insignia* of patriotic, civic, educational, or religious organizations;
 - (7) in the form of commemorative plaques or cornerstones of a non-advertising nature;

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- (8) that displays only the name and / or address of the *owner* or occupant of the premises or the name of the *property* or premises or both of the *property* where the *sign* is located, provided such *sign* shall:
- (a) not exceed 0.4m^2 [4.31ft^2] in area per face for a *property* of *residential use*; or
 - (b) not exceed 0.6m^2 [6.46ft^2] in area per face for a *property* of other than *residential use*.
- (9) posted for the warning or safety of others such as, but not limited to; “No Trespassing”, “Caution” or “Beware of Dog”, provided such *sign* shall not exceed 0.2m^2 [2.15ft^2] per side;
- (10) a *sign* for a *home based business* on lands of *residential use* where such *use* is a permitted business or *use* in accordance with the *Township’s Comprehensive Zoning By-law*, provided such *sign* shall:
- (a) not exceed 0.8m [$2'-7\frac{1}{2}"$] in maximum *height* above *grade*;
 - (b) not exceed 0.2m^2 [2.15ft^2] per side; and
 - (c) not be located closer to a *property line* or *street line* than 1.0m [$3'-3\frac{3}{8}"$].
- (11) a *poster erected* in conformance with the provisions of subsection 3.11;
- (12) a *community event sign erected* in conformance with the provisions of subsection 3.12;
- (13) a *neighbourhood event sign erected* in conformance with the provisions of subsection 3.13;
- (14) a *real estate sign* advertising the sale or lease of a building or *property*, provided that such *sign* shall:
- (a) not exceed 1.2m^2 [12.91ft^2] in area per *sign* face for *property* of *residential use*;
 - (b) not exceed 3m^2 [32.29ft^2] in area per *sign* face for a *property* of *use* other than *residential use*;
 - (c) be located on the *property* being advertised for sale or lease; and
 - (d) be *erected* in conformance with the provisions of subsection 3.14;
- (15) a development *sign* provided that such *sign* shall:
- (a) not exceed 10m^2 [107.6ft^2] in area per *sign* face; and
 - (b) be *erected* in conformance with the provisions of subsection 3.15;
- (16) a *construction sign* provided that such *sign* shall:
- (a) be located on the *property* where the construction is occurring; and
 - (b) be *erected* in conformance with the provisions of subsection 3.16;
- (17) a *contractor’s identification sign* provided that such *sign* shall:
- (a) not exceed 1.2m^2 [12.91ft^2] in area per *sign* face;
 - (b) not exceed 1.25m [$4'-1\frac{1}{4}"$] in maximum *height* above *grade*;
 - (c) be located on the *property* where the work is being performed; and
 - (d) be *erected* in conformance with the provisions of subsection 3.17;
- (18) a *sign* advertising the sale of a crop from the *property* of *agricultural use* on which they were grown or produced, during the appropriate growing season

for the crop advertised, provided that such *sign* shall not exceed 3m² [32.29ft²] in area per *sign* face;

- (19) a *sign* advertising the sale of Christmas trees, in season, on lands where such *use* is permitted in accordance with the *Township's* Comprehensive Zoning By-law 2017-70, provided that such *sign* shall not exceed 3m² [32.29ft²] in area per *sign* face;
- (20) a *sign* inside a building;
- (21) a *sign* painted upon a window, wall, roof, canopy or *awning* provided such *sign* conforms to the respective subsections of this by-law for the size and area of the *sign*;
- (22) a *sign* painted on a fuel storage tank or dispensing facility advertising the product or any *sign* affixed to a pump structure or canopy associated with the sale of fuel;
- (23) any public transit shelter advertising or any advertising on *street* furniture and fixtures which have been placed or authorized by the *Township* or *Region*;
- (24) any menu board or *directory signs*;
- (25) any *signs* affixed to *sports facility fencing*;
- (26) any *incidental sign*; or
- (27) the changing of any moveable part of a *sign* for which a permit has been issued, that is *designed* for such change, or the repainting or reposting of the advertising message on the display surface of such *sign*.

2.4 PERMIT FEES

- 2.4.1 Any fee or deposit required by or described in this by-law shall be as prescribed in Schedule 'A' to this by-law for the various types of permits as well as all other applicable fees and deposits.
- 2.4.2 No permit shall be issued until the fees and deposits calculated in accordance with this by-law have been paid in full.
- 2.4.3 The calculation date for the fees calculated in accordance with article 2.4.1 shall be the date on which the permit is issued.
- 2.4.4 Any *person* who commences the *erection* or relocation, or causes or permits the *erection* or relocation of any *sign* without first having obtained a permit from the *Chief Building Official* in accordance with the provisions of this by-law, shall, in addition to any other penalty under the application law or this by-law, pay an additional fee equal to 100% of the amount calculated as the full permit fee in order to compensate the *Township* for the additional work incurred by such early commencement of work.

2.5 BUILDING PERMITS

- 2.5.1 Notwithstanding the provisions of article 2.2.1 of this by-law, the following *signs* are exempt from the requirement to obtain a *sign permit* provided the *erection* of such *sign* complies with all other provisions of this by-law and a building permit is obtained from the *Township* to permit the *erection* of such *sign*:
 - (1) a *pole sign* exceeding 7.5m [24' – 7 1/4"] in *height* above finished *grade* *erected* or installed in accordance with subsection 3.4;
 - (2) a *roof sign* exceeding 10m² [107.64 ft²] *erected* or installed in accordance with subsection 3.5;
 - (3) a *billboard sign* *erected* or installed in accordance with subsection 3.7.

2.6 EXPIRY / RENEWAL / REVOCATION OF PERMITS

- 2.6.1 A permit issued by the *Township* shall expire:
- (1) upon the expiry of any display period specified within this by-law or pursuant to the terms and conditions of the issuance of a permit;
 - (2) immediately upon removal of the *sign*; or
 - (3) six (6) months after the date of issuance of the permit where no *erection* activities have been commenced on the *property* subject to the permit.
- 2.6.2 Where a permit has been issued and prior to its expiry, an application may be made to extend the permit for an additional ninety (90) days.
- 2.6.3 Where an application is submitted to extend the permit, the *Chief Building Official* may only grant the renewal of the permit after payment of the prescribed application renewal fee has been submitted and the *sign* is confirmed to comply with the requirements of this by-law.
- 2.6.4 The *Chief Building Official* may revoke any permit issued under this By-law where:
- (1) the permit was issued on mistaken, false or incorrect information;
 - (2) six (6) months after the issuance of the permit, the *erection* of the *sign*, other than a *portable ground sign*, for which the permit was issued has not, in the opinion of the *Chief Building Official*, been seriously commenced;
 - (3) *erection* of the *sign*, other than a *portable ground sign*, is in the opinion of the *Chief Building Official*, substantially suspended or discontinued for a period of more than six months;
 - (4) the permit was issued in error; or
 - (5) the permit holder or *property owner* or their agent requests in writing for the permit to be revoked.
- 2.6.5 Prior to revoking a permit in accordance with this by-law, the *Chief Building Official* may give written notice of the intention to revoke the permit to the permit holder at their last known address and if on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice and all submitted plans and other information may be disposed of, at the request of the permit holder, or returned as directed.

SECTION 3 SIGN REGULATIONS

3.1 GENERAL REQUIREMENTS

- 3.1.1 Where a *sign* or other *advertising device* is regulated by more than one *Authority having jurisdiction*, such *sign* or other *advertising device* shall be *erected* in accordance with the regulations of the most restrictive regulating authority.
- 3.1.2 Unless specified elsewhere in this by-law, no *sign permit* shall be issued for any *sign* advertising a business or *use* not located on the *property* on which the *sign* is to be *erected*.
- 3.1.3 In the case of a shopping centre, plaza, or any other multi-tenant or multi-user *property*, it is the responsibility of the *owner* or the *owner's* agent, if any, to allocate the permitted *sign area* among the tenants, businesses or occupants of the *property*.
- 3.1.4 Every *sign* shall be *designed*, constructed and maintained to adequately withstand all loads which may reasonably be expected to come upon it and the loads and *design* shall be equal to those specified in the Ontario Building Code.
- 3.1.5 No *sign* illuminated or operated electrically shall be *erected*, maintained or *altered* unless such electrical work is in conformity with all regulations of the Electrical Safety Authority and all such electrical equipment bears the appropriate approval of the Canada Standards Association.

3.2 GROUND SIGNS

- 3.2.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *ground sign* located less than the setback prescribed for a building on that same *property* as established by the *Township's* Zoning By-law or 3m [9'-10 1/8"], whichever is the lesser, from any *street line* or *property line*.
- 3.2.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *ground sign* that:
- (1) exceeds 3m [9'-10 1/8"] in *height*;
 - (2) exceeds 0.3m² [3.2ft²] in area per side or visible face, for *property* zoned for only *residential use*;
 - (3) exceeds 9m² [96.88ft²] in area per side or visible face, for all other properties; or
 - (4) is located within 3m [9'-10 7/8"] of a driveway, entrance or exit.
- 3.2.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed on any *property* more than one *ground sign* for every 20m [65'-7 3/8"] of the *frontage* of the *property* on which the *ground sign* is to be located. Where a *property* has a *frontage* less than 20m [65'-7 3/8"] the maximum number of *ground signs* on the *property* shall be one.

3.3 PORTABLE GROUND SIGNS

- 3.3.1 A *portable ground sign* shall be located wholly on private *property*.
- 3.3.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *portable ground sign* less than:
- (1) 1m [3'-3 3/8"] from any *street line*, *property line* or municipal sidewalk;
 - (2) 2m [6'-6 3/4"] from any *street line* where the *portable ground sign* exceeds 1m [3'-3 3/8"] in *height*;
 - (3) 3m [9'-10 7/8"] from a driveway, entrance or exit
 - (4) 6m [19'-8 1/4"] from an intersection of two *streets*, when the permitted distance to the *street* or *property line* is less than the *height* of the *portable ground sign*;
 - (5) 30m [98'-5 1/8"] from another *portable ground sign* on the same *property*, and where the *property* has a *frontage* of less than 30m [98'-5 1/8"] the maximum number of *portable ground signs* on the *property* shall be one.
 - (6) exceeds 2m [6'-6 3/4"] in *height*;
 - (7) exceeds 4.6m² [49.51ft²] in area per side or visible face;
 - (8) has more than two sides or visible faces;
 - (9) is located within 6m [19'-8 1/4"] of a driveway entrance / exit or intersection of two *streets*, when the setback is less than the *height* of the *sign*;
 - (10) is located on private *property* closer than 1m [3'-3 3/8"] from a municipal sidewalk;
 - (11) is on *property* of *residential use*; or
 - (12) is in or on a parking space required by the *Township's* Zoning By-law 2017-70, on a *property*.
- 3.3.3 *Portable ground signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

- 3.3.4 All electrical cables, extensions, wires or outlets of every nature or kind attached to, or relating in any way to, a portable *sign* must comply with the regulations of the Electrical Safety Authority.
- 3.3.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *portable ground sign* on a *property* without first obtaining written permission from the *owner* of the *property*.
- 3.3.6 A maximum of six (6) *portable ground sign permits* per calendar year may be issued to each eligible *property*.
- 3.3.7 Subject to article 3.3.7, a *portable ground sign* shall not be *erected* or displayed for more than thirty (30) consecutive days from the date the permit is issued.
- 3.3.8 No *portable ground sign permit* shall be issued unless a minimum of twenty-one (21) days have passed since the expiry date endorsed on any previous *portable ground sign permit* issued for each *property line* abutting a *street*.

3.4 POLE SIGNS

- 3.4.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *pole sign* located closer to the *street line* or any other *property line* than the setback line for a building as established by the *Township's Zoning By-law 2017-70* or 3m [9'-10 7/8"], whichever is the lesser.
- 3.4.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *pole sign* which:
- (1) exceeds 9m [29'-6 1/4"] in *height* of the *sign*;
 - (2) exceeds 20m² [215.28ft²] in area per side of visible face; or
 - (3) is intended to be on lands zoned for *residential use*.
- 3.4.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed on any lot more than one *pole sign* for every 60m [196'-10 1/4"] of *frontage* of the lot on which the *pole sign* is located.
- 3.4.4 *Pole signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.5 ROOF SIGNS

- 3.5.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *roof sign* less than 1m [3'-3 3/8"] from the face of the building on which such *roof sign* is *erected*.
- 3.5.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *roof sign* which:
- (1) is constructed of *combustible materials*;
 - (2) does not have a clear space at least 1.22m [4'-0"] from the underside of the *sign* to the level of the roof or top of the building except for the support structure of the *sign*;
 - (3) has any face exceeding 10m² [107.64ft²] in area per visible side or visible face;
 - (4) *height* exceeds the maximum building *height* from *grade* as prescribed by the *Township's Zoning By-law [2017-70]*.

3.6 FASCIA / WALL SIGNS

- 3.6.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *wall sign* or *fascia sign* that:

- (1) is not *erected* against the exterior wall of the building to which the *wall sign* is to be attached;
- (2) projects more than 0.6m [1'-11 5/8"] from the wall of the building;
- (3) exceeds 10m² [107.64ft²] or 25% of the area of the face of the building on which it is installed, whichever is the lesser;
- (4) exceeds 0.3m² [3.23ft²] in area on a building on residential lands; or
- (5) does not have at least 2.4m [7'-10 1/2"] clearance between *grade* and the underside of the *wall sign* or *fascia sign*.

3.6.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed more than one *wall sign* for each 100m² [1076.39ft²] of building wall face, notwithstanding that any building which does not have a building face of 100m² [1076.39ft²] in area may have one *wall sign* on the building face fronting on the *street*.

3.6.3 *Wall signs* and *fascia signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.7 BILLBOARD SIGNS

3.7.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a billboard in a zone other than one so zoned by the *Township's* Comprehensive Zoning By-law 2017-70 as a commercial zone with the *Township's* approval.

3.7.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed on any lot more than one billboard for every 305m [1000'] of *frontage* of the lot on which the billboard is located. Where a lot has less than 305m [1000'] of *frontage*, the *owner* may *erect* one (1) *billboard sign* which shall be in accordance with article 3.7.3.

3.7.3 No *person* shall affix, *erect* or otherwise displayed or cause to be affixed, *erected* or otherwise display a billboard or any part thereof:

- (1) with an area per *sign* face of more than 20m² [215.28ft²]; and,
- (2) located closer than 305m [1000'] from any other *billboard sign* in any direction on the same or neighbouring lot(s); and,
- (3) located closer than 305m [1000'] measured in a straight line from a residential zone; and,
- (4) more than 15m [49'-2 1/2"] in *height*;
- (5) located closer than 7.5m [24'-7 1/4"] to the *street line* or the setback line from the main building as established by the *Township's* Zoning By-law [2017-70] for the applicable zone, whichever is the lesser; and,
- (6) without prior site plan control approval.

3.7.4 Where a *billboard sign* is permitted, it may be illuminated or non-illuminated, single or double face only.

3.8 INFLATABLE SIGNS

3.8.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed an *inflatable sign* on any *property* with a *frontage* of not more than 15m [49'-2 1/2"].

3.8.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed more than one *inflatable sign* on any one *property* at any one time.

- 3.8.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed an *inflatable sign* located less than:
- (1) 3m [9'-10 7/8"] from any *property line*;
 - (2) 3m [9'-10 7/8"] from any driveway entrance and / or exit;
 - (3) 10m [32'-9 3/4"] from any ground or *portable ground sign* on the same or abutting *property*;
 - (4) 100m [328'-1"] measured in a straight line from any residential *property*; and
 - (5) 50m [164'-0 1/2"] from a traffic light standard.
- 3.8.4 An *inflatable sign* shall have a *height* of not more than 7m [22'-11 1/2"] from *grade* and a width of not more than 6m [19'-8 1/4"].
- 3.8.5 *Sign permits* issued for the *erection* or display of an *inflatable sign* shall be limited in duration to not more than fourteen (14) consecutive days and no more than two (2) permits may be issued for a single business on the *property* on which the *sign* is to be displayed in each calendar year.
- 3.8.6 No business shall be eligible for issuance of a *sign permit* to *erect* or display an *inflatable sign* unless at least twenty-one (21) consecutive days have passed since the expiry date endorsed on the previous *inflatable sign permit* issued on the same *property*.
- 3.8.7 *Sign permits* for *inflatable signs* shall be issued only to businesses or *uses* currently on the *property* on which the *sign* is to be displayed or *erected*.
- 3.8.8 All *inflatable signs* shall be properly secured to the satisfaction of the *Chief Building Official* or their designate.
- 3.8.9 In addition to the information required in article 2.1.2, every application submitted for an *inflatable sign* shall be supplemented with proof of insurance for at least \$2,000,000 of valid comprehensive liability insurance is in effect and that the *Township* is named as an additional insured.

3.9 DIRECTIONAL SIGNS

- 3.9.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *directional sign*:
- (1) having a *sign* face of an area greater than 0.75m² [8.07ft²];
 - (2) having an overall *height* greater than 1.2m [3'-11 1/4"]; and
 - (3) located closer than 0.6m [1'-11 5/8"] from the *street line* or a driveway entrance or exit.
- 3.9.2 There shall be no limit to the number of traffic *directional signs* located on a *property*, however, there shall be no greater than two (2) traffic *directional signs* at each point of ingress or egress of a *property*.
- 3.9.3 *Directional signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.10 SIDEWALK SIGNS

- 3.10.1 Any *property* which pays business taxes with respect to a business situation within the *Township*, provided such business is operating in a commercial zone as provided in the *Township's* Comprehensive Zoning By-law [2017-70], may *erect* one (1) *sidewalk sign* in the front yard of such business provided such *sign* complies with the following regulations set forth in this subsection.
- 3.10.2 A *sidewalk sign* shall only be displayed or *erected* on municipal *property* abutting the business in cases where it is not possible because of the size of the lot, to locate a

ground sign or *portable ground sign* entirely on the same lot as the business for which the permit applies.

3.10.3 In addition to the information required in article 2.2.2, every application submitted for a *sidewalk sign* shall be supplemented with proof of insurance for at least \$2,000,000 of valid comprehensive liability insurance is in effect and that the *Township* is named as an additional insured.

3.10.4 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sidewalk sign*:

- (1) greater than 0.6m [1'-11 1/2"] wide x 1.2m [3'-11 1/4"] high or 0.6m [1'-11 1/2"] in depth;
- (2) outside of the time between sunrise and sunset of every business;
- (3) located within 3m [9'-10 1/8"] of a driveway entrance;
- (4) located within 10m [32'-9 3/4"] of a *ground sign* and 25m [82'-0 1/4"] of a *portable ground sign* on the same lot;
- (5) whereby the *sign* impedes pedestrian traffic;
- (6) located in a manner to obstruct a pedestrian walkway to a clear width of less than 1.5m [4'-11"]; or
- (7) not properly maintained to the satisfaction of the *Chief Building Official* or *Municipal Law Enforcement Officer*.

3.11 POSTERS

3.11.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *poster* unless such *poster* meets the requirements of this by-law.

3.11.2 Every *poster* affixed or placed by a *person* shall:

- (1) indicate the name, address and telephone number or email address of the *person* responsible for the placing of the *poster*;
- (2) be of a size not greater than 0.28m x 0.43m [11" x 17"]; and
- (3) conform to the shape of the object it is posted on.

3.11.3 *Posters* shall be removed within twenty-four (24) hours following the scheduled event advertised on the *poster*.

3.11.4 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *poster* if the *poster* conveys a message with respect to an unlawful activity which a *Peace Officer* or *Municipal Law Enforcement Officer* has reason to believe is unlawful.

3.11.5 Both lawfully and unlawfully *erected posters* within the *Township* may be removed and disposed of without notice by the *Township* in accordance with its maintenance schedule.

3.11.6 *Posters* are exempt from complying with the provisions of article 2.1.3 of this by-law, provided that all other provisions of this by-law have been met.

3.12 COMMUNITY EVENT SIGNS

3.12.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *community event sign* prior to forty-five (45) days before the event and no longer than two (2) day after the event;

3.12.2 *Community event signs* shall be *erected* in compliance with the *portable ground sign* provisions of subsection 3.3 as well as the provisions for *posting* under subsection 3.11, whichever is more applicable.

- 3.12.3 Notwithstanding the provision of article 2.1.3, *Community event signs* are permitted to be located within the non-roadway portion of a road allowance, provided that all other provisions of this by-law have been met.

3.13 NEIGHBOURHOOD EVENT SIGNS

- 3.13.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *neighbourhood event sign*:

- (1) prior to three (3) days before the event and no longer than one (1) day after the event;
- (2) that exceeds 0.9m [2'-11 1/2"] in any dimension or exceeds 0.6m² [6.46ft²] in *sign area*; and
- (3) that does not indicate the address and date of the event.

- 3.13.2 *Neighbourhood event signs* shall be *erected* in compliance with the *portable ground sign* provisions of subsection 3.3 as well as the provision for *postering* under subsection 3.11, whichever is more applicable.

- 3.13.3 Notwithstanding the provision of article 2.1.3, *Neighbourhood event signs* are permitted to be located within the non-roadway portion of a road allowance, provided that all other provisions of this by-law have been met.

3.14 REAL ESTATE SIGNS

- 3.14.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *real estate sign*:

- (1) in a quantity of more than one (1) *real estate sign* per *street line* of the *property* on which the *sign* is to be affixed, *erected* or displayed;
- (2) of a size more than 1.2m² [12.91ft²] in area per *sign* face when advertising the sale or lease of a building or *property* of *residential use* with a lot area less than 0.4ha [1 acre];
- (3) of a size more than 3m² [32.29ft²] in area per *sign* face when advertising the sale or lease of a building or *property* of other than *residential use* with a lot area less than 0.4ha [1 acre];
- (4) of a size more than 10m² [107.64ft²] in area per *sign* face when advertising the sale or lease of a building or *property* of any *use* with a lot area greater than 0.4ha [1 acre];
- (5) on a *property* other than the *property* being advertised for sale or lease;

- 3.14.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed an *open house sign* or *open house signs* prior to three (3) days before the event and no longer than one (1) day after the event.

- 3.14.3 Notwithstanding the provisions of article 2.1.3, *open house signs* are permitted to be located within the non-roadway portion of a road allowance, provided that all other provisions of this by-law have been met.

3.15 DEVELOPMENT SIGNS

- 3.15.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *mobile new home development sign* having:

- (1) more than two (2) *sign* faces;
- (2) a *sign* face of an area greater than 1.5m² [16.15ft²]; and
- (3) an overall *height* greater than 1.2m [3'-11 1/4"].

- 3.15.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed *mobile new home development sign* located:

- (1) closer than 10m [32'-9 1/2"] to a transit stop;
- (2) closer than 5m [16'-5"] to a driveway intersection with a *street line*;
- (3) on a roadway median; or
- (4) on any other location on a *street* that obstructs a sight line or otherwise interferes with *street* maintenance, or impedes the movement of pedestrians or vehicular traffic, or otherwise creates a hazard.

3.15.3 Notwithstanding the provisions of article 2.1.3, a *mobile new home development sign* is permitted to be located within the non-roadway portion of a road allowance, provided that all other provision of this by-law are met.

3.15.4 Notwithstanding the provisions of article 3.15.3, *mobile new home development signs* shall be prohibited from being displayed on, over, partly on or partly over the non-roadway portion of a road allowance directly adjacent to other *public property* such as, but not limited to, public parks, municipal buildings, community centers or fire stations.

3.15.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed any development *sign* having:

- (1) more than two (2) *sign* faces; or
- (2) an area exceeding 10m² [107.64ft²].

3.15.6 Development *signs* not pertaining to an active development or development application shall be deemed to be abandoned and must be removed within sixty (60) days of the ceasing of activity with the development or development application.

3.15.7 Development *signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.16 CONSTRUCTION SIGNS

3.16.1 Except as provided in article 3.16.2, no *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed more than one (1) *construction sign* for each *street line* of the project on which the *sign* is to be *erected*.

3.16.2 An additional *construction sign* beyond the one permitted by article 3.16.1 may be *erected* along each *street line* of a project provided that:

- (1) each *construction sign* is not less than 100m [328'-1"] from any other *construction sign* located on the same *street line* and on the same project; and
- (2) the combined total area of the two *construction signs* located on the same *street line* and on the same project shall not exceed 60m² [645.83ft²] in area.

3.16.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *construction sign* having:

- (1) more than two (2) *sign* faces;
- (2) a *height* greater than 7.5m [24'-7 1/4"];
- (3) a combined area of all faces of not greater than 60m² [645.83ft²];
- (4) a setback of not less than 3m [9'-10 1/8"] from any *property line*; and
- (5) a setback of not less than 3m [9'-10 1/8"] from any driveway entrance.

3.16.4 *Construction signs* shall be removed from the site of the project no later than sixty (60) days from the date of the last occupancy permit being granted for the project.

3.17 CONTRACTOR'S IDENTIFICATION SIGNS

- 3.17.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *contractor's identification sign*:
- (1) prior to two (2) days before the commencement of the work and no longer than two (2) days following the completion of the work; and
 - (2) that exceeds 0.9m [2'-11 1/2"] in any dimension or exceeds 0.6m² [6.46ft²] in *sign area*.
- 3.17.2 Notwithstanding the provisions of sentence 2.1.1(6), a *contractor's identification sign* is permitted to be located on lands of *residential use*, provided that all other provision of this by-law are met.

3.18 WINDOW SIGNS

- 3.18.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *window sign* covering more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not block the clear view of exits or entrances and shall maintain visibility into the interior of the premises at all times.

3.19 MISCELLANEOUS SIGNS

- 3.19.1 *Signs* permitted through the *Township's Comprehensive Zoning By-law 2017-70* for home industry and home occupation shall, in addition to the provisions established in the Zoning By-law, conform to the provisions as provided in subsections 3.2, 3.3, 3.5 and 3.6 respectively for the applicable type of *sign*.

3.20 SIGN MAINTENANCE

- 3.20.1 The *owner* of any *sign* is solely responsible for the maintenance of any *sign* or other *advertising devices* and every *owner* shall ensure that every *sign* or other *advertising device* is kept in good repair and in compliance with the provisions of this by-law.
- 3.20.2 Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to required permit to be issued.

SECTION 4 ADMINISTRATION AND ENFORCEMENT

4.1 GENERAL PROVISIONS

- 4.1.1 No *person* shall hinder, obstruct, molest or interfere with or attempt to hinder, obstruct, molest or interfere with an *Officer* or a *person* acting under their instructions in the exercise of a power or the performance of a duty under this by-law.
- 4.1.2 No *person* shall neglect or *refuse* to provide any information required by an *Officer* in the exercise of a power or performance of a duty under this by-law.
- 4.1.3 A *person* is guilty of an offence if the *person*:
- (1) contravenes any section of this by-law; or
 - (2) fails to comply with an *order* issued under this by-law.
- 4.1.4 Every director or *Officer* of a corporation who contravenes article 4.1.3 is guilty of an offence.
- 4.1.5 Neither the *Township* or an agent acting on its behalf shall be liable to compensate the *owner, occupant* or any other *person* by reason of anything done by or on behalf of the *Township* in the reasonable exercise of its powers under this by-law.

4.2 OFFICERS

4.2.1 The *Chief Building Official* is hereby assigned the responsibility of administering and enforcing this By-law and may assign duties to such *persons* as necessary to carry out the provisions of this By-law.

4.2.2 *Persons* appointed or assigned for the purposes of administering or enforcing this By-law are *Officers* and have authority to carry out the duties assigned to *Officers* under this By-law, and may enforce the provisions of this By-law.

4.3 RIGHT TO ENTER

4.3.1 An *Officer* acting under the provisions of this by-law or any *person* acting under their instructions may at any reasonable time, and upon producing proper identification, enter upon any *property* without a warrant for the purpose of:

- (1) inspection of the *property* to determine whether the *property* conforms with the provisions prescribed in this by-law;
- (2) inspection of the *property* to determine whether an *order* made under this by-law has been complied with; or
- (3) conducting necessary works to rectify and otherwise resolve any non-conformity identified in an *order* having been served and the stipulated date of compliance passed.

4.4 INSPECTION

4.4.1 Every *owner* or *occupant* shall permit an *Officer* to inspect the *property* or *sign* for compliance with the provisions of this by-law.

4.4.2 For the purposes of an inspection under the provision of this by-law, an *Officer* and any *person* acting under the *Officer's* instructions may:

- (1) alone or in conjunction with a *person* possessing special knowledge, enter upon the subject *property* to inspect or otherwise make an examination to determine whether:
 - (a) the *property* is in compliance with the provisions of this by-law;
 - (b) a *sign permit* is required to be issued;
 - (c) the permitted construction is being constructed in accordance with approved plans;
 - (d) the *owner* or *occupant* has complied with an *order* issued by an *Officer*, or
 - (e) there is non-compliance with any other provision of this by-law.
- (2) require information from any *person* concerning a matter related to the subject *property* or part thereof; or
- (3) through the examination of the *property*, document the state of *property* through various means, including but not limited to:
 - (a) the conducting of tests;
 - (b) taking of samples; or
 - (c) taking of photographs or video.

4.5 ORDERS FOR NON-CONFORMITY

4.5.1 If an *Officer* is satisfied that a contravention of this By-law has occurred, the *Officer* may issue an order to the *owner* and such other *persons* affected by it as the *Officer* determines and a copy of the order may be posted on the *property* to require that the materials or conditions be brought into compliance with this By-law.

4.5.2 An order as described in article 4.5.1 shall:

- (1) state the municipal address or the legal description of the *property* on which the non-conformity or infraction has occurred;
- (2) give reasonable particulars of the contravention adequate to identify the contravention and the location on the *property* on which the contravention has occurred;
- (3) indicate the date or dates by which compliance with the *order* must be achieved;
- (4) give notice that, if the required actions are not carried out within the time specified, the *Township* may carry out the necessary actions to resolve the non-compliance at the expense of the *owner*; and
- (5) be served in accordance with sub-section 3.6.

4.5.3 An *Officer* may make an *order* requiring the *owner* or *occupant* within the time specified in the *order* to:

- (1) remove any and all *signs* deemed to be in violation of the provisions of this by-law;
- (2) obtain the required permit or permits; or
- (3) undertake and supply, at the expense of the *owner*, such tests and samples as may be specified or required to determine conformance with the provisions of this by-law.

4.5.4 An *Officer* may grant extensions of time for compliance with any *order* beyond that specified in the *order* in any case where valid reason exists, in the opinion of the *Officer*, for the extension for such an extension.

4.5.5 Any such extension of time for compliance beyond that specified in the *order* as permitted by article 4.5.4 shall be provided in writing. An extension received in any other manner shall not be considered valid or applicable.

4.6 SERVICE

4.6.1 The *order* described in article 4.5.1 shall be served or caused to be served on the *owner* of the *property* and such other *persons* affected by the *order* by:

- (1) *personal* service; or
- (2) prepaid registered mail sent to the *last known address* of the *owner* or *occupant*.

4.6.2 An *order* served by registered mail shall be deemed to have been served on the 5th day after the date of mailing.

4.6.3 An *Officer* may in addition to service set out in article 4.6.1, post a copy of the *order* in a conspicuous place on the *property*.

4.6.4 If an *Officer* is unable to effect service as provided in article 4.6.1, the *Officer* shall place a placard containing the terms of the *order* in a conspicuous place on the *property* and the placing of the placard shall be deemed as sufficient service of the *order* on the *owner*, *occupant* or other *persons*.

4.6.5 Where an *order* is issued for a subsequent offence, *personal* delivery and / or posting of the *order* on site as provided for in article 4.6.4 shall be deemed to be sufficient notice for compliance provided the *order* issued respecting the first offence indicated that any subsequent offence would be dealt with in this manner.

4.7 FAILURE TO COMPLY WITH AN ORDER

4.7.1 Where the *owner* or *occupant* fails to comply with an *order* issued under this by-law within the time specified for compliance, an *Officer*, with such assistance by others as may be required may:

- (1) remove any and all *signs* deemed to be in violation of the provisions of this by-law; or
 - (2) issue a fine to the *owner* of the *property* in accordance with Schedule “B” of this by-law.
- 4.7.2 Where items, materials or things are removed as a result of actions to rectify non-conformities on a *property* in accordance with article 4.7.1, the items materials or things may be immediately disposed of by an *Officer*, and any resulting recovered salvage value or other actual recovery of money made upon such disposal shall be forfeited by the *owner* or *occupant*.
- 4.7.3 Upon completion of the works pursuant to article 4.7.1, by or on behalf of the *Township*, the *Township* shall have a lien on the *property* for the amount spent on the work and shall be deemed to be municipal real *property* taxes and may be added by the Clerk of the municipality to the tax roll and collected in the same manner and with the same priority as municipal real *property* taxes as provided by statute.
- 4.7.4 Where the *Township* conducts works pursuant to article 4.7.1, the *Township* may, in addition to the expense of the work, charge an administrative fee of 15% of such expense with a minimum fee of \$125.00 which shall be added to the expense of the work.
- 4.7.5 Notwithstanding the provisions of article 4.7.3, to recover the costs incurred and identified by articles 4.7.3 and 4.7.4, the *Township* may prepare and issue an invoice to the *owner* allowing for not less than 21 days to pay such invoice in full, after which time the amount shall be transferred to the tax roll by the Clerk of the municipality.
- 4.8 POWER OF TOWNSHIP TO IMMEDIATELY REMOVE**
- 4.8.1 Where a *sign* or any part thereof is *erected*, located or displayed on *public property*, except where specifically permit by this by-law or where a permit has been granted, an *Officer* may remove or cause the *sign* to be removed immediately without notice at the expense of the *sign owner*.
- 4.8.2 Where a *sign* or any part thereof is *erected*, located or displayed in a manner that is unsafe or poses a health and / or safety concern to the public, an *Officer* may remove or cause the *sign* to be removed immediately without notice at the expense of the *sign owner*.
- 4.8.3 Where articles 4.8.1, 4.8.2 or 4.8.3 are applicable to a *sign* greater in area than 0.6m² [6.5 ft²] and an *Officer* is required to cause the *sign* to be removed, the *Officer* may employ the services of an outside contractor to conduct the removal and any associated costs will be assessed to the *owner*.
- 4.8.4 Where the *Township* conducts works pursuant to article 4.8.4, the *Township* may, in addition to the expense of the work, charge an administrative fee of 15% of such expense with a minimum fee of \$125.00 which shall be added to the expense of the work.
- 4.8.5 Any *sign* removed pursuant to this subsection may be deposited elsewhere on the *property* on which it was located.
- 4.8.6 Where a *sign* is removed under the provisions of articles 4.8.1, 4.8.2 or 4.8.3 the *Township* may hold the *sign* for pick up for a period of ten (10) business days, after such time the *sign* may be disposed of in manner deemed fit by the *Chief Building Official*.
- 4.8.7 Where a *sign* greater in area than 0.6m² [6.5 ft²] is required to be stored, a storage fee shall apply as prescribed in Schedule A to this by-law.
- 4.8.8 The *Township* may recover any expenses incurred in undertaking the work described in articles 4.8.1, 4.8.2, 4.8.3 or 4.8.4, including the administration fee as prescribed in article 4.8.5 and any storage fee assessed in accordance with article 4.8.7 or 4.8.8, by legal action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

4.9 VARIANCES OF THIS BY-LAW

- 4.9.1 Where the *owner* or *person* in control of a *sign* for any reason is unable to comply with the provisions and regulations under this by-law, such *person* may apply to *Council* for a variance from the provisions and regulations of this by-law.
- 4.9.2 Applications for variance from the provisions of this By-law shall be made in writing on a form as prescribed by the *Chief Building Official* and shall include:
- (1) The name, address, telephone number and contact information of the *person* making application for the variance;
 - (2) specific reference made to the applicable article(s) of the by-law from which exemption is being sought;
 - (3) a statement as to the reason why the provisions of the by-law are unable to be met; and
 - (4) the applicable fee.
- 4.9.3 The *Council* shall hear all applications and grant or deny a variance with respect to this by-law. All decisions of the *Council* are final and binding.
- 4.9.4 Any fees paid with regard to the submission of an application for variance shall be non-refundable.

4.10 PENALTIES

- 4.10.1 Every *person* who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

4.11 TRANSITION

- 4.11.1 Any *sign* previously permitted through site specific zoning within the *Township's Comprehensive Zoning By-law 2017-70* shall be exempt from the regulations prescribed in sections 2 and 3 of this by-law except for the requirements of subsection 3.21.
- 4.11.2 Where a *sign* has been lawfully *erected* prior to this by-law coming into force, such *sign* shall be considered to be legal non-conforming, and shall continue to be permitted provided it is not removed, enlarged or *substantially altered*.
- 4.11.3 Legal non-conforming means a *sign* that is lawfully affixed, *erected* or other displayed on the day this by-law comes into force, provided the *sign* is not in any way *substantially altered*. The maintenance and repair of the *sign* or a change in the message displayed shall in themselves, be deemed not to constitute an alteration. The onus to prove the legal non-conforming status of a *sign* shall be that of the *owner* of such *sign*.

4.12 LIABILITY

- 4.12.1 Any *persons* *erecting* or maintaining any *sign* or on whose *property* a *sign* is located, shall be liable for such *sign*. The *Township* is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the *erection*, maintenance, removal or falling of such *sign*, or part thereof.
- 4.12.2 The *property owner* and / or the agent assume any liability arising from the information given by *signs* on private *property* and responsibility for the enforcement of such *signs* unless otherwise authorized in legislation.

4.13 VALIDITY

- 4.13.1 Should a court of competent jurisdiction declare a part or whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of *Council* that the remainder survive and be applied and enforced in accordance with its terms to the extent

possible under the law so as to protect the public by ensuring a minimum standard for maintenance and care of *property* is maintained.

- 4.13.2 Where the regulations of this by-law conflict with those of another by-law, Act, or Regulation in force within the *Township*, the regulation that establishes the higher standards to protect the health and safety of *persons* shall prevail.

SECTION 5 REPEALS & ENACTMENT

5.1 REPEAL

- 5.1.1 By-law 2018-36, and any amendments thereto, is hereby repealed.

5.2 DATE OF ENACTMENT

- 5.2.1 This by-law shall come into force and effect the day after it is passed.

Read a first, second and third
time and finally passes this
29th Day of June 2020.

DAVE BYLSMA, MAYOR

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

SCHEDULE ‘A’ TO BY-LAW 2020 – DRAFT

Sign By-law

SECTION 1 FEES

1.1 PERMIT FEES

- 1.1.1 All permit fees provided in table A1.1.1 shall be considered to be fixed fees for each *sign* subject to a permit in accordance with this by-law.
- 1.1.2 A minimum permit fee of \$150.00 shall be charged for all work unless otherwise indicated or prescribed in the table below.

Table A 1.1.1: Sign permit Fees

Request	Fee
<i>ground sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>ground sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>ground sign</i> – 10m ² [107.64 ft ²] or greater	\$450
<i>portable ground sign</i> (for each 30 day period or portion thereof)	\$150
<i>pole sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>pole sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>pole sign</i> – 10m ² [107.64 ft ²] or greater	\$450
<i>roof sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>roof sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>fascia / wall sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>fascia / wall sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>fascia / wall sign</i> – 10m ² [107.64 ft ²] or greater	\$450
<i>inflatable sign</i>	\$150
billboard	\$1,000
permit renewal	\$150

1.2 VARIANCE FEES

- 1.2.1 Every application for consideration of a variance to this By-law shall be subject to a fee as prescribed below.

Table A 1.2.1: Sign By-law Variance Application Fees

Request	Fee
<i>variance of sign regulations</i>	\$750

- 1.2.2 The fees collected for consideration of a variance do not in any way guarantee the granting of the requested variance or appeal and at no time shall the collected fee be refundable in whole or in part.

1.3 SIGN REMOVAL FEES

1.3.1 Where the removal of a *sign* is required in due to non-conformity with this by-law accordance with subsections 4.7 and 4.8 the removal fees are prescribed as follows:

Table A 1.3.1: Sign Removal Fees

Request	Fee
<i>sign</i> – less than 0.6m ² [6.46 ft ²]	\$75
<i>sign</i> – 0.6m ² [6.46 ft ²] or greater	\$200 in addition to removal costs
storage fee for <i>signs</i> greater than 0.6m ² [6.46 ft ²]	\$10 / day

1.4 REFUNDS

1.4.1 In any case where a permit has been paid for and issued, the holder of the permit shall not be entitled to any refund for any reason.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

PART I OF THE PROVINCIAL OFFENCES ACT

SCHEDULE ‘B’ TO BY-LAW 2020 – **DRAFT**

SET FINES

	Column 1	Column 2	Column 3
ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1.	Placement of prohibited <i>sign</i>	2.1.1	\$200
2.	Placement of <i>sign</i> in road allowance	2.1.3	\$200
3.	Placement of <i>sign</i> on utility pole	2.1.4	\$200
4.	Placement of <i>sign</i> overhanging sidewalk	2.1.5	\$200
5.	Placement of <i>sign</i> too close to roadway	2.1.6	\$200
6.	Placement of <i>sign</i> – damage municipal <i>property</i>	2.1.7	\$200
7.	Placement of <i>sign</i> on vehicle / trailer	2.1.8	\$200
8.	<i>Sign</i> of inoperative business	2.1.9	\$200
9.	Fail to comply – setback – <i>ground sign</i>	3.2.1	\$200
10.	Fail to comply – size – <i>ground sign</i>	3.2.2	\$200
11.	Fail to comply – quantity – <i>ground sign</i>	3.2.3	\$200
12.	Fail to comply – setback – <i>portable ground sign</i>	3.3.2	\$200
13.	Fail to comply – size – <i>portable ground sign</i>	3.3.3	\$200
14.	Fail to remove – expired permit – <i>portable ground sign</i>	3.3.8	\$200
15.	Fail to comply – setback – <i>pole sign</i>	3.4.1	\$200
16.	Fail to comply – size – <i>pole sign</i>	3.4.2	\$200
17.	Fail to comply – quantity – <i>pole sign</i>	3.4.3	\$200
18.	Fail to comply – setback – <i>roof sign</i>	3.5.1	\$200
19.	Fail to comply – size – <i>roof sign</i>	3.5.2	\$200
20.	Fail to comply – size – wall / <i>fascia sign</i>	3.6.1	\$200
21.	Fail to comply – quantity – wall / <i>fascia sign</i>	3.6.2	\$200
22.	Fail to comply – quantity - billboard	3.7.2	\$200

	Column 1	Column 2	Column 3
23.	Fail to comply – size – billboard	3.7.3	\$200
24.	Fail to comply – setback – billboard	3.7.4	\$200
25.	Fail to comply – quantity – <i>inflatable sign</i>	3.8.2	\$200
26.	Fail to comply – setback <i>inflatable sign</i>	3.8.3	\$200
27.	Fail to remove – expired permit – <i>inflatable sign</i>	3.8.5	\$200
28.	Fail to secure <i>inflatable sign</i>	3.8.8	\$200
29.	Fail to comply – setback – <i>sidewalk sign</i>	3.10.4	\$200
30.	Fail to comply – size – <i>window sign</i>	3.18.1	\$200
31.	Fail to maintain	3.21.1	\$200
32.	Interfere with / obstruct an <i>Officer</i> in performance of their duty	4.1.1	\$200
33.	Fail to provide information to an <i>Officer</i>	4.1.2	\$200

DATE: June 29th, 2020

REPORT NO: PD-068-20

SUBJECT: Recommendation Report
Draft Plan of Condominium Crossings on the Twenty North and South – DeHaan Homes – Request for Extension to Draft Plan Approval, File No. 2100-072-08 CDM (South), 2100-072-09 CDM (North)

CONTACT: Gerrit Boerema, Planner II
Brian Treble, Director of Planning and Building

OVERVIEW:

- Crossings on the Twenty Plan of Condominium North and South was originally granted draft plan of condominium approval in 2009 following an appeal to the OMB.
- Since original draft plan approval, the South condominium has had a number of modifications.
- Draft approval was extended in 2012, 2014, 2016 and 2018. Draft plan approval for both the North and South condominiums expire in September 2020.
- Site Plan approval for the south condominium was granted in early 2019. Construction has commenced on the South side with one block of model homes completed and nearly 50% of the south side units sold (24 Units total).
- A site plan application has not yet been applied for on the north condominium. The landowner had worked with the local branch of the Royal Canadian Legion for a possible expansion of the Legion Villa but at this point it is not clear how that will materialize.
- They have now requested an extension to the draft plan approval on both the north and south condominiums to allow completion of the development on the south side and to allow for time to complete a site plan and development design on the north side.
- Township staff recommend approval of the extension request for a period of two years, commencing on September 26, 2020 as the south community is currently under construction and the north community has faced unexpected delays and has limited development potential given its single sided street concept.

RECOMMENDATION

1. That, report PD-068-20, regarding “Recommendation Report, Draft Plan of Condominium, Crossings on the Twenty - North and South - DeHaan Homes - Request for Extension to Draft Plan Approval, File No 2100-072-08 CDM (South) & 2100-072-09 CDM (North)”, dated June 29th, 2020 be received; and,
2. That, the Draft Plan Approval for Crossings on the Twenty Plan of Condominium (North & South) BE EXTENDED FOR A PERIOD OF TWO YEARS, to expire on September 26, 2022, subject to conditions as included in Attachments No. 3 and 4 to this report; and,
3. That a notice of extension be circulated to relevant agencies and departments.

ALIGNMENT TO STRATEGIC PLAN

- **Theme**
 - **Strategic Responsible Growth**

BACKGROUND

The Crossings on the Twenty Plan of Condominium is split by the Twenty Mile Creek into Crossings North and Crossings South communities. The condominium was originally approved by the Township Council in 2009 with a three year time frame to complete the conditions for final approval. Crossings on the Twenty South is located at the intersection of Shurie Road and Townline Road, on the south side of the Twenty Mile Creek, while Crossings on the Twenty North is located on the north side of the creek, opposite to the Marz Homes – Smithville Station Development. The developments are owned by DeHaan Homes, who proposes to be the developer in each case.

Two year extensions were granted in 2012, 2014, 2016 and 2018 for a variety of reasons which included road upgrades on Highway 20, storm-sewer installation for the Marz Homes development (Smithville Station), record of site condition on the south development and a minor boundary adjustment and draft plan changes.

The owner and their agent, Jared Marcus of IBI Group, have requested an extension to the draft plan approval of both the North and South condominiums to allow for time to complete conditions and progress on construction prior to the condominium approval lapsing on September 26, 2020.

CURRENT SITUATION

Crossings on the Twenty South is currently under construction. One block of model townhouse units has been constructed. The Site Plan was completed in early 2019. According to the applicant, nearly 50 per cent of the 24 townhouse units are sold. The current COVID-19 crisis has slowed sales over the last few months.

The applicant is still working on clearing conditions of approval for the south community. The Record of Site Condition has required test wells and monitoring due to the proximity of the former Rock Street landfill. This process is still not completed, but is expected to be completed this fall.

Staff note that the south development seems to be progressing now that construction has commenced on the model homes. It is expected that final condo approval will be granted in early 2021 at the latest.

The Crossings on the Twenty North has not seen much progress since the last extension approval in 2018. The applicants attended a pre-consultation on June 18, 2020 for the purposes of reviewing the site plan, however, an application for site plan approval has not yet been made.

There were a number of issues that have delayed the development of the Crossings North Community including required road improvements to Regional Road 20 and the construction of a storm sewer which bisects the property. In addition, the applicants were in conversations with adjacent landowners about a potential land purchase, but that did not materialize. The period of due diligence on a potential sale ended in February of 2020.

The applicants have requested and have attended an additional pre-consultation meeting on June 18, 2020 to discuss the site plan submission for the north community.

In the 2018 Township Staff Recommendation Report, staff stated that final approval was needed within the last two year extension. Although staff would like to see this property developed at a faster pace, Township Staff also acknowledge that there are limited options on the property due to its shape and size. It is a single loaded street with ten units. The applicant has stated that they will commence development on this site once the Crossings South community is complete. Due to the current economic climate, staff now propose that Council now support one final extension.

Staff are of the opinion that an extension should be granted for the south community as progress has been made on the south community since the last extension. Staff also recommend that a two year extension also be granted to the north community as there were some unforeseen time delays and as there is little benefit in redesigning the site through another draft plan approval process due to the sites limited development options.

FINANCIAL IMPLICATIONS

There are no financial implications associated with these applications.

INTER-DEPARTMENTAL COMMENTS

The extension request was sent to the Region of Niagara Planning and Development

Department, the Niagara Peninsula Conservation Authority, and the Township Public Works Department. There were no objections from agencies or departments to the extension request. Also, no agency has requested a change of conditions.

CONCLUSION

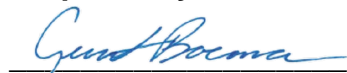
DeHaan Homes (Owner) and Jared Marcus of IBI Group (Agent) have requested an extension for draft plan of condominium approval for Crossings on the Twenty North and South Communities. The last extension was granted in 2018 for a period of two years and is set to expire on September 26, 2020. Construction has commenced on the Crossings on the Twenty South community with the services, road and model homes now installed and constructed. Construction has not yet commenced on the north community and a site plan has not yet been applied for, however, the north community did face a number of delays over the past years including required road improvements, storm sewer construction and most recently a potential purchase which did not materialize.

Planning Staff recommend that Council grant a two year extension to both the north and south communities. If significant progress has not been made on the north community, an additional extension would most likely not be supported by staff in two years' time.

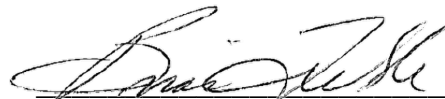
ATTACHMENTS

1. Crossings on the Twenty South Draft Plan
2. Crossings on the Twenty North Draft Plan
3. Crossings on the Twenty South Conditions
4. Crossings on the Twenty North Conditions

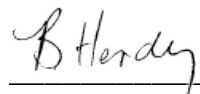
Prepared by:



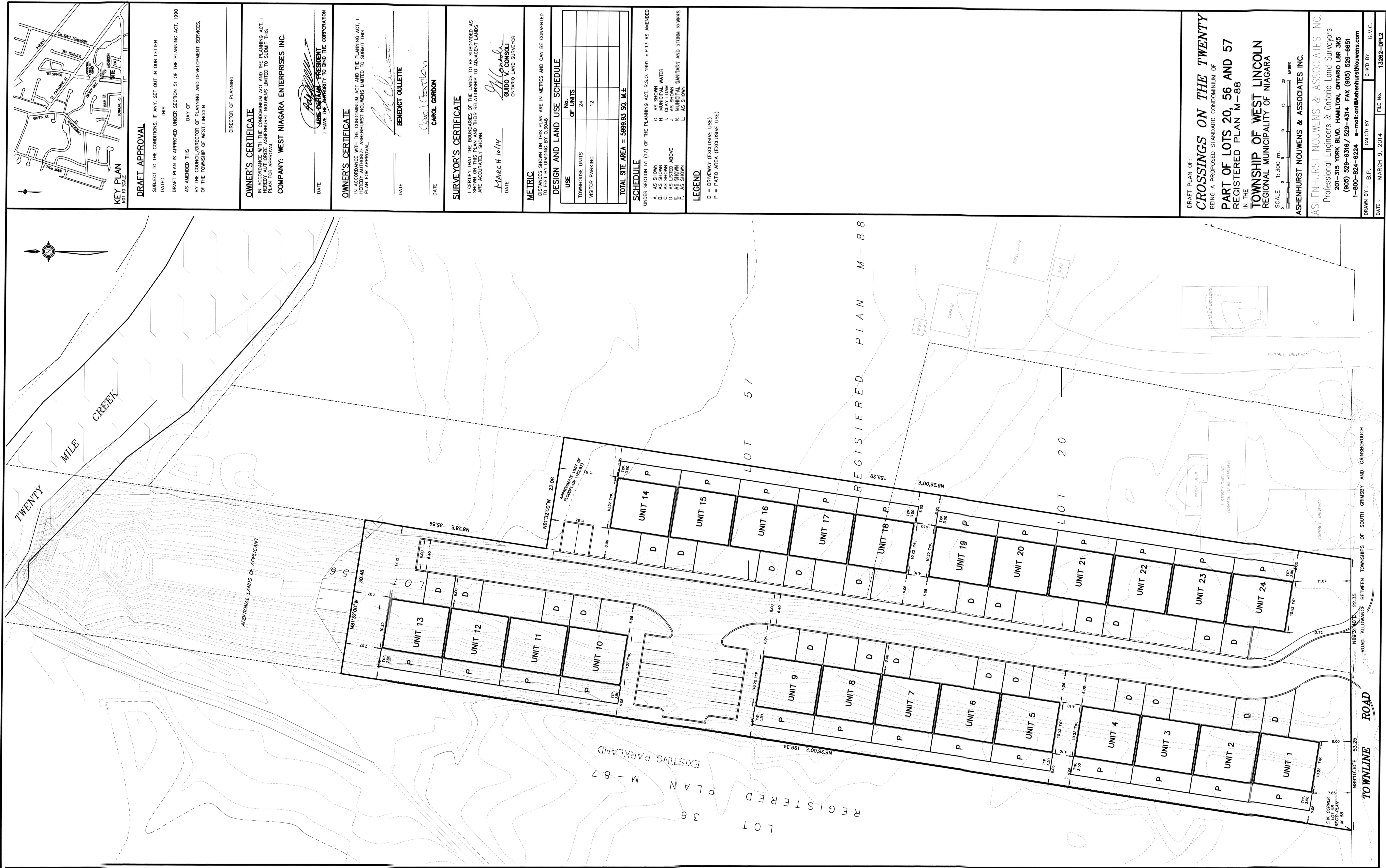
**Gerrit Boerema,
Planner II**

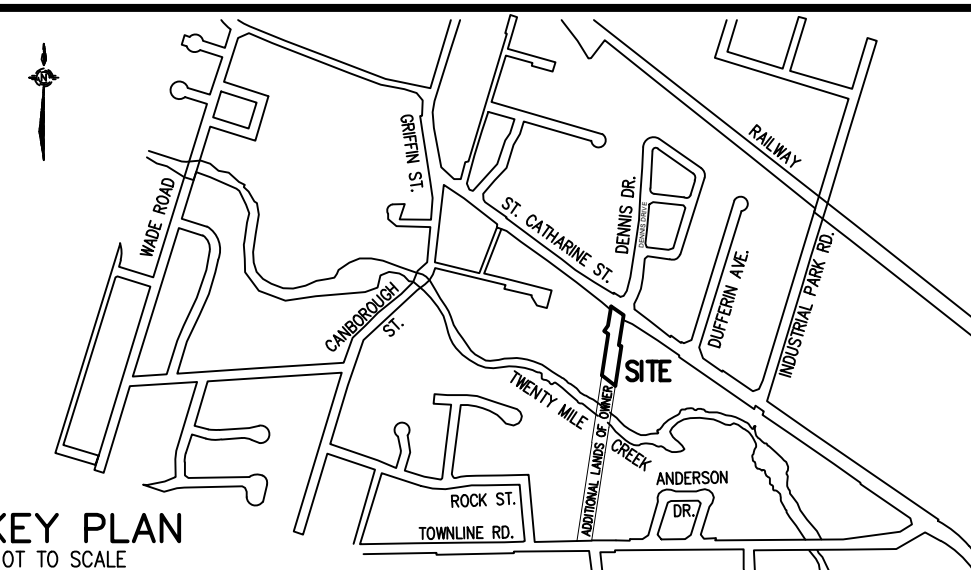


**Brian Treble, RPP, MCIP
Director of Planning and Building**



**Beverly Hendry
CAO**





SUBJECT TO THE CONDITIONS, IF ANY, SET OUT IN OUR LETTER
DATED THIS
DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT, 1990
AS AMENDED THIS DAY OF
BY THE COUNCIL/DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES,
OF THE TOWNSHIP OF WEST LINCOLN

DIRECTOR OF PLANNING

IN ACCORDANCE WITH THE CONDOMINIUM ACT AND THE PLANNING ACT, I
HEREBY AUTHORIZE ASHENHURST NOUWENS LIMITED TO SUBMIT THIS
PLAN FOR APPROVAL.

COMPANY: WEST NIAGARA ENTERPRISES INC.

25/04/2008
DATE


ARIE DeHAAN **PRESIDENT**
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY SHOWN.

25/04/2008
DATE


JOHN P. NOUWENS
ONTARIO LAND SURVEYOR

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

USE	No. OF UNITS		
TOWNHOUSE UNITS	10		
VISITOR PARKING	6		
TOTAL SITE AREA = 4315.10 SQ. M.±			

- | | | | |
|----|-----------------|----|-------------------------------------|
| A. | AS SHOWN | G. | AS SHOWN |
| B. | AS SHOWN | H. | MUNICIPAL WATER |
| C. | AS SHOWN | I. | CLAY LOAM |
| D. | AS LISTED ABOVE | J. | AS SHOWN |
| E. | AS SHOWN | K. | MUNICIPAL SANITARY AND STORM SEWERS |
| F. | AS SHOWN | L. | AS SHOWN |

D = DRIVEWAY (EXCLUSIVE USE)
P = PATIO AREA (EXCLUSIVE USE)

DRAFT PLAN OF:
CROSSINGS ON THE TWENTY
BEING A CONDOMINIUM OF
PART OF LOT 56
REGISTERED PLAN M-88
IN THE
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:300 m

5 0 5 10 15 METRES 20

JOHN P. NOUWENS ONTARIO LAND SURVEYOR

ASHENHURST NOUWENS LIMITED
Professional Engineers & Ontario Land Surveyors
201-315 YORK BLVD. HAMILTON, ONTARIO L8R 3K5
(905) 529-6316 / 529-4314 FAX (905) 529-6651
1-800-824-6224 e-mail: anl@AshenhurstNouwens.com

DRAWN BY : B.P.	CALC'D BY	CHK'D BY J.P.N.
DATE : NOV. 11, 2008	FILE No.	28605DPLs-B

CROSSINGS ON THE TWENTY
TOWNSHIP OF WEST LINCOLN
CONDITIONS OF FINAL APPROVAL

The conditions for final approval and registration of Crossings on the Twenty Condominium, in the name of DeHaan Homes Inc., File No. 2100-072-08, Township of West Lincoln are:

1. This decision applies to the West Niagara Enterprises Inc. Draft Plan of Condominium of Standard Condominium, Township of West Lincoln prepared by Ashenhurst Nouwens Limited, and as attached to Report PD-042-14 as Attachment 2, containing a total of 24 units and common element area.
2. That not more than one standard condominium corporation be created.

TOWNSHIP CONDITIONS:

3. That the Owner provide to the Township of West Lincoln a letter advising that all lots conform to the requirements of the Township's Zoning By-law.
4. **That the Zoning By-law Amendment receive final approval (expiry of the appeal period) prior to receiving final approval of the condominium.**
5. **That the Owner submit an application for Site Plan Approval for review and approval.**
6. That the Owner dedicate 5% cash-in-lieu of parkland to the Township of West Lincoln, or alternately that adequate parkland be provided to the satisfaction of the Township.
7. That the Owner/Developer prepare a streetscape and landscape plan for this condominium plan in accordance with the requirements of the Township of West Lincoln. The streetscaping and landscaping details are to be shown on the general servicing plan as part of the required Site Plan Application.
8. That the Owner/Developer provide 1.8 metre high solid fencing along the easterly lot line along units 14-24 and a 1.8 metre high chain link fence along the westerly lot line along units 1-13.
9. That the condominium agreement or subsequent site plan/development agreement between the Owner/Developer and the Township of West Lincoln contain a clause in wording satisfactory to the Regional Public Works Department (Development Services Division) requiring the Owner to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of development.

10. That the condominium agreement or subsequent site plan/development agreement between the Owner/Developer and the Township of West Lincoln contain a clause in wording satisfactory to the Township advising prospective purchasers of the dwelling units south of Twenty Mile Creek that on occasion they may be subject to noise, odour and dust of agricultural origin and that the Owner agree to insert a similar clause in all Offers and Agreements of Purchase and Sale or Lease.
11. That any required road allowances are dedicated to the Township of West Lincoln as Public Highways.
12. That the proposed streets be constructed to the satisfaction of the Township of West Lincoln.
13. That the street naming fee be provided and the proposed streets be named to the satisfaction of the Township of West Lincoln.
14. That the Owner provides fire route signs and no parking signs in locations approved by the Township of West Lincoln.
15. That the Owner/Developer submit all servicing, lot grading, drainage, roadway plans and supporting design calculations to the Township of West Lincoln and any other relevant agency for review and approval.
16. That all municipal services required by the Township of West Lincoln be provided by the Owner/Developer in a manner satisfactory to the Township.
17. That the Condominium Agreement between the Owner and the Township of West Lincoln be registered by the municipality against the land to which it applies.
18. That the Owner/Developer agrees in writing to satisfy all the requirements, financial and otherwise, of the Township of West Lincoln concerning, and without limiting the generality of the foregoing, the provision of roads, installation of services, drainage and hydro services, as may be determined by the pre-servicing report to be submitted by the Owner to the Township of West Lincoln for approval.
19. That the Owner agrees in the Condominium Agreement to pay all development charges to the Township of West Lincoln in accordance with the Township's Development Charges By-law.
- 20. Submit a Traffic Impact Study to the satisfaction and implement any recommendations found therein.**
- 21. That sidewalks be provided along one side of all roads within the development to standard requirements of the Township of West Lincoln.**

22. That prior to approval of the final plan, the owner submit to the NPCA and the Township of West Lincoln a detailed stormwater management plan for the development completed by a qualified engineer and prepared in accordance with the MOEE Stormwater Management Practices, Planning and Design Manual, (as amended). This will include any Stormceptor sizing detail. That detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site, be submitted to the Conservation Authority for review and approval. (same condition as Condition 27 which is also to be approved by the Conservation Authority)

REGIONAL CONDITIONS:

23. That, if curb-side waste collection is to be provided by the Region the draft plan shall conform to Regional Niagara Policy "Collection of Waste by Way of Entry on Private Property" to the satisfaction of the Regional Planning and Development Services Department (Development Services Division). That the condominium/development agreement between the Township of West Lincoln and the developer include the following clauses:
- a) To be eligible for the provision of collection service by way of entry on private properties, the private roadways must be designed to meet the requirements of the Regional Niagara Policy "Collection of Waste by Way of Entry on Private Property" (i.e. providing through passage, minimum roadway width, throat width/curb radius, etc.) so that collection vehicles can access collection locations without the need to reverse. A cul-de-sac designed in accordance with the Region's specifications will be required for developments that do not permit through passage. The Region will consider the use of a "T" turnaround area(s), designed in accordance with the minimum dimensions as outlined in the Regional policy, as an alternative turn around method where the above requirements cannot be met. Developments unable to meet these requirements will not be eligible for Regional collection service by way of entry on private property and will, therefore, be required to obtain private waste collection services.
 - b) That detailed drawings showing the path the waste collection vehicle will travel through the site to collect waste be submitted to the Regional Planning and Development Services Department (Development Services Division) for review and approval.
 - c) That the developer and/or subsequent owner agree to comply with the Region of Niagara's "Collection of Waste by Way of Entry on Private Property" Policy (C3.C17) and to enter into an Indemnity Agreement with the Region.
 - d) That if waste collection is not to be provided by the Region, the condominium agreement/development agreement contain a clause stating that waste collection will be the responsibility of the condominium corporation and the following warning shall be included in the condominium/development agreement and inserted in all offers and agreements of purchase and sale or lease for each dwelling unit to survive closing:

“Purchasers/Tenants are advised that due to the site layout, waste collection for the development will be provided by the condominium corporation through a private contractor and not the Region.”

24. That the following warning clause shall be included in the condominium agreement or subsequent site plan/development agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:

“Purchasers/Tenants are advised that due to the proximity of this development to a Regional Sewage Pumping Station facility located approximately 98 metres from the development property, the operation of this facility which at times may generate noise and odour may occasionally interfere with some activities of the dwelling occupants.”

25. That the Owner/Developer promptly acknowledge (within sixty days of draft plan approval) to the Regional Planning and Development Services Department (Development Services Division) that draft approval of this condominium does not include a commitment of servicing allocation by the Niagara Region as this servicing allocation will be assigned at the time of final approval of the condominium for registration purposes and any pre-servicing will be at the sole risk and responsibility of the owner/developer.
26. That immediately following (and within sixty days of) notice of draft plan approval, the Owner/Developer shall provide the Regional Planning and Development Services Department (Development Services Division) with a written undertaking stating that all offers and agreements of purchase and sale, which may be negotiated prior to and after registration of this condominium, shall contain a clause clearly indicating that a servicing allocation for this condominium will be assigned until the plan is granted final approval for registration and until capacity is upgraded at the Baker Road Wastewater Treatment Plant (anticipated by December 31, 2010) and, that the purchaser will proceed at their sole risk and responsibility as the issuance of building permits may cease without prior notice due to capacity limitations at the Region's treatment facility. A similar clause shall be inserted in the condominium agreement or subsequent site plan/development agreement between the Owner/Developer and the Township of West Lincoln.
27. That a Tree Saving Plan prepared and endorsed by a suitably qualified forester or arborist, which shall attempt to retain as many trees as possible and be prepared in accordance with the Regional Tree and Forest Conservation By-law 30-2008, be submitted to the Niagara Peninsula Conservation Authority for review and approval, with a copy provided to the Township of West Lincoln and the Niagara Region Public Works Department (Development Services Division) for information, and that the recommendations of the approved Tree Saving Plan be implemented through provisions in the condominium agreement or subsequent site plan/development agreement between the Owner and the Township of West Lincoln.
- 28. That the owner submits an archaeological assessment for the development prepared by a licensed archaeologist (excluding the former railway portion of the lands) to the**

Ministry of Tourism, Culture and Sport for review and approval with a copy provided to the Planning and Development Services Department (Development Services Division) and that adverse impacts to any significant archaeological resources found on the site be mitigated through preservation or resource removal and documentation. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

NIAGARA PENINSULA CONSERVATION AUTHORITY CONDITIONS:

29. That prior to approval of the final plan, the owner submit to the NPCA and the Township of West Lincoln a detailed stormwater management plan for the development completed by a qualified engineer and prepared in accordance with the MOEE Stormwater Management Practices, Planning and Design Manual, (as amended). This will include any Stormceptor sizing detail. That detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site, be submitted to the Conservation Authority for review and approval (Same as Condition 21 to be cleared by the Township).

30. That, the following conditions be included in the Condominium Agreement to the satisfaction of the NPCA:

“That detailed sedimentation and erosion control plans be prepared for this agency’s review and approval. All sediment and erosion control measures shall be maintained in good condition for the duration of the construction until all disturbed services have been stabilized. Muddy water shall not be allowed to leave the site.

Appropriate limit of disturbance fencing shall be installed to the satisfaction of the NPCA which details the amount of Significant Woodlot to be removed and ensure that all construction and site alteration takes place outside of the Significant Woodlot and the 30m buffers for the PSW and Critical Fish Habitat.

Upon completion of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in general conformity to the approved drawings. Copies of the certification shall be circulated to the NPCA.”

31. That the Condominium Agreement include the following wording to the satisfaction of the NPCA:

Grading along the berm side slopes shall be minimized to ensure limited disturbance to the existing woodland. Should grading propose removal of all vegetation along the berm slopes, a Planting Plan detailing the revegetation of these areas with trees shall be submitted to the NPCA for review and approval.

- 32. That the Owner/Developer confirm the exact location of the flood plain elevation (182.81 metres) and show this on a Grading Plan. Where a portion of any unit, driveway subject to more than 0.3 metres of flooding, parking area subject to more than 0.3 metres of flooding, building, or structure is proposed within the flood plain, the Owner/Developer shall obtain a Permit from the NPCA prior to fill removal and placement. Where placement is less than 25 cubic metres, no Permit is required.**
33. Mitigation measures provided in the LCA Environmental letter of May 21, 2009 and the Scoped Environmental Impact Report (February 2009) and the EIS Addendum (February 4, 2014) shall be incorporated into the plan.

MINISTRY OF ENVIRONMENT CONDITIONS:

34. That a Record of Site Condition (RSC) shall be filed on the Ministry of the Environment's Brownfields Environmental Site Registry in accordance with Ontario Regulation 153/04 under the *Environmental Protection Act* and that copies of the Phase 1 and Phase 2 Environmental Site Assessment (ESA) reports prepared by a qualified person in accordance with Ontario Regulations 153/04, site remediation and confirmatory sampling reports, if necessary, and the Ministry's written acknowledgement of the filing of the RSC be provided to the Niagara Region Public Works Department (Development Services Division) and the Township of West Lincoln.
35. That the Owner/Developer obtain the approval of the Ministry of the Environment (Toronto office) for the proposed storm sewer outlet to Twenty Mile Creek for this development north of Townline Road as well as for any stormwater management scheme.
36. That an evaluation of the presence of landfill-generated gases, particularly methane gas, from the adjacent Rock Street Closed Landfill Site and potential impact on the proposed development from gas migration be undertaken by a suitably qualified hydrogeological professional in accordance with Ministry of the Environment Guideline D-4, *Land Use On or Near Landfills and Dumps*, and that any necessary remedial measures be implemented through provisions in the condominium agreement or subsequent site plan/development agreement.

NIAGARA PENINSULA ENERGY INC. CONDITIONS:

37. That the developer enter into a service agreement with Niagara Peninsula Energy Inc. (NPEI) to service the development. All costs associated with the supply of electrical services within the boundaries of the mentioned site will be borne by the developer.
38. That should NPEI be required to alter the existing distribution system in order to supply the area in question, they will require advanced notice of the development status. Alterations to the existing distribution system may require a separate capital contribution from the developer.

UTILITY COMPANY CONDITIONS:

39. That the appropriate utility company confirm that satisfactory arrangements, financial and otherwise, have been made for telephone facilities serving this draft plan of subdivision which are required by the Municipality to be installed underground; information on the utility company involved and the required confirmation shall be forwarded to the Municipality.

CANADA POST CONDITIONS:

40. Canada Post approve location for community mail box.

LAPSING CONDITION:

41. That if final approval is not given to this plan within **THREE YEARS** of the approval date and no extensions have been granted draft approval shall lapse. If the Owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required together with a resolution from the Township, must be received by the Township prior to the lapsing date.

CLEARANCE OF CONDITIONS

Prior to granting approval of the final plan, the Township's Planning Department will require WRITTEN notification from the following agencies that their respective conditions have been met satisfactorily:

- **The TOWNSHIP OF WEST LINCOLN PLANNING DEPARTMENT** – Conditions 1 to 6 (inclusive), 9, 10, 13, 17, 19
- **The TOWNSHIP OF WEST LINCOLN PUBLIC WORKS DEPARTMENT** - Conditions 7, 8, 11, 12, 14, 15, 16, 18, 20, 21, 22
- **REGIONAL PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (DEVELOPMENT SERVICES DIVISION)** – Conditions 23 to 28
- **NIAGARA PENINSULA CONSERVATION AUTHORITY** – Conditions 29 to 33
- **MINISTRY OF ENVIRONMENT** – Conditions 34 to 36
- **NIAGARA PENINSULA ENERGY INC** – Conditions 37 to 38
- **BELL CANADA** – Condition 39
- **CANADA POST** – Condition 40

NOTES:

1. Conveying

- (a) As the land mentioned above to be conveyed to the municipal corporation may be more easily described in the conveyance by reference to a Registered Plan than by “metes and bounds”, we suggest that the description be so worded, and,
- (b) We further suggest that the Owner give to the municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

2. Land Required to be Registered Under the Land Titles Act

- (a) Section 160(1) of The Land Titles Act, which requires all new plans be registered in the land titles system;
- (b) Section 160(2) – allows certain exceptions.

3. Water and Sewerage Systems

Inauguration or extensions of a piped water supply, a sewerage system, a storm drainage system or a stormwater management system is subject to approval of the Ministry of Environment (Approvals Branch) pursuant to Section 52 and Section 53 of The Ontario Water Resources Act, R.S.O. 1990.

4. Agencies to be Contacted:

- (a) With respect to the requirements of the Township of West Lincoln Planning Department contact:

Mr. Brian Treble
Director of Planning and Building
318 Canborough Street
P.O. Box 400
Smithville, Ontario
L0R 2A0
Telephone – (905) 957-3346 ext. 5138
FAX – (905) 957-3219

- (b) With respect to the requirements of the Township’s Public Works Department contact:

Attachment No. 3

Mr. Brent Julian
Director of Public Works and Engineering
318 Canborough Street
P.O. Box 400
Smithville, Ontario
L0R 2A0
Telephone – (905) 957-3346 ext. 5142
FAX – (905) 957-3219

(c) With respect to the requirements of the Regional Planning and Development Services Department (Development Services Division) contact:

Mr. Eugene Chajka
Manager Review & Approvals
2201 St. David's Road, P. O. Box 1042
Thorold, Ontario
L2V 4T7
Telephone – (800) 263-7215
FAX – (905) 687-8056

(d) With respect to the requirements of the Regional of Niagara Planning Department contact:

Mr. Peter Colosimo
2201 St. David's Road, P. O. Box 1042
Thorold, Ontario
L2V 4T7
Telephone – (800) 263-7215
FAX – (905) 641-5208

(e) With respect to the requirements of the Niagara Peninsula Conservation Authority contact:

Ms. Suzanne McInnes, MCIP, RPP
250 Thorold Rd. W., 3rd Floor
Welland, Ontario
L3C 3W2
Telephone - (905) 788-3135 ext. 235
FAX - (905) 788-1121

(f) With respect to the requirements of Niagara Peninsula Energy Inc.:

Ms. Cathy Robins
Operation Manager
4548 Ontario Street, Unit 2
Beamsville, Ontario
L0R 1B5

Telephone 905-563-5550
Fax 905-563-0838

(g) With respect to the requirements of Canada Post:

Mr. David Kyle
Canada Post Corporation
Delivery Planning
955 Highbury Avenue North
London, ON N5Y 1A3

5. Review of Conditions

Applicants are advised that should any of the conditions appear unjustified or their resolution appears too onerous, they are invited to bring their concerns to the General Committee's attention. The Committee will consider requests to revise or delete conditions.

In order to assist the agencies listed above in clearing conditions for final approval and registration of the plan, it may be useful to forward executed copies of the Subdivision Agreement between the Owner and the Township to those agencies.

6. Hydro One Cautionary Note

An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors could raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating “**DANGER – Overhead Electrical Wires**” in all locations where personnel and construction vehicles might come in close proximity to the conductors.

CROSSINGS ON THE TWENTY
TOWNSHIP OF WEST LINCOLN
CONDITIONS OF FINAL APPROVAL

The conditions for final approval and registration of Crossings on the Twenty Condominium, in the name of West Niagara Enterprises Inc., File No. 2100-072-08, Township of West Lincoln are:

1. This decision applies to the West Niagara Enterprises Inc. Draft Plan of Condominium of Standard Condominium, Township of West Lincoln prepared by Ashenhurst Nouwens Limited, and as attached to Report PD-110-14 as Attachment 1, containing a total of 10 units and common element area.
2. That not more than two standard condominium corporations be created (one for the north development and one for the south development)

TOWNSHIP CONDITIONS:

3. That the Owner provide to the Township of West Lincoln a letter advising that all lots conform to the requirements of the Township's Zoning By-law.
4. That the northerly portion of this proposed development be zoned with a Holding Zone which is to remain in effect until the reconstruction of Regional Road 20 (St. Catharine Street) and site access issues have been resolved to the satisfaction of the Niagara Region Public Works Department and the Township of West Lincoln Planning Department. That the proposed development be zoned RM-3 with exception to the satisfaction of the Township of West Lincoln Planning Department.
5. **That the Owner submit an application for Site Plan for review and approval.**
6. That the Owner/Developer prepare a streetscape and landscape plan for this **condominium** in accordance with the requirements of the Township of West Lincoln. The streetscaping and landscaping details are to be shown on the general servicing plan.
7. That the Owner dedicate 5% cash-in-lieu of parkland to the Township of West Lincoln, or alternately that adequate parkland be provided to the satisfaction of the Township.
8. That a 1.5 metre landscaping strip be provided along the length of the internal roadway on the north and south development such strip and be forever maintained by the Condominium Corporation.

9. That the Owner/Developer provide solid fencing along the east lot line the length of the proposed internal road on the north and south side of the development. That fencing be provided along the westerly lot line of Units 1-10.
10. That the proposed streets be constructed to the satisfaction of the Township of West Lincoln.
11. That the street naming fee be provided and the proposed streets be named to the satisfaction of the Township of West Lincoln.
12. That the Owner/Developer submit all servicing, lot grading, drainage, roadway plans and supporting design calculations to the Township of West Lincoln and any other relevant agency for review and approval.
13. That all municipal services required by the Township of West Lincoln be provided by the Owner/Developer in a manner satisfactory to the Township.
14. That the Condominium Agreement between the Owner and the Township of West Lincoln be registered by the municipality against the land to which it applies.
15. That the Owner/Developer agrees in writing to satisfy all the requirements, financial and otherwise, of the Township of West Lincoln concerning, and without limiting the generality of the foregoing, the provision of roads, installation of services, drainage and hydro services, as may be determined by the pre-servicing report to be submitted by the Owner to the Township of West Lincoln for approval.
16. That the Owner agrees in the Condominium Agreement to pay all development charges to the Township of West Lincoln in accordance with the Township's Development Charges By-law.
17. That the Owner undertake appropriate studies and implement the identified measures to mitigate noise, dust and vibration so as to protect the adjacent dwelling at 200 St. Catharine Street, to the satisfaction of the Township, which may include the cost of a peer review.
18. **That a sidewalk be provided along one side of the internal street.**

REGION OF NIAGARA CONDITIONS:

19. That, if curb-side waste collection is to be provided by the Region the draft plan shall conform to Regional Niagara Policy "Collection of Waste by Way of Entry on Private Property" to the satisfaction of the Regional Public Works Department. That the condominium/development agreement between the Township of West Lincoln and the developer include the following clauses:
 - a) To be eligible for the provision of collection service by way of entry on private properties, the private roadways must be designed to meet the requirements of the Regional Niagara Policy "Collection of Waste by Way of Entry on Private Property" (i.e. providing

through passage, minimum roadway width, throat width/curb radius, etc.) so that collection vehicles can access collection locations without the need to reverse. A cul-de-sac designed in accordance with the Region's specifications will be required for developments that do not permit through passage. The Region will consider the use of a "T" turnaround area(s), designed in accordance with the minimum dimensions as outlined in the Regional policy, as an alternative turn around method where the above requirements cannot be met. Developments unable to meet these requirements will not be eligible for Regional collection service by way of entry on private property and will, therefore, be required to obtain private waste collection services.

- b) That detailed drawings showing the path the waste collection vehicle will travel through the site to collect waste be submitted to the Regional Public Works Department for review and approval.
- c) That the developer and/or subsequent owner agree to comply with the Region of Niagara's "Collection of Waste by Way of Entry on Private Property" Policy (C3.C17) and to enter into an Indemnity Agreement with the Region.
- d) That if waste collection is not to be provided by the Region, the condominium agreement/development agreement contain a clause stating that waste collection will be the responsibility of the condominium corporation and the following warning shall be included in the condominium/development agreement and inserted in all offers and agreements of purchase and sale or lease for each dwelling unit to survive closing:

"Purchasers/Tenants are advised that due to the site layout, waste collection for the development will be provided by the condominium corporation through a private contractor and not the Region."

- 20. That the following warning clause shall be included in the condominium agreement or subsequent site plan/development agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:

"Purchasers/Tenants are advised that due to the proximity of this development to a Regional Sewage Pumping Station facility located approximately 98 metres from the development property, the operation of this facility which at times may generate noise and odour may occasionally interfere with some activities of the dwelling occupants."

- 21. That any required road allowances are dedicated to the Region of Niagara as Public Highways.
- 22. That the condominium agreement or subsequent site plan/development agreement between the Owner/Developer and the Township of West Lincoln contain a clause in wording satisfactory to the Regional Public Works Department (Development Services Division) requiring the Owner to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of development.
- 23. That the Owner/Developer submit to the satisfaction of the Niagara Region Public Works Department (Development Services Division) detailed information as to how the existing

concrete retaining wall for the embankment adjacent to Regional Road 20 will be removed while still providing stabilization to the remaining embankment, the length of wall to be removed and how the integrity of the remaining wall will be structurally secured, and sight line lengths for both pedestrians on the adjoining walkway and vehicles accessing the Regional roadway from this development.

24. That the Owner/Developer obtain Regional Entrance and Regional Construction Encroachment Permits prior to any construction taking place within the Regional road allowance. Applications must be made through the Transportation Services Division's Permit Section of the Niagara Region Public Works Department. Access to Regional Road 20 (St. Catharine Street) must align with the proposed street access for the Olde Town Gateway Estates subdivision (Township File No.: 2T-05001) to the north to the satisfaction of the Niagara Region Public Works Department (Development Services Division).
25. That prior to final approval for registration, the Regional road improvements required to be undertaken through a cost-sharing agreement as a condition of draft plan approval for the Olde Town Gateway Estates subdivision (Township File No.: 2T-05001) on the north side of Regional Road 20 (St. Catharine Street), consisting of the reconstruction of Regional Road 20 and the municipal services therein, be completed to the satisfaction of the Niagara Region Public Works Department (Development Services Division) and that, if required, the Owner/Developer enter into an agreement with the Region for the cost-sharing of the necessary roadway improvements.
26. That the Owner/Developer promptly acknowledge (within sixty days of draft plan approval) to the Niagara Region Public Works Department (Development Services Division) that draft approval of this condominium does not include a commitment of servicing allocation by the Niagara Region as this servicing allocation will be assigned at the time of final approval of the condominium for registration purposes and any pre-servicing will be at the sole risk and responsibility of the owner/developer.
27. That immediately following (and within sixty days of) notice of draft plan approval, the Owner/Developer shall provide the Niagara Region Public Works Department (Development Services Division) with a written undertaking stating that all offers and agreements of purchase and sale, which may be negotiated prior to and after registration of this condominium, shall contain a clause clearly indicating that a servicing allocation for this condominium will be assigned until the plan is granted final approval for registration and until capacity is upgraded at the Baker Road Wastewater Treatment Plant (anticipated by December 31, 2010) and, that the purchaser will proceed at their sole risk and responsibility as the issuance of building permits may cease without prior notice due to capacity limitations at the Region's treatment facility. A similar clause shall be inserted in the condominium agreement or subsequent site plan/development agreement between the Owner/Developer and the Township of West Lincoln.

MINISTRY OF ENVIRONMENT CONDITIONS:

28. That the Owner/Developer obtain the approval of the Ministry of the Environment (Toronto office) for the proposed storm sewer outlet to Twenty Mile Creek for the storm sewer outlet for this development south of Regional Road 20 (St. Catharine Street) as well as for any stormwater management scheme.
29. That a Record of Site Condition (RSC) shall be filed on the Ministry of the Environment's Brownfields Environmental Site Registry in accordance with Ontario Regulation 153/04 under the *Environmental Protection Act* and that copies of the Phase 1 and Phase 2 Environmental Site Assessment (ESA) reports prepared by a qualified person in accordance with Ontario Regulations 153/04, site remediation and confirmatory sampling reports, if necessary, and the Ministry's written acknowledgement of the filing of the RSC be provided to the Niagara Region Public Works Department (Development Services Division) and the Township of West Lincoln.

NIAGARA PENINSULA CONSERVATION AUTHORITY CONDITIONS:

30. Mitigation measures provided in the LCA Environmental letter of May 21, 2009 and the Scoped Environmental Impact Report (February 2009) shall be incorporated into the plan.
31. That a Tree Saving Plan prepared and endorsed by a suitably qualified forester or arborist, which shall attempt to retain as many trees as possible and be prepared in accordance with the Regional Tree and Forest Conservation By-law 47-2006, be submitted to the Niagara Peninsula Conservation Authority for review and approval, with a copy provided to the Township of West Lincoln and the Niagara Region Public Works Department (Development Services Division) for information, and that the recommendations of the approved Tree Saving Plan be implemented through provisions in the condominium agreement or subsequent site plan/development agreement between the Owner and the Township of West Lincoln.
32. That a Tree Saving Plan prepared and endorsed by a suitably qualified forester or arborist, which shall attempt to retain as many trees as possible and be prepared in accordance with the Regional Tree and Forest Conservation By-law 47-2006, be submitted to the Niagara Peninsula Conservation Authority for review and approval, with a copy provided to the Township of West Lincoln and the Niagara Region Public Works Department (Development Services Division) for information, and that the recommendations of the approved Tree Saving Plan be implemented through provisions in the condominium agreement or subsequent site plan/development agreement between the Owner and the Township of West Lincoln.
33. That, the following conditions be included in the Condominium Agreement to the satisfaction of the NPCA:

"That detailed sedimentation and erosion control plans be prepared for this agency's review and approval. All sediment and erosion control measures shall be maintained in good condition for the duration of the construction until all disturbed services have been stabilized. Muddy water shall not be allowed to leave the site.

Appropriate limit of disturbance fencing shall be installed to the satisfaction of the NPCA which details the amount of Significant Woodlot to be removed and ensure that all construction and site alteration takes place outside of the Significant Woodlot and the 30m buffers for the PSW and Critical Fish Habitat.

Upon completion of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in general conformity to the approved drawings. Copies of the certification shall be circulated to the NPCA.”

NIAGARA PENINSULA ENERGY INC. CONDITIONS:

34. That the developer enter into a service agreement with Niagara Peninsula Energy Inc. (NPEI) to service the development. All costs associated with the supply of electrical services within the boundaries of the mentioned site will be borne by the developer.
35. That should NPEI be required to alter the existing distribution system in order to supply the area in question, they will require advanced notice of the development status. Alterations to the existing distribution system may require a separate capital contribution from the developer.

CANADA POST CONDITION:

36. That **Canada Post** approve the location of the community mailbox.

UTILITY COMPANY CONDITION:

37. That the appropriate utility company confirm that satisfactory arrangements, financial and otherwise, have been made for telephone facilities serving this draft plan of subdivision which are required by the Municipality to be installed underground; information on the utility company involved and the required confirmation shall be forwarded to the Municipality.

GENERAL CONDITION:

38. That if final approval is not given to this plan within **TWO YEARS** of the approval date and no extensions have been granted draft approval shall lapse. If the Owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required together with a resolution from the Township, must be received by the Township prior to the lapsing date.

CLEARANCE OF CONDITIONS

Prior to granting approval of the final plan, the Township's Planning Department will require WRITTEN notification from the following agencies that their respective conditions have been met satisfactorily:

- **The TOWNSHIP OF WEST LINCOLN PLANNING DEPARTMENT** – Conditions 1 to 5 (inclusive), 7 to 9 (inclusive), 11, 14 to 17 (inclusive), 38
- **The TOWNSHIP OF WEST LINCOLN PUBLIC WORKS DEPARTMENT** - Conditions 6, 8 to 10 (inclusive), 12, 13, 18

- **The REGIONAL NIAGARA PUBLIC WORKS DEPARTMENT (DEVELOPMENT SERVICES DIVISION)** – Conditions 19 to 27 (inclusive)
- **NIAGARA PENINSULA CONSERVATION AUTHORITY** – Conditions 30 to 33 (inclusive)
- **NIAGARA PENINSULA ENERGY INC** – Conditions 34, 35
- **MINISTRY OF ENVIRONMENT** – Conditions 28, 29
- **CANADA POST** – Condition 36
- **UTILITY COMPANY** – Condition 37

NOTES:

1. Conveying

- (a) As the land mentioned above to be conveyed to the municipal corporation may be more easily described in the conveyance by reference to a Registered Plan than by “metes and bounds”, we suggest that the description be so worded, and,
- (b) We further suggest that the Owner give to the municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

2. Land Required to be Registered Under the Land Titles Act

- (a) Section 160(1) of The Land Titles Act, which requires all new plans be registered in the land titles system;
- (b) Section 160(2) – allows certain exceptions.

3. Water and Sewerage Systems

Inauguration or extensions of a piped water supply, a sewerage system, a storm drainage system or a stormwater management system is subject to approval of the Ministry of Environment

(Approvals Branch) pursuant to Section 52 and Section 53 of The Ontario Water Resources Act, R.S.O. 1990.

4. Agencies to be Contacted:

(a) With respect to the requirements of the Township of West Lincoln Planning Department contact:

Mr. Brian Treble
Director of Planning and Building
318 Canborough Street
P.O. Box 400
Smithville, Ontario
L0R 2A0
Telephone – (905) 957-3346
FAX – (905) 957-3219

(b) With respect to the requirements of the Township's Public Works Department contact:

Mr. Brent Julian
Director of Public Works and Engineering
6218 London Road
P.O. Box 189
Smithville, Ontario
L0R 2A0
Telephone – (905) 957-3346
FAX – (905) 957-3219

(c) With respect to the requirements of the Region of Niagara Public Works Department contact:

Mr. Eugene Chajka
Manager Review & Approvals
2201 St. David's Road, P. O. Box 1042
Thorold, Ontario
L2V 4T7
Telephone – (800) 263-7215
FAX – (905) 687-8056

(d) With respect to the requirements of the Regional of Niagara Planning Department contact:

Ms. Marilyn Radman, MCIP, RPP
2201 St. David's Road, P. O. Box 1042
Thorold, Ontario

L2V 4T7
Telephone – (800) 263-7215
FAX – (905) 641-5208

(e) With respect to the requirements of the Niagara Peninsula Conservation Authority contact:

Ms. Suzanne McInnes, MCIP, RPP
250 Thorold Rd. W., 3rd Floor
Welland, Ontario
L3C 3W2
Telephone - (905) 788-3135 ext. 235
FAX - (905) 788-1121

(f) With respect to the requirements of Niagara Peninsula Energy Inc.:

Ms. Cathy Robins
Operation Manager
4548 Ontario Street, Unit 2
Beamsville, Ontario
L0R 1B5
Telephone 905-563-5550
Fax 905-563-0838

5. Review of Conditions

Applicants are advised that should any of the conditions appear unjustified or their resolution appears too onerous, they are invited to bring their concerns to the General Committee's attention. The Committee will consider requests to revise or delete conditions.

In order to assist the agencies listed above in clearing conditions for final approval and registration of the plan, it may be useful to forward executed copies of the Subdivision Agreement between the Owner and the Township to those agencies.

6. Hydro One Cautionary Note

An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors could raise and lower without warning, depending on the electrical

demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating **“DANGER – Overhead Electrical Wires”** in all locations where personnel and construction vehicles might come in close proximity to the conductors.

DATE: June 29th, 2020

REPORT NO: PD-067-20

SUBJECT: Recommendation Report
Peer Reviews on Draft Subdivision Plans within the Northwest Quadrant

CONTACT: Gerrit Boerema, Planner II
Brian Treble, Director of Planning and Building

OVERVIEW:

- In June of 2017 Township Council adjusted the Northwest Quadrant Secondary Plan providing a framework in which the lands on the most north-west corner of Town could be developed.
- There are three main property owners in the Secondary Plan area, with a number of smaller holdings and non-developer owned land.
- To date, Draft Plan of Subdivision Approval has only been granted to one property, north of the CP Rail tracks and west of South Grimsby Road 5, known as Dunloe Developments Inc.
- One other application, north of CP Rail and east of South Grimsby Road 5, has been submitted; however, it has not yet been deemed complete as the Transportation Impact Study was not provided. As such no public meeting has been scheduled.
- A third application is expected to arrive and the draft concept plans have been shared with Planning Staff.
- Both of these plans differ from the approved secondary plan and as such, Township staff will recommend that a third party planning firm peer review them as they become complete applications to provide an additional planning opinion on the proposed plan of subdivisions alignment with the Secondary Plan.

RECOMMENDATION

1. That, report PD-067-20, regarding "Recommendation ReportPeer Reviews on Draft Subdivision Plans within the Northwest Quadrant", dated June 29th, 2020 be received; and,
2. That, Staff be authorized to hire a third party planning firm at the expense of the developer to complete peer review of draft plans of subdivisions within the Northwest

Quadrant Secondary Plan area, and that the cost of the peer reviews be billed back to the applicants.

ALIGNMENT TO STRATEGIC PLAN

- **Theme**
 - **Strategic Responsible Growth**

BACKGROUND

In June of 2017, Township Council approved the Northwest Quadrant Secondary Plan which covers the undeveloped lands in the Northwest corner of Smithville that were added to the Township Urban Boundary as part of the SWAP process in 2015.

The Secondary Plan provides a framework for the orderly development of these lands in keeping with the character of West Lincoln and ensuring that all properties develop in an orderly and consistent manner.

In January of 2020 draft plan of subdivision approval was given by Township Council for the 14 acre parcel north of the CP Rail tracks and west of South Grimsby Road 5, owned by Dunloe Developments Inc. After a lengthy review process, Township Planning Staff recommended that the proposed draft plan as submitted by Dunloe would benefit from a third party planning peer review as staff felt the plan did not align closely enough with the approved secondary plan and wanted a second opinion. The peer review was completed by GSP Group at the developer's expense.

CURRENT SITUATION

There are two other main land owners in the Northwest quadrant which plan on developing the land into subdivisions in the near future. One application for draft plan approval, north of CP Rail and east of South Grimsby Road 5 was submitted late last year for review, however, the Transportation Impact Study was not submitted therefore the application is still not deemed to be complete and a public meeting has not yet been scheduled.

The second large landowner west of South Grimsby Road 5 and south of the CP Rail tracks is also preparing for a draft plan of subdivision application which is expected early this summer. Township Planning staff have had three opportunities to review some preliminary concept plans including at a pre-consultation meeting.

There are components of both plans which seem attractive to the community and will be a great addition to the Townships residential inventory, however, there are also many components of both concept plans which were not contemplated in the Secondary Plan.

This includes:

- The relocation of Spring Creek Road Allowance;

- Back-lotting onto Spring Creek Road (backyards adjacent to a street);
- entrances onto South Grimsby Road 5 and Spring Creek Road;
- Removal of high density housing;
- Removal or relocating various land use designations;
- Temporary Street access; and,
- Stormwater Management Facilities.

Staff have not yet received complete applications from the two remaining large property owners/developers, but want to be prepared for when they are received. This would not be a necessary step if the applications were better aligned with the approved Secondary Plan. Staff feel that obtaining a secondary opinion from another planning firm, similar to what was done with Dunloe Draft Plan of Subdivision, is necessary if proposed plans continue to vary from the approved secondary plan, as staff anticipate.

FINANCIAL IMPLICATIONS

There are no financial implications to the Township. The third party planning firm peer review cost will be billed back to the applicants. This was done for Dunloe Developments Inc. and will occur for any future development submissions in the Northwest Quadrant if they do not appear to align with the secondary Plan. The applicants were made aware of this possibility at their respective pre-consultation meetings.

INTER-DEPARTMENTAL COMMENTS

There are no inter-departmental comments at this time. Circulation of these two draft plan applications will occur once they are deemed to be complete applications.

CONCLUSION

Two complete planning applications for draft plan of subdivision approval are imminent for two large properties within the Northwest Quadrant Secondary Plan area. Planning staff have seen partial applications and concepts prepared by the developers and their consultants and have concerns that these plans may not align with the Secondary Plan.

As such planning staff recommend that once complete applications are submitted, and if deemed by staff to be not aligned with the Secondary Plan, staff be authorised to send out the applications for a third party planning peer review and that the cost be billed back to the applicants.

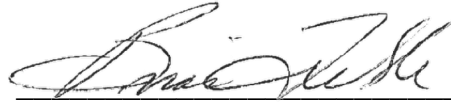
ATTACHMENTS

1. Northwest Quadrant Secondary Plan Community Map

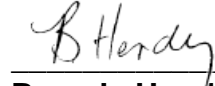
Prepared by:



**Gerrit Boerema,
Planner II**



**Brian Treble, RPP, MCIP
Director of Planning and Building**



**Beverly Hendry
CAO**

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DATE: June 29th, 2020

REPORT NO: PD-073-20

SUBJECT: Recommendation Report
Naming of Regional Road 24 as Victoria Avenue

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- Township staff were informed in early April of 2020 that Regional Survey and Mapping Staff had come across 29 property addresses in their system where the street name is Vineland Townline Road and not Victoria Avenue.
- Staff have not been able to locate a by-law or confirm one was passed that names Regional Road 24 any name. Apparently, at some point in the past, Pelham has named the street Victoria Avenue and corrected some addresses in the system accordingly.
- On May 25th, 2020, report PD-063-20, was presented to Council and staff was then authorized to notify all property owners fronting Regional Road 24 that the Township of West Lincoln Council proposes to pass a by-law to name the street Victoria Avenue.
- The letter advising property owners of this proposed by-law was sent on May 27th, 2020.
- To date, two residents have spoken with planning staff stating their agreement with the removal of “Vineland Townline Road” and their approval of Regional Road 24 being municipally named Victoria Avenue.
- Staff recommend that a street naming by-law be passed to officially name Regional Road 24 as “Victoria Avenue”.

RECOMMENDATION

1. That, Report PD-073-20, regarding “Recommendation Report, Naming of Regional Road 24 as Victoria Avenue”, dated June 29, 2020, be RECEIVED; and,
2. That, a By-law be passed to name Regional Road 24 as identified in Schedule A “Victoria Avenue”; and,
3. That, staff notify all residents and agencies affected by this by-law. Further, that should costs be incurred by the public as a result of this change, that such costs (with receipts to a maximum of \$100.00) may be submitted to the Township (within 6 months of the passing of by-law) and will be charged to the 911 PERS capital account.

ALIGNMENT TO STRATEGIC PLAN

Theme

- **Efficient, Fiscally Responsible Operations**
- **Community Health and Safety**

BACKGROUND

Staff have written numerous reports to Township Committee and Council to resolve street naming issues in the Township of West Lincoln. Ultimately, the goal is to be compliant with 911 PERS protocol which will help eliminate confusion for emergency response personnel and ensure a fast response time.

Regional Staff contacted Township Planning Staff on April 8, 2020, about the official name of Regional Road 24 in West Lincoln. The issue was raised by members of the Regional Survey and Mapping Department that most addresses in their system refer to Regional Road 24 as Victoria Avenue, yet 29 addresses on the West Lincoln side of the road are labelled as Vineland Townline Road in their system. Regional mapping staff are looking to resolve this issue and thought that a by-law might have been passed at some point in the past. Township staff have checked the Township records and by-laws and are not able to find any by-laws that assign either Vineland Townline Road or Victoria Avenue to this road.

Staff have investigated sign blades and have found that all intersecting streets with Regional Road 24 identify the street as Victoria Avenue.

Planning staff presented report PD-063-20 to Council on May 25th, 2020 and were authorized to prepare and mail a letter advising all residents of the proposed By-law. This letter was mailed on May 27th, 2020.

CURRENT SITUATION

Residents of the section of this street located in West Lincoln were pleased to hear that “Vineland Townline Road” would be removed and the street would be officially named “Victoria Avenue”. However, it was made clear that the residents would still like to also be known as Regional Road 24. Since this stretch of road is still a regional road and has not been downloaded to the Township, this will not be an issue for the residents.

FINANCIAL IMPLICATIONS

A capital budget was created for the 911 PERS project several years ago. Any costs from the public meeting and street naming process will be charged to the corresponding account. This account is also available to assist with impacts on the public, if any, up to a maximum of \$100 per property.

INTER-DEPARTMENTAL COMMENTS

Regional GIS staff, along with Township Building, Planning and Clerks staff, have all been included in discussions regarding this street naming by-law.

There have been two verbal public comments made to planning staff.

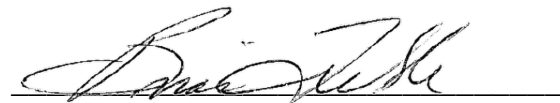
CONCLUSION

Staff recommend passing a street naming By-law to name this street, "Victoria Avenue". Upon adoption by Council, staff will notify the residents and agencies affected by the street naming By-law.

ATTACHMENTS

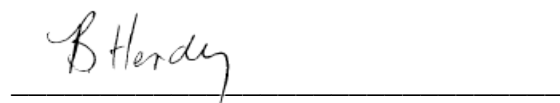
1. Draft Street Naming By-law

Prepared by:



Brian Treble, RPP, MCIP
Director of Planning and Building

Approved By:



Beverly Hendry
CAO

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THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-XX

**A BY-LAW TO NAME A PUBLIC HIGHWAY IN THE TOWNSHIP
OF WEST LINCOLN IN THE REGIONAL MUNICIPALITY OF
NIAGARA BEING REGIONAL ROAD 24 AS VICTORIA AVENUE**

WHEREAS Section 11 (2) of the Municipal Act, 2001, provides for spheres of jurisdiction and under Table (1) it states that a lower tier municipality and an upper tier municipality may pass by-laws respecting highways, including parking and traffic on highways; and,

WHEREAS the Municipal Act, 2001, provides that a local municipality may name or change the name of a public road, and;

WHEREAS such notice was provided to inform the public that Council would hear any person(s) who wished to given written correspondence regarding this matter, and;

WHEREAS 2 verbal public comments were received by planning staff,

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
WEST LINCOLN HEREBY enacts as follows:**

1. That, Council hereby confirms that Regional Road 24, shall be named “Victoria Avenue”; as illustrated on Schedule A attached hereto.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 29th
DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK





Location Map
Victoria Ave

0 487.5 975 1,950 Meters

Document Path: X:\wl-GIS\2. Location-Report Mapping\Victoria Ave\Victoria Ave.mxd



Legend

-  Victoria Ave
-  AssessmentParcels

May 2020

DATE: June 29th, 2020

REPORT NO: PD-71-20

SUBJECT: Recommendation Report
Changes to Planning Fees Effective July 1st 2020

CONTACT: Gerrit Boerema, Planner II
Brian Treble, Director of Planning and Building

OVERVIEW:

- In 2019, Township Council approved changes to the Planning Fees Bylaw (2011-28) to increase the fees based on inflation.
- The Planning Fee Bylaw includes fees associated with various planning applications and processes with the exception of the committee adjustment fees.
- In January of 2020 an additional fee was added to the bylaw for scheduling a pre-consultation meeting.
- Planning Staff have subsequently noticed that one of the fees does not adequately reflect the level of staff time to process a portion of a planning application.
- Fee number 20: Subdivision, Condominium or Development Agreement currently has a \$7,356.00 fee. While subdivision, site plan and Development agreements can be quite extensive, Condominium Agreements are simple and do not require as much staff time. Further, the amount of work for a subdivision can vary depending on size and complexity. As such planning staff are proposing to separate this fee into two fees, one for Subdivisions and Condominium Agreements over 10 units, which will remain at \$7,356, and one for Subdivisions and Condominium Agreements with 10 units or less which is proposed to be reduced to \$2,000. The development agreement fee is proposed to be included with the Site Plan Fee which is \$4,903.
- There are a number of active condominium applications that this will impact.

RECOMMENDATION

1. That, Report No. PD-71-20, dated June 29, 2020, relating to Change to Planning Fees Effective July 1st, 2020, BE RECEIVED; and,
2. That, By-law 2011-28 (Tariff of Fees for Planning Matters) as amended, be amended by

replacing Appendix “A” (Schedule of Fees) with a new Appendix “A” as attached to this report; and,

3. That the new planning fees take effect on July 1, 2020.

ALIGNMENT TO STRATEGIC PLAN

- **Theme**
 - **Strategic Responsible Growth**
 - **Efficient, Fiscally Responsible Operations**

BACKGROUND

In September of 2019 Township Council approved an amendment to the Planning Fee bylaw to account for inflation as well as to add some additional fees. In January of 2020 the bylaw was again amended to add an additional fee for scheduling pre-consultation meetings. There are currently 32 planning fees listed in the bylaw for various planning applications and processes.

The Planning Fee bylaw includes a fee for Subdivision, Condominium and Development Agreements at a rate of \$7,356 per application. Although this fee is appropriate for larger subdivision applications as it takes a considerable amount of time to prepare the agreements, it is high for smaller subdivisions, condominiums and development agreements.

Staff are proposing that the fee be changed to reflect the number of units within a proposed subdivision or condominium, and that the development agreement be combined with the site plan agreement fee, as they are very similar in staff time requirements.

CURRENT SITUATION

The current fee bylaw has the Subdivision, Condominium and Development agreement fee set at \$7,356 per application. This fee is appropriate for larger subdivisions as these agreements require a lot of staff time to prepare, review and process. Condominium agreements on the other hand are fairly straight forward as the agreement simply transfers the obligations of the site plan agreement onto the condominium. As such planning staff are proposing to split the fee based on the number of proposed units per development and based on development type. Subdivision developments with 10 lots/units or less will have a Subdivision Agreement fee of \$3,500 while Subdivisions with greater than 10 lots or units would pay the full \$7,356.

Condominiums with 10 lots/units or less will have a \$1,750 fee, while Condominiums with more than 10 lots/units will have a \$3,500 fee.

Currently a condominium development of less than 10 units would pay the same fees for a subdivision of any size. This results in infill and redevelopment projects having higher fees on a per unit basis than large subdivisions. The proposed change will help address that issue while recognizing that smaller developments don't usually take as

much staff time and resources as larger developments.

Development agreements are similar to site plan agreements and as such staff are proposing that they be combined at the fee of \$4,903 for a new agreement and \$1,402 for revisions to existing agreements and/or development agreement as a condition of consents.

There are a number of ongoing condominium applications that this will impact including Rosemont's Block 47 development which has 63 units under construction, the Fred and Joyce Bosscher Condominium which has four new residential units, and the DeHaan Homes Crossings on the Twenty Condominium, which has 24 residential units.

FINANCIAL IMPLICATIONS

The proposed changes to the Planning Fees bylaw are to better align the fees to the time it takes staff to process the applications. The proposed changes to the fee bylaw will result in some smaller fees to upcoming applications but will not have a large impact on the overall Planning Department operating budget.

INTER-DEPARTMENTAL COMMENTS

This report was reviewed by the Township Finance Department.

CONCLUSION

Township Planning Staff have discovered that one of the fees within the Planning Fees bylaw, Appendix 'A' does not reflect the level of staff time and effort required to process the application. As such, Planning Staff are proposing to split up the Subdivision, Condominium and Development Agreement fee to better align the fee amount to staff time and resources. If approved, this will result in a reduced fee for some developments, mainly on smaller condominiums which currently pay the same fees as larger subdivision developments.

ATTACHMENTS

1. Draft Changes to Planning Fees Bylaw
2. Draft Appendix 'A' to Planning Fee Bylaw

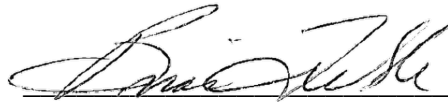
Prepared by:



Gerrit Boerema,
Planner II



Beverly Hendry
CAO



Brian Treble, RPP, MCIP
Director of Planning and Building

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THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**BY-LAW NO. 2020-XX**

BEING A BY-LAW TO AMEND BY-LAW 2011-28 WHICH PRESCRIBES A TARIFF OF FEES FOR THE PROCESSING OF APPLICATIONS MADE WITH RESPECT TO PLANNING MATTERS, AS AMENDED.

WHEREAS In accordance with the provisions of Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13, the Council of the municipality may by By-Law prescribe a tariff of fees for the processing of applications made in respect of planning matters.

AND WHEREAS The Council of the Township of West Lincoln passed by By-Law No. 2011-28 on April 26, 2011, to prescribe a tariff of fees for the processing of applications made with respect to planning matters;

AND WHEREAS The Council of the Township of West Lincoln has amended Appendix "A" through By-law 2017-101, 2019-89 and 2020-09;

AND WHEREAS The Council of the Corporation of the Township of West Lincoln deems it necessary and expedient to further amend Appendix A "Schedule of Fees"; in order to incorporate a new pre-consultation meeting application fee;

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

1. That, By-law 2011-28, as amended, be further amended by deleting Schedule "A" and inserting the attached new Schedule "A" in lieu thereof.
2. That this new By-law takes effect on July 1st, 2020.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 29th
DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

**APPENDIX “A”
SCHEDULE OF FEES
TOWNSHIP OF WEST LINCOLN**

(Schedule A to By-law 2011-28 – as amended by By-law 2017-101; 2019-89; 2020-09 and 2020-XX)
The fees for processing planning applications are outlined below for the fees effective
July 1, 2020

Note: Application fees do not apply to applications initiated by the Region of Niagara within the limits of the Township of West Lincoln.

Section	Fees Effective February 1, 2020	Fees Effective July 1, 2020
1. Official Plan Amendment	\$ 8,724	\$8,724
2. Combined Official Plan Amendment/Zoning By-law Amendment	\$ 11,667	\$11,667
3. Zoning By-law Amendment	\$ 6,795	\$6,795
4. Zoning By-law Amendment (Condition of Consent)	\$ 3,400	\$3,400
5. Removal of (H) Holding Symbol	\$ 1,419	\$1,419
6. Temporary Use By-law	\$ 2,402	\$2,402
7. Extension to Temporary Use By-law	\$ 1,612	\$1,612
8. Temporary Use Agreement	\$ 1,612	\$1,612
9. Site Plan Approval and Development Agreement (Initial or Amendment where a new Agreement is Required)	\$ 4,903	\$4,903
10. Site Plan Approval or Development Agreement Amendment where no Agreement is required	\$ 2,402	\$2,402
11. Discharge of a Site Plan Agreement	\$ 1,420	\$1,420
12. Consultation Process for Telecommunication Facilities	\$ 1,835	\$1,835
13. Plan of Subdivision Approval	\$ 7,980	\$7,980
14. Red Line Revisions to a Draft Approved Plan of Subdivision/Condo or Site Plan	\$ 2,402	\$2,402
15. Plan of Condominium	\$ 7,980	\$7,980
16. Condominium Conversion	\$ 7,627	\$7,637
17. Condominium Amalgamation	\$ 1,420	\$1,420
18. Exemption of Draft Plan of Condominium Approval	\$ 1,612	\$1,612
19. Extension to Draft Plan Approval of a Draft Plan of Subdivision or Condominium	\$ 1,612	\$1,612
20. Subdivision Agreement (more than 10 lots/units)	\$ 7,356	\$7,356
21. Subdivision Agreement/Declaration (10 units/lots or less)	\$ 7,356	\$3,500
22. Condominium Agreement/Declaration (more than 10 units/lots)	\$ 7,356	\$3,500
23. Condominium Agreement/Declaration (10 units/lots or less)	\$ 7,356	\$1,750
24. Development Agreement as a Condition of Consent	\$ 3,676	\$1,600
25. Final Approval of a Plan of Subdivision or Condominium	\$ 1,612	\$1,612
26. Street Naming for New Subdivisions	\$ 1,420	\$1,420
27. Amendment to Subdivision, Development or Condominium Agreement	\$ 6,795	\$6,795
28. Request for Removal of Part Lot Control (per lot/block)	\$ 1,420	\$1,420
29. Approval of Road Opening/Upgrade (to allow access to build)	\$ 1,612	\$1,612
30. Adjournment or Rescheduling Fee for any Planning Application requested for any Planning Application	\$ 275	\$ 275
31. Deeming By-law	\$ 925	\$ 925
32. Zoning Compliance/Green Energy Zoning Compliance	\$ 182	\$ 182
33. Pre-consultation Meeting*	-	\$ 250
34. Written Property Reports	\$ 182	\$ 182
35. Site Plan/Subdivision/Condominium Development Servicing (Engineering Review and Administration Fee)		

In addition to the application fees as outlined in Appendix A, Engineering Review and Administration fees are payable on an invoice basis prior to final approval. The Engineering Review and Administration fee shall cover the costs incurred following the signing of the agreement and are calculated as a percentage based upon one hundred percent (100%) of the Township's estimated total costs of construction of all services (internal and external) as shown in the development agreement's Financial Schedule and charged as follows:

- (a) Total cost of services less than \$ 1,000.00: no charge;
- (b) Total cost of services less than \$ 5,000.00: \$ 250.00 total charge;
- (c) Total cost of services less than \$ 20,000.00: \$1,500.00 total charge;
- (d) Total cost of services less than \$ 30,000.00: \$2,000.00 total charge;
- (e) Total cost of services less than \$ 60,000.00: \$3,000.00 total charge;
- (f) Total cost of services less than \$ 75,000.00: \$4,000.00 total charge;
- (g) Total cost of services less than \$100,000.00: \$5,000.00 total charge;
- (h) For total costs of services over \$100,000.00, the total fee cost shall be:
 - i. \$5,000.00 for the cost of services up to \$100,000, plus
 - ii. Four percent (4%) of the total costs of any services in excess of \$100,000.00 up to \$500,000.00; plus
 - iii. Three-percent (3%) of the total cost of any services in excess of \$500,000.00

All fees shall be payable in cash to the Township prior to and as a condition of the Township signing and registering the executed development agreement.”

*(to be used towards other planning fees outlined in this appendix if complete application is received within 1 year of the actual pre-consultation meeting

DATE: June 29th, 2020

REPORT NO: PD-076-20

SUBJECT: **Recommendation Report
Ground Water Monitoring Wells for Master Community Plan
Exercise and Need for Agreements with Four Property Owners**

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- In October of 2019, the consulting Teams of AECOM and Wood were hired to complete the Master Community Plan and all associated environmental analysis for the Smithville Urban Boundary Expansion Project.
- As part of this project, in accordance with the Terms of Reference, Wood and their team are responsible for a complete array of environmental studies, including ground water monitoring.
- The consultants have now chosen where they would like to undertake this monitoring. Attachment 1 shows the property locations of the proposed monitoring wells.
- Staff understand that these wells will be drilled approximately 1.5m deep, will have a casing that is approximately 5cm (2inch) in size, and will extend out of the ground with proper identification to a height of approximately 3 feet.
- This report is written to seek authority to enter into an agreement similar to the one found at attachment 2 with four property owners for monitoring wells MW01, MW02, MW03, and MW05 and to authorize the use of three existing wells in Rock Street Park and finally, to authorize 1 well (MW04) on Township parkland.

RECOMMENDATION

1. That, Report PD-076-20, regarding "Recommendation Report, Ground Water Monitoring Wells for Master Community Plan Project and Need for Agreements with Four Property Owners", dated June 29, 2020, be RECEIVED; and,
2. That, the location of monitoring well MW04 in the vicinity of Anastasia Park be permitted in accordance with the approval of Public Works; and,
3. That, monitoring wells MW01, MW02, MW03, and MW05 are proposed to be situated on private property with the wells being under the ownership of the Township. Therefore, that a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with each property owner for the well location and maintenance. The

agreement will take the form of attachment 3, subject to the approval of Township legal Counsel.

ALIGNMENT TO STRATEGIC PLAN

Theme

- **Community Health and Safety**
- **Strategic, Responsible Growth**

BACKGROUND

The Township of West Lincoln, in conjunction with the Region of Niagara, has commenced an extensive urban boundary analysis in accordance with the requirements of the Provincial Policy Statement, the Place to Grow Plan and Regional policy. These extensive studies are ultimately looking at the future of Smithville and how to grow the town in keeping with the character of Smithville and in such a fashion so as to maintain small town charm while improving transportation linkages and servicing standards.

CURRENT SITUATION

In late October of 2019, the consulting Teams of AECOM and Wood were hired to complete the Master Community Plan and all associated environmental analysis for the Smithville Urban Boundary Expansion Project. As part of this project, in accordance with established Terms of Reference, Wood and their environmental team are responsible for completing a variety of environmental studies, including ground water monitoring.

The consultants have now chosen where they would like to undertake this monitoring. Matrix Solutions Inc. completed a memorandum in May of 2020 which shows the proposed locations to drill the monitoring wells. These are shown on Attachment 1 to this report.

Staff understand that these wells will be drilled approximately 1.5m deep, will have a casing that is approximately 5cm (2inch) in size, and will extend out of the ground with proper identification marking to a height of approximately 3 feet..

This report is written to obtain approval so that the consultants can complete the required ground water monitoring. They have identified locations for ground water monitoring wells and require staff to seek authority to enter into an agreement similar to the one found at attachment 2 with four property owners for monitoring wells MW01, MW02, MW03, and MW05 and to authorize the use of three existing wells in Rock Street Park and finally, to authorize 1 well (MW04) on Township parkland.

FINANCIAL IMPLICATIONS

The wells will become the property of the Township of West Lincoln with possible future maintenance costs or decommissioning costs for the wells. The future of the wells will be determined at the end of the Master Community Plan project. The consultants are currently recommending that we maintain the wells for some time beyond this study.

There may be some costs associated with a yearly maintenance program that will be identified and included in future budget reports, should that be the final outcome. This will be addressed in future reports.

INTER-DEPARTMENTAL COMMENTS

Staff have discussed the proposed well locations with Public Works and Recreation staff (Rock Street Park and Anastasia Parkland area) as well as with each private property owner.

All are on board with the plan subject to Public Works being involved with the proper locates for the well within the parkland.

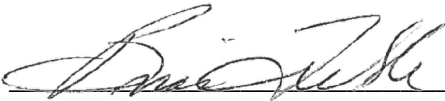
CONCLUSION

This report is written to permit a minimum of eight wells to be used for ground water monitoring purposes. Three existing wells, plus 5 new wells are proposed to be used for monitoring purposes, as outlined in this report. Four wells will be on private property and will require agreements with the respective land owners.

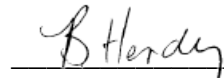
ATTACHMENTS

1. Well map and corresponding memorandum
2. Draft Agreement
3. Draft Authorizing By-law

Prepared by:


Brian Treble, RPP, MCIP
Director of Planning and Building

Approved By:


Beverly Hendry
CAO

X:\pb-Planning Reports\Working Copy\2020\6. June\PD-076-20 - Ground Water Monitoring Wells - MCP\PD-076-20 - Ground Water Monitoring Wells MCP.docx

MEMORANDUM

TO: Mr. Brian Treble, MCIP, RPP (Director of Planning and Building, Township of West Lincoln)
Aaron Farrell, M.Eng., P.Eng., CPM (Associate, Wood Environment and Infrastructure)

CC: Gerrit Boerema, MCIP, RPP (Planner II, Township of West Lincoln)
Richard Vandezande, MCIP, RPP (AG Enterprises)
Ron Scheckenberger, M.Eng., P.Eng. (Principal – Water Resources, Wood Environment and Infrastructure)

FROM: Dustin Martin, P.Eng. (Matrix Solutions Inc.)
Bill Blackport, M.Sc., P.Geo. (Blackport and Associates)

SUBJECT: Background information for the drilling and groundwater monitoring program as a part of the Smithville Subwatershed Study and Stormwater Management Plan

DATE: May 7, 2020

The Subwatershed Study and Stormwater Management Plan for the planned expansion of the Community of Smithville currently being undertaken by the study team for the Township of West Lincoln includes a hydrogeological component. The completion of this component requires the drilling and installation of several new monitoring wells for the purposes of collecting geological and groundwater level data in the area. The following properties in the attached satellite images have been identified as potential drilling locations.

The definitions and requirements of Ontario's Ministry of Environment, Conservation and Parks (MECP) Regulation 903 and the Safe Water Drinking Act, 2002, apply for the activities related to the monitoring wells to be installed for this study. For the purposes of these activities the Township of West Lincoln, as the purchaser of the wells, will be designated the owner. As the purchaser of the well, the Town of West Lincoln will assume responsibility for the costs associated with the installation, maintenance and abandonment of the well, and will be listed as the Well Owner on the associated well record. The costs for drilling and installation of up to 5 monitoring wells were included in our revised proposal. The costs maintenance and abandonment of the wells were not included in the proposal submission.

Drilling would commence with the delivery of a track mounted drilling rig by float to the locations in question. Drilling and sampling will be carried out through the overburden soils and the upper 1.5 metres of bedrock. A 2-inch plastic monitoring well will then be installed. To protect the monitoring well a 4 x 5-inch lockable protective well cover will be installed as shown in Figure 1. Dedicated data loggers will be installed in each monitoring well. The consulting team will require periodic access to the well for the duration of the study to download groundwater level data.



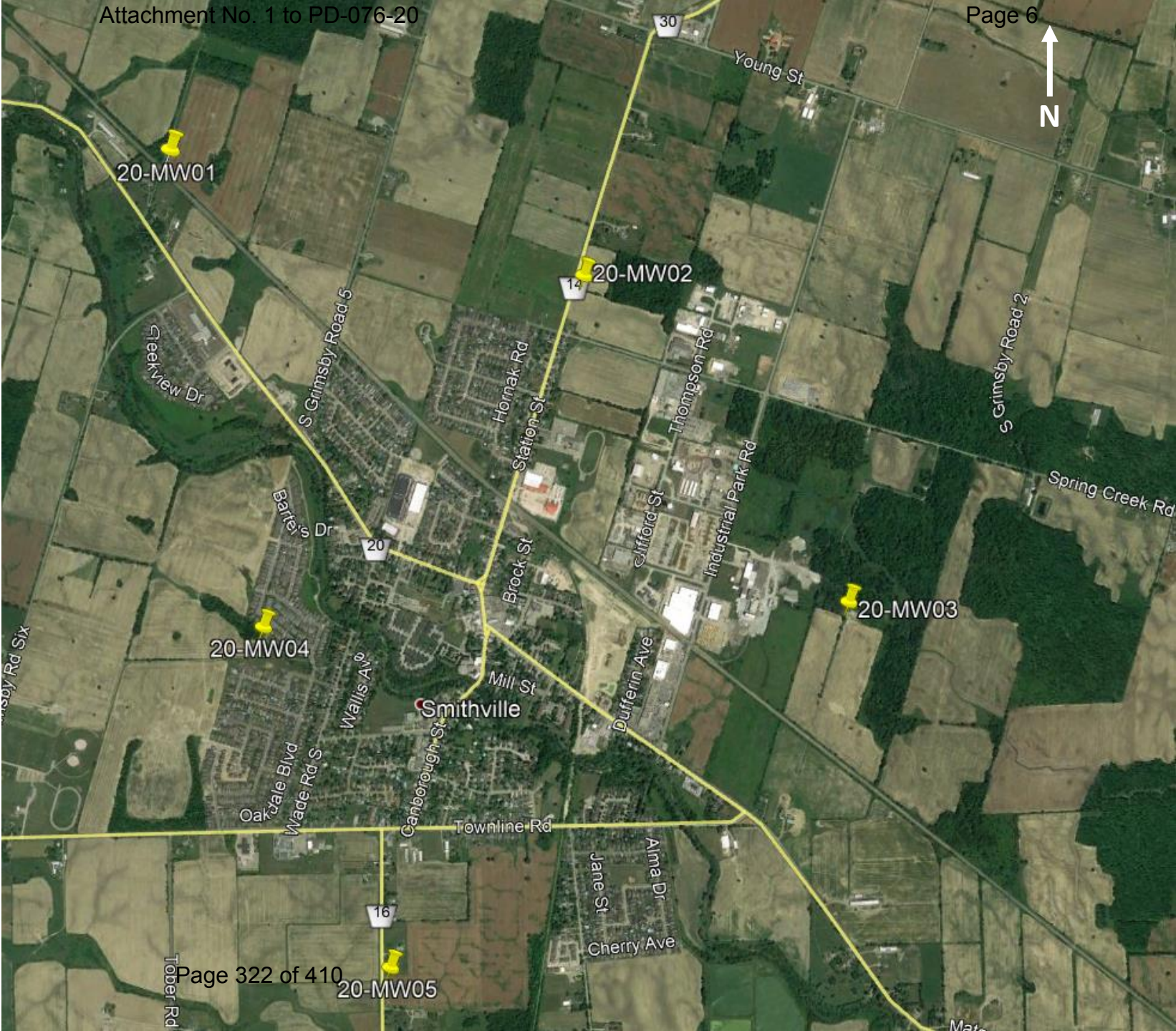
Figure 1 - Example of a stick-up protective casing for a monitoring well

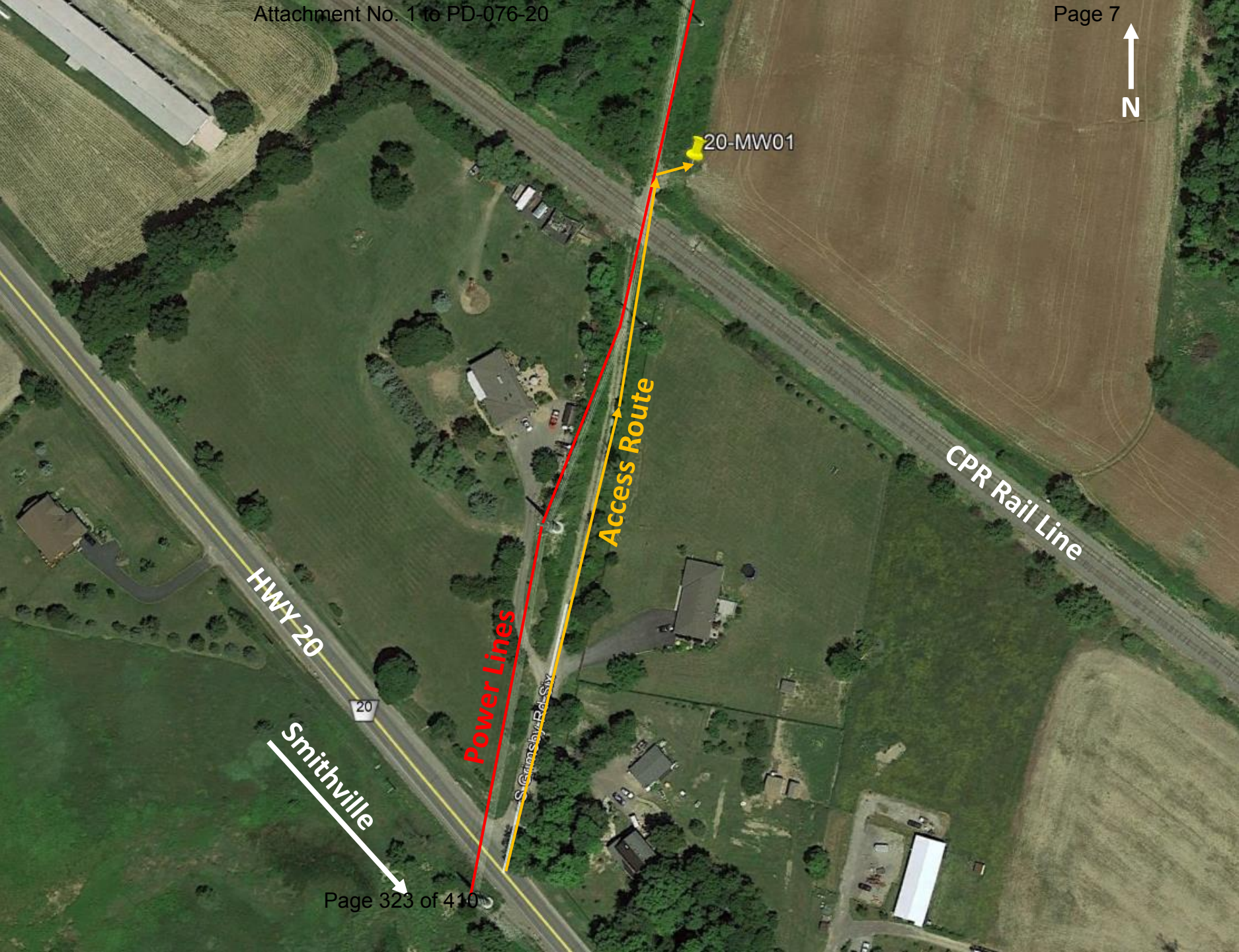
The Township of West Lincoln is expected to obtain permission from the respective landowners for drilling and subsequent access for monitoring. It is currently expected that following the completion of the study the monitoring wells will be maintained or abandoned in accordance with Regulation 903 at the expense of the Town of West Lincoln under separate contract by qualified professionals.

30255 – Smithville Proposed Drilling Locations
2020-05-06



Proposed Drilling Locations

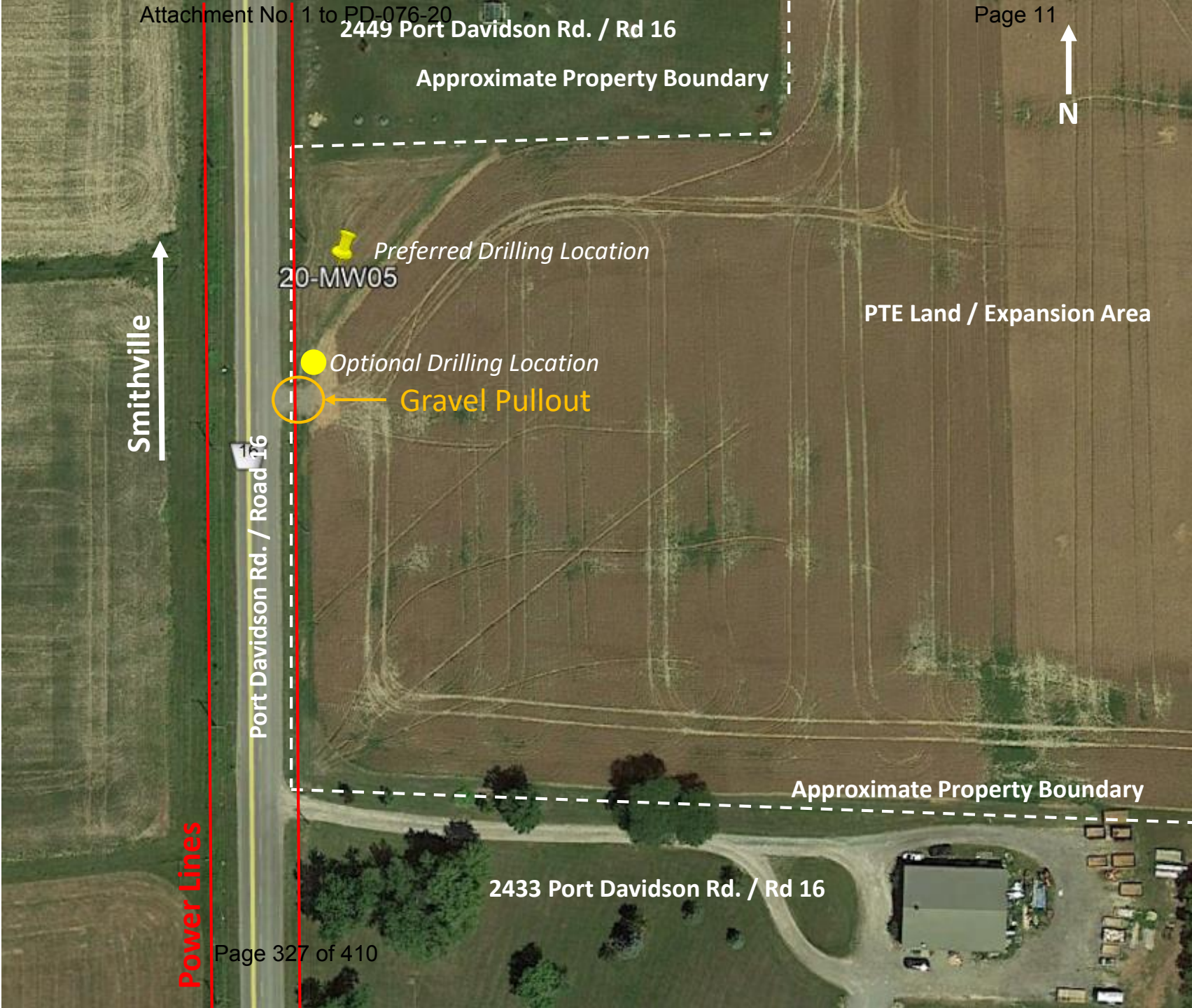












2449 Port Davidson Rd. / Rd 16

Approximate Property Boundary

N

Preferred Drilling Location

20-MW05

PTE Land / Expansion Area

Optional Drilling Location

Gravel Pullout

Smithville

Port Davidson Rd. / Road 16

Approximate Property Boundary

2433 Port Davidson Rd. / Rd 16

Power Lines

MONITORING ACCESS AGREEMENT BETWEEN XXX AND YYY

XXX ("X"), owner of the FULL ADDRESS in the City of AAA, (referred to as the "Property"), hereby grants permission to YYY, (the "Governing Body"), and its agents, contractors, consultants ("Consultants") to enter into the Property for the purposes of conducting the Activities defined below, on and subject to the terms and conditions herein.

For purposes of this Agreement "Activities" means installation, maintenance, use, and abandonment of groundwater monitoring wells.

For the purposes of this Agreement, the definitions and requirements of Ontario's Ministry of Environment, Conservation and Parks (MECP) Regulation 903 and the Safe Water Drinking Act, 2002, apply.

"well owner" means the owner of land upon which a well is situated and includes a tenant or lessee of the land and a well purchaser.

"well purchaser" means a person who enters into a contract for the construction of a well with a person who is engaged in the business of constructing wells.

TERM of AGREEMENT

1. **Effective Date.** This Monitoring Well Agreement between XXX and the YYY (the "Agreement") is effective as of _____ (the "Effective Date").
2. **Right to Terminate Agreement.** The XXX and the YYY agree that the XXX and the YYY may terminate this Agreement with respect to an individual Well or with respect to all Wells (a) at any time after the Effective Date of this Agreement by providing written notice to the other party at least one hundred twenty (120) days prior; or (b) at any time by mutual written agreement of the parties. In the event of either such termination of (a) or (b) above (the "Early Termination"), the XXX may request in writing that the YYY properly cap the Well, or the XXX may begin or continue to use the Well if allowed to do so by all applicable laws and regulations, including the rules of the YYY. All equipment belonging to or installed by the YYY at the Wells, if any, shall at all times belong to the YYY and, in the event of Early Termination of this Agreement or expiration of the Term, the XXX shall allow the YYY one hundred twenty (120) days from either the notice of termination or expiration of Term, as applicable, to remove any such equipment from the Wells. Upon any termination, the YYY agrees to restore the site to the condition as of the Effective Date to the extent practicable from any of its activities.
3. **Term of Agreement.** The Agreement shall commence on the Effective Date and terminate upon the expiration of ninety-nine (99) years after the Effective Date unless terminated earlier according to provisions herein (the "Term").
4. XXX hereby grants to YYY a license to install, maintain, and use monitoring well(s) and ancillary equipment (collectively the "Monitoring Wells") on the Property reasonably necessary for the

YYY's Activities. Monitoring Wells installed by the YYY shall be abandoned by the YYY at its sole cost and in accordance with applicable governmental regulations.

5. Any Monitoring Wells installed by the YYY on the Property shall be the property of the YYY and shall be maintained by the YYY at its sole cost.

DESCRIPTION OF MONITORING PROGRAM

6. A monitoring probe may be placed in the Monitoring Wells below the static water level. If so, a cable will run from the probe to the surface. The probe will measure and store water level changes daily. The YYY will download the readings on a periodic basis. The YYY may install equipment at the Monitoring Wells to send the information to the YYY's computer on a "real-time" basis. The YYY may physically measure the water levels in the Well by means of a measuring tape or other equipment suited for that purpose. The YYY may collect water samples from the Monitoring Wells for water quality analysis, and conduct other studies mutually agreeable to the parties which further the knowledge of groundwater conditions in the local area.
7. **Data from Program.** The YYY shall make data gathered from the Monitoring Wells available to the XXX at no cost to the XXX.
8. **Costs of YYY Uses.** The YYY shall pay any and all costs associated with the installation, operation and maintenance of the equipment used in the Program of the YYY or for any YYY Uses.
9. **Regulatory Compliance and Safety.** The YYY, its employees, contractors, and agents agree to comply at all times with all applicable laws, rules, regulations and safety standards in connection with the YYY Activities.
10. **Well Owner Activities.** XXX agrees that if XXX needs to drill a water well, install a septic tank, septic tank drain field, or any other activity that could disrupt the YYY Activities, including groundwater data collection from the Well, XXX shall make diligent effort to avoid unreasonable interference with the Program and YYY Activities. If XXX intends to pull or rework the Monitoring Well or its pump, XXX shall make diligent effort to protect and maintain any equipment installed in the well for monitoring purposes. If XXX intends to engage in any such activities or projects, XXX shall notify the YYY in advance in an effort to minimize any interference with the Program or YYY Activities.
11. XXX shall have the right to require the YYY to relocate the Monitoring Wells at any time to other locations on the Property, if deemed necessary or appropriate by XXX in connection with its use or development of the Property. If XXX requires such relocation, such relocation shall be at the YYY's cost. For the purposes of this Agreement, "relocation of a Monitoring Well" shall mean the abandonment of the existing monitoring well, and the installation of a new monitoring well in a location nearby. Any requirement to relocate Monitoring Wells by XXX shall be acceptable to the ZZZ and other appropriate governmental agencies. XXX shall cooperate with the relocation of

Commented [BB1]: Does not apply for this study but may be used in future applications

Commented [BB2]: Does not apply for this study but may be used in future applications

any of the Monitoring Wells. If XXX requires relocation of any of the Monitoring Wells as so provided, XXX shall provide plans for such relocation to the YYY for approval by the YYY. The YYY shall notify XXX in writing within fifteen (15) business days of receipt of such plans whether it approves or disapproves of such relocation. If the YYY disapproves of the relocation, it shall notify XXX of the reasons for such disapproval. After approval of the plans for relocation by the YYY and XXX, YYY shall submit them to ZZZ or other governmental agencies having jurisdiction. After approval by ZZZ or other governmental agencies having jurisdiction of the plans, the YYY shall perform the relocation work required pursuant to this paragraph.

12. Prior to commencing the Activities on the Property, any Consultants hired by the YYY carrying out the Activities shall have a Site Safety Plan appropriate to installing groundwater Monitoring Wells where the groundwater and associated soil may be contaminated. The Site Safety Plan shall include instructions regarding procedures and contacts in the event of an emergency, as provided to the YYY and the Consultants by XXX.
13. YYY and its Consultants shall use a private utility locator service, in addition to Underground Service Alert, to determine the location of all utility lines prior to commencing any work.
14. Should any monitoring well need to be relocated, YYY or its Consultants shall give XXX eight (8) days' written notice of the date or dates that the Consultants will install the Monitoring Wells. Consultants shall follow all XXX requirements such as badging or placing barricades in installation locations. The YYY and/or its Consultants may enter upon the Property for sampling from the Monitoring Wells upon five (5) days prior written notice to XXX.
15. All work on days other than weekends or XXX holidays shall be performed between the hours of xx:xx a.m. and xx:xx p.m. Local Time.
16. XXX shall have the right to observe any sampling from the Monitoring Wells and obtain duplicate samples at the time the YYY's Consultants perform the sampling, at XXX's expense. If requested by XXX, the YYY shall provide copies of its test results from the sampling within seven (7) days after receipt of same.
17. This right of entry does not include permission to, and YYY and its Consultants are expressly prohibited from, storing soil or groundwater on the Property. All soil and groundwater from sampling shall be removed from the Property upon the date of sampling.
18. Prior to entering onto the Property, (1) YYY shall provide to XXX a certificate that the YYY is self-insured, and (2) YYY's Consultants shall provide to XXX a certificate evidencing commercial general liability insurance in the amount of at least xxx million Dollars (\$x,xxx,xxx.xx) aggregate limit, naming XXX as an additional insured and with cross-liability endorsement. Such insurance shall be primary and not contributory.
19. The term of this Agreement is five (5) years from the Effective Date of this Agreement.

Commented [BB3]: Does not apply for this study but may be used in future applications

Commented [BB4]: Does not apply for this study but may be used in future applications

20. Any notice, consent or approval required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given upon receipt. Notices shall be addressed as follows:
21. If to XXX: XXX Address, Attn: Xxx Xxx
22. If to YYY: YYY Address, Attn: Yyy Yyy
23. This Agreement may be amended or modified only by a written instrument executed by XXX and the YYY.
24. The YYY entering onto the Property shall indemnify, hold harmless and defend XXX from and against any claims, damages, mechanic's liens, and costs and expenses, including attorneys' fees and court costs, arising out of any injury, death or damage to any person or property resulting from YYY's entry onto the Property and performing the sampling. The YYY and its Consultants shall comply with all applicable laws and ordinances in performing all Activities hereunder.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-XX

A BY-LAW TO AUTHORIZE SEPARATE AGREEMENTS BETWEEN THE CORPORATION EACH OF: RATION OF THE TOWNSHIP OF WEST LINCOLN AND 1734234 ONTARIO INC (MW01), GELANDCO INC. (MW02), EMILY ROSE GRIFFIN, PAUL EDWIN GRIFFIN, PHIL JOHN GRIFFIN, ROSS ANDREW GRIFFIN, RUTH FRANCIS GRIFFIN ESTATE, AND NORA LOUISE GRIFFIN (MW03), AND TEK CORPORATION (MW05) TO COMPLETE THE GROUND WATER MONITORING BEING PART OF THE SUBWATERSHED STUDY (WOOD ENVIRONMENTAL)

WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient to authorize an agreement with each of: 1734234 Ontario Inc (MW01), Gelandco Inc. (MW02), Emily Rose Griffin, Paul Edwin Griffin, Phil John Griffin, Ross Andrew Griffin, Ruth Francis Griffin Estate, and Nora Louise Griffin (MW03) and Tek Corporation (MW05) to complete the Ground Water Monitoring program (being part of the Smithville Subwatershed Study, RFP PD-01-19), within the Smithville Urban Boundary Expansion Study area.

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

1. That, the Council of the Corporation of the Township of West Lincoln hereby authorizes the entry into an Agreement with each of: 1734234 Ontario Inc (MW01), Gelandco Inc. (MW02), Emily Rose Griffin, Paul Edwin Griffin, Phil John Griffin, Ross Andrew Griffin, Ruth Francis Griffin Estate, and Nora Louise Griffin (MW03) and Tek Corporation (MW05) to complete the Ground Water Monitoring program (being part of the Smithville Subwatershed Study, RFP PD-01-19) within the Smithville Urban Boundary Expansion Study area.
2. That, the Mayor and Clerk be and are hereby authorized to sign each of the above mentioned Agreements and any other document or documents necessary to implement the intent of this By-law and to affix the Corporate Seal thereto.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29TH DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

**PLANNING & DEVELOPMENT DEPARTMENT
MEMORANDUM**

TO: Mayor and Council

FROM: Brian Treble, Director of Planning and Building

DATE: June 29th 2020

SUBJECT: Temporary Patios
Resolution of Council

The Provincial government has recently commenced the opening of outdoor patios as part of restaurant's gradual re-opening. In order to operate a licensed patio, a resolution from Township Council is required. The following is a resolution for Council to consider. Staff recommend approval so that patios can open without delay.

Whereas the Alcohol and Gaming Commission of Ontario (AGCO) announced that businesses with existing liquor sales licenses are able to temporarily extend patios or temporarily add a new licensed patio for the duration of 2020 in accordance with recent amendments to Regulation 719 of the Liquor License Act and,

Whereas once restaurants and bars are permitted to start to open during Phase 2 as outlined in the Province's Recovery Strategy, and for the remainder of 2020, compliance with physical distancing measures and any other public health guidelines or orders issued by the Ontario Government and any other applicable level of government will require licenced operators to operate well below maximum capacity; and,

Whereas in order for such a licensed operator to legally extend or adjust their patio temporarily, such licenced establishments must still obtain support from the municipality in which the establishment is situated, and;

Whereas prior to obtaining Municipal support, a resolution from Township Council is required and, since, impacts have already been great, Township Council hereby endorses a blanket resolution to avoid delay, as follows:

Now therefore the Council of the Township of West Lincoln hereby approves a blanket resolution of support for such licensed establishments to open and operate patios temporarily and includes extending patios for the duration of 2020 subject to the following:

- a) That the Fire Chief and Chief Building Official are satisfied that appropriate operational criteria are satisfied, and;
- b) That the patio is designed such that all physical distancing measures will be complied with along with any public health guidelines as ordered, and;
- c) That proper site design techniques are used in order to ensure proper separation of the licensed areas from the parking areas and other non-compatible uses.

Sincerely,



Brian Treble, MCIP, RPP
Director of Planning and Building

DATE: June 29, 2020

REPORT NO: PD-083-2020

SUBJECT: **Recommendation Report**
Road Allowance Transfer – Caistorville United Church (Church Street Road Allowance TP-26) known as Church Street, Caistorville

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- **Caistorville United Church would like to sever the church property away from the cemetery property**
- **Adjacent property owners to Church Street have been contracted and have no objections about the need to include Church Street to allow the conveyance of the Church.**
- **In order to make the severance possible, the unopened Church Street road allowance from York Street, south to David Street is under consideration for closing. Previous staff report PD-170-19 started this road closing process and authorized the hiring of a surveyor to survey all parts of the required conveyance.**
- **Previous staff report PD-170-19 dated October 21, 2019 started the process by declaring Church Street (unopened) as surplus to the Township's needs and commissioning the hiring of a surveyor to complete the survey work.**
- **This work is now completed (see attachment 2) and the survey is currently being registered.**
- **This report is now written to authorize the individual conveyances.**

RECOMMENDATION

1. That, Report No. PD-083-2020, regarding "Road Allowance Transfer – Caistorville United Church (Church Street Road Allowance TP - 26) known as Church Street, Caistorville" dated June 29th, 2020, be RECEIVED; and,
2. That, the road allowance (shown on Attachment 2), former Township of Caistor, now the Township of West Lincoln, be and is hereby declared surplus and is approved for transfer as follows: (the "Property Owners") (Jeffrey Howard and Michelle Wedawin & Caistorville United Church)
 - i. Part 1 to Jeff Howard and Michelle Wedawin, same ownership as Lot 7 and easement in favour of Caistorville United Church

- ii. Part 2 to Caistorville United Church Pt Lot 8 and easement in favour of Jeffery Howard and Michelle Wedawin
- iii. Part 3 to Jeffery Howard and Michelle Wedawin, same ownership as Lot 1
- iv. Part 4 to Caistorville United Church
- v. Part 5 to Region of Niagara (road widening)

And subject to the following conditions:

- a) That, the lands be surveyed at the expense of the property owners; and,
 - b) That, a by-law be passed authorizing the transfer of the former Church Street Registered Plan TP-26, more specifically being Part 1 to 5, of reference Plan 30R-XXXXX (future legal description to be provided); to the Property Owners as outlined above; (see attachment 2),
 - c) That, the transfer of the Parts as outlined above to adjacent lands owned by the abutting property owner be conditional on the parcels being merged in title and that the Property Identification Numbers (PINS) for the affected lands be consolidated; and,
 - d) That, the Property Owners provide an undertaking that the PINS will be consolidated once the conveyances are completed, and provide satisfactory evidence of the consolidation to the Township; and,
 - e) That, all legal, administrative and any other associated costs be paid proportionally by the applicant/property owners
3. That, notwithstanding the provisions of Township By-law 95-31 and the “Policy for Closing, Declaring Surplus and Selling a Highway or Portion Thereof”, that the requirement for an appraisal and the requirement for public notice be and are hereby waived due to the fact all adjacent property owners are involved and the fact that the road allowance has been used privately for parking purposes and access for Mr. Howard and the Church for many year; and,
4. That, Mr. David Brenzil, of the Caistorville United Church, Mr. Lou Domjan of Binbrook Masons, and Mr. Jeff Howard and Michelle Wedawin be provided with a copy of Report No. PD-083-2020.

ALIGNMENT TO STRATEGIC PLAN

- **Theme**
 - **Efficient, Fiscally Responsible Operations**

CURRENT SITUATION

The Caistorville United Church and cemetery are all under one ownership along with vacant land on the west side of the unopened Church Street road allowance, which is the subject of this report. The cemetery is surrounding the church with burial plots within approximately 4 to 6 feet of the church building.

The church is now closed and deemed to be surplus to the needs of the local congregation. As a result, there is a proposal in the works to sever the church to allow conveyance to a new group who would like to use the church building.

This is complicated because the cemetery is so close that the land area available for severance with the church building is too small to meet land use planning requirements. Further, it appears that the septic holding tank for the church may be on the unopened Church Street road allowance. This allowance has also been used for parking to the west of the church building. The street also looks like it has historically been used as access to accessory buildings on the lands to the west of the unopened road allowance which are owned by Jeff Howard and Michelle Wedawin.

The closing of the road allowance along with the proper conveyance and merger of some of the lands with the church building makes a severance of the church building that much more feasible.

The closure of the road is the first step in determining if the severance and sale of the church building is possible.

FINANCIAL IMPLICATIONS

The cost of the planned activities outlined in this report will be charged proportionately to the adjacent property owners (surveying and legal costs).

INTER-DEPARTMENTAL COMMENTS

Previous report PD-170-19 was reviewed by the CAO, the Clerk and the Director of Public Works and recent discussions have occurred with the Roads Manager.

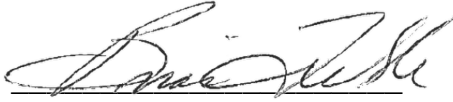
CONCLUSION

This report proposes that staff be authorized to proceed as outlined in the recommendation section of this report to convey the Church Street road allowance lands to adjacent property owners.

ATTACHMENTS

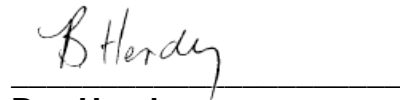
1. Location Map
2. Survey
3. Proposed Conveyance Plan
4. Draft By-law

Prepared by:



Brian Treble, RPP, MCIP
Director of Planning and Building

Approved by:



Bev Hendry
CAO

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Attachment 1 - Location Map

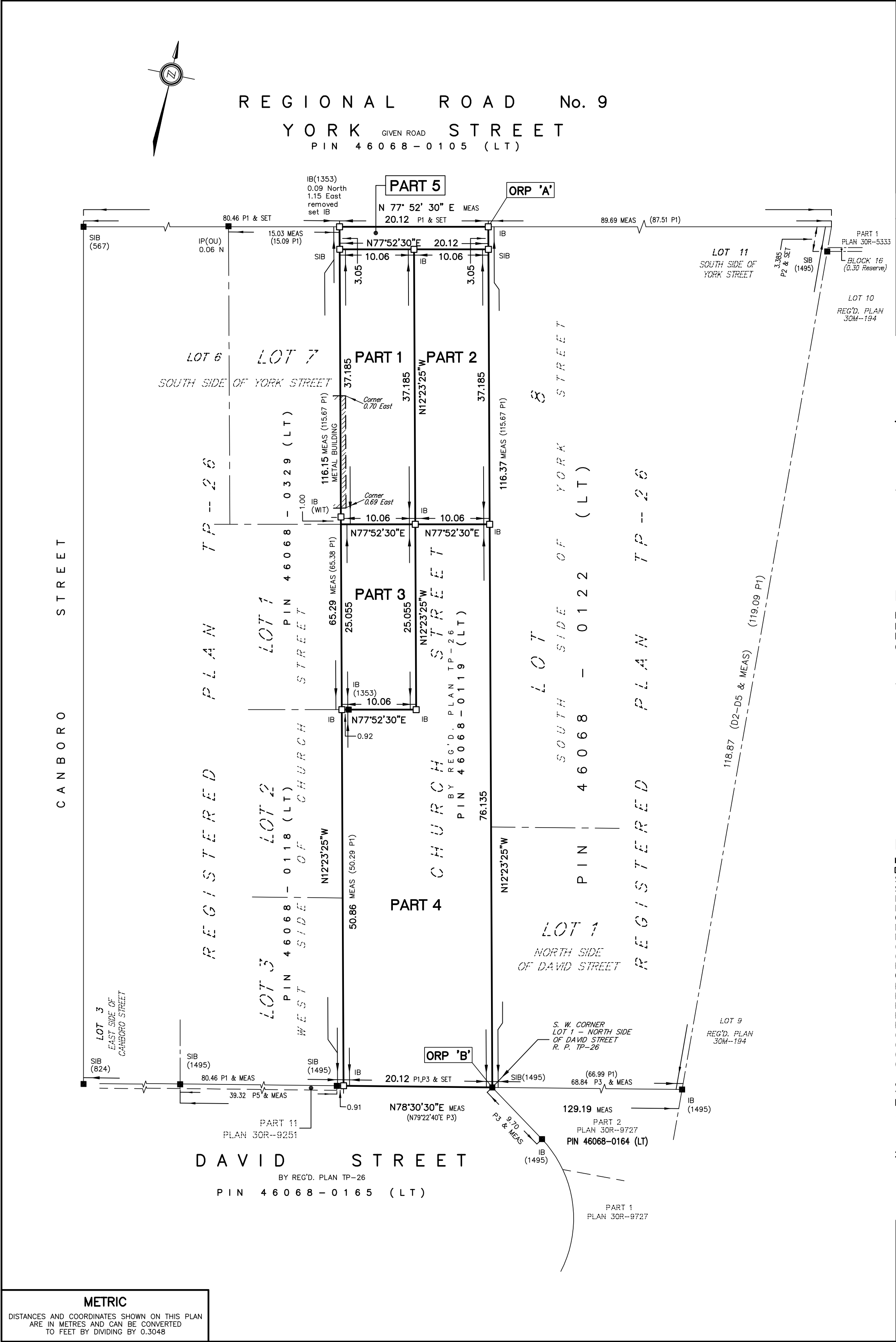
Church Street Road Allowance

0 10 20 40 Meters

West Lincoln
Your Future Naturally

Legend

- Church Street Road Allowance
- Caistorville Church Property





Attachment 1 - Location Map

Church Street Road Allowance




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West Lincoln
Your Future Naturally

Page 340 of 410

Document Path: X:\wl-GIS\2019\Caistorville Church\Road Allowance Map.mxd

Legend

-  Easements
-  Caistorville Church Property
-  Church Street Road Allowance

Dec 2019

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**BY-LAW NO. 2020-XX**

A BY-LAW TO AUTHORIZE THE CONVEYANCE OF THE MUNICIPAL ROAD ALLOWANCE, KNOWN AS CHURCH STREET ON SURVEY TP-26, CAISTORVILLE, TOWNSHIP OF WEST LINCOLN, IN THE REGIONAL MUNICIPALITY OF NIAGARA AND BEING PARTS 1 TO 5 ON REFERENCE PLAN 30R-XXXXX.

WHEREAS Sections 8 and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, permit a municipality to pass by-laws in accordance with the Act;

AND WHEREAS staff report PD-170-19 dated October 21, 2019 declared Church Street (unopened road allowance), Caistorville surplus to the Township's needs;

AND WHEREAS extensive consultation has occurred between the Township of West Lincoln and representatives of all adjacent property owners;

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

1. That the unopened road allowance, known as Church Street, Plan TP-26, Caistorville, Township of West Lincoln, Regional Municipality of Niagara, designated as Part 1 to Part 5 on Reference Plan 30R-XXXXX, be conveyed to the owners of the abutting and/or adjacent lands as follows:
 - a) Part 1 – Jeffery Howard and Michelle Wedawin
 - b) Part 2 – Caistorville United Church
 - c) Part 3 – Jeffery Howard and Michelle Wedawin
 - d) Part 4 – Caistorville United Church
 - e) Part 5 – Region of Niagara

and that the lands be merged by a consolidation of PINS in all instances.

2. The Mayor and the Clerk of The Corporation of the Township of West Lincoln are hereby authorized to sign or execute such deeds or other documents as may be necessary to affect such conveyances.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

DATE: June 29, 2020
FROM: Bev Hendry, CAO
REPORT NO: RFI-CAO-05-2020
SUBJECT: **West Lincoln Corporate Strategic Plan 2020 Mid-Year Status Update**

OVERVIEW:

- In 2019 Council developed and approved a new Corporate Strategic Plan.
- Recommendation Report RFD-CAO-06-19 2019-2020 Corporate Strategic Plan explained the implementation plan including providing Council with regular status updates.
- This is the first status update

RECOMMENDATION:

1. That Report RFI-CAO-05-2020 – West Lincoln Corporate Strategic Plan 2020 Mid-Year Status Update dated June 29, 2020, be received for information.

BACKGROUND:

In 2019 Council developed and approved a new Corporate Strategic Plan. Recommendation Report RFD-CAO-06-19 2019-2020 Corporate Strategic Plan explained the implementation plan including providing Council with regular status updates.

CURRENT SITUATION:

This is the first status report update on the plan and it has been done corporately rather than on a departmental basis as number of initiatives cut across a couple departments or the entire corporation.

Even while managing in a global pandemic, we are still addressing and making progress towards the priorities that Council and staff developed collectively.

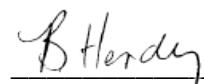
FINANCIAL CONSIDERATIONS:

There are no financial considerations related to this report.

CONCLUSION:

Staff are on track with supporting the priorities collectively set out in the 2019-2020 Corporate Strategic Plan and are proud to share the progress and accomplishments to date.

Prepared and Submitted by:



Beverly Hendry, CAO

THEME #1: STRONG TRANSPORTATION CONNECTIONS

Goal: West Lincoln has transportation infrastructure that is safe for motorists, cyclists and pedestrians, and networks that are well-maintained and connected within our community, with other Niagara communities and major highways.

Ongoing Priorities	Progress and Accomplishments
<ul style="list-style-type: none"> Work with neighbouring municipalities to advocate for the escarpment crossing as a means to better connect West Lincoln to major provincial highways 	<ul style="list-style-type: none"> ROMA 2020 – delegations with Caroline Mulroney, Minister of Transportation and Andrea Kharjin, PA, Ministry of Environment, Conversation and Parks Niagara Region’s 2020 approved budget has available funds to initiate the “Individual Environmental Assessment (IEA)” and plan to develop the Terms of Reference in order to commence the IEA in Q1/Q2 of 2021. The IEA process can take upwards of 3 years to obtain MECP approval. The planning, EA approval, detailed design, property acquisition, funding, and construction activities required for implementing a new Niagara Escarpment Crossing transportation corridor is a complex undertaking that can take upwards of ten years. Master Community Plan is underway and in conjunction with Region will link with Regional EA process for escarpment crossing Regional Report PW9-2020 outlines process and timelines
<ul style="list-style-type: none"> Investigate a Highway 20 bypass to reduce truck traffic in downtown Smithville and improve connections to industrial land 	<ul style="list-style-type: none"> This initiative is included in the Transportation Master Plan component of the Smithville Master Community Plan in conjunction/collaboration with Niagara Region. Master Community Plan is ongoing and includes a Transportation Master Plan (AECOM) which will investigate the bypass. Most recent update was June 12, 2020.

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

Short-Term Initiatives <i>(Initiate within the next three years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Complete a road needs study and set targets for the maintenance, rehabilitation and improvement of Township roads 	<ul style="list-style-type: none"> The Road Needs Study is underway and will be presented at an upcoming Public Works Committee meeting in the third quarter. It includes the development of a Pavement Management System and addresses the Township's gravel rural roads. Township staff has also reviewed Niagara Region's Regional Road Criteria and has requested that Niagara Region consider the upload of approximate 20 km of local roads (Caistor Centre Road & Port Davidson Road) that service a Regional function. Council awarded the rehabilitation of Dockstader Bridge (South Chippawa Road) and North Creek Bridge (Patterson Road) Council awarded the 2020 Roads Rehabilitation Contract.
Medium-Term Initiatives <i>(Initiate within the next five years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Build safe active transportation networks including sidewalks, bike paths and trails 	<ul style="list-style-type: none"> Continual review of the Township's Capital Budget Forecast to identify and include transportation capital projects. Dunloe Plan of Subdivision in North West Quadrant includes trail along north side of CPR lands as depicted on secondary plan. Reports PD180-19 & PD 008-20 approved this plan. Future plans for Marz & Budd Developments are forthcoming. Trail report PD-028-20 examined linkage from Station Street to Dufferin St.

THEME #2: SUPPORT FOR BUSINESS AND EMPLOYMENT OPPORTUNITIES FOR RESIDENTS

<p>Goal: West Lincoln has a positive image and a strong brand that supports our local businesses and attracts new industries. We have created an environment where it is easy to do business, resulting in more opportunities to work in our community and continued support for agriculture as West Lincoln's largest sector.</p>	
<p>Ongoing Priorities</p> <ul style="list-style-type: none"> Streamline Township processes for building and development to ensure West Lincoln is seen as a good place to do business 	<p>Progress and Accomplishments</p> <ul style="list-style-type: none"> In partnership with Pelham, Port Colborne and Wainfleet, undertaking a review of Building Services – funded through Ontario Modernization Grant. Report to be presented to Council on June 29, 2020. Significantly reduced timelines for the Development Review Process by completing in-house reviews of engineering submissions (by Public Works Staff) rather than sending out for third part peer review.
<p>Short-Term Initiatives <i>(Initiate within the next three years)</i></p> <ul style="list-style-type: none"> Create a targeted, proactive approach to attracting new industry, leveraging the industrial park and other potential employment lands 	<p>Progress and Accomplishments</p> <ul style="list-style-type: none"> Council approved Refreshed Economic Development Plan in February 2020 Council approved and awarded the construction of new watermain infrastructure in the Industrial Park area in May 2020. Construction is underway and the new watermain will be commissioned and operational by late Summer/early Fall of 2020. Staff work with three existing industries and one potential new industry that is considering expansion & relocation in the industrial park.

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

Medium-Term Initiatives <i>(Initiate within the next five years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Advocate for increased investment in rural broadband to ensure residents and businesses have access to reliable high-speed internet 	<ul style="list-style-type: none"> Township has provided 3 letters of support for ISPs seeking funding for rural Broadband initiatives Recently followed up with ISPs re: new federal announcement June 8 of \$1.7 billion investment and request for new proposals for rural Broadband Suggested new tower in Wainfleet and on Westbrook Road (PD-054-20) Met with Regional staff on June 23, 2020 about SWIFT & NRBN & CRTC Funding.
<ul style="list-style-type: none"> Investigate installation of water and sewer services on employment lands to create “shovel ready” sites 	<ul style="list-style-type: none"> Water and Wastewater master plans are being developed as part the Smithville Community Master Plan. (AECOM)
<ul style="list-style-type: none"> Explore new incentives in the downtown core to attract new commercial activity and provide more options for residents 	<ul style="list-style-type: none">

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

THEME #3: STRATEGIC, RESPONSIBLE GROWTH

Goal: West Lincoln will grow strategically and responsibly – welcoming new residents and businesses and respecting the heritage and rural character that people value.	
Ongoing Priorities	Progress and Accomplishments
<ul style="list-style-type: none"> Facilitate growth that builds complete communities and provides commercial, industrial and residential balance 	<ul style="list-style-type: none"> Ongoing Master community plan project which commenced in Oct 2019 includes a focus of building a complete community in keeping with the Chamber of Smithville (PIC in Dec. 2019 and TAC meetings in Feb & June 2020)
Short-Term Initiatives <i>(Initiate within the next three years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Encourage a variety of housing options for the community that are supportive, appropriate, safe and affordable 	<ul style="list-style-type: none"> St. Martin & College Street school sites undergoing land use plan work by MHBC Planning & Crozier Engineering. Presentation to the Planning Committee on February 10, 2020 (Report PD-033-20) East Smithville Secondary Plan is currently exploring best means by which to develop lands to east of Industrial Park road, in keeping with Smithville as a complete community. As per report PD-084-20 dated June 29th, the timeline to completion has been extended to December of 2020. Ongoing tracking of available lot inventory & building permit statistics to ensure an available supply of residential lots are available at all times for future growth.(PD-21-20)

THEME #4: LOCAL ATTRACTIONS

Goal: West Lincoln has amenities, programs and services that bring the community together to celebrate small-town and rural way of life.	
Ongoing Priorities	Progress and Accomplishments
<ul style="list-style-type: none"> With the completion of the West Lincoln Community Centre, support programming that is relevant to the community's needs 	<ul style="list-style-type: none"> Continue to explore partnership opportunities. Annual reporting on WLCC in order to collect data and set benchmark in order to determine successes, strengths, weaknesses, and opportunities to suit the needs of the community. First update report presented to Council on June 29, 2020. With extra space for programming the West Lincoln Library is able to host a variety of activities, increasing programming attendance by 83% Niagara on Demand Transit is putting strategic transportation points on the map for West Lincoln, Leisureplex, WLCC, townhall
Short-Term Initiatives <i>(Initiate within the next three years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Improve local parks and trails, including a new playground at the Caistorville Library, and explore new opportunities for programming and sports events 	<ul style="list-style-type: none"> Completion of the Smithville Square Parkette to provide a gathering place for residents and visitors in the downtown core. Funding was approved in the 2020 capital budget for new playground at the Caistorville Library. Looking at new trails to expand the walkability of Smithville through development applications.
<ul style="list-style-type: none"> Reinvigorate community halls, particularly those in Wellandport and Caistor, through facility upgrades and new partnerships to ensure 	<ul style="list-style-type: none"> Staff developed and Council approved a Municipal Alcohol Policy. Township undertook a building condition assessment on all

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

greater access to community programming and events	<p>Township owned facilities to guide appropriate asset management planning.</p> <ul style="list-style-type: none"> Funding application submitted for Caistor Community Centre for a new community centre building and other improvements to the outdoor recreation amenities and property. Still waiting for results of funding application.
Medium-Term Initiatives <i>(Initiate within the next five years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Establish a farmer's market in summer and fall 	<ul style="list-style-type: none">

THEME #5: COMMUNITY HEALTH AND SAFETY

Goal: West Lincoln continues to be a safe community where all residents are supported to thrive throughout their lives.	
Short-Term Initiatives <i>(Initiate within the next three years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Build a new Fire Station #2, replacing and addressing deficiencies in the existing facility 	<ul style="list-style-type: none"> Finalizing tender document for architectural design and administrative services.
<ul style="list-style-type: none"> Continue to work with other West Niagara municipalities and local physicians to ensure the redevelopment of West Lincoln Memorial Hospital 	<ul style="list-style-type: none"> May, 2020 – Council committed to local share of WLMH Rebuild funding – staff to report back to Council by Dec 1, 2020 with financing models
<ul style="list-style-type: none"> Update the Public Works building and yard 	<ul style="list-style-type: none"> Ongoing research to develop lands with the region for cost savings. Always looking for appropriate sites that may become available. e.g. NPEI building
<ul style="list-style-type: none"> Other Community Safety Initiatives 	<ul style="list-style-type: none"> CAO is representing the west and smaller municipalities in the region on the Community Safety and Well Being Advisory Committee. That committee's objective is to develop a Regional Community Development Plan as mandated by the Province. The initial due date was the end of 2020 but this deadline has been extended for time displaced due to COVID-19 Working on 911 PERS compliance –recent work on Silver Street now Sterling Street and Regional Road 24 will be officially named Victoria Ave
Medium-Term Initiatives <i>(Initiate within the next five years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Make improvements to pedestrian safety by introducing increased traffic calming measures 	<ul style="list-style-type: none"> The intersection of Industrial Park Rd and Spring Creek Rd was changed to a 4-way stop after completion of a traffic study to

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

and trail networks near schools, community facilities, downtown and other pedestrian spaces	<p>address safety concerns.</p> <ul style="list-style-type: none"> • The 2-way stop on Geogakakos Dr was moved to Oakdale Blvd to address safety concerns at the intersection after completion of a traffic study. • Construction contract awarded for sidewalk repairs on John Street and a new sidewalk to connect to the Caistorville Library. • Working with the Niagara Region to establish pedestrian crossings on Regional roads to provide a safer and more walkable downtown core.
Long-Term Initiatives <i>(Initiate within the next ten years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> • Advocate for a physician recruitment strategy that will increase the number of family physicians in West Lincoln 	<ul style="list-style-type: none"> •

THEME #6: EFFICIENT, FISCALLY RESPONSIBLE OPERATIONS

Goal: The Township of West Lincoln is a lean organization that uses sustainable, innovative approaches and partnerships to streamline processes, deliver services and manage infrastructure assets.	
Ongoing Priorities	Progress and Accomplishments
<ul style="list-style-type: none"> Complete an asset management plan to prioritize investments based on evidence, and balance service levels with fiscal sustainability 	<ul style="list-style-type: none"> New job description for a GIS/Asset Management Coordinator has been developed and the position has been posted, and applicants will soon be interviewed. Council approved Phase 2 of Asset Management Road Plan and Township has successfully received FCM grant of up to \$50,000. Project to commence in July 2020.
<ul style="list-style-type: none"> Business Continuity activities during Pandemic 	<ul style="list-style-type: none"> Implemented new secure Work from Home technology to ensure business continuity and maintaining safety while Township physical buildings were closed Investigating/implementing new measures to protect both residents and staff when accessing/using Township buildings. i.e. secure access, screening tools etc. Continuously encouraging residents to pay on-line and through e-banking, and encouraging our vendors to accept EFT rather than cheque payments The Clerk's Department amended the Procedural By-law which provided for electronic Council and Committee meetings by electronic means (i.e. Callbridge, Zoom) following the closure of Township facilities. Efforts continue to improve upon electronic meetings by allowing Delegations/Presentations to attend meetings similar to Council and Staff as well as residents to watch the meetings on a request basis and through invitation (i.e. Zoom Webinar).

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

Short-Term Initiatives <i>(Initiate within the next three years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Implement new software and programs to modernize service delivery, such as online registration and payment, asset management, maintenance activities, online mapping, by-law issues and water and wastewater administration 	<ul style="list-style-type: none"> New on-line forms that provide the ability to request and submit information to the Township from the comfort of your home or office and Interactive Treasury is currently implementing new budget software which will provide the public and Council with a better tool to understand the budget and will also increase staff effectiveness and efficiency in building the annual budget; this software will be used for the 2021 budget. Treasury department has expanded the use of on-line time sheet entry and has streamlined other aspects of payroll processing New interactive mapping feature that gives the public access to the Township's GIS (Geographic Information System) data New on-line complaint form on the website In Spring 2020 the West Lincoln Library implemented Evergreen, a new Integrated Library System, that allows for streamlined access to the library catalogue and facilities partnership with the Libraries in Niagara Cooperative, LiNC Clerk's Department replaced its manual, paper-based meeting management process (agendas and minutes) with eSCRIBE, being an electronic meeting management system, which staff, Council and the public can access either by signing into the eSCRIBE app or from the Township's new website. In order to ensure that the Township is compliant with the rules of MFIPPA and the principles of Accountability and Transparency, the Clerk's Department implemented an

CORPORATE STRATEGIC PLAN ACCOMPLISHMENTS

	Information and Privacy Policy that provides specific procedures for the development of new projects and initiatives while reducing risk and ensuring that personal information is protected, as well as responding to privacy breaches, should they occur.
<ul style="list-style-type: none"> Investigate improved branding for West Lincoln and develop a strategy to increase communication with residents and promote local activities, attractions and events 	<ul style="list-style-type: none"> Launched new Website May 2020 providing an online presence that is more accessible, mobile friendly and easier to navigate for users looking for information and service
<ul style="list-style-type: none"> Other Efficiencies 	<ul style="list-style-type: none"> Adjusted septic permit fees to ensure full cost recovery and fiscal responsibility - Report PD-005-20
Long-Term Initiatives <i>(Initiate within the next ten years)</i>	Progress and Accomplishments
<ul style="list-style-type: none"> Develop streamlined customer service to ensure the Township continues to achieve responsive resolution of requests as volumes increase 	<ul style="list-style-type: none"> All Township Departments have implemented new on-line forms that provide the ability to request and submit information to the Township from the comfort of their home or office.
<ul style="list-style-type: none"> Explore innovative systems and approaches to scale service delivery as the community grows 	<ul style="list-style-type: none">

DATE: June 29, 2020
FROM: Bev Hendry, CAO
REPORT NO: RFD-CAO-06-2020
SUBJECT: **West Lincoln COVID-19 Pandemic Recovery Plan**

OVERVIEW:

- The threat posed by COVID-19 to both the community and to the Corporation is significant. This report focuses upon the Township of West Lincoln's Recovery efforts and transition to what will be the new normal operating environment for the delivery of municipal services post-COVID-19. Protection of the health and safety of staff and our community is paramount, and guides the matters discussed in the body of this report.

RECOMMENDATION:

1. That Report RFD-CAO-06-2020 – West Lincoln COVID-19 Pandemic Recovery Plan dated June 29, 2020, be received for information; and,
2. That Council hereby approve the Working from Home Policy as found in Appendix B.

ALIGNMENT TO STRATEGIC PLAN:

Theme 5:

- Efficient, Fiscally Responsible Operations

BACKGROUND:

The Province of Ontario has released a Framework for Reopening our Province. As a result, the government has begun easing restrictions on workplaces that can operate safely by following public health and safety guidelines.

Following the lead of the provincial government, the EOC group and the Senior Management Team have struck a Recovery Team of staff from all departments to provide advice in the development of the Recovery Plan.

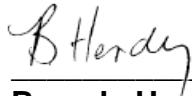
Further to the update presented to Council in May through report RFI-CAO-04-2020, our staff Recovery Team has prepared the following attached Recovery Plan as Appendix A. Staff are also seeking Council Approval of the Working from Home Policy as Appendix B.

FINANCIAL CONSIDERATIONS:


The Municipality will continue to track costs associated with COVID-19 response and recovery and this is reported in RFD-T-12-20.

CONCLUSION:

This report was prepared June 24, 2020 and is based on the information available at the time. As new actions are taken by other levels of government and new information surfaces, this plan will be modified accordingly. The protection and the health and safety of staff and our community is paramount and has guided all the decisions we have made in this incremental phased approach to the municipality's COVID-19 recovery plan.

Prepared and Submitted by:

Beverly Hendry, CAO

<div></div> <div>Framework</div>		<div>Effective Date:</div> <div>June 24, 2020</div>	
<div>Title:</div>	<div>Internal Pandemic Recovery</div>		
<div>Responsibility:</div>	<div>Township of West Lincoln</div>	<div>Review Dates:</div>	
<div>Applies To:</div>	<div>COVID-19 Recovery</div>		
<div>In Consultation With:</div>	<div>Township EOC Control Group</div>	<div>Approval Level:</div>	<div>SMT</div>

Purpose

This Internal Pandemic Recovery Framework is intended to provide guidelines for Township Management to recover post pandemic. The guiding principles in establishing recovery plans are:

- Maintaining the health and safety of staff, their families and the public, following Public Health guidance where applicable
- Address fairness to staff
- Prepare staff and the workplace for phased in return to normal operations
- Address change management scenarios related to social and environmental sustainability going forward
- Align recovery processes with Niagara Region

During any period of a Township recovery post pandemic response, the Township must endeavour to maintain its ability to:

- Continue performance of its critical functions with minimal disruption to Township service
- Begin reintegration of day-to-day operations
- Develop recovery plans in a fiscally responsible manner
- Incorporate innovative process change management practices established in the response phase
- Continue focusing on robust hygiene and physical distancing practices

Pandemic Recovery Planning Assumptions

The following assumptions have been made to assist with recovery planning:

- The Province will guide Township decision making related to recovery via the state of Emergency Declaration and Orders in Council;

INTERNAL PANDEMIC RECOVERY FRAMEWORK

- Recovery plans must take into consideration the possibility of a cycle of lifting and re-imposing restrictions. The steps we take to rebuild our economy or restore some degree of normality must recognize the possibility of restrictions being re-imposed quickly;
- Services may need to be phased in and/or altered due to these directives;
- We will still be operating in a state of emergency, with continued activation of our EOC Pandemic Response Plan until further notice;
- We will continue to maintain critical and essential services and infrastructure ;
- Anticipate physical distancing measures and proper handwashing protocols will be in effect until appropriate precautions or a vaccine is widely available;
- Amend service delivery to minimize the number of customer to staff and staff to staff interactions;
- Anticipate Township staff may be impacted by the virus;
- Trending seasonal extreme weather events may add known and unknown impacts and considerations for service delivery and impose further emergency response measures
- Regular service delivery will continue to be affected in some areas;
- Some services cannot be delivered from home and any work performed from home will contribute to continued meaningful productivity and delivery of Township services.

Internal Pandemic Recovery Team

The internal pandemic recovery team members are as follows (or designated alternate):

- CAO – Bev Hendry
- Fire Chief/ CEMC – Dennis Fisher
- Deputy Fire Chief/Alt CEMC – Tim Hofsink
- Clerk – Joanne Scime
- Deputy Clerk – Jessica Dyson
- Director of Finance – Donna DeFilippis
- Director of Public Works – Mike DiPaola
- Director of Building/Planning – Brian Treble
- CEO Library – Vanessa Holm
- Recreation Manager – Wendy Beaty
- Parks/Facilities Manager – Bob Denison
- IT – Roberta Keith
- Administration – Jacquie Thrower

The team members may consult with other department representatives. In fact, one of the initial activities to assist with determining issues to be considered was a meeting of all staff group with representation from all departments.

Internal Recovery Framework

The internal Recovery Planning Framework includes 2 sections to assist in the development of recovery plans.

The Township of West Lincoln will begin a phased in approach while adhering to Federal and

INTERNAL PANDEMIC RECOVERY FRAMEWORK

Provincial guidelines for health and hygiene guidelines as well as essential service provisions outlined in the Provincial re opening plans.

Recovery phased in timelines will continue to be fluid in nature and will be amended where required. A timeline for recovery will be established from data collected in the department specific recovery plans where business services recovery timelines and plans will be documented. The Senior Management Team (SMT) will amend and approve the phased in timeline as appropriate.

Section A – Internal Regional Operations Recovery Plans

Within the internal Township operations recovery planning, there are 2 sections:

1. Corporate level recovery
2. Department specific recovery plans

Once corporate-level plans and policies are developed they are used to shape the development of service specific plans. This will ensure a consistent application of organization-wide requirements is followed and reduces the duplication of work. For example, when a corporate level approach to modifying workspaces and public areas for physical distancing measures is developed, each service area will be required to follow those directions within their own facility/work area.

Department specific recovery plans will be established using the business continuity framework. A business service recovery template will be used to address each business service within the department to ensure a strategic and corporately sound approach to service re-integration.

Section B - Governance & Finance Strategies

Township 2020 and 2021 operating budgets will be impacted by actions taken to continue to protect the health and safety of the community as we continue to do our part to limit the spread of COVID-19. This section is split into 2 sections:

1. Short and long term financial strategies to recover from the financial impacts.
2. Other governance topics.

The focus of these plans is to ensure that continued effective and efficient governance and financial leadership is restored quickly so that the Township is able to support the community.

INTERNAL PANDEMIC RECOVERY FRAMEWORK

Section A: Corporate and Department Recovery Plans

The following corporate level recovery decisions and plans should be a priority and referred to when creating service specific plans.

Recovery Area	Considerations
Facilities	<ul style="list-style-type: none">• Pre occupying deep cleaning of facilities (prior to staff re-entry) including individual office spaces in instances where a potential infection has been reported• Need to establish flow direction in the office to limit staff contact• Establish protocol for individual cleaning in offices ongoing• Demobilization of repurposed facilities• Major Systems Recertification/Inspection (i.e. HVAC, fire/life safety systems)• Building Cleaning/Sanitization/ Waste management• Screening process to take place prior to entry into facility• Building walk through to document office layout changes, path of travel, etc. based on building and program needs and repairs (if required)• Cleaning contracts and extensions of these for enhanced cleaning• Availability of hand sanitizer and wipes throughout buildings• Posting signage as approved by SMT and PH• Potential for barrier installations at Urinals• Recommendations for stairwell etiquette for day to day operations• Kitchenette Protocol for use and spacing out access in between use• Implementation of space modifications required to ensure physical distancing (barriers, screens, workstation relocations etc)• Consultation and collaboration with Corporate H&S on all Facilities requirements
Human Resources and Customer Service	<ul style="list-style-type: none">• Staff Count-who is returning• Existing complement<ul style="list-style-type: none">○ Staff working remotely○ Staff not working○ Staff redeployed○ Staff on emergency leave• Lifting hiring freeze for non-critical jobs• Onboarding and training/ permitting of new staff including students• Ensure Union remains informed about employee reintegration back to on site work and redeployment of staff currently on

INTERNAL PANDEMIC RECOVERY FRAMEWORK

	<p>emergency leave</p> <ul style="list-style-type: none"> • Continuance of work from home (Policy attached) • Evaluate the need for new and update requirements for HR Policies and SOPs related to recovery; (ie - work from home policy)
Physical Health & Safety	<ul style="list-style-type: none"> • Team size/physical distancing of workspaces (cubicles) • In-person meeting protocols • Business travel/conference attendance • Personal Protective Equipment (what is allowable/recommended for internal and external service provisions) • Work from home ergonomic and safety protocols • Employee illness monitoring & health screening • Washroom safety protocols • Inform JHSCs of phased on return to work-risk based approach for staff concerns-monthly inspection • Assess emergency evacuation procedures supporting physical distancing practices and possibly incorporating donning of PPE • Risk Assessment-Program based for donning required PPE as well as other safety measures to reduce exposure and spread of virus • Review hierarchy of safety measures and best practices for implementing controls which ensures limited opportunities for staff, contractors and public to be in close contact • Review of public interaction points where services are required (i.e. libraries)
Public/Visitor Access	<ul style="list-style-type: none"> • Visitor Protocols • Physical distancing measures • Access & screening • Counter service provisions
Staff mental health supports / programming	<ul style="list-style-type: none"> • Ongoing access to RWAM Employee Assistance Programs • Communications activities related to mental health and mindfulness • Team support initiatives/open dialogue
Employee culture	<ul style="list-style-type: none"> • Missed Milestones • Team Building • Maintaining employee culture, confidence and morale
Communications	<ul style="list-style-type: none"> • Establish communications to staff returning to work and offer employee supports for confidence building approaches related to reintegration of on-site return and what the new “normal” will look like • Regular Corporate, Departmental communications

INTERNAL PANDEMIC RECOVERY FRAMEWORK

	<ul style="list-style-type: none">• Updates to the COVID webpage to incorporate recovery information
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Department Recovery Plans-Business Continuity Framework

It is the responsibility of individual departments to ensure their business continuity plans that have been activated are reviewed and processes for deactivation of these plans are established following corporate guidelines and protocols.

Recovery guidelines are established by each department for returning staff and services. It is assumed that all services will need to follow and integrate the corporate level plans. Plans should also include how the service will address backlogs in their areas where necessary.

Workplace Recovery: Suggested Social/Physical Distancing Measures

Once pandemic recovery phases have been established internally and in the community, people should continue to use physical distancing as a way to reduce the risk of being exposed as part of a second wave of illness. A physical distancing plan to decrease density and office traffic are essential for reintegration of staff on site. PH will provide advice based on Provincial standards if applicable. Some strategies to consider include:

- Staggering arrival/departure times
- Office layout considerations (cubicle occupant distance) as well as foot travel traffic flows should be considered to minimize staff cross path contact and avoid close contact
- Encourage clients to call in or limit contact
- Cancel gatherings/training/mass meetings - only on priority basis and training numbers to be reduced to ensure physical distancing
- Minimize contact at work by teleconferencing and/or using ZOOM technology
- If face-to-face meetings with people are unavoidable, minimize the meeting time, choose a large meeting room and sit at least two metres away from each other if possible; wear a mask where two metres distance cannot be maintained; do not shake hands or hug. Consider holding meetings in the open air if weather permits.

Communications

During pandemic recovery it is vital that the Township maintains clear and consistent communications from a single source. All communications for staff will be delivered by CAO and Department Heads. To best articulate the circumstances surrounding recovery, the following subjects should be appropriately addressed during each phase of recovery:

- Operational status of the Township (CAO)
- Recovery Guidelines (Provincial, PH)

INTERNAL PANDEMIC RECOVERY FRAMEWORK

- Implementation of work place social/physical distancing practices (SMT/PH)
- Explanation of phased in recovery and instructions (SMT/CAO/EOC)
- Ongoing Health Bulletins and travel advisories (PH)
- Recommendations for workplace infection control measures (PH)
- Workplace staffing reintegration, compensation and benefits, change management, health and safety (SMT/CAO)
- Program related communications (departments) (consistent with corporate messaging)

Method of Communications

For internal staff, the main methods for information dissemination will be through the CAO and all Department Heads. As staff are reintegrated back to work at various Township locations, signage with health and hygiene reminders will be posted throughout the location.

HR Policies

Some of the recommended HR Policies/Procedures to be developed may include the following with additional items being added as required:

- Social/Physical Distancing Policy
- Work at Home Policy
- HR Pandemic Response Policy
- Standard Operating Procedure Guidelines for Visitor, Contractor, expectations
- Development of Pandemic Recovery Policy

Public Health Suggested Measures

Recovery Process for Screening and Vaccinations: Public Health may recommend continuance of screening of staff and/or visiting public for clinical services, as per pandemic response protocols and regular seasonal flu requirements. Changes may apply as per Provincial guidance. All staff are also requested to self-screen.

Public Health may also implement a staff vaccination program (if relevant) for identified (critical) staff-In accordance with collective agreements and applicable legislation.

Health and Safety

Personal Protective Equipment:

- Advice will be provided by Health & Safety, informed by PH recommendations related to issuance of personal protective equipment.
- A risk assessment will be completed on a case by case basis in collaboration with the work area
- All PPE will be acquired and issued to staff via the Township

INTERNAL PANDEMIC RECOVERY FRAMEWORK

Facilities – Cleaning and Sanitization (personal and building)

Departmental staff should ensure hand sanitizing stations at all of the Township facilities are full and will order replacement as needed.

Building cleaning-enhanced cleaning measures for high touch/high traffic surfaces and location should be considered. Facilities contracts to provide details.

Section B: Governance and Finance Strategy (To be built into Departmental Recovery Plans)

Corporate Services can provide guidance and best practices support to departments as cost recovery initiatives related to pandemic response cost and public service revenue are being submitted.

Short & Long Term Financial Strategies

Goal

The goal for Municipal Finance Recovery is to ensure financial sustainability of the Municipality through controlling costs to the greatest extent possible and to offset lost revenues due to COVID-19.

Principles

- The Township will take proactive measures to mitigate the overall impact through a Cost Containment Plan.
- Control costs through the management of discretionary spending items.
- Recover costs where possible through grants and other forms of financial assistance.
- Minimize any potential deficit in the Municipality's operating fund at end of year.
- Mitigate the impact on the Township reserves.

Assumptions

- Initial estimates will likely increase over time based on the overall duration of the event and the response efforts that are required.
- With lower than anticipated cash-flows due to lost revenues, as well as likely delayed payments on various Township services, it is expected that the Municipality's investment income will be impacted.

Governance

Goal

The goal is to ensure continuity of leadership and government through providing guidance, governance and control over operations.

INTERNAL PANDEMIC RECOVERY FRAMEWORK

Example Strategies:

Strategy Name	Inclusions
Strategic Plan	<ul style="list-style-type: none"> • Direction and adjustments • New community expectations
Business Plans	<ul style="list-style-type: none"> • Direction and adjustments • New community expectations
2021 Budget	<ul style="list-style-type: none"> • Direction • Connection with financial plans above
Council engagement	<ul style="list-style-type: none"> ❖ Resumption of Council / Committee meetings ❖ Outreach
Debriefing of Pandemic Response / Recovery	<ul style="list-style-type: none"> ❖ Immediate lessons learned from the previous wave when planning for multiple pandemic waves; ❖ The effectiveness of plans, procedures, equipment, and facilities, and the training of personnel;
Stimulus Strategy	<ul style="list-style-type: none"> ❖ Identifying projects and services for Provincial/Federal Grant opportunities
Innovation/Opportunity Strategy	<ul style="list-style-type: none"> ❖ Identifying Opportunities for significant shifts based on lessons learned from the Pandemic and future 'Municipal-Building' opportunities

INTERNAL PANDEMIC RECOVERY FRAMEWORK

Appendix Potential Phases of Return to Normal – Considerations – TO BE REFINED

- ❖ **The Corporation intends to make their plans to be consistent with provincial plans.**

Phase 1: Province initiates stage 1

- All work continues remotely where possible.
- Only employees who are in a role that requires them to work at the office should plan on returning to work.
- Screening protocols in place upon entrance.
- Public Health guidelines will be followed.
- No work-related travel.
- Critical services reinstated/continued where possible.
- Social distancing measures for operational services.
- Council meetings remain virtual

Phase 2:

These actions will be refined as we get closer to Phase 2. Please consider the actions listed below as suggested possible actions.

- Anyone can continue to work from home where possible.
- Determine maximum number of staff by building.
- Screening protocols in place upon entrance.
- All Township buildings will remain closed to all visitors, unless direction is provided by the Province regarding specific buildings
- All job interviews will be completed remotely where possible, if conducted in person COVID-19 rules will followed
- Implement social distancing measures for those who choose to work in the office.
- Enhance office cleaning schedules to be more frequent, especially around areas of high traffic (lunch room, meeting rooms, bathrooms) spacing
- Council meetings remain virtual

Phase 3:

These actions will be refined as we get closer to Phase 3. Please consider the actions listed below as suggested possible actions.

- Regard for employees that are part of a vulnerable population
- Maintain social distancing measures for those who work in the office.
- Township buildings open to the public with screening and proper health and safety precautions.

INTERNAL PANDEMIC RECOVERY FRAMEWORK

- Enhance office cleaning schedules to be more frequent/in-depth, especially around areas of high traffic (elevators, meeting rooms, bathrooms).
- Modify interviews to allow for candidates who do not want to travel to complete the process remotely.
- Work related travel resumes, but only if safe.
- Council meetings remain virtual with possibly allowing some members present with physical distancing maintained.

Phase 4: Normal operations resume – Vaccination program completed

- All programs resumed
- Buildings open to the public without screening
- All staff back in office with individual arrangements (e.g. work from home)

TITLE: Working from Home Policy
POLICY NO: POL-ADMIN-01-2020
APPROVAL DATE: June 29, 2020
EFFECTIVE DATE:

PURPOSE:

This Guideline references “designated employees”, who have been asked to work at home as directed by senior management.

Managers/Supervisors are expected to monitor the work of an employee who is working at home as they would with other employees. Should performance issues become a problem, Managers/Supervisors should deal with those issues as they would with any other productivity concern.

It is recognized that not all work at home arrangements will involve employees using equipment supplied by the Township and some arrangements may involve the use of personal computers. Equipment supplied by the Corporation will be owned by the Township and would revert back to the Township when the employee is no longer working at home.

All confidentiality requirements, both legislative and corporate driven, shall continue to apply.

Regular communication amongst all affected persons shall be maintained to the extent possible given the nature of the circumstances. The frequency and scheduling of communications will be determined by the responsible Manager/Supervisor.

An employee and employer have an obligation and responsibility to adhere to the reporting requirements of the Workplace Safety & Insurance Act (WSIA) in the event of a work related accident sustained by a person who works at home as a result of the implementation of this Guideline.

The Township will not be responsible for any operating costs that are associated with the employee using his or her home as an alternative worksite, including home maintenance, insurance or utilities. Costs for furniture necessary to work from home such as chairs, desks, filing cabinets, etc., will not be reimbursed by the Township and are the employee's responsibility.

Employees should be mindful to keep work-related expenses at a minimum. Reasonable expenses incurred on behalf of the Township (e.g. printing, long distance phone calls on personal phone, etc.) will be reimbursed upon providing the necessary proof of expense.

SCOPE:

This Policy shall apply to members of Staff.

GUIDELINES FOR MANAGERS/SUPERVISORS:

- Be sure your staff understand their responsibilities regarding if and when they may be required to return to the workplace (i.e.: key and essential meetings that cannot happen from home/alternate work location; redeployment to other work; etc.)
- It should ultimately also be understood that staff who may have been approved to work from home need to be available should they be required to physically return back to the workplace.
- Outline what tools or resources are needed. Remind employees how they can access email remotely from their computer using their regular login and password.
- Clearly articulate the following guidelines for working outside of the normal workplace:
 - Staff are expected to work in compliance with all relevant legislation (i.e. Occupational Health and Safety Act, Employment Standards Act, Personal Health Information Protection Act, and Municipal Freedom of Information and Protection of Privacy Act, etc.),
 - All Corporate policies and procedures, and provisions under the collective agreement/Terms and Conditions of Employment, apply in the home environment.
- Supervisors will ensure that staff are provided with appropriate orientation to do the work that has been assigned, either over the telephone or electronically, and will discuss and address any equipment needs and coordinate system access with staff as needed.
- While working at home remind staff that they must keep their direct supervisor apprised of their hours of work, location, and contact information and be accessible by telephone and email during these hours.

ROLES AND RESPONSIBILITIES:**Staff working from home shall:**

- Adhere to all corporate policies and procedures regardless of the work location. Ensure they work in a safe manner in compliance with the OHSA and all agency health and safety policies. Failure to comply with any aspect of these policies or related policies or legislation may result in disciplinary action up to and including termination of employment.
- Ensure that equipment and files, both electronic and paper, shall be accessible only to the employee and shall be safeguarded from access by other members of the household and visitors.
- Ensure that any records kept in the home (e.g. paper, thumb drives) shall be stored in a locked filing cabinet or desk drawer when they are not being used.
- Ensure that the Township shall have reasonable access in a timely manner to equipment and any records kept in the home.

- Be diligent in taking the appropriate measures in protecting confidential information, and maintain your cyber-resilience during this time.

POLICY MANAGEMENT:

Staff are authorized and directed to take the necessary actions to give effect to this policy.

The Township Clerk is delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes.



**Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

August 29, 2019

SENT VIA EMAIL

Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

Re: Whistleblowing Policy

At its meeting of August 26, 2019, the Town of Grimsby Council passed the following resolution:

Moved by Councillor D. Bothwell; Seconded by Councillor R. Freake;

Whereas the Town of Grimsby has policies in place to ensure that it is accountable to the public for its actions and that its actions are transparent to the public,

Whereas whistleblowing by employees in local governments can bring critical knowledge about misconduct and failed policy outcomes and priorities to the attention of politicians and/or the public, and

Whereas the provincial government, as well as other municipalities and agencies in Ontario, have in place policies and/or legislation that provide legal protection from discriminatory or disciplinary action for employees who disclose wrongdoing of any kind in the context of their workplace in good faith and to a competent authority, and

Whereas voters in the Regional Municipality of Niagara, including the Town of Grimsby, sent a strong message on October 22nd, 2018 for the need for accountability and transparency in the way local governance is conducted, and

Whereas it is always desirable to build upon and enhance existing policies that further strengthen public trust in the accountability and transparency of the way their local government functions;

Now therefore be it resolved,

That: Council directs staff to prepare a report with respect to a whistleblowing policy for the Town of Grimsby, and further

That: The Municipal Council of the Town of Grimsby fully supports whistleblowing and is committed to protecting whistleblowers, the important information they provide and more widely, the integrity of the whistleblowing processes. All persons who are considering reporting their concerns in good faith can be assured that their concerns will be taken seriously, their identity will be protected and, as an employee of our municipality, that they will be protected from detrimental treatment, retaliation or employment harassment, and further

That: This resolution be circulated to Niagara Regional Council, the Councils of the Local Area Municipalities within the Regional Municipality of Niagara.

CARRIED

Regards,

A handwritten signature in blue ink, appearing to read 'Sarah Kim', with a long horizontal flourish extending to the right.

Sarah Kim
Acting Town Clerk

cc. Local Area Municipalities, *sent via email*

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-57

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AT ITS REGULAR MEETING HELD ON THE 25th DAY OF MAY, 2020, AND ITS SPECIAL MEETING HELD ON THE 16th DAY OF JUNE, 2020.

WHEREAS the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, Section 5(1), provides that the powers of a municipal corporation shall be exercised by its Council;

AND WHEREAS the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, Section 5(3) provides that except where otherwise provided, the powers of any Council shall be exercised by by-law;

AND WHEREAS in many cases, action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

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

1. That the minutes of the eighth meeting, regular, held on the 25th day of May, 2020, ninth meeting, special, held on the 16th day of June, 2020 of the Municipal Council of the Corporation of the Township of West Lincoln, be and the same are hereby adopted.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned minutes or with respect to the exercise of any powers by the Council in the above mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by the Council.
3. That the Mayor and the proper officers of the Corporation of the Township of West Lincoln are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and, except where otherwise provided, the Mayor, Clerk, and/or the Administrator are hereby directed to execute all documents necessary on behalf of the Corporation of the Township of West Lincoln and to affix thereto the corporate seal of the Corporation of the Township of West Lincoln.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-54

**A BY-LAW TO REGULATE SIZE, *USE*, LOCATION AND
MAINTENANCE OF *SIGNS* IN
THE TOWNSHIP OF WEST LINCOLN**

WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting structures including fences and *signs*;

AND WHEREAS section 99 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides rules that apply to a by-law of a municipality respecting advertising devices, including *signs*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws imposing fees or charges on any *person* for services or activities provided or done by the municipality or done on behalf of it;

AND WHEREAS section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws providing that a *person* who contravenes a by-law of a municipality passed under that Act is guilty of an offence;

AND WHEREAS subsection 436(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

AND WHEREAS section 444 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may make an order to require a *person* to discontinue contravening a by-law and to do the work required to correct the contravention;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient to pass a by-law respecting *signs* in the Township of West Lincoln.

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

SECTION 1 GENERAL PROVISIONS

1.1 SHORT TITLE

1.1.1 This by-law shall be known as the “*Sign By-law*”.

1.2 DEFINITIONS

1.2.1 For the purpose of this by-law:

- (1) “*abandoned sign*” means a *sign* located on a *property* which becomes vacant or unoccupied for a period of greater than ninety (90) days or any *sign* which pertains to a time, event, purpose, or business which has passed or is no longer applicable;
- (2) “*advertising device*” means any device or object *erected*, located or displayed so as to attract public attention to any goods or services or facilities or events and includes *flags*, banners, pennants, and lights;
- (3) “*altered*” or “*alterations*” means, when *used* in reference to a *sign* or *sign structure*, to change any one or more external dimensions and / or construction material, but shall not include the replacement of the plastic face, painting, repainting, cleaning or other normal maintenance and repair of a *sign* that does not involve structural changes;

- (4) “*animated sign*” means a video screen that electronically displays or projects visual images including, but not limited to, video, trailers, digital or computer images and does not include a *read-o-graph*;
- (5) “*authority having jurisdiction*” means the *Township*, the Regional Municipality of Niagara, the Ministry of Transportation and the Niagara Peninsula Conservation Authority;
- (6) “*awning*” means a space frame system, movable or fixed, covered with fabric or like material attached and projecting from a building or structure, but not forming an integral part thereof, and includes a canopy;
- (7) “*billboard sign*” means an outdoor *sign* maintained by a *person*, firm, corporation or business engaged in the sale or rental of the space on the *sign* to a client, upon which space is displayed information that advertises goods, products, or services not necessarily sold or offered on the *property* where the *sign* is located, and the *sign* is either single faced or double faced;
- (8) “*Chief Building Official*” means the *Chief Building Official* appointed by *Council* under the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended, or the *person* to act in that capacity in his or her absence;
- (9) “*contractor’s identification sign*” means a *sign* identifying the contractor involved in the undertaking of improvements, including but not limited to, maintenance, landscaping, renovation, construction, or demolition;
- (10) “*combustible material*” means a material that fails to meet the acceptance criteria of CAN4-S114, “Standard Method of Test for Determination of Non-combustibility in Building Materials” or any similar standard incorporated into the Ontario Building Code subsequent to the enactment of this by-law;
- (11) “*community event sign*” means any *sign* 3m² [32.29 ft²] or less in area advertising a community event such as, but not limited to, a craft show, car show, festival, fair, carnival, fundraiser, charitable or other similar event;
- (12) “*construction sign*” means a *sign* which identifies or provides information relating to or advertising the development of the construction of a building on the lands on which the *sign* is *erected*;
- (13) “*Council*” means the Council of the Township of West Lincoln;
- (14) “*development sign*” means a *sign* which displays the name or corporate identification of a builder or developer, or provides direction to a new home development in progress and located within an approved registered plan of subdivision or condominium plan within the *Township*;
- (15) “*directional sign*” means any on-premises *sign* which gives directions or instruction for the control of vehicular or pedestrian traffic and shall include an entry and exit *sign*;
- (16) “*directory sign*” means a *sign* listing the tenants of a multi-tenant building containing at least two distinct tenant units which *sign* includes only the municipal address and a list of tenants or occupancies for identification purposes;
- (17) “*drive through facility*” means the *use* of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to *persons* remaining in motorized vehicles, that are in a lane *designated* for that purpose;
- (18) “*erect*” means to conduct any action involved in the *erection*, installation, construction, extension, repair, reconstruction, replacement or material alteration of a *sign*;
- (19) “*fascia sign*” means a *sign* attached to, marked or inscribed on, *erected* or placed against a wall forming part of a building, or supported by or through a wall of a building, including a painted *wall sign* and an *awning sign*, however,

- a *fascia sign* shall not include any other *sign* defined in this by-law unless otherwise stated;
- (20) “*flag*” means a *sign* made of cloth or lightweight material attachable by one edge to a pole or rope, but is not *used* for commercial advertisement;
 - (21) “*frontage*” means the length of the *street line*;
 - (22) “*grade*” means the average elevation of the finished surface of the ground where it meets the base of the *sign* or *sign structure*, but does not include any embankment specifically installed for the *sign*, planter box or other structure;
 - (23) “*ground sign*” means a *sign* supported by uprights or braces embedded in a foundation in the ground to a depth of at least 1.2m [3'-11 1/4"] and which is not attached to any part of a building;
 - (24) “*height*” means the vertical distance from the average elevation of the finished *grade* immediately below a *sign* measured to the highest point of the *sign* and includes the supporting structure;
 - (25) “*home based business*” means a home industry or home occupation *use* as defined in the *Township’s* Comprehensive Zoning By-law 2017-70, as amended from time to time;
 - (26) “*incidental sign*” means a *sign* of minor consequence and size and without limiting the foregoing, shall include a holiday decoration, metal plaque, community gateway *sign*, any *sign* which is part of equipment or display, and *signs* affixed to or painted on around a construction site;
 - (27) “*inflatable sign*” means an *advertising device* designed to be inflated and which is tethered to the ground, a building, structure, vehicle or similar support and includes a hot air balloon;
 - (28) “*Municipal Clerk*” means the *Municipal Clerk* of the Corporation of the Township of West Lincoln or a *person* delegated by the *Municipal Clerk* for the purpose of this by-law;
 - (29) “*property*” means any parcel of *land* which can be alienated or otherwise disposed of separately and apart from any abutting *lands*, whether or not such parcel is described in a registered deed, or shown on a registered plan of survey or subdivision;
 - (30) “*property line*” means any boundary of a *property*;
 - (31) “*property line, front*” means the *property line* that divides the *property* from a public or private *street* provided that for a *corner property*, through *property*, or through *corner property*:
 - (a) the shortest of the *property lines* that divide the *property* from the public or private *street* shall be deemed to be the *front property line*;
 - (b) where such *property lines* are of equal length and where one *property line* abuts a Regional Road or Provincial *highway*, the *front property line* shall be deemed to be that *property line* which abuts the Regional road or Provincial *highway*; and
 - (c) where such *property lines* are of equal length and where both *property lines* abut public *streets* under the same jurisdiction, the *Township* may designate which *property line* is the *front property line*.
 - (32) “*mobile new home development sign*” means a *sign* which is not permanently installed or affixed to the ground advertising the sale of new homes and may provide directions to a site or identification of a site, sales office, or model home;
 - (33) “*neighbourhood event sign*” means a *sign* advertising a private auction, garage sale, bake sale, bazaar, church even tor other similar neighbourhood event within the *Township*;

- (34) “*Officer*” means an *Enforcement Officer*, a *Building Inspector*, a *Chief Building Official*, or other *person* appointed or employed by the *Township* for the enforcement of by-laws;
- (35) “*open house sign*” means a *sign* which is not permanently installed or affixed to the ground intended to direct traffic to a building or *property* for sale or lease, but shall not include a *mobile new home development sign*;
- (36) “*owner*” means and includes the:
- (a) *owner* of the *sign*;
 - (b) *owner* of the real *property* on which the *sign* is located; or
 - (c) the *person*, for the time being, managing or receiving the rent of the *sign* or the real *property* on which the *sign* is located.
- (37) “*person*” means and includes an individual, firm, corporation, association or partnership and includes an occupant or an *owner* of a *property*;
- (38) “*pole sign*” means a *sign* greater than 3m [9'-10 1/8"] in *height* directly supported from the ground with the aid of any building or structure other than the *sign structure*;
- (39) “*portable ground sign*” means any *sign* specifically *designed* or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes *signs* commonly known as an a-frame or *mobile sign*;
- (40) “*poster*” means a printed notice conveying information that is intended to be displayed for a temporary period of time and includes, but is not limited to, a handbill, leaflet, notice, and placard;
- (41) “*public property*” means *property*, land, or buildings owned by the *Township*, the Region of Niagara, or a local board as defined in the Municipal Affairs Act, as amended, or owned by the Provincial or Federal governments;
- (42) “*read-o-graph*” means any part of a *sign* which is *designed* so that any identification or advertisement is readily interchangeable by manual or electronic means and includes an electronically controlled message centre;
- (43) “*real estate sign*” means a *sign* installed, *erected* or displayed on a *property*, temporarily or otherwise, for the notification that a building, premise or portion thereof is offered for sale, rent or lease;
- (44) “*Region*” means the Regional Municipality of Niagara;
- (45) “*roof sign*” means any *sign* which is located entirely on or above the roof of a building or is located entirely on top or above the parapet of a building or other similar structure and projects above the roof of a building;
- (46) “*sidewalk sign*” means a free standing *sign* located on but not permanently anchored in the ground and, without limiting the generality of the foregoing, shall include *signs* commonly referred to as ‘A’ frame, ‘T’ frame and sandwich boards but shall not include any other *sign* defined in this by-law;
- (47) “*sight triangle*” means a triangular area on a *property* determined by measuring a specified distance along each *street line* and joining such point with a straight line, as prescribed in the *Township’s* Comprehensive Zoning By-law 2017-70, as amended;
- (48) “*sign*” means any board, plate, panel, object, surface or device upon, within, against, through or by which there is inscribed, painted, affixed, borne or projected declaration, demonstration, *insignia* or illustration *used* for the purpose of direction, information, advertisement, promotion or identification including any related *sign structure*, structural trim, and *advertising device*;
- (49) “*sign area*” means the entire area of the surface of the *sign* and where a *sign* is not bounded or enclosed within a distinct area or frame, the *sign* shall be

that of a rectangle, circle or other simply geometric shape containing all letters, symbols and devices on the *sign*;

- (50) “*sign permit*” means a permit issued by the *Chief Building Official* pursuant to the provisions of this by-law;
- (51) “*sign structure*” means the supports, uprights, bracing and / or framework of the *sign*;
- (52) “*sports facility fencing*” means any fence of open construction which is contained within the *property* boundaries of a public or private park, sports field, or recreational facility which is either a permitted *use* in accordance with the *Township’s* Comprehensive Zoning By-law 2017-70 or an accessory to such permitted *use* but shall exclude all division fences and *property* boundary fences;
- (53) “*street*” means any public highway but does not include a provincial highway;
- (54) “*street line*” means any *property line* that divides a *property* from a public *street*;
- (55) “*substantially alter*” means the removal, alteration or replacement of the primary structural elements of the *sign* or where more than 75% of the *sign* is removed, *altered* or replaced;
- (56) “*Township*” means The Corporation of the Township of West Lincoln or the geographical area of the municipality, as the context requires;
- (57) “*use*” when *used* in conjunction with the words: residential, agricultural, industrial, non-residential, open space or similar words, shall mean such *uses* as may be permitted under the Comprehensive Zoning By-law 2017-70 of the *Township*;
- (58) “*use, agricultural*” means any lands zoned to permit the growing of crops, including nursery and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry or fish; aquaculture, apiaries, agro-forestry, maple syrup production, and associated on farm buildings and structures;
- (59) “*use, residential*” means any lands zoned to permit the establishment of buildings or structures for *use* as dwelling units and related accessory *uses*;
- (60) “*wall sign*” means a *sign* which is supported by the wall of a building; and
- (61) “*window sign*” means a *sign* posted, painted, placed or affixed in or on a window exposed to public view, and shall include an interior *sign* that faces a window exposed to public view and located within 1m [3’ – 3 3/8”] of a window.

1.3 INTERPRETATION

- 1.3.1 In this by-law statutory references are to Statutes of Ontario and the regulations made thereunder and shall be deemed to refer to such statutes and regulations as amended, consolidated, re-enacted and in force from time to time.
- 1.3.2 This by-law shall be read with all changes of gender and number required by the context or circumstances.
- 1.3.3 For the purpose of this by-law:
 - (1) “m” means metres;
 - (2) “mm” means millimetres;
 - (3) ‘ means feet (i.e. 5’ = 5 feet);
 - (4) “ means inches (i.e. 5” = 5 inches);

- (5) values contained in [] denote imperial equivalents to the prescribed metric value.

1.4 APPLICATION

- 1.4.1 The provisions of this by-law shall regulate the *erection* of *signs* on any and all *properties* within the boundaries of the *Township*.
- 1.4.2 When referring to the maximum *sign area* of either *fascia signs* or *ground signs*, the area being referenced is the total area of all fascia or *ground signs* located on a building or *property* that require a *sign permit*.
- 1.4.3 The requirements for *signs* contained in this by-law shall not apply to any *sign erected* by:
- (1) the Township of West Lincoln;
 - (2) the Regional Municipality of Niagara; or
 - (3) any Department or Ministry of the Federal or Provincial Government.

SECTION 2 PROHIBITIONS AND PERMITS

2.1 GENERAL PROHIBITIONS

- 2.1.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed any *sign* not expressly permitted by this by-law and without limiting the generality of the foregoing, the following types of *signs* and *sign* features are strictly prohibited:
- (1) *abandoned signs*;
 - (2) *animated signs* including those with moving lights that will adversely affect adjacent properties or vehicular traffic, however does not include a *read-o-graph sign*;
 - (3) the *use* of light or lights on the *sign* where the lights revolve, flash, rotate or move in any way that will adversely affect adjacent properties or vehicular traffic;
 - (4) any *sign* which *uses* words such as “STOP”, “LOOK”, “ONEWAY”, “DANGER”, “YIELD” or any other similar word, phrase, symbols or characters in such a manner as may interfere with, mislead or confuse vehicular traffic;
 - (5) any *sign* which in the opinion of the *Chief Building Official* or designate is indecent or may tend to corrupt or demoralize;
 - (6) any *sign* which creates or constitutes a danger or hazard to the public;
 - (7) any *sign* which obstructs or impedes the maintenance operations of the *Township*;
 - (8) any business *sign* on lands of *residential uses* other than where such *signs* may be permitted elsewhere in this by-law;
 - (9) the illumination of any *sign* other than where such *signs* may be permitted to be illuminated or luminous elsewhere in this by-law;
 - (10) any *sign* located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition;
 - (11) any *sign* interfering with or obstructing the view of an authorized traffic *sign* or *signal*, located on *public property*, or a *sign* resembling any authorized traffic *sign* or *signal* other than a stop *sign* or other traffic *sign* meant solely for local traffic safety purposes and located on private *property*; and
 - (12) any *sign* located within a *sight triangle*.

- 2.1.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed:
- (1) a *sign* without a permit where a permit is required by this by-law;
 - (2) a *sign* for which a permit has been obtained except in accordance with the approved plans and drawings attached to the permit;
 - (3) a *sign* in a manner that is not in accordance with the regulations provided in this by-law or the conditions of any variance granted under this by-law; and
 - (4) a *sign* which is on, over, partly on or over *public property*, including road allowances, except as may be provided elsewhere in this by-law.
- 2.1.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* within any portion of a *street* or road allowance within the *Township* except as may be provided elsewhere in this by-law.
- 2.1.4 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed any *sign* or cause any *sign* to be affixed, *erected*, or otherwise displayed on any utility pole, light standard, or traffic control device managed and controlled by a public authority, commission or local board unless express written consent of the public authority, commission or local board has been provided and a copy of such consent forwarded to the *Township*.
- 2.1.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* overhanging a sidewalk or other pedestrian walkway unless the vertical distance, measured from the bottom of the overhanging portion of the *sign* to the surface of the sidewalk or walkway is at least 2.4m [7'-10 1/2"] or in accordance with the Ontario Building Code.
- 2.1.6 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* within 0.6m [1'-11 5/8"] of the vehicular travelled portion of a private lane or roadway, or of a motor vehicle parking area unless the minimum vertical distance between *grade* and the bottom of the overhanging *sign* faces is at least 4.25m [13'-11 1/4"] or in accordance with the Ontario Building Code.
- 2.1.7 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* in a location that may interfere with or damage any above or below ground municipal, regional or utility service which has been lawfully placed at that location.
- 2.1.8 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* on a vehicle or trailer which is placed and / or located on a *property* for the purpose of displaying said *sign* or advertisement.
- 2.1.9 Except as provided for elsewhere in this by-law, no *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* for a business or *use* other than a business or *use* actively operating on the *property* on which the *sign* is displayed.

2.2 REQUIRED PERMITS

- 2.2.1 No *person* shall affix, *erect* or relocate or cause to be affixed, *erected* or relocated any *sign* without first having obtained a permit from the *Chief Building Official* in accordance with the provisions of this by-law.
- 2.2.2 Every application for permit shall be submitted on the form prescribed by the *Township* for the purpose, which may be *altered* from time to time, and shall be accompanied by:
- (1) two (2) site plans of the *property* on which the *sign* is proposed to be *erected* showing the *property lines* and *street lines* of the *property*, the location of the *sign* in relation to the said *property lines* and *street lines* as well as to any other buildings or structures on the subject *property*;
 - (2) two (2) complete plans of the proposed *sign* and its structure, those plans being prepared by a competent *person*;

- (3) such other documents as may be specified by the *Chief Building Official* where, in their opinion, additional documents or materials may be deemed necessary to ensure that the proposed *sign* complies with this by-law as well as any other applicable law;
 - (4) confirmation or certification from an architect, professional engineer, land surveyor or other competent *person* licensed in the province of Ontario as may be requested by the *Chief Building Official* where, in their opinion, such documentation is deemed necessary to ensure public safety and / or compliance with this by-law; and
 - (5) valid proof of issuance of any other permit or approval required to be issued by any other *authority having jurisdiction*.
- 2.2.3 In addition to the required information prescribed in article 2.2.2, every application for a permit submitted for the *erection* of an *inflatable sign* shall contain information regarding the method of adequately securing the *inflatable sign*.
- 2.2.4 Where the issuance of a permit to *erect* a *sign* is required by any other *authority having jurisdiction*, the provisions of article 2.2.1 for the obtaining of a permit from the *Township* shall still be applicable.
- 2.2.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sign* except in accordance with the permit issued for such *sign* and no *person* shall make a material change or cause a material change to be made to a plan, specification or document or other information on the basis of which a permit was issued without notifying the *Chief Building Official* and filing details of such change with them for the purpose of obtaining authorization for such change prior to proceeding with the implementation of the change.
- 2.2.6 Where a permit has been issued in accordance with the requirements of article 2.2.1, the *person* to whom the permit is issued shall notify the *Chief Building Official* of the commencement and completion of the *erection* of the *sign* in order to arrange for an inspection of the *sign* by an *Officer* to confirm the installation is in compliance with the approved drawings as well as the provision and regulations of this by-law.

2.3 PERMIT EXEMPTIONS

- 2.3.1 The exceptions provided in this subsection do not prohibit any municipal or other government authority from requiring a permit or approval for any *sign* under other legislation, regulations or by-laws.
- 2.3.2 Notwithstanding the provisions of subsection 2.2, provided the *sign* complies with all other applicable requirements of this by-law, a *sign permit* from the *Chief Building Official* is not required for any *sign* or *signs*:
- (1) *erected* by any federal, provincial or regional government agency which are located on lands of the government agency and are *used* solely to identify the agency or its mandate;
 - (2) *erected* or required to be *erected* by a government or government agency or any local board established by such government or government agency;
 - (3) serving as a regulatory *sign* including, but not limited to entrance, exit, parking or traffic *signs* on private *property*, provided such *sign* shall not exceed 0.4m² [4.31ft²] in area per face;
 - (4) serving as a traffic direction *sign erected* in conformance with the provisions of subsection 3.9;
 - (5) in the form of *flags* of corporate, education or religious organizations provided that not more than three (3) *flags* are located on any single *property*;
 - (6) in the form of emblems or *insignia* of patriotic, civic, educational, or religious organizations;
 - (7) in the form of commemorative plaques or cornerstones of a non-advertising nature;

- (8) that displays only the name and / or address of the *owner* or occupant of the premises or the name of the *property* or premises or both of the *property* where the *sign* is located, provided such *sign* shall:
 - (a) not exceed 0.4m² [4.31ft²] in area per face for a *property* of *residential use*; or
 - (b) not exceed 0.6m² [6.46ft²] in area per face for a *property* of other than *residential use*.
- (9) posted for the warning or safety of others such as, but not limited to; "No Trespassing", "Caution" or "Beware of Dog", provided such *sign* shall not exceed 0.2m² [2.15ft²] per side;
- (10) a *sign* for a *home based business* on lands of *residential use* where such *use* is a permitted business or *use* in accordance with the *Township's Comprehensive Zoning By-law*, provided such *sign* shall:
 - (a) not exceed 0.8m [2'-7 1/2"] in maximum *height* above *grade*;
 - (b) not exceed 0.2m² [2.15ft²] per side; and
 - (c) not be located closer to a *property line* or *street line* than 1.0m [3'-3 3/8"].
- (11) a *poster erected* in conformance with the provisions of subsection 3.11;
- (12) a *community event sign erected* in conformance with the provisions of subsection 3.12;
- (13) a *neighbourhood event sign erected* in conformance with the provisions of subsection 3.13;
- (14) a *real estate sign* advertising the sale or lease of a building or *property*, provided that such *sign* shall:
 - (a) not exceed 1.2m² [12.91ft²] in area per *sign* face for *property* of *residential use*;
 - (b) not exceed 3m² [32.29ft²] in area per *sign* face for a *property* of *use* other than *residential use*;
 - (c) be located on the *property* being advertised for sale or lease; and
 - (d) be *erected* in conformance with the provisions of subsection 3.14;
- (15) a development *sign* provided that such *sign* shall:
 - (a) not exceed 10m² [107.6ft²] in area per *sign* face; and
 - (b) be *erected* in conformance with the provisions of subsection 3.15;
- (16) a *construction sign* provided that such *sign* shall:
 - (a) be located on the *property* where the construction is occurring; and
 - (b) be *erected* in conformance with the provisions of subsection 3.16;
- (17) a *contractor's identification sign* provided that such *sign* shall:
 - (a) not exceed 1.2m² [12.91ft²] in area per *sign* face;
 - (b) not exceed 1.25m [4'-1 1/4"] in maximum *height* above *grade*;
 - (c) be located on the *property* where the work is being performed; and
 - (d) be *erected* in conformance with the provisions of subsection 3.17;
- (18) a *sign* advertising the sale of a crop from the *property* of *agricultural use* on which they were grown or produced, during the appropriate growing season

for the crop advertised, provided that such *sign* shall not exceed 3m² [32.29ft²] in area per *sign* face;

- (19) a *sign* advertising the sale of Christmas trees, in season, on lands where such *use* is permitted in accordance with the *Township's* Comprehensive Zoning By-law 2017-70, provided that such *sign* shall not exceed 3m² [32.29ft²] in area per *sign* face;
- (20) a *sign* inside a building;
- (21) a *sign* painted upon a window, wall, roof, canopy or *awning* provided such *sign* conforms to the respective subsections of this by-law for the size and area of the *sign*;
- (22) a *sign* painted on a fuel storage tank or dispensing facility advertising the product or any *sign* affixed to a pump structure or canopy associated with the sale of fuel;
- (23) any public transit shelter advertising or any advertising on *street* furniture and fixtures which have been placed or authorized by the *Township* or *Region*;
- (24) any menu board or *directory signs*;
- (25) any *signs* affixed to *sports facility fencing*;
- (26) any *incidental sign*; or
- (27) the changing of any moveable part of a *sign* for which a permit has been issued, that is *designed* for such change, or the repainting or reposting of the advertising message on the display surface of such *sign*.

2.4 PERMIT FEES

- 2.4.1 Any fee or deposit required by or described in this by-law shall be as prescribed in Schedule 'A' to this by-law for the various types of permits as well as all other applicable fees and deposits.
- 2.4.2 No permit shall be issued until the fees and deposits calculated in accordance with this by-law have been paid in full.
- 2.4.3 The calculation date for the fees calculated in accordance with article 2.4.1 shall be the date on which the permit is issued.
- 2.4.4 Any *person* who commences the *erection* or relocation, or causes or permits the *erection* or relocation of any *sign* without first having obtained a permit from the *Chief Building Official* in accordance with the provisions of this by-law, shall, in addition to any other penalty under the application law or this by-law, pay an additional fee equal to 100% of the amount calculated as the full permit fee in order to compensate the *Township* for the additional work incurred by such early commencement of work.

2.5 BUILDING PERMITS

- 2.5.1 Notwithstanding the provisions of article 2.2.1 of this by-law, the following *signs* are exempt from the requirement to obtain a *sign permit* provided the *erection* of such *sign* complies with all other provisions of this by-law and a building permit is obtained from the *Township* to permit the *erection* of such *sign*:
 - (1) a *pole sign* exceeding 7.5m [24' – 7 1/4"] in *height* above finished *grade* *erected* or installed in accordance with subsection 3.4;
 - (2) a *roof sign* exceeding 10m² [107.64 ft²] *erected* or installed in accordance with subsection 3.5;
 - (3) a *billboard sign* *erected* or installed in accordance with subsection 3.7.

2.6 EXPIRY / RENEWAL / REVOCATION OF PERMITS

- 2.6.1 A permit issued by the *Township* shall expire:
- (1) upon the expiry of any display period specified within this by-law or pursuant to the terms and conditions of the issuance of a permit;
 - (2) immediately upon removal of the *sign*; or
 - (3) six (6) months after the date of issuance of the permit where no *erection* activities have been commenced on the *property* subject to the permit.
- 2.6.2 Where a permit has been issued and prior to its expiry, an application may be made to extend the permit for an additional ninety (90) days.
- 2.6.3 Where an application is submitted to extend the permit, the *Chief Building Official* may only grant the renewal of the permit after payment of the prescribed application renewal fee has been submitted and the *sign* is confirmed to comply with the requirements of this by-law.
- 2.6.4 The *Chief Building Official* may revoke any permit issued under this By-law where:
- (1) the permit was issued on mistaken, false or incorrect information;
 - (2) six (6) months after the issuance of the permit, the *erection* of the *sign*, other than a *portable ground sign*, for which the permit was issued has not, in the opinion of the *Chief Building Official*, been seriously commenced;
 - (3) *erection* of the *sign*, other than a *portable ground sign*, is in the opinion of the *Chief Building Official*, substantially suspended or discontinued for a period of more than six months;
 - (4) the permit was issued in error; or
 - (5) the permit holder or *property owner* or their agent requests in writing for the permit to be revoked.
- 2.6.5 Prior to revoking a permit in accordance with this by-law, the *Chief Building Official* may give written notice of the intention to revoke the permit to the permit holder at their last known address and if on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice and all submitted plans and other information may be disposed of, at the request of the permit holder, or returned as directed.

SECTION 3 SIGN REGULATIONS

3.1 GENERAL REQUIREMENTS

- 3.1.1 Where a *sign* or other *advertising device* is regulated by more than one *Authority having jurisdiction*, such *sign* or other *advertising device* shall be *erected* in accordance with the regulations of the most restrictive regulating authority.
- 3.1.2 Unless specified elsewhere in this by-law, no *sign permit* shall be issued for any *sign* advertising a business or *use* not located on the *property* on which the *sign* is to be *erected*.
- 3.1.3 In the case of a shopping centre, plaza, or any other multi-tenant or multi-user *property*, it is the responsibility of the *owner* or the *owner's* agent, if any, to allocate the permitted *sign area* among the tenants, businesses or occupants of the *property*.
- 3.1.4 Every *sign* shall be *designed*, constructed and maintained to adequately withstand all loads which may reasonably be expected to come upon it and the loads and *design* shall be equal to those specified in the Ontario Building Code.
- 3.1.5 No *sign* illuminated or operated electrically shall be *erected*, maintained or *altered* unless such electrical work is in conformity with all regulations of the Electrical Safety Authority and all such electrical equipment bears the appropriate approval of the Canada Standards Association.

3.2 GROUND SIGNS

- 3.2.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *ground sign* located less than the setback prescribed for a building on that same *property* as established by the *Township's Zoning By-law* or 3m [9'-10 1/8"], whichever is the lesser, from any *street line* or *property line*.
- 3.2.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *ground sign* that:
- (1) exceeds 3m [9'-10 1/8"] in *height*;
 - (2) exceeds 0.3m² [3.2ft²] in area per side or visible face, for *property* zoned for only *residential use*;
 - (3) exceeds 9m² [96.88ft²] in area per side or visible face, for all other properties; or
 - (4) is located within 3m [9'-10 7/8"] of a driveway, entrance or exit.
- 3.2.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed on any *property* more than one *ground sign* for every 20m [65'-7 3/8"] of the *frontage* of the *property* on which the *ground sign* is to be located. Where a *property* has a *frontage* less than 20m [65'-7 3/8"] the maximum number of *ground signs* on the *property* shall be one.

3.3 PORTABLE GROUND SIGNS

- 3.3.1 A *portable ground sign* shall be located wholly on private *property*.
- 3.3.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *portable ground sign* less than:
- (1) 1m [3'-3 3/8"] from any *street line*, *property line* or municipal sidewalk;
 - (2) 2m [6'-6 3/4"] from any *street line* where the *portable ground sign* exceeds 1m [3'-3 3/8"] in *height*;
 - (3) 3m [9'-10 7/8"] from a driveway, entrance or exit
 - (4) 6m [19'-8 1/4"] from an intersection of two *streets*, when the permitted distance to the *street* or *property line* is less than the *height* of the *portable ground sign*;
 - (5) 30m [98'-5 1/8"] from another *portable ground sign* on the same *property*, and where the *property* has a *frontage* of less than 30m [98'-5 1/8"] the maximum number of *portable ground signs* on the *property* shall be one.
 - (6) exceeds 2m [6'-6 3/4"] in *height*;
 - (7) exceeds 4.6m² [49.51ft²] in area per side or visible face;
 - (8) has more than two sides or visible faces;
 - (9) is located within 6m [19'-8 1/4"] of a driveway entrance / exit or intersection of two *streets*, when the setback is less than the *height* of the *sign*;
 - (10) is located on private *property* closer than 1m [3'-3 3/8"] from a municipal sidewalk;
 - (11) is on *property* of *residential use*; or
 - (12) is in or on a parking space required by the *Township's Zoning By-law* 2017-70, on a *property*.
- 3.3.3 *Portable ground signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

- 3.3.4 All electrical cables, extensions, wires or outlets of every nature or kind attached to, or relating in any way to, a portable *sign* must comply with the regulations of the Electrical Safety Authority.
- 3.3.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *portable ground sign* on a *property* without first obtaining written permission from the *owner* of the *property*.
- 3.3.6 A maximum of six (6) *portable ground sign permits* per calendar year may be issued to each eligible *property*.
- 3.3.7 Subject to article 3.3.7, a *portable ground sign* shall not be *erected* or displayed for more than thirty (30) consecutive days from the date the permit is issued.
- 3.3.8 No *portable ground sign permit* shall be issued unless a minimum of twenty-one (21) days have passed since the expiry date endorsed on any previous *portable ground sign permit* issued for each *property line* abutting a *street*.

3.4 POLE SIGNS

- 3.4.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *pole sign* located closer to the *street line* or any other *property line* than the setback line for a building as established by the *Township's Zoning By-law 2017-70* or 3m [9'-10 7/8"], whichever is the lesser.
- 3.4.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *pole sign* which:
- (1) exceeds 9m [29'-6 1/4"] in *height* of the *sign*;
 - (2) exceeds 20m² [215.28ft²] in area per side of visible face; or
 - (3) is intended to be on lands zoned for *residential use*.
- 3.4.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed on any lot more than one *pole sign* for every 60m [196'-10 1/4"] of *frontage* of the lot on which the *pole sign* is located.
- 3.4.4 *Pole signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.5 ROOF SIGNS

- 3.5.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *roof sign* less than 1m [3'-3 3/8"] from the face of the building on which such *roof sign* is *erected*.
- 3.5.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *roof sign* which:
- (1) is constructed of *combustible materials*;
 - (2) does not have a clear space at least 1.22m [4'-0"] from the underside of the *sign* to the level of the roof or top of the building except for the support structure of the *sign*;
 - (3) has any face exceeding 10m² [107.64ft²] in area per visible side or visible face;
 - (4) *height* exceeds the maximum building *height* from *grade* as prescribed by the *Township's Zoning By-law [2017-70]*.

3.6 FASCIA / WALL SIGNS

- 3.6.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *wall sign* or *fascia sign* that:

- (1) is not *erected* against the exterior wall of the building to which the *wall sign* is to be attached;
- (2) projects more than 0.6m [1'-11 5/8"] from the wall of the building;
- (3) exceeds 10m² [107.64ft²] or 25% of the area of the face of the building on which it is installed, whichever is the lesser;
- (4) exceeds 0.3m² [3.23ft²] in area on a building on residential lands; or
- (5) does not have at least 2.4m [7'-10 1/2"] clearance between *grade* and the underside of the *wall sign* or *fascia sign*.

3.6.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed more than one *wall sign* for each 100m² [1076.39ft²] of building wall face, notwithstanding that any building which does not have a building face of 100m² [1076.39ft²] in area may have one *wall sign* on the building face fronting on the *street*.

3.6.3 *Wall signs* and *fascia signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.7 BILLBOARD SIGNS

3.7.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a billboard in a zone other than one so zoned by the *Township's* Comprehensive Zoning By-law 2017-70 as a commercial zone with the *Township's* approval.

3.7.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed on any lot more than one billboard for every 305m [1000'] of *frontage* of the lot on which the billboard is located. Where a lot has less than 305m [1000'] of *frontage*, the *owner* may *erect* one (1) *billboard sign* which shall be in accordance with article 3.7.3.

3.7.3 No *person* shall affix, *erect* or otherwise displayed or cause to be affixed, *erected* or otherwise display a billboard or any part thereof:

- (1) with an area per *sign* face of more than 20m² [215.28ft²]; and,
- (2) located closer than 305m [1000'] from any other *billboard sign* in any direction on the same or neighbouring lot(s); and,
- (3) located closer than 305m [1000'] measured in a straight line from a residential zone; and,
- (4) more than 15m [49'-2 1/2"] in *height*;
- (5) located closer than 7.5m [24'-7 1/4"] to the *street line* or the setback line from the main building as established by the *Township's* Zoning By-law [2017-70] for the applicable zone, whichever is the lesser; and,
- (6) without prior site plan control approval.

3.7.4 Where a *billboard sign* is permitted, it may be illuminated or non-illuminated, single or double face only.

3.8 INFLATABLE SIGNS

3.8.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed an *inflatable sign* on any *property* with a *frontage* of not more than 15m [49'-2 1/2"].

3.8.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed more than one *inflatable sign* on any one *property* at any one time.

- 3.8.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed an *inflatable sign* located less than:
- (1) 3m [9'-10 7/8"] from any *property line*;
 - (2) 3m [9'-10 7/8"] from any driveway entrance and / or exit;
 - (3) 10m [32'-9 3/4"] from any ground or *portable ground sign* on the same or abutting *property*;
 - (4) 100m [328'-1"] measured in a straight line from any residential *property*; and
 - (5) 50m [164'-0 1/2"] from a traffic light standard.
- 3.8.4 An *inflatable sign* shall have a *height* of not more than 7m [22'-11 1/2"] from *grade* and a width of not more than 6m [19'-8 1/4"].
- 3.8.5 *Sign permits* issued for the *erection* or display of an *inflatable sign* shall be limited in duration to not more than fourteen (14) consecutive days and no more than two (2) permits may be issued for a single business on the *property* on which the *sign* is to be displayed in each calendar year.
- 3.8.6 No business shall be eligible for issuance of a *sign permit* to *erect* or display an *inflatable sign* unless at least twenty-one (21) consecutive days have passed since the expiry date endorsed on the previous *inflatable sign permit* issued on the same *property*.
- 3.8.7 *Sign permits* for *inflatable signs* shall be issued only to businesses or *uses* currently on the *property* on which the *sign* is to be displayed or *erected*.
- 3.8.8 All *inflatable signs* shall be properly secured to the satisfaction of the *Chief Building Official* or their designate.
- 3.8.9 In addition to the information required in article 2.1.2, every application submitted for an *inflatable sign* shall be supplemented with proof of insurance for at least \$2,000,000 of valid comprehensive liability insurance is in effect and that the *Township* is named as an additional insured.

3.9 DIRECTIONAL SIGNS

- 3.9.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *directional sign*:
- (1) having a *sign* face of an area greater than 0.75m² [8.07ft²];
 - (2) having an overall *height* greater than 1.2m [3'-11 1/4"]; and
 - (3) located closer than 0.6m [1'-11 5/8"] from the *street line* or a driveway entrance or exit.
- 3.9.2 There shall be no limit to the number of traffic *directional signs* located on a *property*, however, there shall be no greater than two (2) traffic *directional signs* at each point of ingress or egress of a *property*.
- 3.9.3 *Directional signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.10 SIDEWALK SIGNS

- 3.10.1 Any *property* which pays business taxes with respect to a business situation within the *Township*, provided such business is operating in a commercial zone as provided in the *Township's Comprehensive Zoning By-law* [2017-70], may *erect* one (1) *sidewalk sign* in the front yard of such business provided such *sign* complies with the following regulations set forth in this subsection.
- 3.10.2 A *sidewalk sign* shall only be displayed or *erected* on municipal *property* abutting the business in cases where it is not possible because of the size of the lot, to locate a

ground sign or *portable ground sign* entirely on the same lot as the business for which the permit applies.

- 3.10.3 In addition to the information required in article 2.2.2, every application submitted for a *sidewalk sign* shall be supplemented with proof of insurance for at least \$2,000,000 of valid comprehensive liability insurance is in effect and that the *Township* is named as an additional insured.
- 3.10.4 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *sidewalk sign*:
- (1) greater than 0.6m [1'-11 1/2"] wide x 1.2m [3'-11 1/4"] high or 0.6m [1'-11 1/2"] in depth;
 - (2) outside of the time between sunrise and sunset of every business;
 - (3) located within 3m [9'-10 1/8"] of a driveway entrance;
 - (4) located within 10m [32'-9 3/4"] of a *ground sign* and 25m [82'-0 1/4"] of a *portable ground sign* on the same lot;
 - (5) whereby the *sign* impedes pedestrian traffic;
 - (6) located in a manner to obstruct a pedestrian walkway to a clear width of less than 1.5m [4'-11"]; or
 - (7) not properly maintained to the satisfaction of the *Chief Building Official* or *Municipal Law Enforcement Officer*.

3.11 POSTERS

- 3.11.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *poster* unless such *poster* meets the requirements of this by-law.
- 3.11.2 Every *poster* affixed or placed by a *person* shall:
- (1) indicate the name, address and telephone number or email address of the *person* responsible for the placing of the *poster*;
 - (2) be of a size not greater than 0.28m x 0.43m [11" x 17"]; and
 - (3) conform to the shape of the object it is posted on.
- 3.11.3 *Posters* shall be removed within twenty-four (24) hours following the scheduled event advertised on the *poster*.
- 3.11.4 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *poster* if the *poster* conveys a message with respect to an unlawful activity which a *Peace Officer* or *Municipal Law Enforcement Officer* has reason to believe is unlawful.
- 3.11.5 Both lawfully and unlawfully *erected posters* within the *Township* may be removed and disposed of without notice by the *Township* in accordance with its maintenance schedule.
- 3.11.6 *Posters* are exempt from complying with the provisions of article 2.1.3 of this by-law, provided that all other provisions of this by-law have been met.

3.12 COMMUNITY EVENT SIGNS

- 3.12.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *community event sign* prior to forty-five (45) days before the event and no longer than two (2) day after the event;
- 3.12.2 *Community event signs* shall be *erected* in compliance with the *portable ground sign* provisions of subsection 3.3 as well as the provisions for *posting* under subsection 3.11, whichever is more applicable.

- 3.12.3 Notwithstanding the provision of article 2.1.3, *Community event signs* are permitted to be located within the non-roadway portion of a road allowance, provided that all other provisions of this by-law have been met.

3.13 NEIGHBOURHOOD EVENT SIGNS

- 3.13.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *neighbourhood event sign*:
- (1) prior to three (3) days before the event and no longer than one (1) day after the event;
 - (2) that exceeds 0.9m [2'-11 1/2"] in any dimension or exceeds 0.6m² [6.46ft²] in *sign area*; and
 - (3) that does not indicate the address and date of the event.
- 3.13.2 *Neighbourhood event signs* shall be *erected* in compliance with the *portable ground sign* provisions of subsection 3.3 as well as the provision for *postering* under subsection 3.11, whichever is more applicable.
- 3.13.3 Notwithstanding the provision of article 2.1.3, *Neighbourhood event signs* are permitted to be located within the non-roadway portion of a road allowance, provided that all other provisions of this by-law have been met.

3.14 REAL ESTATE SIGNS

- 3.14.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *real estate sign*:
- (1) in a quantity of more than one (1) *real estate sign* per *street line* of the *property* on which the *sign* is to be affixed, *erected* or displayed;
 - (2) of a size more than 1.2m² [12.91ft²] in area per *sign* face when advertising the sale or lease of a building or *property* of *residential use* with a lot area less than 0.4ha [1 acre];
 - (3) of a size more than 3m² [32.29ft²] in area per *sign* face when advertising the sale or lease of a building or *property* of other than *residential use* with a lot area less than 0.4ha [1 acre];
 - (4) of a size more than 10m² [107.64ft²] in area per *sign* face when advertising the sale or lease of a building or *property* of any *use* with a lot area greater than 0.4ha [1 acre];
 - (5) on a *property* other than the *property* being advertised for sale or lease;
- 3.14.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed an *open house sign* or *open house signs* prior to three (3) days before the event and no longer than one (1) day after the event.
- 3.14.3 Notwithstanding the provisions of article 2.1.3, *open house signs* are permitted to be located within the non-roadway portion of a road allowance, provided that all other provisions of this by-law have been met.

3.15 DEVELOPMENT SIGNS

- 3.15.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *mobile new home development sign* having:
- (1) more than two (2) *sign* faces;
 - (2) a *sign* face of an area greater than 1.5m² [16.15ft²]; and
 - (3) an overall *height* greater than 1.2m [3'-11 1/4"].
- 3.15.2 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed *mobile new home development sign* located:

- (1) closer than 10m [32'-9 1/2"] to a transit stop;
- (2) closer than 5m [16'-5"] to a driveway intersection with a *street line*;
- (3) on a roadway median; or
- (4) on any other location on a *street* that obstructs a sight line or otherwise interferes with *street* maintenance, or impedes the movement of pedestrians or vehicular traffic, or otherwise creates a hazard.

3.15.3 Notwithstanding the provisions of article 2.1.3, a *mobile new home development sign* is permitted to be located within the non-roadway portion of a road allowance, provided that all other provision of this by-law are met.

3.15.4 Notwithstanding the provisions of article 3.15.3, *mobile new home development signs* shall be prohibited from being displayed on, over, partly on or partly over the non-roadway portion of a road allowance directly adjacent to other *public property* such as, but not limited to, public parks, municipal buildings, community centers or fire stations.

3.15.5 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed any development *sign* having:

- (1) more than two (2) *sign* faces; or
- (2) an area exceeding 10m² [107.64ft²].

3.15.6 Development *signs* not pertaining to an active development or development application shall be deemed to be abandoned and must be removed within sixty (60) days of the ceasing of activity with the development or development application.

3.15.7 Development *signs* may be illuminated or luminous provided such lighting does not consist of flashing lights, moving lights, or intermittent or activated lighting of any kind.

3.16 CONSTRUCTION SIGNS

3.16.1 Except as provided in article 3.16.2, no *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed more than one (1) *construction sign* for each *street line* of the project on which the *sign* is to be *erected*.

3.16.2 An additional *construction sign* beyond the one permitted by article 3.16.1 may be *erected* along each *street line* of a project provided that:

- (1) each *construction sign* is not less than 100m [328'-1"] from any other *construction sign* located on the same *street line* and on the same project; and
- (2) the combined total area of the two *construction signs* located on the same *street line* and on the same project shall not exceed 60m² [645.83ft²] in area.

3.16.3 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *construction sign* having:

- (1) more than two (2) *sign* faces;
- (2) a *height* greater than 7.5m [24'-7 1/4"];
- (3) a combined area of all faces of not greater than 60m² [645.83ft²];
- (4) a setback of not less than 3m [9'-10 1/8"] from any *property line*; and
- (5) a setback of not less than 3m [9'-10 1/8"] from any driveway entrance.

3.16.4 *Construction signs* shall be removed from the site of the project no later than sixty (60) days from the date of the last occupancy permit being granted for the project.

3.17 CONTRACTOR'S IDENTIFICATION SIGNS

- 3.17.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *contractor's identification sign*:
- (1) prior to two (2) days before the commencement of the work and no longer than two (2) days following the completion of the work; and
 - (2) that exceeds 0.9m [2'-11 1/2"] in any dimension or exceeds 0.6m² [6.46ft²] in *sign area*.
- 3.17.2 Notwithstanding the provisions of sentence 2.1.1(6), a *contractor's identification sign* is permitted to be located on lands of *residential use*, provided that all other provision of this by-law are met.

3.18 WINDOW SIGNS

- 3.18.1 No *person* shall affix, *erect* or otherwise display or cause to be affixed, *erected* or otherwise displayed a *window sign* covering more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not block the clear view of exits or entrances and shall maintain visibility into the interior of the premises at all times.

3.19 MISCELLANEOUS SIGNS

- 3.19.1 *Signs* permitted through the *Township's Comprehensive Zoning By-law 2017-70* for home industry and home occupation shall, in addition to the provisions established in the Zoning By-law, conform to the provisions as provided in subsections 3.2, 3.3, 3.5 and 3.6 respectively for the applicable type of *sign*.

3.20 SIGN MAINTENANCE

- 3.20.1 The *owner* of any *sign* is solely responsible for the maintenance of any *sign* or other *advertising devices* and every *owner* shall ensure that every *sign* or other *advertising device* is kept in good repair and in compliance with the provisions of this by-law.
- 3.20.2 Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to required permit to be issued.

SECTION 4 ADMINISTRATION AND ENFORCEMENT

4.1 GENERAL PROVISIONS

- 4.1.1 No *person* shall hinder, obstruct, molest or interfere with or attempt to hinder, obstruct, molest or interfere with an *Officer* or a *person* acting under their instructions in the exercise of a power or the performance of a duty under this by-law.
- 4.1.2 No *person* shall neglect or *refuse* to provide any information required by an *Officer* in the exercise of a power or performance of a duty under this by-law.
- 4.1.3 A *person* is guilty of an offence if the *person*:
- (1) contravenes any section of this by-law; or
 - (2) fails to comply with an *order* issued under this by-law.
- 4.1.4 Every director or *Officer* of a corporation who contravenes article 4.1.3 is guilty of an offence.
- 4.1.5 Neither the *Township* or an agent acting on its behalf shall be liable to compensate the *owner, occupant* or any other *person* by reason of anything done by or on behalf of the *Township* in the reasonable exercise of its powers under this by-law.

4.2 OFFICERS

4.2.1 The *Chief Building Official* is hereby assigned the responsibility of administering and enforcing this By-law and may assign duties to such *persons* as necessary to carry out the provisions of this By-law.

4.2.2 *Persons* appointed or assigned for the purposes of administering or enforcing this By-law are *Officers* and have authority to carry out the duties assigned to *Officers* under this By-law, and may enforce the provisions of this By-law.

4.3 RIGHT TO ENTER

4.3.1 An *Officer* acting under the provisions of this by-law or any *person* acting under their instructions may at any reasonable time, and upon producing proper identification, enter upon any *property* without a warrant for the purpose of:

- (1) inspection of the *property* to determine whether the *property* conforms with the provisions prescribed in this by-law;
- (2) inspection of the *property* to determine whether an *order* made under this by-law has been complied with; or
- (3) conducting necessary works to rectify and otherwise resolve any non-conformity identified in an *order* having been served and the stipulated date of compliance passed.

4.4 INSPECTION

4.4.1 Every *owner* or *occupant* shall permit an *Officer* to inspect the *property* or *sign* for compliance with the provisions of this by-law.

4.4.2 For the purposes of an inspection under the provision of this by-law, an *Officer* and any *person* acting under the *Officer's* instructions may:

- (1) alone or in conjunction with a *person* possessing special knowledge, enter upon the subject *property* to inspect or otherwise make an examination to determine whether:
 - (a) the *property* is in compliance with the provisions of this by-law;
 - (b) a *sign permit* is required to be issued;
 - (c) the permitted construction is being constructed in accordance with approved plans;
 - (d) the *owner* or *occupant* has complied with an *order* issued by an *Officer*, or
 - (e) there is non-compliance with any other provision of this by-law.
- (2) require information from any *person* concerning a matter related to the subject *property* or part thereof; or
- (3) through the examination of the *property*, document the state of *property* through various means, including but not limited to:
 - (a) the conducting of tests;
 - (b) taking of samples; or
 - (c) taking of photographs or video.

4.5 ORDERS FOR NON-CONFORMITY

4.5.1 If an *Officer* is satisfied that a contravention of this By-law has occurred, the *Officer* may issue an order to the *owner* and such other *persons* affected by it as the *Officer* determines and a copy of the order may be posted on the *property* to require that the materials or conditions be brought into compliance with this By-law.

4.5.2 An order as described in article 4.5.1 shall:

- (1) state the municipal address or the legal description of the *property* on which the non-conformity or infraction has occurred;
- (2) give reasonable particulars of the contravention adequate to identify the contravention and the location on the *property* on which the contravention has occurred;
- (3) indicate the date or dates by which compliance with the *order* must be achieved;
- (4) give notice that, if the required actions are not carried out within the time specified, the *Township* may carry out the necessary actions to resolve the non-compliance at the expense of the *owner*; and
- (5) be served in accordance with sub-section 3.6.

4.5.3 An *Officer* may make an *order* requiring the *owner* or *occupant* within the time specified in the *order* to:

- (1) remove any and all *signs* deemed to be in violation of the provisions of this by-law;
- (2) obtain the required permit or permits; or
- (3) undertake and supply, at the expense of the *owner*, such tests and samples as may be specified or required to determine conformance with the provisions of this by-law.

4.5.4 An *Officer* may grant extensions of time for compliance with any *order* beyond that specified in the *order* in any case where valid reason exists, in the opinion of the *Officer*, for the extension for such an extension.

4.5.5 Any such extension of time for compliance beyond that specified in the *order* as permitted by article 4.5.4 shall be provided in writing. An extension received in any other manner shall not be considered valid or applicable.

4.6 SERVICE

4.6.1 The *order* described in article 4.5.1 shall be served or caused to be served on the *owner* of the *property* and such other *persons* affected by the *order* by:

- (1) *personal* service; or
- (2) prepaid registered mail sent to the *last known address* of the *owner* or *occupant*.

4.6.2 An *order* served by registered mail shall be deemed to have been served on the 5th day after the date of mailing.

4.6.3 An *Officer* may in addition to service set out in article 4.6.1, post a copy of the *order* in a conspicuous place on the *property*.

4.6.4 If an *Officer* is unable to effect service as provided in article 4.6.1, the *Officer* shall place a placard containing the terms of the *order* in a conspicuous place on the *property* and the placing of the placard shall be deemed as sufficient service of the *order* on the *owner*, *occupant* or other *persons*.

4.6.5 Where an *order* is issued for a subsequent offence, *personal* delivery and / or posting of the *order* on site as provided for in article 4.6.4 shall be deemed to be sufficient notice for compliance provided the *order* issued respecting the first offence indicated that any subsequent offence would be dealt with in this manner.

4.7 FAILURE TO COMPLY WITH AN ORDER

4.7.1 Where the *owner* or *occupant* fails to comply with an *order* issued under this by-law within the time specified for compliance, an *Officer*, with such assistance by others as may be required may:

- (1) remove any and all *signs* deemed to be in violation of the provisions of this by-law; or
 - (2) issue a fine to the *owner* of the *property* in accordance with Schedule “B” of this by-law.
- 4.7.2 Where items, materials or things are removed as a result of actions to rectify non-conformities on a *property* in accordance with article 4.7.1, the items materials or things may be immediately disposed of by an *Officer*, and any resulting recovered salvage value or other actual recovery of money made upon such disposal shall be forfeited by the *owner* or *occupant*.
- 4.7.3 Upon completion of the works pursuant to article 4.7.1, by or on behalf of the *Township*, the *Township* shall have a lien on the *property* for the amount spent on the work and shall be deemed to be municipal real *property* taxes and may be added by the Clerk of the municipality to the tax roll and collected in the same manner and with the same priority as municipal real *property* taxes as provided by statute.
- 4.7.4 Where the *Township* conducts works pursuant to article 4.7.1, the *Township* may, in addition to the expense of the work, charge an administrative fee of 15% of such expense with a minimum fee of \$125.00 which shall be added to the expense of the work.
- 4.7.5 Notwithstanding the provisions of article 4.7.3, to recover the costs incurred and identified by articles 4.7.3 and 4.7.4, the *Township* may prepare and issue an invoice to the *owner* allowing for not less than 21 days to pay such invoice in full, after which time the amount shall be transferred to the tax roll by the Clerk of the municipality.
- 4.8 POWER OF TOWNSHIP TO IMMEDIATELY REMOVE**
- 4.8.1 Where a *sign* or any part thereof is *erected*, located or displayed on *public property*, except where specifically permit by this by-law or where a permit has been granted, an *Officer* may remove or cause the *sign* to be removed immediately without notice at the expense of the *sign owner*.
- 4.8.2 Where a *sign* or any part thereof is *erected*, located or displayed in a manner that is unsafe or poses a health and / or safety concern to the public, an *Officer* may remove or cause the *sign* to be removed immediately without notice at the expense of the *sign owner*.
- 4.8.3 Where articles 4.8.1, 4.8.2 or 4.8.3 are applicable to a *sign* greater in area than 0.6m² [6.5 ft²] and an *Officer* is required to cause the *sign* to be removed, the *Officer* may employ the services of an outside contractor to conduct the removal and any associated costs will be assessed to the *owner*.
- 4.8.4 Where the *Township* conducts works pursuant to article 4.8.4, the *Township* may, in addition to the expense of the work, charge an administrative fee of 15% of such expense with a minimum fee of \$125.00 which shall be added to the expense of the work.
- 4.8.5 Any *sign* removed pursuant to this subsection may be deposited elsewhere on the *property* on which it was located.
- 4.8.6 Where a *sign* is removed under the provisions of articles 4.8.1, 4.8.2 or 4.8.3 the *Township* may hold the *sign* for pick up for a period of ten (10) business days, after such time the *sign* may be disposed of in manner deemed fit by the *Chief Building Official*.
- 4.8.7 Where a *sign* greater in area than 0.6m² [6.5 ft²] is required to be stored, a storage fee shall apply as prescribed in Schedule A to this by-law.
- 4.8.8 The *Township* may recover any expenses incurred in undertaking the work described in articles 4.8.1, 4.8.2, 4.8.3 or 4.8.4, including the administration fee as prescribed in article 4.8.5 and any storage fee assessed in accordance with article 4.8.7 or 4.8.8, by legal action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

4.9 VARIANCES OF THIS BY-LAW

- 4.9.1 Where the *owner* or *person* in control of a *sign* for any reason is unable to comply with the provisions and regulations under this by-law, such *person* may apply to *Council* for a variance from the provisions and regulations of this by-law.
- 4.9.2 Applications for variance from the provisions of this By-law shall be made in writing on a form as prescribed by the *Chief Building Official* and shall include:
- (1) The name, address, telephone number and contact information of the *person* making application for the variance;
 - (2) specific reference made to the applicable article(s) of the by-law from which exemption is being sought;
 - (3) a statement as to the reason why the provisions of the by-law are unable to be met; and
 - (4) the applicable fee.
- 4.9.3 The *Council* shall hear all applications and grant or deny a variance with respect to this by-law. All decisions of the *Council* are final and binding.
- 4.9.4 Any fees paid with regard to the submission of an application for variance shall be non-refundable.

4.10 PENALTIES

- 4.10.1 Every *person* who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

4.11 TRANSITION

- 4.11.1 Any *sign* previously permitted through site specific zoning within the *Township's Comprehensive Zoning By-law 2017-70* shall be exempt from the regulations prescribed in sections 2 and 3 of this by-law except for the requirements of subsection 3.21.
- 4.11.2 Where a *sign* has been lawfully *erected* prior to this by-law coming into force, such *sign* shall be considered to be legal non-conforming, and shall continue to be permitted provided it is not removed, enlarged or *substantially altered*.
- 4.11.3 Legal non-conforming means a *sign* that is lawfully affixed, *erected* or other displayed on the day this by-law comes into force, provided the *sign* is not in any way *substantially altered*. The maintenance and repair of the *sign* or a change in the message displayed shall in themselves, be deemed not to constitute an alteration. The onus to prove the legal non-conforming status of a *sign* shall be that of the *owner* of such *sign*.

4.12 LIABILITY

- 4.12.1 Any *persons* *erecting* or maintaining any *sign* or on whose *property* a *sign* is located, shall be liable for such *sign*. The *Township* is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the *erection*, maintenance, removal or falling of such *sign*, or part thereof.
- 4.12.2 The *property owner* and / or the agent assume any liability arising from the information given by *signs* on private *property* and responsibility for the enforcement of such *signs* unless otherwise authorized in legislation.

4.13 VALIDITY

- 4.13.1 Should a court of competent jurisdiction declare a part or whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of *Council* that the remainder survive and be applied and enforced in accordance with its terms to the extent

possible under the law so as to protect the public by ensuring a minimum standard for maintenance and care of *property* is maintained.

- 4.13.2 Where the regulations of this by-law conflict with those of another by-law, Act, or Regulation in force within the *Township*, the regulation that establishes the higher standards to protect the health and safety of *persons* shall prevail.

SECTION 5 REPEALS & ENACTMENT

5.1 REPEAL

5.1.1

5.2 DATE OF ENACTMENT

- 5.2.1 This by-law shall come into force and effect the day after it is passed.

**READ A FIRST, SECOND
AND THIRD TIME AND
FINALLY PASSED THIS 29TH
DAY OF JUNE 2020.**

DAVE BYLSMA, MAYOR

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

SCHEDULE ‘A’ TO BY-LAW 2020-54

Sign By-law

SECTION 1 FEES

1.1 PERMIT FEES

- 1.1.1 All permit fees provided in table A1.1.1 shall be considered to be fixed fees for each *sign* subject to a permit in accordance with this by-law.
- 1.1.2 A minimum permit fee of \$150.00 shall be charged for all work unless otherwise indicated or prescribed in the table below.

Table A 1.1.1: *Sign permit Fees*

Request	Fee
<i>ground sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>ground sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>ground sign</i> – 10m ² [107.64 ft ²] or greater	\$450
<i>portable ground sign</i> (for each 30 day period or portion thereof)	\$150
<i>pole sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>pole sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>pole sign</i> – 10m ² [107.64 ft ²] or greater	\$450
<i>roof sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>roof sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>fascia / wall sign</i> – less than 2.5m ² [26.91 ft ²]	\$150
<i>fascia / wall sign</i> – 2.5m ² [26.91 ft ²] to 10m ² [107.64 ft ²]	\$300
<i>fascia / wall sign</i> – 10m ² [107.64 ft ²] or greater	\$450
<i>inflatable sign</i>	\$150
billboard	\$1,000
permit renewal	\$150

1.2 VARIANCE FEES

- 1.2.1 Every application for consideration of a variance to this By-law shall be subject to a fee as prescribed below.

Table A 1.2.1: *Sign By-law Variance Application Fees*

Request	Fee
<i>variance of sign regulations</i>	\$750

- 1.2.2 The fees collected for consideration of a variance do not in any way guarantee the granting of the requested variance or appeal and at no time shall the collected fee be refundable in whole or in part.

1.3 SIGN REMOVAL FEES

1.3.1 Where the removal of a *sign* is required in due to non-conformity with this by-law accordance with subsections 4.7 and 4.8 the removal fees are prescribed as follows:

Table A 1.3.1: Sign Removal Fees

Request	Fee
<i>sign</i> – less than 0.6m ² [6.46 ft ²]	\$75
<i>sign</i> – 0.6m ² [6.46 ft ²] or greater	\$200 in addition to removal costs
storage fee for <i>signs</i> greater than 0.6m ² [6.46 ft ²]	\$10 / day

1.4 REFUNDS

1.4.1 In any case where a permit has been paid for and issued, the holder of the permit shall not be entitled to any refund for any reason.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

PART I PROVINCIAL OFFENCES ACT

BY-LAW 2020–54: SIGN BY-LAW

SET FINES

	Column 1	Column 2	Column 3
ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1.	Placement of prohibited <i>sign</i>	2.1.1	\$200
2.	Placement of <i>sign</i> in road allowance	2.1.3	\$200
3.	Placement of <i>sign</i> on utility pole	2.1.4	\$200
4.	Placement of <i>sign</i> overhanging sidewalk	2.1.5	\$200
5.	Placement of <i>sign</i> too close to roadway	2.1.6	\$200
6.	Placement of <i>sign</i> – damage municipal <i>property</i>	2.1.7	\$200
7.	Placement of <i>sign</i> on vehicle / trailer	2.1.8	\$200
8.	<i>Sign</i> of inoperative business	2.1.9	\$200
9.	Fail to comply – setback – <i>ground sign</i>	3.2.1	\$200
10.	Fail to comply – size – <i>ground sign</i>	3.2.2	\$200
11.	Fail to comply – quantity – <i>ground sign</i>	3.2.3	\$200
12.	Fail to comply – setback – <i>portable ground sign</i>	3.3.2	\$200
13.	Fail to comply – size – <i>portable ground sign</i>	3.3.3	\$200
14.	Fail to remove – expired permit – <i>portable ground sign</i>	3.3.8	\$200
15.	Fail to comply – setback – <i>pole sign</i>	3.4.1	\$200
16.	Fail to comply – size – <i>pole sign</i>	3.4.2	\$200
17.	Fail to comply – quantity – <i>pole sign</i>	3.4.3	\$200
18.	Fail to comply – setback – <i>roof sign</i>	3.5.1	\$200
19.	Fail to comply – size – <i>roof sign</i>	3.5.2	\$200
20.	Fail to comply – size – wall / <i>fascia sign</i>	3.6.1	\$200
21.	Fail to comply – quantity – wall / <i>fascia sign</i>	3.6.2	\$200
22.	Fail to comply – quantity - billboard	3.7.2	\$200

	Column 1	Column 2	Column 3
23.	Fail to comply – size – billboard	3.7.3	\$200
24.	Fail to comply – setback – billboard	3.7.4	\$200
25.	Fail to comply – quantity – <i>inflatable sign</i>	3.8.2	\$200
26.	Fail to comply – setback <i>inflatable sign</i>	3.8.3	\$200
27.	Fail to remove – expired permit – <i>inflatable sign</i>	3.8.5	\$200
28.	Fail to secure <i>inflatable sign</i>	3.8.8	\$200
29.	Fail to comply – setback – <i>sidewalk sign</i>	3.10.4	\$200
30.	Fail to comply – size – <i>window sign</i>	3.18.1	\$200
31.	Fail to maintain	3.21.1	\$200
32.	Interfere with / obstruct an <i>Officer</i> in performance of their duty	4.1.1	\$200
33.	Fail to provide information to an <i>Officer</i>	4.1.2	\$200

NOTE: The penalty provision for the offences indicated above is Section 4.10 of By-law 2020-54, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-58

BEING A BY-LAW TO ESTABLISH PART 2 ON REFERENCE PLAN NO. 30R-15564 AND PART 1 ON REFERENCE PLAN NO. 30R-15565 ON NORTH CHIPPAWA ROAD, AND PART 1 ON REFERENCE PLAN NO. 30R-15563 ON CONCESSION 2 ROAD AS PUBLIC HIGHWAY, IN THE FORMER TOWNSHIP OF CAISTOR, NOW TOWNSHIP OF WEST LINCOLN, REGIONAL MUNICIPALITY OF NIAGARA.

WHEREAS a condition of the Application of Consent B13/2019WL required that lands depicted as Part 2 on Reference Plan No. 30R-15564 and Part 1 on Reference Plan No. 30R-15565 on North Chippawa Road, and Part 1 on Reference Plan No. 30R-15563 on Concession 2 Road be transferred to the Township in order to accommodate road widening requirements on North Chippawa Road and Concession 2 Road;

AND WHEREAS the Township is now in receipt of the subject lands and deems it expedient to establish the lands as Public Highway.

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

1. That, Part 2 on Reference Plan No. 30R-15564 and Part 1 on Reference Plan No. 30R-15565 on North Chippawa Road, and Part 1 on Reference Plan No. 30R-15563 on Concession 2 Road, in the former Township of Caistor, now in the Township of West Lincoln, be and is hereby established as a public highway; and
2. That the Township's Solicitor be and is hereby authorized and instructed to register a copy of this By-law in the Land Titles Office.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29nd DAY OF JUNE, 2020**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-59

**BEING A BY-LAW TO AMEND BY-LAW 2004-42, AS
AMENDED, WHICH REGULATES THE SUPPLY OF
WATER AND PROVIDES FOR THE IMPOSITION AND
COLLECTION OF WATER AND WASTEWATER RATES.**

WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 2004-42, as amended, to regulate the supply of water and to provide for the imposition and collection of water and wastewater rates;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient to amend By-law 2004-42 to define a Bulk Water Customer;

AND WHEREAS, the Council of the Corporation of the Township of West Lincoln deems it expedient to amend By-law 2004-42 to remove the requirement for daily refundable deposits for private, infrequent bulk water customers;

AND WHEREAS, the Council of the Corporation of the Township of West Lincoln deems it expedient to amend By-law 2004-42 to add a non-refundable account administration fee for private, infrequent customers.

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

1. That Section 1 of By-law 2004-42 be amended to include the following:
 - 1.(i) "Bulk Water Customer" means any customer, in good standing, who draws water from a connection located at the Smithville Bulk Water Fill Station.
2. That Schedule "C" to By-law 2004-42 be deleted and the new attached Schedule "C" – Water Filling Station Rates" be inserted in lieu thereof;

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

**SCHEDULE "C" TO BY-LAW NO 2004-42
(as amended by By-law 2020-59)**

WATER FILLING STATION RATES

1. WATER CHARGES

A consumptive rate of \$1.90 per cubic metre.

2. ACCOUNT DEPOSIT

- \$250.00 refundable deposit, for each account provided to commercial area haulers and commercial businesses.

3. ACCOUNT ADMINISTRATION FEE

- \$40.00 non-refundable administration fee upon activation of temporary water account, for infrequent, private buyers.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-60

A BY-LAW TO NAME A PUBLIC HIGHWAY IN THE TOWNSHIP OF WEST LINCOLN IN THE REGIONAL MUNICIPALITY OF NIAGARA BEING REGIONAL ROAD 24 AS VICTORIA AVENUE

WHEREAS Section 11 (2) of the Municipal Act, 2001, provides for spheres of jurisdiction and under Table (1) it states that a lower tier municipality and an upper tier municipality may pass by-laws respecting highways, including parking and traffic on highways; and,

WHEREAS the Municipal Act, 2001, provides that a local municipality may name or change the name of a public road; and,

WHEREAS such notice was provided to inform the public that Council would hear any person(s) who wished to give written correspondence regarding this matter; and,

WHEREAS 2 verbal public comments were received by planning staff,

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

1. That, Council hereby confirms that Regional Road 24, shall be named "Victoria Avenue"; as illustrated on Schedule A attached hereto.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 29th
DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK





Location Map
Victoria Ave

0 487.5 975 1,950 Meters

Document Path: X:\wl-GIS\2. Location-Report Mapping\Victoria Ave\Victoria Ave.mxd



Legend

-  Victoria Ave
-  AssessmentParcels

May 2020

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-61

**BEING A BY-LAW TO AMEND BY-LAW 2011-28 WHICH
PRESCRIBES A TARIFF OF FEES FOR THE PROCESSING OF
APPLICATIONS MADE WITH RESPECT TO PLANNING
MATTERS, AS AMENDED.**

WHEREAS In accordance with the provisions of Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13, the Council of the municipality may by By-Law prescribe a tariff of fees for the processing of applications made in respect of planning matters.

AND WHEREAS The Council of the Township of West Lincoln passed by By-Law No. 2011-28 on April 26, 2011, to prescribe a tariff of fees for the processing of applications made with respect to planning matters;

AND WHEREAS The Council of the Township of West Lincoln has amended Appendix "A" through By-law 2017-101, 2019-89 and 2020-09;

AND WHEREAS The Council of the Corporation of the Township of West Lincoln deems it necessary and expedient to further amend Appendix A "Schedule of Fees"; in order to split up the Subdivision, Condominium and Development Agreement fee to better align the fee amount to staff time and resources;

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

1. That, By-law 2011-28, as amended, be further amended by deleting Schedule "A" and inserting the attached new Schedule "A" in lieu thereof.
2. That this new By-law takes effect on July 1st, 2020.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 29th
DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

**APPENDIX “A”
SCHEDULE OF FEES
TOWNSHIP OF WEST LINCOLN**

(Schedule A to By-law 2011-28 – as amended by By-law 2017-101; 2019-89; 2020-09 and 2020-61)
The fees for processing planning applications are outlined below for the fees effective

July 1, 2020

Note: Application fees do not apply to applications initiated by the Region of Niagara within the limits of the Township of West Lincoln.

Section	Fees Effective February 1, 2020	Fees Effective July 1, 2020
1. Official Plan Amendment	\$ 8,724	\$8,724
2. Combined Official Plan Amendment/Zoning By-law Amendment	\$ 11,667	\$11,667
3. Zoning By-law Amendment	\$ 6,795	\$6,795
4. Zoning By-law Amendment (Condition of Consent)	\$ 3,400	\$3,400
5. Removal of (H) Holding Symbol	\$ 1,419	\$1,419
6. Temporary Use By-law	\$ 2,402	\$2,402
7. Extension to Temporary Use By-law	\$ 1,612	\$1,612
8. Temporary Use Agreement	\$ 1,612	\$1,612
9. Site Plan Approval and Development Agreement (Initial or Amendment where a new Agreement is Required)	\$ 4,903	\$4,903
10. Site Plan Approval or Development Agreement Amendment where no Agreement is required	\$ 2,402	\$2,402
11. Discharge of a Site Plan Agreement	\$ 1,420	\$1,420
12. Consultation Process for Telecommunication Facilities	\$ 1,835	\$1,835
13. Plan of Subdivision Approval	\$ 7,980	\$7,980
14. Red Line Revisions to a Draft Approved Plan of Subdivision/ Condo or Site Plan	\$ 2,402	\$2,402
15. Plan of Condominium	\$ 7,980	\$7,980
16. Condominium Conversion	\$ 7,627	\$7,637
17. Condominium Amalgamation	\$ 1,420	\$1,420
18. Exemption of Draft Plan of Condominium Approval	\$ 1,612	\$1,612
19. Extension to Draft Plan Approval of a Draft Plan of Subdivision or Condominium	\$ 1,612	\$1,612
20. Subdivision Agreement (more than 10 lots/units)	\$ 7,356	\$7,356
21. Subdivision Agreement/Declaration (10 units/lots or less)	\$ 7,356	\$3,500
22. Condominium Agreement/Declaration (more than 10 units/lots)	\$ 7,356	\$3,500
23. Condominium Agreement/Declaration (10 units/lots or less)	\$ 7,356	\$1,750
24. Development Agreement as a Condition of Consent	\$ 3,676	\$1,600
25. Final Approval of a Plan of Subdivision or Condominium	\$ 1,612	\$1,612
26. Street Naming for New Subdivisions	\$ 1,420	\$1,420
27. Amendment to Subdivision, Development or Condominium Agreement	\$ 6,795	\$6,795
28. Request for Removal of Part Lot Control (per lot/block)	\$ 1,420	\$1,420
29. Approval of Road Opening/Upgrade (to allow access to build)	\$ 1,612	\$1,612
30. Adjournment or Rescheduling Fee for any Planning Application requested for any Planning Application	\$ 275	\$ 275
31. Deeming By-law	\$ 925	\$ 925
32. Zoning Compliance/Green Energy Zoning Compliance	\$ 182	\$ 182
33. Pre-consultation Meeting*	-	\$ 250
34. Written Property Reports	\$ 182	\$ 182
35. Site Plan/Subdivision/Condominium Development Servicing (Engineering Review and Administration Fee)		

In addition to the application fees as outlined in Appendix A, Engineering Review and Administration fees are payable on an invoice basis prior to final approval. The Engineering Review and Administration fee shall cover the costs incurred following the signing of the agreement and are calculated as a percentage based upon one hundred percent (100%) of the Township's estimated total costs of construction of all services (internal and external) as shown in the development agreement's Financial Schedule and charged as follows:

- (a) Total cost of services less than \$ 1,000.00: no charge;
- (b) Total cost of services less than \$ 5,000.00: \$ 250.00 total charge;
- (c) Total cost of services less than \$ 20,000.00: \$1,500.00 total charge;
- (d) Total cost of services less than \$ 30,000.00: \$2,000.00 total charge;
- (e) Total cost of services less than \$ 60,000.00: \$3,000.00 total charge;
- (f) Total cost of services less than \$ 75,000.00: \$4,000.00 total charge;
- (g) Total cost of services less than \$100,000.00: \$5,000.00 total charge;
- (h) For total costs of services over \$100,000.00, the total fee cost shall be:
 - i. \$5,000.00 for the cost of services up to \$100,000, plus
 - ii. Four percent (4%) of the total costs of any services in excess of \$100,000.00 up to \$500,000.00; plus
 - iii. Three-percent (3%) of the total cost of any services in excess of \$500,000.00

All fees shall be payable in cash to the Township prior to and as a condition of the Township signing and registering the executed development agreement.”

*(to be used towards other planning fees outlined in this appendix if complete application is received within 1 year of the actual pre-consultation meeting

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-62

A BY-LAW TO AUTHORIZE SEPARATE AGREEMENTS BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND EACH OF 1734234 ONTARIO INC (MW01), GELANDCO INC. (MW02), EMILY ROSE GRIFFIN, PAUL EDWIN GRIFFIN, PHIL JOHN GRIFFIN, ROSS ANDREW GRIFFIN, RUTH FRANCIS GRIFFIN ESTATE, AND NORA LOUISE GRIFFIN (MW03), AND TEK CORPORATION (MW05) TO COMPLETE THE GROUND WATER MONITORING BEING PART OF THE SUBWATERSHED STUDY (WOOD ENVIRONMENTAL)

WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient to authorize an agreement with each of: 1734234 Ontario Inc (MW01), Gelandco Inc. (MW02), Emily Rose Griffin, Paul Edwin Griffin, Phil John Griffin, Ross Andrew Griffin, Ruth Francis Griffin Estate, and Nora Louise Griffin (MW03) and Tek Corporation (MW05) to complete the Ground Water Monitoring program (being part of the Smithville Subwatershed Study, RFP PD-01-19), within the Smithville Urban Boundary Expansion Study area.

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

1. That, the Council of the Corporation of the Township of West Lincoln hereby authorizes the entry into an Agreement with each of: 1734234 Ontario Inc (MW01), Gelandco Inc. (MW02), Emily Rose Griffin, Paul Edwin Griffin, Phil John Griffin, Ross Andrew Griffin, Ruth Francis Griffin Estate, and Nora Louise Griffin (MW03) and Tek Corporation (MW05) to complete the Ground Water Monitoring program (being part of the Smithville Subwatershed Study, RFP PD-01-19) within the Smithville Urban Boundary Expansion Study area.
2. That, the Mayor and Clerk be and are hereby authorized to sign each of the above mentioned Agreements and any other document or documents necessary to implement the intent of this By-law and to affix the Corporate Seal thereto.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29TH DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2020-63

A BY-LAW TO AUTHORIZE A SITE ALTERATION AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND JOHN AND LEEANNE BOZICH (SCHILSTRA BUILDERS INC, AGENT) FOR LANDS DESCRIBED AS PART LOT 16, CONC GORE A, IN THE FORMER TOWNSHIP OF SOUTH GRIMSBY, NOW IN THE TOWNSHIP OF WEST LINCOLN BEING 8006 CONCESSION 7 ROAD.

WHEREAS the Corporation of the Township of West Lincoln deems it expedient to enter into a Site Plan Agreement with John and Leeanne Bozich (Schilstra Builders Inc, Agent) for lands legally described as Part Lot 16, Conc Gore A, in the former Township of South Grimsby, now in the Township of West Lincoln being 8006 Concession 7 Road;

AND WHEREAS approval and authority for such Agreement is required;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

1. That the Council of the Corporation of the Township of West Lincoln enter into a Site Alteration Agreement with John and Leeanne Bozich (Schilstra Builders Inc, Agent), on the Lands described as Part Lot 16, Conc Gore A, in the former Township of South Grimsby, now in the Township of West Lincoln, being 8006 Concession 7 Road.
2. That the Mayor and Clerk be and each of them is hereby authorized to sign the said Site Alteration Agreement and any other document or documents necessary to implement the intent of this By-law and the said Site Alteration Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. That a copy of the said Site Alteration Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A", and shall form part of this By-law, upon registration on title.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29TH DAY OF JUNE, 2020.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK