



## THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN COUNCIL AGENDA

### MEETING NO. EIGHT

Tuesday, May 25, 2021, 6:15 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.\*\*

**Submission of Public Comments/Virtual Attendance:** The public may submit comments for matters that are on the agenda or request to attend the virtual meeting as "Attendees" by emailing [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) by 4:30 pm on May 25, 2021. Email 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, unless otherwise noted.

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### Pages

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

#### 2. CONFIDENTIAL MATTERS

Moved By Councillor Shelley Bradaric

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:

(a) Township Solicitor (David Willer), CAO (Bev Hendry) & Treasurer/Director of Finance (Donna DeFilippis)

Re: Legal Matters - Niagara Peninsula Energy Incorporated and Peninsula West Power Incorporated

**Applicable closed session exemption(s):**

- The security of the property of the municipality;
- Personal matters about an identifiable individual, including municipal employees;
- Information (e.g., a trade secret or scientific, technical, commercial, or financial information) that belongs to the municipality and has monetary value.

Moved By Councillor Cheryl Ganann

That, this Council meeting does now resume in open session at the hour of \_\_\_\_\_ p.m.

- 2.1. Township Solicitor (David Willer), CAO (Bev Hendry) & Treasurer/Director of Finance (Donna DeFilippis)

Re: Legal Matters - Niagara Peninsula Energy Incorporated and  
Peninsula West Power Incorporated  
**VERBAL UPDATE TO BE PROVIDED**

**3. SINGING OF "O CANADA"**

Prior to commencing with the Council meeting, Mayor Bylsma will provide the following announcements:

1. 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 Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record.
3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

**4. OPENING PETITION - Councillor Cheryl Ganann**

**5. CHANGE IN ORDER OF ITEMS ON AGENDA**

**6. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

**7. 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.

The Chair is to inquire if there were any members of the public who were in attendance virtually on the ZOOM meeting call that wished to address a specific item on tonight's agenda as permitted by Section 6.7 of the Procedural By-law. If so, please raise your hand in the ZOOM options or unmute yourself and advise that you wish to speak.

The Chair will ask the Clerk if she had received an email or correspondence from a member of the public prior to 4:30 p.m. today, that wished to provide comments to any items on the agenda as permitted by Section 6.7 of the Procedural By-law.

## **8. APPOINTMENTS/PRESENTATIONS**

- 8.1. Steven Soos 8  
Re: Petition e-3351 - Study on national mental health emergency

Moved By Councillor Harold Jonker

1. That, the Township of West Lincoln endorse Petition e-3351 calling upon the House of Commons to Launch a Federal study in the Standing Committee on Health (HESA) on the merits of declaring a national emergency on mental health; and,
2. That, all Niagara area MP's, the Prime Minister of Canada, the Federal Minister of Health, and all members of the Federal HESA (Standing Committee on Health) be copied on this motion.

## **9. REGIONAL COUNCILLOR'S REMARKS**

## **10. CONFIRMATION OF MINUTES**

- 10.1. Council Minutes - Regular 11  
Re: April 26, 2021

Moved By Councillor William Reilly

That, the minutes of the open session portion of the April 26, 2021 regular Council meeting be accepted; and,

That, the confidential minutes relating to the closed session portion of the April 26, 2021 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.

- 10.2. Council Minutes - Special 28  
Re: May 20, 2021

Moved By Councillor Mike Rehner

That, the minutes of the open session portion of the May 20, 2021 regular Council meeting be accepted; and,

That, the confidential minutes relating to the closed session portion of the May 20, 2021 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.

- 10.3. Public Meeting Under the Planning Act 32  
Re: May 10, 2021

Moved By Councillor Jason Trombetta

That, the minutes of the public meetings held on May 10, 2021 under Section 34 of the Planning Act, with respect to:

(a) Zoning By-law Amendment - Michael Carlton & Assylgul Kalmukhanova - 6696 Canborough Road (File No. 1601-004-21);  
be accepted.

**11. COMMUNICATIONS**

- 11.1. Niagara Region Waste Management Services 38  
Re: Memorandum - PWC-C 19-2021 - Every Other Week (EOW)  
Garbage Collection Diversion Impact Analysis  
**FOR INFORMATION**

**12. MAYOR'S REMARKS**

**13. REPORT OF COMMITTEE**

- 13.1. Planning/Building/Environmental Committee 46  
Re: Minutes of May 10, 2021

Moved By Councillor William Reilly

That, the minutes of the open session portion of the May 10, 2021 Planning/ Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved with the exception of Item #(s) P66-21, \_\_\_\_\_; and,

That, the confidential minutes relating to the closed session portion of the May 10, 2021 Planning/Building/Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

Moved By Councillor William Reilly

That, Item P66-21 (Recommendation Report No. PD-62-2021 - Building Fees By-law Review and Building Department Operational Review – AMENDMENT TO BUDGET) of the May 10, 2021 Planning/Building/Environmental Committee Minutes be approved.

Moved By Councillor William Reilly

That, Item P66-21 of the May 10, 2021 Planning/Building/Environmental Committee Meeting regarding Recommendation Report No. PD-62-2021 - Building Fees By-law Review and Building Department Operational Review – AMENDMENT TO BUDGET be amended by removing the amount \$14,000 in Recommendation #4 and replacing it with the amount of \$17,000.

- 13.2. Administration/Finance/Fire Committee 63  
Re: Minutes of May 17, 2021

Moved By Councillor Jason Trombetta

That, the minutes of the Administration/Finance/Fire Committee meeting held on May 17, 2021 be accepted and that the recommendations

contained therein, be approved with the exception of Item #(s)  
\_\_\_\_\_ ; and

That, the confidential minutes relating to the closed session portion of the May 17, 2021 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

- 13.3. Public Works/Recreation/Arena Committee  
Re: Minutes of May 17, 2021

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Moved By Councillor Mike Rehner

That, the minutes of the Public Works/Recreation/Arena Committee meeting held on April 19, 2021 be accepted and that the recommendations contained therein, be approved with the exception of Item #(s)\_\_\_\_\_.

**14. 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.

**15. 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.

**16. OTHER BUSINESS**

- 16.1. Members of Council  
Re: Council Remarks

**17. 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.

**18. BY-LAWS**

Moved By Councillor Shelley Bradaric

That, leave be granted to introduce By-laws # 2021-43, 2021-44, 2021-45, 2021-46, 2021-47, 2021-48, 2021-49, 2021-50, 2021-51, 2021-52, 2021-53, 2021-54 and 2021-55; 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.

- 18.1. BY-LAW 2021-43

75

	To Confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its Regular Meeting held on the 26th day of April, 2021 and its Special Meeting held on the 20th day of May, 2021.	
18.2.	BY-LAW 2021-44 To adopt the estimates for the year 2021 and to set the Rates of Taxation for the year 2021.	76
18.3.	BY-LAW 2021-45 To authorize the borrowing of money to meet the current expenditures of the Council of the Corporation of the Township of West Lincoln	80
18.4.	BY-LAW 2021-46 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.	81
18.5.	BY-LAW 2021-47 To amend By-law 2002-112 which appoints a Committee of Adjustment, delegates the authority for considering applications for minor variances and consents, provides for compensation for the members of the Committee of Adjustment, adopts Policies, Procedures and conditions for the operation of the Committee of Adjustment, and establishes a Tariff of Fees under the Planning Act.	84
18.6.	BY-LAW 2021-48 To amend By-law 2019-83, as amended, under the Building Code Act respecting Construction, Demolition, Change of Use, Occupancy Permits, Transfer of Permits, Inspections and Associated Fees.	86
18.7.	BY-LAW 2021-49 To amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln. (P. Budd Developments Inc.)	98
18.8.	BY-LAW 2021-50 To authorize a Site Plan agreement between the Corporation of the Township of the West Lincoln and Ronald Daniel Hlywka for lands described for lands describes as Lot 28 on Plan M-92, in the former Township of South Grimsby, now in the Township of West Lincoln. (103 McMurchie Lane)	103
18.9.	BY-LAW 2021-51 A By-law to authorize an amending Site Plan Agreement with Riverview Poultry Limited., and any Mortgagees, if applicable, on lands described as Concession 8 Part Lot 6, Part of Part 1 of Plan 30R867 and Part 1 of Plan 30R8956; Township of West Lincoln	104
18.10.	BY-LAW 2021-52 A By-law to name a Public Highway in the Township of West Lincoln in	105

the Regional Municipality of Niagara being Regional Road 14 (from Canborough Street to the St. Catharine Street intersection) as Griffin Street South and Regional Road 20 (from CIBC parking lot to the West Street/Station Street Intersection) as Griffin Street North

- 18.11.

BY-LAW 2021-53

107
- A By-law to authorize a Site Plan Agreement between the Corporation of the Township of West Lincoln and Vuckovic Farms Inc. on behalf of Xplornet for lands describes as Concession 8, Part Lot 36 and 37, in the former Township of South Grimsby, now in the Township of West Lincoln.
- 18.12.

BY-LAW 2021-54

108
- To authorize an agreement between the Corporation of the Township of West Lincoln and Brandt Ltd. for the supply of a Backhoe Loader.
- 18.13.

BY-LAW 2021-55

109
- To authorize an agreement between the Corporation of the Township of West Lincoln and Rush Truck Centres for the supply of One Single Axle and Two Tandem Plow Trucks
19.

ADJOURNMENT
- The Mayor to declare the meeting adjourned at the hour of \_\_\_\_\_ pm

# 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: \***

Steven Soos

**Who are you representing? \***

☒ Self

☐ Group/Organization

**Street Address: \***

[REDACTED]

**Town/City: \***

[REDACTED]

**Postal Code: \***

[REDACTED]

**How would you like us to contact you? \***

☐ Email

☒ Telephone

**Phone Number: \***

[REDACTED]

## Presentation Details

**Which meeting would you like to present at? \*** 

Council

**Requested Meeting Date: \***

5/25/2021



**What is the presentation topic? \***

Petition e-3351- Study on national mental health emergency



**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. \***

<https://petitions.ourcommons.ca/en/Petition/Details?Petition=e-3351&fbclid=IwAR0JgCeB5MWJhmozD8v41fTtfwtOEcYLr3mpPQ4IBs7UxibkCm8jB2BJUrc>

For Council Consideration:

That the Town of West Lincoln endorse Petition E-3351 calling upon the House of Commons to Launch a federal study in the Standing Committee on Health (HESA) on the merits of declaring a national emergency on mental health.

That all Niagara-area MP's, the Prime Minister of Canada, the federal Minister of Health, and all members of the federal HESA (Standing committee on health) be copied on this motion.

## 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](mailto:clerk2@westlincoln.ca)
- Telephone: 905-957-3346

# Thank You

Thank you for your submission. Please be advised that you will be contacted by email or by phone by a member of the Clerk's Department to confirm your appointment, provide further details and/or clarify any issues.

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

**COUNCIL MINUTES**

**MEETING NO. SIX**

**April 26, 2021, 7:00 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

Staff: Joanne Scime, Clerk  
Bev Hendry, CAO  
Donna DeFilippis, Treasurer/Director of Finance\*  
Brian Treble, Director of Planning and Building\*  
Roberta Keith, IT Manager

Others: Regional Councillor Albert Witteveen\*  
Nicholas Fearn, Niagara This Week\*

**\* IN ATTENDANCE PART-TIME**

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**1. SINGING OF "O CANADA"**

Prior to commencing with the Council meeting, Mayor Bylsma will provide the following announcements:

1. 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 Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record.
3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

**2. OPENING PETITION - Councillor William Reilly**

## **COUNCIL MINUTES - April 26, 2021**

### **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**

There were no Members of Council that declared a pecuniary interest and/or conflict of interest.

### **5. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

The Chair inquired if the IT Manager was aware if there were any members of the public in attendance virtually on the Zoom meeting call that wished to address a specific item on tonight's agenda as permitted under Section 6.7 of the Procedural By-law, for which the IT Manager confirmed there were not.

Additionally, the Chair asked the Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today to read into the record, for which the Clerk confirmed she had not.

### **6. APPOINTMENTS/PRESENTATIONS**

There are no appointments/presentations.

### **7. REGIONAL COUNCILLOR'S REMARKS**

Regional Councillor Albert Witteveen read from a prepared statement which is attached as **Schedule "A"** to the minutes. Regional Councillor Witteveen provided an update regarding the following issues:

- (a) Provided highlights of a meeting he attended, along with a couple of the Township's Councillors and staff from the Township and Niagara regarding the Niagara Region's New Official Plan, which will be the first comprehensive plan since 1973, and will create a future road map for Niagara and especially West Lincoln; and,
- (b) Advised that in May, Niagara Region will be presenting mapping for its new Official Plan and municipalities' will be given an opportunity to determine the accuracy of the mapping as well as various options as to what the Township would like to see moving forward and he encouraged Council to develop a position of the desired option that will best suit our community; and,
- (c) Provided highlights from a meeting he attended on March 25th, at which staff from the Niagara Parks Commission were in attendance and provided highlights of their operations which included \$1.2 billion in economic impact, generates \$458 million in tax revenue, employed 1,050 staff in 2020, own 56 km of the Niagara Parkway, own 53 km of Niagara River Recreation trails,

## COUNCIL MINUTES - April 26, 2021

- manages 1,300 hectares of land, has 7 attractions, owns 4 paid heritage sites, owns 3 Championship golf courses and 6 trail systems which saw, in 2020, over 300,000 hikers and owns 5 full service restaurants; and,
- (d) Provided highlights of the April Niagara Region Public Works Committee meeting which included a report being presented on the producer responsibility program as it relates to Municipal Household Hazardous Waste; and
  - (e) Advised that he had requested a 6-month update with respect to the new recycling and garbage collection program and whether the diversion targets were being met; and,
  - (f) Provided highlights from Niagara Region's Public Health meeting which included a presentation that requested support for a National Child Care Strategy which was timely as it relates to Councillor Bradaric's motion to request more licensed childcare facilities in West Lincoln and advised that he looked forward to advocating for this at the Regional level; and,
  - (g) Provided an update on two Regional Long-Term Care facilities that are being rebuilt including Linhaven Manor and Gilmore Lodge; and,
  - (h) Provided highlights from the Niagara Region Planning and Economic Development meeting which included discussion relating to the Niagara Region's new Official Plan process and that the public concerns and comments were in line with those of Regional Councillors. This meeting included a second presentation on Niagara's Economic Status which provided an update on Niagara's current population being 481,700, the average household per capita which was \$31,000 to \$33,000 per capita, the average housing price index which was \$553,000 in January 2021 and advised that in 2020, in spite of the challenges relating to the pandemic, Niagara experienced \$2.75 billion in residential, non-residential and institutional growth; however, Niagara's tourism and hospitality was hit hard due the lack of international visitors.

### 8. CONFIRMATION OF MINUTES

- 8.1 Council Minutes – Regular  
Re: March 22, 2021

**Moved By** Councillor Shelley Bradaric  
**Seconded By** Councillor Cheryl Ganann

That, the minutes of the open session portion of the March 22, 2021 regular Council meeting be accepted; and,  
That, the confidential minutes relating to the closed session portion of the March 22, 2021 regular Council meeting be accepted; and that the

## **COUNCIL MINUTES - April 26, 2021**

minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

**Carried**

### **8.2 Council Minutes – Special**

Re: March 30, 2021

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Harold Jonker

That, the minutes of the March 30, 2021 special Council meeting be accepted.

**Carried**

### **8.3 Public Meeting - Amendments to Building Fees By-law (Increase Building Fees)**

Re: April 12, 2021

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

That, the minutes of a public meeting held on April 12, 2021 under the Ontario Building Code Act relating to amendments to the Township's Building By-law (Increase Building Fees) be accepted.

**Carried**

### **8.4 Public Consultation Meeting**

Re: April 12, 2021 Minutes – Xplornet Communications Inc. – 9257 Regional Road 20

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

That, the minutes of the Public Consultation Meeting held on April 12, 2021 with respect to:

- Xplornet Communication Inc. – Communication Tower – 9257 Regional Road 20; be accepted.

**Carried**

## **9. COMMUNICATIONS**

There were no communications.

## **10. MAYOR'S REMARKS**

Mayor Bylsma acknowledged the retirement of Jean Friesen, Accounting/General Secretary, who has been employed as part of the Finance/Treasury Department

## **COUNCIL MINUTES - April 26, 2021**

for the past 6 1/2 years and, on behalf of Council and staff, he congratulated Ms. Friesen on her upcoming retirement at the end of June and he wished her well on a long and fulfilling retirement.

### **11. REPORT OF COMMITTEE**

11.1 Planning/Building/Environmental Committee  
Re: Minutes of April 12, 2021

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

That, the minutes of the open session portion of the April 12, 2021 Planning/ Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved with the exception of Item P46-21; and,

That, the confidential minutes relating to the closed session portion of the April 12, 2021 Planning/ Building/ Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

**Carried**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

That, Item P46-21 (Recommendation Report No. 035-21 - OP & ZBA Greek Association & Marz Homes) of the April 12, 2021 Planning/Building/Environmental Committee Minutes be approved.

**Carried as Amended**

#### **AMENDMENT:**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Shelley Bradaric

That, Item P46-21 of the April 12, 2021 Planning/Building/Environmental Committee Meeting regarding Recommendation Report PD-35-2021 - Official Plan and Zoning Bylaw Amendment for 6659 Regional Road 20 – Greek Association & Marz Homes (Smithville West) Inc. be amended by removing Recommendation #3 and replacing it with the following new Recommendation #3:

“3. That, the Authorizing By-law be PASSED to authorize the Mayor and Clerk to sign Official Plan Amendment No. 59, be APPROVED, and that staff circulate Notice of Approval in accordance with the Planning

## **COUNCIL MINUTES - April 26, 2021**

Act, and;”

**Carried**

### **11.2 Administration/Finance/Fire Committee**

Re: Minutes of April 19, 2021

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor William Reilly

That, the minutes of the Administration/Finance/Fire Committee meeting held on April 19, 2021 be accepted and that the recommendations contained therein, be approved; and

That, the confidential minutes relating to the closed session portion of the April 19, 2021 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

**Carried**

### **11.3 Public Works/Recreation/Arena Committee**

Re: Minutes of April 19, 2021

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor Jason Trombetta

That, the minutes of the Public Works/Recreation/Arena Committee meeting held on April 19, 2021 be accepted and that the recommendations contained therein, be approved.

**Carried**

## **12. RECONSIDERATION**

There were no items put forward for reconsideration.

## **13. NOTICE OF MOTION TO RESCIND**

There were no motions to rescind put forward by any Member of Council.

## **14. OTHER BUSINESS**

### **14.1 Director of Planning & Building (Brian Treble)**

Re: Memo - Lifting of Part Lot Control and Signing Of Agreement - By-Laws 2021-31 & 2021-32, Blocks 41 & 44, Plan 30m-446, Parts 1 -13 (41) & Parts 1 - 10 (44) Smithville Station (Old Towne Gateway Estates) Marz Homes

**RECEIVED FOR INFORMATION**



## COUNCIL MINUTES - April 26, 2021

### 14.2 Councillor Mike Rehner

Re: Request Province of Ontario for Financial Assistance - Closure of West Lincoln Community Centre (WLCC) - COVID-19 & Province Orders

Councillor Rehner stated that he had brought this issue forward during the 2021 budget deliberations regarding the closure of the West Lincoln Community Centre at least three times over the past year due to the COVID-19 Pandemic and the Province's Stay at Home Order and the fact that the taxpayers of our community must continue to pay for a facility that cannot be used. Councillor Rehner advised that, in his opinion, the Province should be paying the entire associated costs with respect to WLCC as the Province has restricted its use and any taxpayer's money that has been allocated towards costs associated with the WLCC should be refunded and the Province should then be required to provide the Township with funding for these costs.

The Treasurer/Director of Finance advised that it was the Township's decision to build the WLCC and when it was approved the funding model was also approved at that time and it is the Township's responsibility to pay for the costs of the facility. The Treasurer/Director of Finance stated that she agreed that the Province closed the building for recreational use due to the pandemic; however, she noted that the facility has been used as a vaccination site and the Province has provided funding to the Township to assist with the loss of revenues. The Treasurer/Director of Finance stated that the Province has provided the Township with assistance due to the loss of revenue and, it was her opinion, the Province will not provide financial assistance for fixed costs, being the net budget of \$489,280 for 2021; however, she noted that if it is up to Council if they want to approach the Province for additional funding. The Treasurer/Director of Finance advised each month she reports the COVID-19 costs and if she sees there is a need for additional funds she would recommend Council to advocate for the funding from the Province. The Treasurer/Director of Finance confirmed that the Township had received the following funding from the Province to assist with the impact of the COVID-19 Pandemic:

- (1) Received \$329,800 in 2020 through the Restart Agreement (Phase 1);
- (2) Received \$66,000 in December 2020 as allocated by the Province (did not apply for these funds);

## COUNCIL MINUTES - April 26, 2021

- (3) On March 4th, 2021 the Township received \$267,744 which was allocated on a formula basis by the Province (did not apply for these funds), and has resulted in a total of \$383,744 of funding received to date to use in 2021, with additional funding being expected on or before November 1, 2021. The Treasurer/Director of Finance noted that currently there was little factual support that could be given to ask the Province for additional funding as it relates to the impact of COVID-19 and recommended that staff continue to monitor the 2021 operating budget, as they have been doing, and should a need arise whereby additional funding was needed then she would recommend that the Township advocate the Province for additional funding at that time.

There were many comments and much discussion among Members of Council which included the reading of excerpts from two letters that were received from Minister Steve Clark, Municipal Affairs & Housing, which were received for information at the March 15, 2021 Administration/ Finance/Fire Committee meeting regarding the Province's commitment of providing financial support to the Township through the 2021 COVID-19 Recovery Funding for Municipalities program as well as the discussion that took place between Minister Clark, MPP Sam Oosterhoff and Township representatives at the 2021 Virtual Rural Ontario Municipal Association (ROMA) Conference regarding the Province's commitment to supporting municipalities and the Township's concerns with respect to loss of revenue as the result of the pandemic lockdowns. It was noted that we do not want it to appear that the Township was not appreciative of the funding support that has been received to date as well as being a municipality that is not understanding of the importance of budgeting, funding and appropriate governance.

The CAO confirmed that the WLCC will be used for the West Niagara Vaccination Site from May 3rd, to 8th, 2021 and that this facility has been selected by Niagara Public Health because of its great layout and providing a service to the community.

Mayor Bylsma noted that during the lockdown the Smithville Library has continued to function through curbside service which has continued to provide a valuable service to our community.

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Jason Trombetta

## COUNCIL MINUTES - April 26, 2021

That, the Council for the Township of West Lincoln respectfully requests the Province of Ontario support the Township's request for financial assistance to offset the fixed costs as the result of the closure of the West Lincoln Community Centre (arena, walking track, gymnasium, community meeting rooms, etc.) due to the COVID-19 Pandemic and the Orders issued by the Province since March 2020, which has resulted in these costs being borne by the taxpayers of our municipality who have been financially impacted by the COVID-19 Pandemic.

### **Lost**

#### 14.3 Members of Council Re: Council Remarks

- (1) Councillor Harold Jonker  
Re: Niagara Region Transportation Steering Committee Meeting

Councillor Jonker advised that he will be attending the Niagara Region Transportation Steering Committee Meeting that has been scheduled for tomorrow at 9 am and that it has been awhile since this Committee has met. Councillor Jonker stated that he will be addressing the roundabout/traffic circle that was constructed at Regional Road 20 and Townline Road and the fact that it was fairly tight for truck traffic to go through so they were aware when designing future roundabouts/traffic circles. Councillor Jonker asked if there were any other issues that Members of Council wish that he raise at this meeting, for which there were no issues brought forward.

- (2) Councillor Cheryl Ganann  
Re: West Lincoln Memorial Hospital

Councillor Ganann advised that the Township received communication today from Mr. Tom Perry, Communications & Stakeholder Relations Senior Specialist at Hamilton Health Sciences stating that Infrastructure Ontario publicly shared the names of three teams, which were pre-qualified through the RFQ Process for the new West Lincoln Memorial Hospital, who will be invited to submit proposals through the RFP which will be open this summer with the processing closing in December of 2021, they will then be assessed during the winter months, with the winning bid and team being announced in the Spring.

## COUNCIL MINUTES - April 26, 2021

- (3) Councillor Cheryl Ganann  
Re: Town Wide Food Drive for West Lincoln Community Care

Councillor Ganann reminded Members of Council for the town-wide food drive for West Lincoln Community Care that will take place on Saturday, May 1st, 2021 from 10 am until Noon. Councillor Ganann stated that there will be teams of people from the same household who will be driving around to collect food and delivering those items collected to the West Lincoln Community Care building where there will be Board Members and Volunteers in attendance to help receive and sort the donations.

- (4) Councillor William Reilly  
Re: Smithville Christian High School - Grade 9 Class Earth Day Cleanup

Councillor Reilly stated that he wanted to acknowledge Scott Antonides, who is a Science Teacher at Smithville Christian High School and whose Grade 9 class did a video to promote Earth Day and clean up of the community as well as picking up garbage/waste along roadways and parks. Councillor Reilly advised that he hoped the initiative that has been taken by Smithville Christian High School will be much larger next year with the entire community becoming involved in cleaning up litter along our roadways and parks, etc.

### 15. NEW ITEMS OF BUSINESS

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

### 16. BY-LAWS

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Harold Jonker

That, leave be granted to introduce By-laws # 2021-30, 2021-31, 2021-32, 2021-33, 2021-34, 2021-35, 2021-36, 2021-37, 2021-38, 2021-39, 2021-40, 2021-41 and 2021-42 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 2021-30**

To Confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its Regular Meeting held on the 22<sup>nd</sup> day of March, 2021 and its Special Meeting held on the 30<sup>th</sup> day of March, 2021.

**16.2 BY-LAW 2021-31**

A By-law to authorize an agreement with Marz Homes (Smithville Station) Inc., and any Mortgagee(s) on lands described as Block 41 & Block 44 on Plan 30M-446 in the Township of West Lincoln (Original Subdivision Agreement Authorized by By-law No. 2017-137 & Registered under NR487417)

**16.3 BY-LAW 2021-32**

A By-law to exempt certain land from Part Lot Control pursuant to Section 50 of the Planning Act, R.S.O. 1990 (Old Towne Gateway Estates - Smithville Station)

**16.4 BYLAW 2021-33**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Stonecast Contracting Limited for the Brock Street Watermain replacement and Road Reconstruction (Tender PW 2021-01)

**16.5 BY-LAW 2021-34**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Anthony's Excavating Central Inc. for Road Rehabilitation works (Tender PW 2021-02 - Hard topping Concession 5 Rd from Caistor Centre Road and Westbrook Road).

**16.6 BY-LAW 2021-35**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Duomax Developments Limited for the West Lincoln Community Centre Bandshell (Canada Summer Games) Design-Build

**16.7 BY-LAW 2021-36**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Play Power for the supply and installation of the Caistorville Library Playground equipment

**16.8 BY-LAW 2021-37**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln, The Corporation of the Township of Wainfleet and Da-Lee Dust Control for the supply and application of dust control material for the three-year term 2021 to 2023

**16.9 BY-LAW 2021-38**

A By-law to authorize the Mayor and Clerk to sign a lease agreement

## **COUNCIL MINUTES - April 26, 2021**

between Ken Brunaccioni (Dog Got it – Hot Dog Cart) and the Corporation of the Township of West Lincoln for 2021 and 2022 (Lease Portion of Smithville Parette/CIBC Parking Lands).

### **16.10 BY-LAW 2021-39**

A By-law to authorize an amending Site Plan Agreement between the Corporation of the Township of West Lincoln and Foliera Holdings Inc. for lands described as Concession 8, Part Lot 12, 30R-5659, Part 3, PT Part 1, in the Former Township of South Grimsby, Now in the Township of West Lincoln (6850 Young Street).

### **16.11 BY-LAW 2021-40**

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln (Foliera - Concession 8, Part Lot 12, Part 3 and Part 1 of 30R5659, 6850 Young Street (File No. 1601-002-21))

### **16.12 BY-LAW 2021-41**

Being a By-law adopt Amendment No. 59 (Greek Association & Marz Homes (Smithville West) Inc – Institutional to Residential) to the Official Plan for the Township of West Lincoln

### **16.13 BY-LAW 2021-42**

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln (Greek Association & Marz Homes (Smithville West) Inc. - Lot 8, Plan M-98, 6659 Regional Road 20 (File No. 1601-004-21))

## **17. CONFIDENTIAL MATTERS**

All Members of Council, noted as present, the CAO, Clerk, Treasurer and IT Manager were in attendance for the closed session deliberations.

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor Cheryl Ganann

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:

(a) Treasurer/Director of Finance

Re: Property Matter - Confidential IT Matter

**Applicable closed session exemption:**

(a) the security of the property of the municipality or local board.(8:15 pm)

**Carried**

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor William Reilly

## **COUNCIL MINUTES - April 26, 2021**

That, this Council meeting does now resume in open session at the hour of 8:25 p.m.

**Carried**

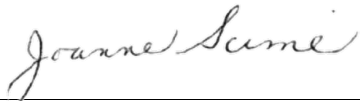
17.1 Treasurer/Director of Finance (Donna DeFilippis)

Re: Property Matter - Confidential IT Matter

Council rose without reporting.

### **18. ADJOURNMENT**

The Mayor declared the meeting adjourned at the hour of 8:26 p.m.



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**JOANNE SCIME, CLERK**

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**MAYOR DAVE BYLSMA**

Regional Councillors Report: April 26, 2021

Good evening Mayor, members of council, staff and the public. I would like to begin by sharing in my involvement this past month as a councillor.

Beginning with a meeting with West Lincoln councillors, and staff from the Niagara Region and from our township regarding the Niagara Official Plan.

This is the first comprehensive plan since 1973 which makes this process very important as it creates a road map into the future for Niagara and especially West Lincoln. Many items were discussed such as planning framework, economic competitiveness, housing mix, response to climate change and natural heritage systems. All of you have been involved in one form or another in this process and I would just like to mention to all of you an important component for us is the Natural Heritage System and Water resource system as we are primarily agriculture. In May the Niagara Region will be presenting the mapping for this in which we will be able to determine the accuracy of the mapping and the suggested options we would like to see moving forward. The option will be chosen and then the mapping will follow. I encourage the council to develop a position of the desired option that will best suit our community.

On March 25th we were given a presentation on the Niagara Parks Commission, David Adames is the CEO of this Crown Corporation,



and to highlight the Niagara Parks by the numbers go as such, 1.2 billion in economic impact, generates 458 million in tax revenue, 1,050 staff in 2020, 56 km of the Niagara Parkway, 53km Niagara River-Rec trails, manages 1,300 hectares of land, 7 attractions, 4 paid heritage sites, 3 Championship golf courses, 6 trail systems which sees over 300,000 annual hikers users (2020) and 5 full service restaurants I found these stats impressive as a resident of Niagara and thought you would also.

In April at the Public Works meeting we received a report on the producer responsibility program on Municipal Household hazardous waste. Staff submitted a report to AMO and through industry associations to ensure we understand the impacts of this new collection system mostly we are concerned with dumping of this product in our communities because of the clean-up costs to our residences. I will keep you updated on this progress as it unfolds at the Province and at the Region.

I requested a report on a 6month update on the new collection contractors looking for diversion targets and where did we see increases and decreases in collection of the materials.

Later that day was our Public Health meeting and our first presenters talked about looking for support for a National child care strategy, this is great timing with Councillor Braderic's motion to request more spaces

for parents in our community. And with the Federal Budget announcement of moving in this direction I look forward in supporting and speaking to Councillors Braderic's motion that was supported by this council.

A quick update on the the two Regional long-term care facilities being rebuilt, Linhaven's tender award will be June 24th with a 30 month build being Nov 2023. And Gilmore tender award will be Aug 26th it being a 27 month build to also be completed in November of 2023. The plan is to move all residences in before Christmas of 2023. I did ask if their was a number of contractors that were pre-qualified and the answer was that 7 contractors were pre-qualified for the bidding process.

The following day at the Planning and Economic Development meeting we were giving another step of the Niagara Official Plan process where public concerns on input were in line with that of the Councillors feedback. Most of the presentation was based on the Pillars and directives on how they need to be aligned to create a made in Niagara approach to planning. We had a second presentation on Niagara's Economic update, the population of Niagara is now 481,700, average household per capita was 31,000-33,000 per capita, average housing price index was 553,000 in January 2021. In 2020 Niagara experienced 2.75 billion in residential, non-residential and institutional growth. Even though the challenges of 2020

Niagara did well in this category but tourism and hospitality was the hardest hit with the lack of international visitors. This sector will obviously take time to rebuild moving forward.

And councillors this is my report for April, if any members have any questions I will answer them to the best of my abilities. Thank-you

Albert

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**  
**SPECIAL COUNCIL MINUTES**

**MEETING NO. SEVEN**

**May 20, 2021, 11:00 a.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

**Council:** Mayor Dave Bylsma  
Councillor Shelley Bradaric  
Councillor Cheryl Ganann  
Councillor Mike Rehner  
Councillor William Reilly  
Councillor Jason Trombetta

**Absent:** Councillor Harold Jonker – notification provided

**Staff:** Joanne Scime, Clerk  
Bev Hendry, CAO

**Others:** Tom Richardson, Sullivan Mahoney\*

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**1. PROCEDURAL BY-LAW MATTERS**

Prior to commencing with the Special Meeting of Council, Mayor Bylsma provided the following announcements:

1. Due to a work commitment, Councillor Harold Jonker will be unable to attend today's Special Council meeting that has been called.
2. 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 Standing Committee and Council meetings until further notice.
3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

- 1.1 Clerk (Joanne Scime)  
Re: Appointment of Chair

**Moved By** Councillor Shelley Bradaric  
**Seconded By** Councillor William Reilly

## **SPECIAL COUNCIL MINUTES - May 20, 2021**

That, in accordance with Section 4.3 of the Township's Procedural By-law, that Councillor Cheryl Ganann be appointed as Chair for the Special Council Meeting of Thursday, May 20, 2021 due to the matter being discussed and the Deputy Mayor (Councillor Harold Jonker) being unable to attend the meeting.

**Carried**

- 1.2 Chair Councillor Cheryl Ganann  
Re: Waiving Section 3.1(b) and (c) of the Procedural By-law - 24 hours Notice for Special Meeting of Council

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Mike Rehner

That, Section 3.1 (b) and (c) of the Township's Procedural By-law be waived to address the lack of the 24 hour notice provision for the calling of a special Meeting of Council by the Clerk's Office through a request of the majority of Members of Council; and that this will have no affect on the validity of this meeting and any action taken as all Members of Council were contacted as soon as the meeting was called.

**Carried**

## **2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

There were no Members of Council that declared a pecuniary interest and/or conflict of interest with respect to either the open session or closed session matters.

## **3. CONFIDENTIAL MATTERS**

All Members of Committee noted as present as well as the CAO, the Township's Solicitor, Tom Richardson and the Clerk were in attendance during closed session with respect to discussion of the closed session item.

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor William Reilly

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:

2.1 Councillor William Reilly

Re: Personal Matters - Public & Private Conduct of Members of Council

**Applicable closed session exemption:**

(a) personal matters about an identifiable individual, including municipal or local

## SPECIAL COUNCIL MINUTES - May 20, 2021

board members.

**Carried**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Mike Rehner

That, this Special Council meeting does now resume in open session at the hour of 12:16 p.m.

**Carried**

3.1 Councillor William Reilly

Re: Personal Matters - Public & Private Conduct of Members of Council

**Moved By** Councillor William Reilly

**Seconded By** Councillor Shelley Bradaric

The Township of West Lincoln would like to extend sincere apologies to Emily Spanton for what it considers inappropriate communication from Mayor Bylsma. Our roles as a government is to create a safe place for residents and the Council of West Lincoln finds Mayor Bylsma's actions unsettling and not in keeping with our Code of Conduct.

	<b>For</b>	<b>Against</b>
Mayor Dave Bylsma	X	
Councillor Shelley Bradaric	X	
Councillor Cheryl Ganann	X	
Councillor Harold Jonker	Absent	
Councillor Mike Rehner	X	
Councillor William Reilly	X	
Councillor Jason Trombetta	X	
<b>Results</b>	<b>6</b>	<b>0</b>
		<b>Carried (6 to 0)</b>

**Moved By** Councillor William Reilly

**Seconded By** Councillor Mike Rehner

That, Mayor Dave Bylsma be immediately removed from his appointment to Peninsula West Power Inc. for the remainder of his three year term; and,

That, staff are hereby directed to contact Mr. Brian Walker, Peninsula West Power CEO to advise him of Council's decision; and,

That, the Township of West Lincoln Council provide and confirm a new representative to sit on the Peninsula West Power Inc. Board at the June 2021 Council meeting.

## SPECIAL COUNCIL MINUTES - May 20, 2021

	For	Against
Mayor Dave Bylsma	X	
Councillor Shelley Bradaric	X	
Councillor Cheryl Ganann	X	
Councillor Harold Jonker	Absent	
Councillor Mike Rehner	X	
Councillor William Reilly	X	
Councillor Jason Trombetta	X	
<b>Results</b>	<b>6</b>	<b>0</b> <b>Carried (6 to 0)</b>

**Moved By** Councillor Shelley Bradaric  
**Seconded By** Councillor Jason Trombetta

That, Mayor Dave Bylsma be removed immediately from the West Lincoln Heritage Committee and that the appointment of another Member of Council be addressed at the June 2021 Planning/Building/Environmental Committee meeting.

	For	Against
Mayor Dave Bylsma	X	
Councillor Shelley Bradaric	X	
Councillor Cheryl Ganann	X	
Councillor Harold Jonker	Absent	
Councillor Mike Rehner	X	
Councillor William Reilly	X	
Councillor Jason Trombetta	X	
<b>Results</b>	<b>6</b>	<b>0</b> <b>Carried (6 to 0)</b>

#### 4. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 12:25 p.m.

  
\_\_\_\_\_  
JOANNE SCIME, CLERK

\_\_\_\_\_  
MAYOR DAVE BYLSMA

\_\_\_\_\_  
CHAIR APPOINTED – COUNCILLOR  
CHERYL GANANN

**TOWNSHIP OF WEST LINCOLN  
PUBLIC MEETING UNDER THE PLANNING ACT MINUTES  
AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW**

**May 10, 2021, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

Council: Councillor William Reilly (Chair)  
Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann  
Councillor Harold Jonker  
Councillor Jason Trombetta  
Councillor Mike Rehner

Staff: Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Gerrit Boerema, Planner II\*  
Meghan Birbeck, Planner I\*  
Roberta Keith, IT Manager\*

Other Members:	Albert Witteveen, Regional Councillor	Rob Cosby*
	Oz Kemal, MHBC Planning Ltd.*	John Sr Fairlie*
	Paul Hecimovic, Odan Detech*	A Massender*
	Sarah Duncan*	Dan Hlywka*
	Jowett Lau*	Christopher Tsiropoulos*
	Julien Robillard*	Chris Duff*
	Laura Thomson*	Michael Carlton*
	Mark Yeatman*	Brenda Walker*
	Dave Crawford*	Donald Plumstead*
	Burt Thombs*	Peter Budd*
	Roman Tsap*	Assylgul Kalmukhanova*
	Richard Bowles*	Andrea Boilard*
	Steven Rivers*	Allan & Maude Schwartz*
	Anna MacLeod*	Tamara Tannis*
	Denise Potter*	

**\* IN ATTENDANCE PART TIME**



**6696 CANBOROUGH RD (File No. 1601-004-21) - ZONING BY-LAW AMENDMENT**

**1. CHAIR - Councillor William Reilly**

**2. Application for Zoning By-law Amendment**

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34(12) of the Planning Act as submitted by Michael Carlton and Assylgul Kalmukhanova for the property located at 6696 Canborough Road (Part 1 of 30R-3892, Concession BF Part Lot 2 & 4).

**EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:**

The Zoning By-Law Amendment has been submitted to rezone the property from an Agricultural 'A' zone to an Agricultural 'A' zone with an exception to permit the property to be used for agricultural value added, on-farm diversified and agri-tourism opportunities. Township Zoning Bylaw 2017-70 as amended, requires a minimum lot size of 10 hectares to permit an on-farm diversified use, however, the subject property is only ±8.3 hectares.

**3. Purpose of the Public Meeting**

The Planning Act requires in Section 34(12) that before passing a Zoning By-law Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the amendments.

The Chair stated that the purpose of this meeting was to give an opportunity for the public and Council Members to provide comments and/or ask questions regarding the Zoning By-law Amendment Application submitted by Michael Carlton and Assylgul Kalmukhanova for the property located at 6696 Canborough Road (Part 1 of 30R-3892, Concession BF Part Lot 2 & 4) (File No. 1601-004-21).

The Chair stressed that, at this point, no decision has been made on the proposed amendments and any comments received will be taken into account by Council in their consideration. The Chair advised that the Planning Act requires in Section 34(13) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Local Planning Appeal Tribunal (LPAT).

#### 4. Public Meeting

The Chair requested that the Deputy Clerk advise of the method and dates by which notice of the public meeting was given.

The Deputy Clerk advised that proper notice was given by way of mailed distribution to neighbouring properties within 120 metres of the subject property as well as notice provided to the Clerk of the Township of Wainfleet. Additionally, a yellow sign was posted on the subject property.

The Chair advised that this was a public meeting to consider a Zoning By-law Amendment Application submitted by Michael Carlton and Assylgul Kalmukhanova for the property located at 6696 Canborough Road (Part 1 of 30R-3892, Concession BF Part Lot 2 & 4) (File No. 1601-004-21).

The Chair asked the Planner II, Gerrit Boerema, to explain the purpose and reason for the proposed Zoning By-law Amendment.

The Planner provided an overview of the application as outlined in Staff Report PD-54-2021.

The Chair asked if there were any oral or written submissions from any members of the public present as part of the Zoom meeting that wished to provide comments at this time with respect to the Zoning By-law Amendment Application submitted by Michael Carlton and Assylgul Kalmukhanova for the property located at 6696 Canborough Road (Part 1 of 30R-3892, Concession BF Part Lot 2 & 4) (File No. 1601-004-21). The Chair suggested that if there were any Members of the Public present that wished to provide comments that they should state them now, as LPAT may not consider comments made during any other Council and/or Committee meetings.

##### 1. Allan & Maude Schwartz Regional Road 45

Mr. Schwartz raised some concerns regarding flood land and whether or not the applicant has any acknowledgement of potential flooding on the lower part of the property. Mr. Schwartz also shared that he is concerned about the amount of noise and questioned if there was a noise curfew. In response to Mr. Schwartz's question with respect to the noise curfew, the Planner shared that he believes the Township has a noise by-law and that this concern will be brought back to staff for review. In response to Mr. Schwartz's question regarding the tax structure of the property, the Director of Planning & Building shared that it is his understanding that property taxes are based on the use of the land which is designated through the Municipal Property Assessment

Corporation (MPAC) and stated that the Township's Director of Finance will be able to provide more information to staff to include in their future recommendation report.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

Mr. Steven Rivers (Agent) provided an overview of the application and stated that he was available to answer any questions from the public or Members of Committee. Mr. Rivers started by addressing some concerns that were raised by the public. With respect to views and the hiking trail/biking path, Mr. Rivers stated that the view is not something that is dealt with under the Planning Act and therefore would not be an issue that Planners deal with. With respect to the hiking/biking path, Mr. Rivers made note that the hiking trail or biking path that was raised are not proposed within this application and stated that he believes that the concerns are from the Regional biking routes that are shown on the drawings. Mr. Rivers also addressed the concerns with respect to the privacy screen and stated that although there has been some elimination of the ash trees, there is still substantial vegetation along the riverbank. In regards to the flooding concerns, Mr. Rivers noted that when creating the site plan they were very careful to ensure that everything is going to occur outside of the flood plain and the area that is proposed for the yurts is above the flood line. With respect to the noise issue and complaints, Mr. Rivers stated that the Owners have a list of criteria for anyone using the property, one of them is being respectful and no noise after 10pm. Mr. Rivers also addressed the concerns regarding sewage treatment and stated that any facilities on the site will need to meet the Ontario Building Code requirements and that the agent and applicants will be speaking with the Chief Building Official (CBO) to determine what exactly is required. Finally, with respect to the light pollution from the greenhouse, Mr. Rivers shared that the proposed greenhouse will not require night lighting.

The Chair asked if any Members of the Council had any oral or written submissions on the proposed Zoning By-law Amendment. The Chair advised that this may be the only Public meeting being held with respect to this application; therefore, he noted that if any Members of the Committee had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

In response to Councillor Ganann's question regarding the water supply and sewage treatment, Mr. Carlton (Applicant) stated that they are planning on moving forwards per the requirements of the Ontario Building Code and direction

from the CBO as to what is needed to proceed. Mr. Carlton stated that currently they provide clean water that comes from Home Hardware in the 5-gallon jug and that every guest gets a new sterilized jug. Mr. Carlton then added that they also provide a separate gallon of water for hand washing which guests press a valve and it drains into a bucket, and then the bucket is disposed of along with the portable toilet waste and the subcontractor comes and cleans the disposed water from the sites. Mr. Carlton stated that they have no issues with expanding their plans with respect to water supply and sewage treatment and that they are just looking for direction to move forward.

In response to Councillor Ganann's question regarding what type of farming is currently happening on the property, Mr. Carlton stated that they have a mixed farming operation on the property that includes, pear trees, apple trees, vegetable beds close to the creek for fertile soil they also have hare, alpacas, goats, will shortly be getting some beef cattle for personal consumption, meat chickens, as well as honey jars for sale. Mr. Carlton noted that they are slowly learning and developing the farm as they go and hoping to provide good quality fruits and vegetables to people from the yurts and local community.

In response to Councillor Rehner's question regarding the required lot size for the proposed use, the Planner II, stated that per the Township's Zoning by-law there is a minimum lot area of 10 hectares for an on farm diversified use. Councillor Rehner questioned why the Committee is considering this proposal if it does not meet the requirements outlined by the Township. The Planner II stated that anyone can make an application to amend the processes of the Township zoning by-law, therefore the applicants have gone through the process to apply for an amendment to the zoning by-law, and the 10 hectares is just a standard number that is applied across the Township. The Planner II also stated that in some cases the 10 hectares may not be suitable for certain lots, therefore although there is no flexibility in the zoning by-law, landowners do have the ability to apply for an amendment to the zoning by-law. Councillor Rehner stated that due to the amount of concern that has been brought forward from different agencies he will not be in support of this application.

Councillor Jonker asked for clarification with respect to the locations of each structure and livestock on the property. Mr. Carlton stated that in the process of discussing the site plan with the subcontractor, Mr. Carlton asked for the five (5) greenhouses to be placed where the square box is shown on page 46 of the justification document.

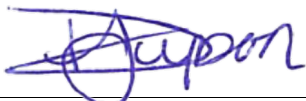
The Chair stated that a Technical Report was being considered by Committee later, as part of this evening's Committee- meeting and that a recommendation

report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Joanne Scime at [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca).

The Chair stated that anyone who is interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend applicable meetings and suggested the public watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The Chair advised that agendas for meetings are posted on the Township Website after 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the Township's website for the public to view. The Chair stated that anyone wishing to receive notices by email, should contact the Township Clerk to advise of their request and include their email address along with their mailing address and phone number.

**5. Adjournment**

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 7:08 p.m.



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**JESSICA DYSON, DEPUTY CLERK**

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**COUNCILLOR WILLIAM REILLY, CHAIR**

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**MEMORANDUM**

**PWC-C 19-2021**

**Subject: Every Other Week (EOW) Garbage Collection Diversion Impact Analysis**

**Date: Tuesday, May 11, 2021**

**To: Public Works Committee**

**From: Alison Powell, Business Support Analyst**

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The purpose of this memorandum is to provide Public Works Committee with an update on the waste diversion impact resulting from the change to every-other-week (EOW) garbage collection.

**Background**

On October 17, 2019, Council approved EOW garbage collection for implementation. Reducing the frequency of garbage collection encourages residents to divert waste through the use of the Blue/Grey Box and Green Bin, both of which are still collected weekly. As seen in comparator municipalities, when residents utilize all diversion programs, there is a reduction in the amount of garbage placed at the curb for collection.

EOW garbage collection pertains to all residential properties, including Multi-Residential (MR) properties, and for those Industrial, Commercial & Institutional (IC&I) and Mixed-Use (MU) properties located outside Designated Business Areas (DBAs) that are using Niagara Region's curbside collection service.

On October 19, 2020, EOW garbage collection commenced with the start of the new waste collection contracts. Green for Life (GFL) Environmental Inc. services Collection Area One (1); and Miller Waste Systems Inc. services Collection Area Two (2).

- Collection Area One (1) – the Town of Grimsby, the Town of Lincoln, the Town of Pelham, the City of Thorold, the Township of Wainfleet, and the Township of West Lincoln. Contracts are continuing to be monitored by staff with regards to any shortages (supplies and trades) and updates will be highlighted.

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- Collection Area Two (2) – the Town of Fort Erie, the City of Niagara Falls, the Town of Niagara-on-the-Lake, the City of Port Colborne, the City of St. Catharines, and the City of Welland.

### **Tonnage Analysis**

To determine the impact EOW garbage collection has had on the amount of waste collected from the curb, a preliminary review of tonnage data from October 19, 2020 through the end of March 2021 was done, identified as 'After EOW' in this memorandum. This data has been compared with data from the same timeframe in 2019 and 2020 (October 21, 2019, through the end of March 2020), identified as 'Before EOW' in this memorandum. Further review of one (1) year's worth of data will be completed in late 2021.

It is important to note that the data presented in this memorandum pertains to all curbside collected waste from residential properties, MR properties (not including those with front-end garbage collection as an enhanced service), IC&I, and MU properties throughout Niagara region, including those IC&I and MU with weekly collection inside DBAs. However, the majority of the waste is generated by the residential sector through the EOW curbside collection service.

IC&I and MU properties inside the DBA receive enhanced service collection, paid for by local area municipalities, in which garbage is collected at minimum one (1) day per week, sometimes more depending on the DBA. In addition to increased frequency of garbage collection, certain DBAs also have increased bag limits allowed at the curb for collection. Waste collected inside DBAs is not collected separately from waste outside the DBA; therefore, this tonnage data is not tracked separately and is included in the tonnages reported in this memorandum.

The combined amount of curbside collected garbage, organics and recycling after EOW garbage collection began, has increased from 58,260 tonnes to 59,068 tonnes. This is a 1.4 per cent increase in total garbage collected in less than six (6) months.

Additionally since EOW garbage collection began, the amount of curbside collected organics and recycling has increased from 47 per cent to 56 per cent, resulting in significantly reduced demand on the landfill sites.

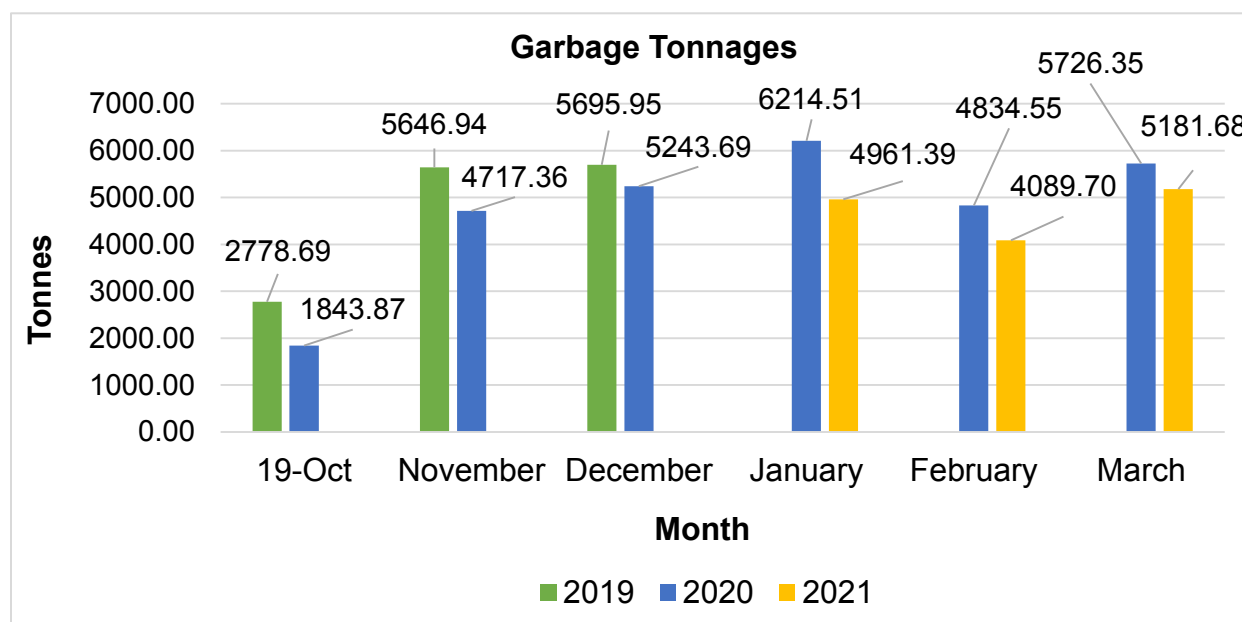
## Garbage

Curbside collected garbage tonnages have decreased since the start of EOW garbage collection. From October 19, 2020 through to the end of March 2021, the amount of curbside collected garbage has decreased by 15.7 per cent compared to the same time frame in 2019 and 2020. Table 1 and Figure 1 provide a monthly breakdown of garbage tonnages.

*Table 1 Garbage Tonnages*

Month	Before EOW (Tonnes)	After EOW (Tonnes)	Difference
October (last two weeks)	2,778.69	1,843.87	-33.6%
November	5,646.94	4,717.36	-16.5%
December	5,695.95	5,243.69	-7.9%
January	6,214.51	4,961.39	-20.2%
February	4,834.55	4,089.70	-15.4%
March	5,726.35	5,181.68	-9.5%
<b>Total</b>	<b>30,896.99</b>	<b>26,037.69</b>	<b>-15.7%</b>

*Figure 1 Garbage Tonnages*





This decrease can be attributed to residents diverting their waste through organics and recycling, as these diversion programs have seen considerable increases in tonnages collected at the curb in just six (6) months.

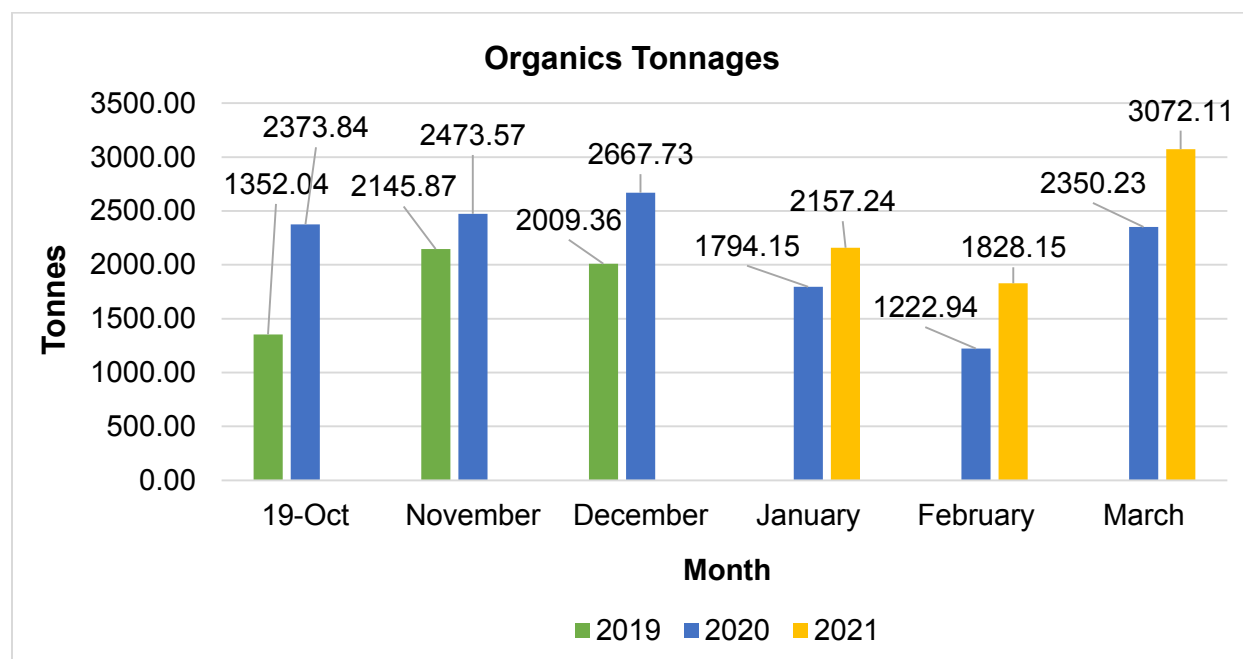
## Organics

Tonnages for curbside collected organics have increased 34 per cent since the start of EOW garbage collection compared to the same time frame in 2019 and 2020. See Table 2 and Figure 2 for a monthly comparison.

*Table 2 Organics Tonnages*

Month	Before EOW (Tonnes)	After EOW (Tonnes)	Difference
October (last two weeks)	1,352.04	2,373.84	75.6%
November	2,145.87	2,473.57	15.3%
December	2,009.36	2,667.73	32.8%
January	1,794.15	2,157.24	20.2%
February	1,222.94	1,828.15	49.5%
March	2,350.23	3,072.11	30.7%
<b>Total</b>	<b>10,874.59</b>	<b>14,580.77</b>	<b>34.0%</b>

*Figure 2 Organics Tonnages*



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Organics collection includes food waste collected in the Green Bin and co-collected leaf and yard waste, with the exception of dedicated leaf and yard waste collection in the spring and fall in urban areas. In 2020, separate leaf and yard waste took place from November 2 to 27. In 2019, it was October 28 to November 22. The 2019 data for October contains one week of non co-collected leaf and yard waste, whereas the October 2020 data only includes co-collected leaf and yard waste. This explains why the larger increase was observed in October 2020 when compared with October 2019. Excluding data from October 2019 and 2020, the increase in curbside collected organics was 28.2 per cent. The increase in organics can be attributed to increased participation in the Green Bin program, and co-collected leaf and yard waste. As per PW 20-2021, the COVID 19 pandemic did affect the amount of organics generated.

In preparation for EOW garbage collection and the expected increase in Green Bin tonnages, staff began to deliver additional supply of Green Bins to distribution centres throughout the region, providing residents the opportunity to purchase additional containers. In 2020, staff delivered 12,077 Green Bins to distribution centres, a near 60 per cent increase over the 7,569 Green Bins delivered in 2019.

Reduction of organics being landfilled will result in the following benefits:

- The extended site life for open Region landfills will result in increased revenue generating capacity from the reduction of divertable materials being landfilled by residents and other service users participating in the curbside recycling and organics programs.
- Deferred capital costs for new disposal infrastructure. As a point of reference, the Humberstone Landfill site vertical expansion will have a total cost of approximately \$11.2 million.
- Cost avoidance/cost reduction in the landfill contract with Walker Environmental due to an increase in the diversion of waste from disposal. This may be offset by increased tonnages of food and organic waste collected at the curb from improved participation and capture rates, which would result in increased processing contract costs, unless the tonnages are reduced through food waste avoidance and other reduction initiatives.
- Long term cost reduction with care and control of landfill sites, due to reduction of organics being landfilled, resulting in improved leachate quality. Based on Niagara Region's Landfill Liability Model, the contaminating life and monitoring would be reduced by approximately five (5) years and thus produce an estimated annual savings for the two (2) Regional landfill sites of \$1.3 million.

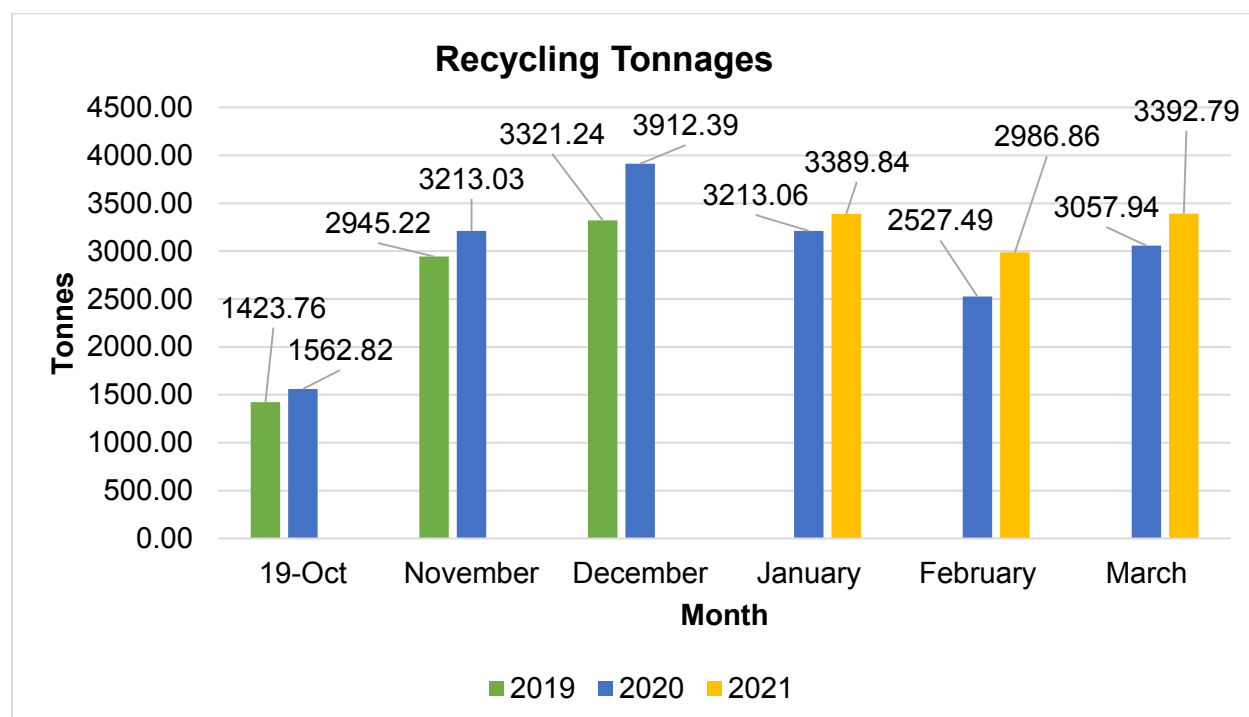
## Recycling

Curbside recycling tonnages have increased 11.9 per cent since the start of EOW garbage collection compared to the same time frame in 2019 and 2020. Table 3 and Figure 3 provide a monthly comparison. The tonnages include all recycling collected in Blue/Grey Boxes, Blue/Grey Carts, bundled cardboard and front-end cardboard collection from downtown St. Catharines.

*Table 3 Recycling Tonnages*

Month	Before EOW (Tonnes)	After EOW (Tonnes)	Difference
October (last two weeks)	1,423.76	1,562.82	9.8%
November	2,945.22	3,213.03	9.1%
December	3,321.24	3,912.39	17.8%
January	3,213.06	3,389.84	5.5%
February	2,527.49	2,986.86	18.2%
March	3,057.94	3,392.79	11%
<b>Total</b>	<b>16,488.71</b>	<b>18,547.73</b>	<b>11.9%</b>

*Figure 3 Recycling Tonnages*



Similar to the Green Bins, additional Blue and Grey Boxes were delivered to distribution facilities for resident purchase. In 2020, staff delivered 25,464 Blue/Grey Boxes to distribution centres, a 20.5 per cent increase over the 21,131 Blue/Grey Boxes delivered in 2019.

### **Capture Rates**

An expected benefit of EOW garbage collection is an increase in participation and capture rates in the Region's diversion programs. Prior to EOW garbage collection, nearly 50 per cent of one (1) garbage bag/can from the low-density residential sector was organics, and nearly 14 per cent was recyclables.

Seasonal waste audits are currently in progress to determine the material stream composition of a garbage bag after the implementation of EOW garbage collection. Audit results are expected in late 2021.

### **Illegal Dumping**

Based on comments received from municipal comparators who have implemented EOW waste collection, Niagara Region expected that EOW garbage collection would influence illegal dumping for a short term; however, would level off back to normal levels in the long term.

In 2020, there was a total of 678 incidents of illegal dumping investigated by Niagara Region. This is a small increase over the 677 incidents that were investigated in 2019. There has been no evidence of an increase in roadside dumping in Q1 2021. Staff are now proactively monitoring public space litter bins, primarily in St. Catharines and Niagara Falls for illegal dumping. This data will be further reported on later this year.

To address concerns of potential increases in illegal dumping, Region staff are planning an illegal dumping campaign for 2021 as per WMPSC-C 18-2021.

In conclusion, Niagara Region's policy change from weekly garbage collection to EOW has demonstrated a high level of effectiveness for the first six (6) months. Residents and businesses have embraced the weekly diversion programs, which is evident from the aforementioned tonnage data, and should be applauded for their efforts.

### **Next Steps**

Later in 2021, staff will provide an update on the diversion impact of the change to EOW garbage collection as more data is collected, as well as update capture rates based on audit results.

Incidents of illegal dumping will continue to be tracked and monitored throughout 2021 to determine what impact, if any, EOW garbage collection has had on illegal dumping.

Respectfully submitted and signed by

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Alison Powell

Business Support Analyst

**TOWNSHIP OF WEST LINCOLN  
PLANNING/BUILDING/ENVIRONMENTAL  
COMMITTEE MINUTES**

**MEETING NO. FIVE**

**May 10, 2021, 6:00 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

Council: Councillor William Reilly (Chair)  
Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann  
Councillor Harold Jonker  
Councillor Jason Trombetta  
Councillor Mike Rehner

Staff: Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Gerrit Boerema, Planner II\*  
Meghan Birbeck, Planner I\*  
Roberta Keith, IT Manager\*

Other Members: Albert Witteveen, Regional Councillor  
Oz Kemal, MHBC Planning Ltd.\*  
Paul Hecimovic, Odan Detech\*  
Sarah Duncan\*  
Jowett Lau\*  
Julien Robillard\*  
Laura Thomson\*  
Mark Yeatman\*  
Dave Crawford\*  
Burt Thombs\*  
Roman Tsap\*  
Richard Bowles\*  
Steven Rivers\*  
Anna MacLeod\*  
Denise Potter\*  
Rob Cosby\*  
John Sr Fairlie\*  
A Massender\*  
Dan Hlywka\*  
Christopher Tsiropoulos\*  
Chris Duff\*  
Michael Carlton\*  
Brenda Walker\*  
Donald Plumstead\*  
Peter Budd\*  
Assylgul Kalmukhanova\*  
Andrea Boilard\*  
Allan & Maude Schwartz\*  
Tamara Tannis\*

**\* IN ATTENDANCE PART TIME**

**1. CHAIR - Councillor William Reilly**

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

There were no disclosures of pecuniary interest and/or conflict of interest for confidential matters.

**3. CONFIDENTIAL MATTERS**

All Members of Committee noted as present as well as the CAO, Director of Planning & Building, and Deputy Clerk were in attendance for discussion of all confidential matters.

Prior to the closed session, all Members of Committee were reminded that any discussions in closed are to remain confidential as per the Township's Code of Conduct and the Procedural By-law.

All those in attendance electronically for closed session deliberations confirmed and acknowledged that they understood and confirmed to all of the following statements:

- That all confidential matters and discussions are to remain confidential;
- No one else was present with them during the electronic confidential discussions;
- No one else could hear the electronic closed session deliberations;
- No one was using any electronic devices other than their tablet or computer; for the purpose of the video conferencing; and,
- No one was recording any portion of the confidential portion of the meeting.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Shelley Bradaric

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:

**3.1 Director of Planning & Building (Brian Treble)**

Re: Legal/Enforcement Matter – Testamentary Devise - In the former Township of Gainsborough now Township of West Lincoln

**VERBAL UPDATE**

**Applicable closed session exemption(s):**

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

- the security of the property of the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose

**Carried**

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor Jason Trombetta

That, this Committee meeting does now resume in open session at the hour of 6:28 p.m.

**Carried**

### **3.1 ITEM P57-21**

Director of Planning & Building (Brian Treble)

Re: Legal/Enforcement Matter - Testamentary Devise - In the former Township of Gainsborough now Township of West Lincoln

#### **VERBAL UPDATE**

The Committee rose without reporting.

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

There was no disclosure of pecuniary interest and/or conflict of interest.

### **5. PUBLIC MEETING(S)**

Public Meeting(s) under the Planning Act will commence at 6:30 p.m.

#### **5.1 Zoning By-law Amendment - Carlton & Kalmukhanova (File No. 1601-004-21)**

Re: Michael Carlton & Assylgul Kalmukhanova (Owners) for the property located at 6696 Canborough Road, Part 1 of 30R-3892, Concession BF Part Lot 2 & 4. (File No. 1601-004-21)

### **6. CHANGE IN ORDER OF ITEMS ON AGENDA**

There was no change in order of items on the agenda.

### **7. APPOINTMENTS**

There were no appointments.

### **8. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

8.1 Laura Thomson, Sara Crescent

Re: Staff Report 11.1 Item P60-21



## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

Ms. Thomson spoke with respect to Item 11.1 and questioned whether there will be any way to enforce the passage of construction vehicles through the current subdivision. Ms. Thomson also questioned the methods of sustainability within the new subdivision.

In response to Ms. Thomson's questions regarding the traffic flow at the time of development, the Director of Planning & Building stated that the Township can build into the subdivision agreement requirements for the location of construction vehicles truck routes. The Director of Planning & Building also provided information with respect to the sustainability, sharing that staff have reviewed and are satisfied with the proposal as presented and that the agent may be able to provide more information for the public and Committee.

- 8.2 Andrea Boilard, Las Road  
Re: Staff Report 11.1 Item P60-21

Ms. Boilard spoke with respect to Item 11.1 and shared comments relating to flattening a berm on Las Road. Ms. Boilard shared that she has been in contact with the builder who has advised that if all four residents whom the berm affects are in agreement, then the flattening of the berm can be explored.

- 8.3 Oz Kemal (MHBC Planning Ltd.) and Paul Hecimovic (Odan Detech)  
Re: Staff Report 11.1 Item P60-21

Mr. Oz Kemal and Mr. Paul Hecimovic authorized agents for P Budd Developments provided a PowerPoint presentation relating to Recommendation Report No. PD-53-2021. The presentation outlined the concerns that have been addressed by the public as well as the members of Committee and what shifts have been done to the proposal to accommodate those concerns. Mr. Kemal provided comments with respect to sustainability by stating that sustainability comes in different forms and a couple of big factors in this proposal is the addition of the park as well as the trail system along the south side and the elimination of an additional storm pond which will minimize maintenance costs.

## 9. **CONSENT AGENDA ITEMS**

### 9.1 **ITEM P58-21**

CONSENT AGENDA ITEMS:

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Cheryl Ganann

## **PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021**

That the Planning/Building/Environmental Committee hereby approves the following Consent Agenda items:

1. Items 1 and 2 be and are hereby received for information; and,
2. Items 3, 4, 5 and 6 be and are hereby received and the recommendations contained therein be adopted with the exception of item No. 1.

**Carried**

### **SUMMARY OF APPROVED CONSENT AGENDA ITEMS:**

2. Information Report No. PD-58-2021 - Environmental Registry of Ontario – Posting (019-2811) Regarding MMAH and the authority to zone property in Ontario by issuing a Ministerial Zoning Order (MZO)
3. Recommendation Report No. PD-55-2021 - Site Plan Approval Authorization 103 McMurchie Lane
4. Recommendation Report No. PD-59-2021 - Riverview Poultry Site Plan Amendment Authorizing Bylaw - File No. 2100-009-21
5. Recommendation Report No. PD-56-2021 - 167 St. Catharines Street Draft Plan of Condominium Extension Approval File No. 2100-086-17
6. Recommendation Report PD-60-2021 – Street Naming of Griffin Street as Griffin Street North (Regional Road 20) and Griffin Street South (Regional Road 14)

### **ITEM P58-21 (1) - Technical Report No. PD-54-2021 - Application for Zoning Bylaw Amendment 6696 Canborough Road – Carlton & Kalmukhanova (File No. 1601-006-21)**

Councillor Rehner stated that he has a couple concerns with this application being that, the Township's zoning requirement is 10 hectares of land for the opportunity of additional on farm uses which and this application is only 8 hectares as well as the concerns raised by the neighbours and others who have forwarded comments about noise and compatibility for staff review for this application.

**Moved By** Councillor Mike Rehner

**Seconded By** Mayor Dave Bylsma

1. That, Report PD-54-2021, regarding “Technical Report – Application for Zoning Bylaw Amendment, Carlton and Kalmukhanova, 6696

Canborough Road, File No. 1601-006-21”, dated May 10, 2021, be RECEIVED; and,

2. That, a Recommendation Report be presented at a future Planning/Building/ Environmental Committee Meeting following the review of all agency and public comments, and following receipt of a private servicing plan, prepared by a qualified individual, for the proposed use.

**Carried**

## **10. COMMUNICATIONS**

### **10.1 ITEM P59-21**

Chandra Sharma, CAO/Secretary-Treasurer, Niagara Peninsula Conservation Authority (NPCA)

Re: NrCan Growing Canada’s Forests 2 Billion Trees Funding Initiative - Request for Information

The CAO provided clarification to Councillor Rehner’s comment regarding the tree funding initiative and stated that there will be partnerships between the Niagara Peninsula Conservation Authority and local groups to ensure that the appropriate tree’s will be planted and survive in order for it to be a successful program.

In response to Councillor Jonker’s inquiry regarding the distribution of the trees and if the public would be able to apply to have tree’s planted on their own property, Chair Reilly shared that he understands that the NPCA is going to work with the Township to identify areas where tree planning would be best suited. The CAO also stated that there are details that still need to be worked out and that the NPCA will be asking the Municipalities whether a tree planting program is in place that could potentially be matched.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Cheryl Ganann

1. That, the correspondence received from the Niagara Peninsula Conservation Authority (NPCA) regarding 2 Billion Trees- Growing Canada’s Forests Request for Information (RFI) attached as Appendix A; be received and supported, and;
2. That, the Township forwards a Letter of Support to the NPCA prior to ratification of Council in order to insure that the NPCA is advised prior to the deadline of May 21<sup>st</sup>, 2021; and,
3. That, the following resolution be and is hereby adopted:

**WHEREAS** the federal government has announced the “Growing Canada’s Forests” program as part of its 2 Billion Trees initiative, making substantial matching funding available to support reforestation efforts across the country;

**WHEREAS** this is a timely opportunity to attract federal investment towards implementing nature-based climate solutions in our communities through a strong and coordinated multi-partner approach across the Niagara Peninsula watershed;

**WHEREAS** the Niagara Peninsula Conservation Authority (NPCA) is convening partners and collaborators towards a 10-year planning program for a Request for Information submission in application to Growing Canada’s Forest Funding Program due May 27<sup>th</sup> 2021;

**WHEREAS** the NPCA has a well-established track record of reforestation with private and public landowners, non-governmental organizations, nature clubs, academic institutions and community groups, has the scientific know-how to identify land and tree species with the biggest ecological and climate benefits, and has partnerships in place to mobilize volunteers to plant and monitor trees;

**AND WHEREAS** the proposed opportunity aligns with the Municipal objectives, has the potential to provide multiscale benefits;

**IT IS RECOMMENDED THAT** the Council endorse the attached letter in support of NPCA’s Request for Information submission in application to Growing Canada’s Forests 2 Billion Trees initiative; and

**AND FURTHER THAT** staff continue to collaborate with NPCA and other partners in identifying planting opportunities and programs aligned with municipal priorities to be included in the full funding application should the Request for Information submission as an expression of interest be successful.

**Carried**

## **11. STAFF REPORTS**

### **11.1 ITEM P60-21**

Planner II (Gerrit Boerema) and Director of Planning & Building (Brian Treble)

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

Re: Recommendation Report P Budd Developments Inc. – Station Meadows West – Draft Plan of Subdivision and Rezoning (File No. 2000-89-19)

There was much discussion of support from Members of the Committee with respect to the changes made by the applicants to accommodate for the concerns that were raised from the public as well as Members of the Committee.

Councillor Ganann noted that this application offers a mix of development types for affordable housing which the community needs as the Township continues to grow. In response to Councillor Ganann's comments regarding the separate entrance to the apartment building, the Director of Planning & Building stated each of the condominium pieces for this application will be coming back to this Committee for approval separately adding that staff does not have a final plan in for review yet.

Councillor Bradaric questioned if there would be any impact to the current home owners with respect to the expansion of the drainage area behind some of the residents. Mr. Hecimovic (Agent, Odan Detech) stated that he cannot see any impacts to those residents backing onto that particular area as there is no change to any of the grading at the property line and that the high water levels will be maintained within the pond area.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Cheryl Ganann

1. That, report PD-53-2021 regarding “P Budd Developments Draft Plan of Subdivision and Rezoning – File No. 2000-89-19” dated May 10, 2021, BE RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, application for Zoning Bylaw Amendment 1601-21-19, submitted by P Budd Developments Inc. and as revised in their latest submission, be APPROVED, and that a corresponding bylaw be passed; and,
4. That the draft plan of subdivision, File No. 2100-089-19, BE APPROVED, as per Attachment 1, in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P. 13 and regulations thereunder, subject to the conditions contained in Attachment No. 5 to this report (PD-53-2021); and
5. That, the applicant be advised that the Township’s draft approval of this Plan of Subdivision will lapse three years from the date of draft

approval unless Township Council grants an extension of the approval period. If an extension is requested, an updated review will occur and revisions to the conditions of draft plan approval may be necessary at that time; and,

6. That Staff be authorized to circulate the Notice of Decision for Draft Plan of Subdivision with a corresponding 20-day appeal period.

**Carried**

**11.2 ITEM P61-21**

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

Re: Recommendation Report No. PD-64-2021 - Health Canada Open Consultation: Requesting a Review of Cannabis Licensing & Enforcement

Councillor Jonker noted that the cannabis licensing and enforcement has been a concern that the Township has been focusing on for a while and thanked the Director of Planning & Building and staff for bringing this report forward. Councillor Jonker stated that he is glad to see that we are reaching out to the Federal and Provincial government for further assistance on this matter.

In response to Councillor Rehner's concerns regarding assistance from the Federal and Provincial levels of government, the Director of Planning & Building shared that the Health Canada group has asked for input which should be seen as a good start and noted that other municipalities voicing their concerns is an important piece in this process. The Director of Planning & Building also noted that Health Canada is undertaking a review of the program to evaluate the amount of cannabis that is permitted per individual.

**Moved By** Councillor Harold Jonker

**Seconded By** Mayor Dave Bylsma

1. That, Report PD-64-2021, regarding "Health Canada Open Consultation: Requesting Review of Cannabis Licensing & Enforcement", dated May 10<sup>th</sup>, 2021, be RECEIVED and;
2. That, the Council of the Township of West Lincoln supports staff's requests for this report to be sent to the local MP and MPP; the Minister of Agriculture, Food and Rural Affairs; the Minister of Agriculture and Agri-Food; and all other municipalities in Ontario requesting that the Federal government enact legislation to better support local governments with land use management and

enforcement issues as they relate to Cannabis Production and Processing.

**Carried**

**11.3 ITEM P62-21**

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

Re: Recommendation Report No. BLDG-01-2021 - Review of a new enforcement by-law: Non-Parking Administrative Penalty By-law

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Jason Trombetta

1. That, Report BLDG-01-2021, regarding “Rec. Report, Review of a new Non-Parking Administrative Monetary Penalty Enforcement By-law” dated May 10, 2021, be RECEIVED; and,
2. That, a by-law be presented at a future Council meeting once finalized with legal counsel input and in the format found at attachment 1 to this report.

**Carried**

**11.4 ITEM P63-21**

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

Re: Technical Report No. PD-061-21 – ATV Proposed on Road Rules for West Lincoln

The Director of Planning & Building provided an overview of Technical Report No. PD-061-21 stating that staff have done research around the Province and have found that there are a number of municipalities that are completing a similar review, however within the Niagara Region the Township of Wainfleet and the Township of West Lincoln appear to be the only municipalities that have to bring forward a by-law to regulate ATVs on Township roads. The Director of Planning & Building stated that staff have confirmed with legal counsel that a by-law is required and noted that staff will be working with the Township of Wainfleet and the Region of Niagara to ensure that our by-laws are consistent across the municipalities. The Director of Planning & Building asked for guidance from the Committee with respect to the draft by-law and which direction they wish staff to proceed.

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

Mayor Bylsma thanked staff for bringing this report forward and noted that considering the scope of this draft by-law taking a minimalistic approach would be the best form of action as the Township does not have a lot of resources available. Mayor Bylsma stated that although prohibiting the use of ATVs on Township roads will create an easy and straight forward by-law, it may become problematic as these vehicles are used for farming purposes and if the Township goes too far it may create a lot of challenges for neighboring municipalities.

Councillor Trombetta stated that he was not in favour of a by-law regulating the use of ATVs on Township roads and echoed what the Mayor had said with limited resources to enforce such by-law. Councillor Trombetta also raised concerns with respect to staff having to constantly amend the by-law due different variations of vehicles and stated that the NRP should be responsible for the regulation of ATVs on roadways.

Councillor Rehner stated that the Township needs something to work with and that staff communicating with the Township of Wainfleet and the Region of Niagara to collaborate ideas would be an effective start to this process in order for the Committee to further discuss. Councillor Rehner also agreed that a by-law regulating the use of ATVs would be difficult to enforce.

Councillor Jonker noted that if staff were to propose a by-law that it be simple enough to ensure people are allowed to use this form of transportation while following the rules of the road. Keep it as minimal as possible as a by-law

Councillor Ganann shared concerns with respect to a by-law for West Lincoln where the Township has so many other considerations with respect to other neighbouring municipalities and suggested that the Director of Planning & Building and staff complete further research and discuss with other municipalities and report back at a further date.

Councillor Trombetta questioned if this was a recommendation that had to be referred back to staff. In response to Councillor Trombetta's question, the Director of Planning & Building shared that he is not sure that the Township has to do anything, but the NRP are asking the Township to make it clear to the NRP what exactly our rules are. The Director of Planning & Building stated that staff will need to complete a review at a minimum and that the Township may choose not to pass a by-law.



## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

Members of Committee and staff discussed the current resolution and provided suggestions for applicable amendments.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Jason Trombetta

1. That, Report No. PD-061-21, relating to the “Technical Report, ATV – Proposed on Road Rules for West Lincoln - to Discuss in Preparation for a Draft By-law”, dated May 10<sup>th</sup>, 2021, BE RECEIVED; and,
2. Either that staff be and are hereby authorized to prepare an ATV by-law, with the following features:
  - i. Hours of operation on roads: \_\_\_\_\_
  - ii. Limit on months of operation: \_\_\_\_\_
  - iii. Type of road conditions: \_\_\_\_\_
  - iv. Speed: \_\_\_\_\_
  - v. Types of roads permitted to travel on: \_\_\_\_\_
  - vi. Travel through parkland: \_\_\_\_\_
  - vii. Travel in and/or through urban areas: \_\_\_\_\_
  - viii. Rules of travel in proximity to the public: \_\_\_\_\_

OR

That, staff be and are hereby authorized to prepare a draft by-law to prohibit the operation of ATV's on all Township roads; and,

3. That, staff report back with a draft by-law for the consideration of Township Committee and Council after discussions and input from the Region and Township Legal Counsel, all in preparation for a public meeting prior to Council approval.

**Carried as Amended**

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Cheryl Ganann

That, Item P63-21 of the Planning/Building/Environmental Committee regarding Technical Report No. PD-061-21 Re: Technical Report, ATV Proposed on Road Rules for West Lincoln - to discuss in Preparation for a Draft By-law", dated May 10<sup>th</sup>, 2021 be amended as follows:

1. That, Technical Report No. PD-061-21 be amended by removing:
  2. Either that staff be and are hereby authorized to prepare an ATV by-law with the following features:
    - i. hours of operation on roads: \_\_\_\_\_
    - ii. limit on months of operation: \_\_\_\_\_

- iii. Type of road conditions: \_\_\_\_\_
- iv. Speed: \_\_\_\_\_
- v. Types of roads permitted to travel on: \_\_\_\_\_
- vi. Travel through parkland: \_\_\_\_\_
- vii. Travel in and/or through urban areas: \_\_\_\_\_
- viii. Rules of Travel in proximity to the public \_\_\_\_\_

- or, That, Staff be and are hereby authorized to prepare a draft by-law to prohibit the operation of ATV's on all Township roads; and,
- 2. That, number 3 be amended by removing report back with a draft by-law and adding, "item PD-061-21 be referred back to staff and be brought forward at a future Committee meeting";
  - 3. Whereas, the amended recommendation be read as follows:
    - i. That, Report No. PD-061-21, relating to the "Technical Report, ATV – Proposed on Road Rules for West Lincoln - to Discuss in Preparation for a Draft By-law ", dated May 10<sup>th</sup>, 2021, BE RECEIVED; and,
    - ii. That, item PD-061-21 be referred back to staff and be brought forward at a future Committee meeting after discussions and input from the Region and Township Legal Counsel.

**Carried**

**11.5 ITEM P64-21**

Planner I (Meghan Birbeck) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-65-2021 - Xplornet Communications Inc. Tower - 9257 Regional Road 20 (File No.: 2100-004-21)

Planner I, Meghan Birbeck, stated that the Niagara Region had submitted written comments to the Township (attached as **Schedule A**) and provided an overview to the Committee.

Councillor Trombetta questioned how other internet providers will affect the communication towers that Xplornet is proposing and what will happen to these communications towers if they are no longer required. The Director of Planning & Building made note that the communication towers that are being proposed are needed to improve and expand Xplornets network. Sarah Duncan (Agent, Xplornet) provided additional comments stating that Xplornet is building the towers in order to expand the network and that they are aware of the other internet providers in the area and are working with other municipalities that are involved. Ms. Duncan stated that

if there were additional infrastructure to be put on these towers, there is the opportunity for colocations and should Xplornet not require the Towers, then they would be decommissioned. Ms. Duncan also stated that there is a clause in the agreement with the landowners that if the towers are not used within a certain period of time they must be decommissioned.

In response to Councillor Ganann's question regarding an additional piece of property used for road allowance, the Director of Planning & Building stated that the Niagara Region has a policy requiring a road widening for a site plan application, however the Region has acknowledged that since the communications tower application is not a standard site plan process the Township or the Region of Niagara cannot mandate it. The Director of Planning & Building also stated that with this particular application Industry Canada has the final approval for this application process and that the Township of West Lincoln and Region of Niagara can only provide comments and suggestions towards the application process.

In response to Councillor Rehner's question regarding an archeological study being completed, the Planner I stated that it is suggested that an archeological study be completed, however it is not a requirement. Ms. Duncan also provided comments stating that there is often a standard clause of suggested archeological requirements, and that when an archeological suggestion is brought to their attention, Xplornet may request an Archeologist to come on site or do some preliminary digging to ensure nothing is found.

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor Mike Rehner

1. That, Report No. PD-65-2021, dated May 10<sup>th</sup>, 2021, relating to Xplornet Communications Tower (9257 Regional Road 20), BE RECEIVED; and,
2. That, application for the development of an Xplornet Communications Tower at 9257 Regional Road 20 submitted by Sarah Duncan, BE SUPPORTED; and,
3. That, Staff be and are hereby authorized to send a letter to Xplornet Communications Inc. (Sarah Duncan) advising that the Township of West Lincoln has no objections to their tower proposal located at 9257 Regional Road 20; and,
4. That, the above noted letter shall also advise that the Township of West Lincoln expects, as good business partner, Xplornet Communications Inc. will obtain site plan approval and a building

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

permit from the Township of West Lincoln prior to construction of the tower; and,

5. That, a By-law be passed to authorize the Mayor and Clerk to sign an amending Site Plan Agreement with Vuckovic Farms Inc. on behalf of Xplornet.

**Carried**

### 11.6 ITEM P65-21

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-50-2021 - Change to Planning Fees to take effect July 1, 2021

In response to Councillor Rehner's question regarding the planning fees being part of the budget, the Director of Planning & Building stated that staff anticipated the change in revenue generated being small, however, these fees were incorporated into the budget.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Cheryl Ganann

1. That, Report No. PD-50-2021, dated May 10, 2021, relating to "Recommendation Report, Change to Planning Fees to take effect July 1, 2021", BE RECEIVED; and,
2. That By-law 2002-112, (Committee of Adjustment Tariff of Fees), be amended by replacing Schedule "D", Tariff of Fees, with a new Schedule "D" as attached to this report; and,
3. That, By-law 2011-28 (Tariff of Fees for Planning Matters) be amended by replacing Appendix "A" (Schedule of Fees) with a new Appendix "A" as attached to this report; and,
4. That the new planning fees take effect on July 1, 2021.

**Carried**

### 11.7 ITEM P66-21

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-62-2021 - Building Fees By-law Review and Building Department Operational Review – AMENDMENT TO BUDGET

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

1. That, Report PD-62-2021 regarding "Recommendation Report, Building Fees By-law Review and Building Department Operational

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

Review – Amendment to Budget” dated May 10<sup>th</sup>, 2021, be RECEIVED; and,

2. That, a by-law be passed to amend the existing Building By-law and schedules as found at attachment 1 to this report; and,
3. That, the permit fees by-law be reviewed annually and increased each year to cover the cost of processing applications; and,
4. That, Council approve Budget Amendment BA2021-05 to transfer \$14,000 from the Contingency Reserve to fund the Building Department Operational Review Project, to prepare the Department for future growth in building permits as a result of growth pressures in West Lincoln and West Niagara.

**Carried**

### 11.8 ITEM P67-21

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-63-2021 – Farm 911 - The Emily Project

In response to Councillor Jonker’s inquiry regarding the placement of the number sign on each property, the Director of Planning & Building confirmed that the numbered sign will be placed at the entrance of the field and stated that if there are multiple entrances there would be multiple signs

In response to Councillor Rehner’s inquiry regarding the multiple number of signs placed on each entrance to a property, the Director of Planning & Building stated that there are some properties in West Lincoln that have various field entrances that may require a sign for each entrance due to the inability to get from one part of the field to another if entered through a certain access point off the roadway. The Director of Planning & Building also explained that in some instances this is important where multiple concessions are involved.

Councillor Reilly stated that he thought this was a great program and opportunity for the residents in West Lincoln and provided comments by sharing that this program seems to be an extra layer of protection for residents who choose to opt in. Councillor Reilly also stated that there may be other resources as indicated in the staff report for residents to use in addition to this program.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – May 10, 2021

1. That, Report PD-63-2021, regarding “Recommendation Report, Farm 911 – The Emily Project”, dated May 10<sup>th</sup>, 2021, be RECEIVED; and,
2. That, the amended Township of West Lincoln Municipal Addressing Policy as found at attachment 1 to this report, be adopted; and,
3. That, upon adoption of this Addressing Policy, the Emily Project is activated and interested farm/land owners can then make applications with the corresponding fee to participate.

**Carried**

### **12. OTHER BUSINESS**

#### **12.1 ITEM P68-21**

Members of Committee

Re: Other Business Matters of an Informative Nature

There were no matters of an informative nature brought forward from any Members of Committee.

### **13. NEW BUSINESS**

There were no new items of business.

### **14. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 8:48 p.m.



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**JESSICA DYSON, DEPUTY CLERK**

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**COUNCILLOR WILLIAM REILLY, CHAIR**

**TOWNSHIP OF WEST LINCOLN  
ADMINISTRATION/FINANCE/FIRE COMMITTEE  
MINUTES**

**MEETING NO. FIVE**

**May 17, 2021, 6:01 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

Council: Councillor Jason Trombetta  
Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann  
Councillor Mike Rehner  
Councillor William Reilly

Absent: Councillor Harold Jonker – notification provided

Staff: Bev Hendry, CAO  
Joanne Scime, Clerk  
Mike DiPaola, Director of Public Works and Recreation\*  
Roberta Keith, IT Manager\*  
Cindy Weir, Interim Library CEO\*  
Donna DeFilippis, Treasurer/Director of Finance\*  
Dennis Fisher, Fire Chief\*

Others: John Mascarin, Aird & Berlis (Township Integrity Commissioner)\*  
\*IN ATTENDANCE PART-TIME

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**1. CHAIR - Councillor Jason Trombetta**

Prior to commencing with the Administration/Finance/Fire Committee meeting agenda, Chair Trombetta noted the following:

1. 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 Standing Committee and Council meetings until further notice.
2. Notice was provided that the public could submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. on the day of

## ADMINISTRATION/FINANCE/FIRE COMMITTEE MINUTES - May 17, 2021

the meeting and any comments submitted would be considered as public information and read into public record.

3. The meeting was being recorded and will be available on the Township's website within 48 hours of the meeting.

### 2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST (CONFIDENTIAL MATTERS)**

There were no disclosures of pecuniary interest and/or conflicts of interest by any Member of the Committee in attendance with respect to the closed session item.

### 3. **CONFIDENTIAL MATTERS**

All Members of Committee noted as present as well as the CAO, the Township's Integrity Commissioner, John Mascarin and the Clerk were in attendance during discussion of the closed session item.

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

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:

3.1 John Mascarin, Aird & Berlis, Township Integrity Commissioner

Re: Personal Matter Relating to an Identifiable Individual - Code of Conduct Complaints

**Applicable closed session exemption:**

- personal matters about an identifiable individual, including municipal or local board employee. (6:05 pm)

**Carried**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

That, this Committee meeting does now resume in open session at the hour of 6:31 p.m.

**Carried**

#### 3.1 **ITEM A37-21**

John Mascarin, Aird & Berlis, Township Integrity Commissioner

Re: Personal Matter Relating to an Identifiable Individual - Code of Conduct Complaints

The Committee rose without reporting.

### 4. **CHANGE IN ORDER OF ITEMS ON AGENDA**



## **ADMINISTRATION/FINANCE/FIRE COMMITTEE MINUTES - May 17, 2021**

There were no requests to change the order of the items on the agenda.

### **5. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

There were no disclosures of pecuniary interest and/or conflicts of interest by any Member of the Committee in attendance.

### **6. APPOINTMENTS**

There were no appointments/presentations.

### **7. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

The Chair inquired if the IT Manager was aware if there were any members of the public in attendance virtually on the Zoom meeting call that wished to address a specific item on tonight's agenda as permitted under Section 6.7 of the Procedural By-law, for which the IT Manager confirmed there were not.

Additionally, the Chair asked the Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today to read into the record, for which the Clerk confirmed she had not.

### **8. CONSENT AGENDA ITEMS**

#### **8.1 ITEM A38-21**

##### **CONSENT AGENDA ITEMS**

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Cheryl Ganann

That the Administration/Finance/Fire Committee hereby approves the following Consent Agenda Items:

1. Item 1 be and is hereby received and the recommendations contained therein be adopted; and,
2. Item 2 be and is hereby received for information.

**Carried**

#### **SUMMARY OF APPROVED CONSENT AGENDA ITEMS:**

1. Recommendation Report T-13-2021 - 2021 Tax Rate By-Law
2. Information Report WLFD-08-2021 - Monthly Update April 2021

### **9. COMMUNICATIONS**

There were no communications.

## ADMINISTRATION/FINANCE/FIRE COMMITTEE MINUTES - May 17, 2021

### 10. STAFF REPORTS

#### 10.1 ITEM A39-21

Treasurer/Director of Finance (Donna DeFilippis)

Re: Information Report T-14-2021 - Financial Update as of April 30th, 2021

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Cheryl Ganann

1. That, Report T-14-2021, regarding the "Financial Update as of April 30<sup>th</sup>, 2021" dated May 17, 2021, be received for information.

**Carried**

#### 10.2 ITEM A40-21

Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report T-15-2021 - Temporary Borrowing By-Law

In response to Councillor Rehner's concerns regarding whether the Treasurer/Director of Finance had contacted other banks with respect to their terms and charges for a line of credit, the Treasurer/Director of Finance advised that CIBC was the Township's corporate bank and currently staff do not foresee any requirement for needing to borrow in the near future; however, having a line of credit in place was considered to be best practice in order to provide the ability for the Township to borrow if an unexpected circumstance were to arise.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

1. That Report T-15-2021 dated May 17, 2021, regarding the "Temporary Borrowing By-Law", be received; and,
2. That, Council authorize staff to enter into a Credit Agreement with CIBC; and,
3. That, a by-law to authorize temporary borrowing not to exceed \$2 million be presented at the May 25, 2021 Council Meeting.

**Carried**

### 11. OTHER BUSINESS

#### 11.1 ITEM A41-21

CAO (Bev Hendry)

Re: Employee Professional Accomplishments

1. Katelyn Hall, Deputy Treasurer - Completion of AMCTO Municipal

## ADMINISTRATION/FINANCE/FIRE COMMITTEE MINUTES - May 17, 2021

Accounting and Finance Program (MAFP) Unit 2 - Financial Planning & Asset Management

The CAO recognized the professional accomplishments of Katelyn Hall, Deputy Treasurer, who completed Unit 2 (Financial Planning & Asset Management) of AMCTO's Municipal Accounting and Finance Program (MAFP) with a mark of 100%.

### 11.2 ITEM A42-21

Members of Committee

Re: Verbal Updates from Members of Boards and Committees - If required

There were no Members of Committee that provided any verbal updates from Boards and Committees that they were members of.

### 11.3 ITEM A43-21

Members of Council

Re: Other Business Items of an Informative Nature

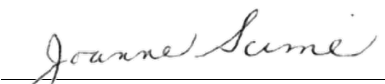
There were no other business items of an informative nature brought forward by any Member of Committee in attendance.

## 12. NEW BUSINESS

There were no new items of business brought forward by any Member of Committee in attendance.

## 13. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 6:45 p.m.

  
JOANNE SCIME, CLERK

\_\_\_\_\_  
COUNCILLOR JASON TROMBETTA, CHAIR

**TOWNSHIP OF WEST LINCOLN  
PUBLIC WORKS/RECREATION/ARENA COMMITTEE  
MINUTES**

**MEETING NO. FIVE**

**May 17, 2021, 6:45 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

**Council:** Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann  
Councillor Mike Rehner  
Councillor William Reilly  
Councillor Jason Trombetta

**Absent:** Councillor Harold Jonker – notification provided

**Staff:** Bev Hendry, CAO  
Joanne Scime, Clerk  
Mike DiPaola, Director of Public Works & Recreation  
Roberta Keith, IT Manager  
Cindy Weir, Interim Library CEO  
Dennis Fisher, Fire Chief\*

\* IN ATTENDANCE PART TIME

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**1. VICE CHAIR - Councillor Mike Rehner**

Prior to commencing with the Public Works/Recreation/Arena Committee meeting agenda, Vice Chair Mike Rehner made the following announcements:

- (1) Chair Harold Jonker provided notice to the Clerk that due to a work commitment he will be unable to attend and chair this evening's Public Works/Recreation/Arena Committee Meeting.
- (2) 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 Standing Committee and Council meetings until further notice.
- (3) The public could submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. today. Any comments submitted

## **PUBLIC WORKS/RECREATION/ARENA COMMITTEE MINUTES - May 17, 2021**

would be considered as public information and would be read into public record.

- (4) This evening's meeting is being recorded and will be available on the Township's website within 48 hours of tonight's meeting.

### **2. CHANGE IN ORDER OF ITEMS ON AGENDA**

There were no requests to change the order of the items on the agenda.

### **3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

There were no disclosures of pecuniary interest and/or conflict of interest by any Member of the Committee in attendance.

### **4. APPOINTMENTS**

There were no appointments/presentations.

### **5. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

The Vice Chair inquired if the IT Manager was aware if there were any members of the public who were in attendance virtually on the Zoom meeting call that wished to address a specific item on tonight's agenda as permitted under Section 6.7 of the Procedural By-law, for which the IT Manager confirmed there was not.

Additionally, the Vice Chair asked the Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today, for which the Clerk confirmed she had not.

### **6. CONSENT AGENDA ITEMS**

#### **6.1 ITEM PW23-21**

#### **CONSENT AGENDA ITEMS**

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor William Reilly

That the Public Works/Recreation/Arena Committee hereby approves the following Consent Agenda Items:

1. Items 1, 2 and 3 be and are hereby received for information with the exception of Item 3.

**Carried**

#### **SUMMARY OF APPROVED CONSENT AGENDA ITEMS:**

1. West Lincoln Santa Claus Parade Committee - Minutes of January 27, 2021

2. West Lincoln Public Library Board - Minutes of April 9, 2021

**ITEM PW23-21 (3) – Information Report REC-07-2021 – West Lincoln Community Centre and Recreation Services COVID-19 Update**

Councillor Bradaric questioned if there was any update from the Emergency Operations Centre (EOC) regarding engaging the youth in order to assist with their needs and address the vandalism that had recently occurred at the skatepark.

The CAO advised that this matter was discussed at the EOC and because skateparks were ordered to be closed as part of the Province's Stay At Home Order there wasn't much that could be done at this time with respect to reopening this facility until such time as the Province allows for the reopening of skateparks. The CAO confirmed that staff had found that their efforts to secure the skatepark for use was not working and the Township had to install heavier temporary fencing as a further attempt to prevent people from using the skatepark. The CAO advised that staff will be looking at ways to connect with the youth once permitted through the Province's COVID-19 guidelines. The CAO noted that the Premier had made an announcement yesterday advising that camps will be allowed to operate this summer, which was encouraging and exciting to hear. The CAO advised that she would like to bring forth an open forum for youth to provide feedback and voice their opinions, concerns and suggestions for activities that they would like to see within the Township. The CAO advised that in the past there was a Youth Advisory Committee, which provided a great opportunity to engage the youth in the community but this committee was not active at this time. The CAO advised that she understood Councillor Bradaric's concerns with respect to providing activities for the youth and that staff will continue to discuss this matter so it can be addressed once Provincial pandemic guidelines are eased in this regard.

The Director of Public Works & Recreation advised that staff were currently following the Provincial guidelines due to COVID and that staff would investigate programs and strategies to engage the community youth and report back to a future Public Works/Recreation/Arena Committee meeting.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

That, Report REC-07-2021, re: West Lincoln Community Centre & Recreation Services COVID-19 Update, dated May 17, 2021, be received for information.

**Carried**

**7. COMMUNICATIONS**

There were no communications.

**8. STAFF REPORTS**

**8.1 ITEM PW24-21**

Manager of Operations (Steve McGean) & Director of Public Works and Recreation (Mike DiPaola)

Re: Recommendation Report PW-12-2021 - New Single Axle and Two Tandem Axle Plow Trucks Tender Authorization

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Jason Trombetta

1. That, Report PW-12-2021, re: New Single Axle and Two Tandem Axle Plow Trucks Tender Authorization, dated May 17, 2021 be received; and,
2. That, Council accept the tender submission by Rush Truck Centres for the supply and delivery of the three (3) Plow Trucks in the amount of \$820,844.06 (plus HST); and,
3. That, Council authorizes staff to spend approximately \$5,000 per truck for a total of \$15,000 for equipment to make the trucks road ready; and,
4. That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Rush Truck Centres for the supply and delivery of three (3) Plow Trucks.

**Carried**

**8.2 ITEM PW25-21**

Manager of Operations (Steve McGean) & Director of Public Works and Recreation (Mike DiPaola)

Re: Recommendation Report PW-14-2021- Supply and Delivery of Backhoe Loader Tender Authorization

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

1. That, Report PW-14-2021, re: Supply and Delivery of Backhoe Loader Tender Authorization, dated May 17, 2021 be received; and,
2. That, Council accept the tender submission by Brandt Ltd. for the supply and delivery of a Backhoe Loader in the amount of \$152,273.76 (excluding HST); and,

3. That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Brandt Ltd.

**Carried**

**9. OTHER BUSINESS**

**9.1 ITEM PW26-21**

Members of Council

Re: Other Business Items of an Informative Nature

- (1) Councillor William Reilly

Re: Boat Launch at Wellandport Park

Councillor Reilly noted that he was advised that the boat launch at the Wellandport Park was being used and as such he drove out to see as it was his belief that the boat launches were closed under the Provincial Order and requested clarification regarding whether boat launches were open or closed.

The CAO advised that the issue of boat launches and whether they are to be open or closed has been discussed among all municipalities in order to be consistent across Niagara Region, and after considerable discussion, it was decided that public boat launches could be open; however, signs have been posted to remind users to follow COVID-19 protocols such as wearing a mask, keeping a 2 metre distance, etc. The CAO advised that the Township has posted any facility closures; however, this did not include the boat launch at Wellandport Park and she understood the concerns as the closure of public boat launches in municipalities that have boat launches to access the lakes and rivers has been a confusing matter for everyone.

Mayor Bylsma advised that he knew for a fact that the boat launches in Port Colborne and Wainfleet were open and that there was not much public notice given to avoid congregating of people at these facilities.

The CAO advised that complaints have been received with respect to members of the public gathering at the Wellandport Park during the evening and that the Niagara Regional Police have been notified and are doing regular patrols of the park to ensure there are no violations of the Provincial Stay At Home Order occurring.



## **PUBLIC WORKS/RECREATION/ARENA COMMITTEE MINUTES - May 17, 2021**

- (2) Councillor Shelley Bradaric  
Re: Round Table Zoom Discussion with Niagara Region Children Services

Councillor Bradaric advised that Councillor Ganann, Councillor Reilly and herself had been given an opportunity to participate in a round table Zoom discussion with Niagara Region Children Services with respect to recommendations that will be put forward to Niagara Region's Public Health and Social Services Committee as well as Regional Council regarding the impact of the National Childcare announcement. Councillor Bradaric advised that there will be a coordinated approach to those levels of government across the Province as they advocate for services to be universal, due to the fact that the National Childcare needs the Provincial participation, which was why a unified approach was being taken and they wanted to know, at the local level, what factors were important. Councillor Bradaric advised that the meeting was two hours and the invitation was based on the letter that came from the Township with respect to the additional childcare in the Township and she found the meeting to be informative and it provided an opportunity to express some of our local issues that could be perceived from a rural perspective.

- (3) Councillor Jason Trombetta  
Re: Road Rehabilitation Tender & Commencement of Work

In response to Councillor Trombetta's inquiry regarding when the road rehabilitation work that was recently tendered would be commencing, the Director of Public Works & Recreation advised that a pre-construction meeting was held with the contractor and although he was unsure of the exact start-up date, he suspected that it would be later this month or early June and he would forward an email to advise Members of Council when the work will be starting.

In response to Councillor Trombetta's inquiry regarding whether public notice was given to the residents affected by the road rehabilitation work, the Director of Public Works & Recreation advised that he did not believe public notices were distributed because of the number of properties that would be affected; however, he noted the work would be posted on the Township's website and he would speak to staff to see if there are other methods of communication that will be used to inform the public.

## **PUBLIC WORKS/RECREATION/ARENA COMMITTEE MINUTES - May 17, 2021**

- (4) Councillor Mike Rehner  
Re: Weeds in Landscape Area of Roundabouts along Regional Road 20

In response to Councillor Rehner's concerns regarding the number of weeds that were growing within the landscaped area of the roundabouts along Regional Road 20, which was very unattractive, the Director of Public Works & Recreation thanked Councillor Rehner for bringing this matter forward and advised that the issue of the landscaping of the roundabouts still needs to be addressed. The Director of Public Works & Recreation noted that typically Niagara Region places the responsibility on the municipality to maintain the landscaping of any medians along Regional Roads and that he would follow-up with the Regional staff accordingly. The Director of Public Works & Recreation noted that the Region needs to finish the project before the Township could start to maintain the landscaped area.

### **10. NEW BUSINESS**

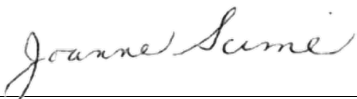
There were no new items of business brought forward by any Member of Committee in attendance.

### **11. CONFIDENTIAL MATTERS**

There were no confidential matters.

### **12. ADJOURNMENT**

The Vice Chair declared the meeting adjourned at the hour of 7:15 p.m.



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**JOANNE SCIME, CLERK**

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**COUNCILLOR MIKE REHNER, VICE CHAIR**

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

**BY-LAW NO. 2021-43**

**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 26<sup>th</sup> DAY OF APRIL, 2021 AND ITS SPECIAL MEETING HELD ON 20<sup>TH</sup> DAY OF MAY, 2021.**

**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 sixth meeting, regular, held on the 26<sup>th</sup> day of April, 2021, and the seventh meeting, special, held on the 20<sup>th</sup> day of May, 2021, 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  
25<sup>th</sup> DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW NO. 2021-44

### BEING A BY-LAW TO ADOPT THE ESTIMATES FOR THE YEAR 2021 AND TO SET THE RATES OF TAXATION FOR THE YEAR 2021.

**WHEREAS** it is necessary for the Council of the Corporation of the Township of West Lincoln, pursuant to the Municipal Act 2001, ch. 25 to adopt the tax ratios and tax rate reductions for prescribed property classes set by the Regional Municipality of Niagara By-law No. 2021-26;

**AND WHEREAS** the tax ratios establish the relative amount of taxation to be borne by each property class;

**AND WHEREAS** the property classes have been prescribed by the Minister of Finance and the Assessment Act R.S.O. 1990, ch. A.31, s.7 and s.8 as amended and Regulations thereto;

**AND WHEREAS** it is necessary for the Council of the Corporation of the Township of West Lincoln, pursuant to the Municipal Act to levy on the whole of rateable property according to the last revised assessment roll for the Corporation of the Township of West Lincoln the sum set forth in Schedule "A", and hereto attached for the current year;

**AND WHEREAS** it is necessary for the Council of the Corporation of the Township of West Lincoln, pursuant to the Municipal Act to levy on rateable property in the urban area of Smithville to pay for the costs of street lighting and sidewalk construction, repair and maintenance and the removal of snow from sidewalks according to the last revised assessment roll for the Corporation of the Township of West Lincoln the sums set forth in Schedule "A" hereto attached for the current year;

**AND WHEREAS** pursuant to the Regional Municipality of Niagara By-law 2021-26, the Regional Municipality of Niagara adopted estimates for all sums required by the Regional Municipality of Niagara for the purposes of the Regional Corporation and to provide a levy on Area Municipalities, as set forth in Schedule "A";

**AND WHEREAS** pursuant to the Regional Municipality of Niagara By-law 2021-26 and Ontario Regulation 400/98 as amended, the Regional Municipality of Niagara directed the Council of the Corporation of the Township of West Lincoln to levy specified tax rates on the assessment for education, as set forth in Schedule "A";

**NOW THEREFORE** the Council of the Corporation of the Township of West Lincoln enacts as follows:

1. The tax ratios and tax rate reductions for prescribed property classes set by the Regional Municipality of Niagara By-laws 2021-25 and 2021-26 are hereby adopted.
2. The estimates for the current year shall be as set forth in Schedule "A" attached to this by-law.
3. The rates of taxation per current value assessment for Township, West Lincoln Memorial Hospital (WLMH), Regional and Education shall be as set out in Schedule "A" attached to this by-law.
4. The rates of taxation per current value assessment for the urban service area of Smithville to pay for the costs of street lighting and sidewalk construction, repair and maintenance and the removal of snow from sidewalks shall be as set out in Schedule "A" attached to this by-law.

5. The levy provided for in Schedule "A" attached to this by-law shall be reduced by the amount of the interim levy for 2021.
6. For payments in lieu of taxes due to the Corporation of the Township of West Lincoln, the actual amount due to the Corporation shall be based on the assessment roll and the tax rates for the year 2021, unless otherwise amended by the Municipal Act or any regulations as established by the Minister of Finance.
7. For the railway rights of way taxes due to the Corporation of the Township of West Lincoln in accordance with the Regulations as established by the Minister of Finance, pursuant to the Municipal Act 2001, ch. 25, Section 315, the actual amount due to the Corporation shall be based on the assessment roll and the tax rates for the year 2021.
8. If any section or portion of this by-law or of the Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of the Council for the Corporation of the Township of West Lincoln that all remaining sections and portions of this by-law and schedules continue in force and effect.
9. For the year 2021 a pre-levy of taxes was authorized by by-law and that the levy provided for in Schedule "A" attached to this by-law shall be reduced by the amount of the interim levy for 2021 and the balance shall be due in two installments on July 30, 2021 and September 30, 2021.
10. The said final tax levy shall become due and payable in two (2) installments as follows: Fifty percent (50%) of the final tax levy shall become due and payable on the 30<sup>st</sup> day of July; fifty percent (50%) of the final tax levy shall become due and payable on the 30<sup>th</sup> day of September and nonpayment of the amount on the dates stated in accordance with this section shall constitute default.
11.
  - (a) "Default" in this section shall mean "the first day following the date taxes are due".
  - (b) There shall be imposed on all taxes a penalty for non-payment or late payment of taxes. Penalty and interest is fixed at a rate of 1.25%. Penalty and interest will accrue on unpaid taxes commencing the first day of default and also on the first day of each calendar month thereafter.
12.
  - (a) On all taxes of the final tax levy in default on January 1, 2021, interest will be added at the rate of 1.25 percent per month for each month or fraction thereof of default.
  - (b) On all other taxes in default on January 1, 2021, interest shall be added at the rate of 1.25 percent per month or fraction thereof, and all by-laws and parts of by-laws inconsistent with this policy are hereby rescinded.
13. If any section of the by-law or of Schedule "A" is found by a court of competent jurisdiction to be invalid, it is the intent of the Council for the Corporation of the Township of West Lincoln that all remaining sections of this by-law continue in force and effect.
14. Penalties and interest added on all taxes of the final tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid final tax levy.
15. The Treasurer shall cause to be mailed to the residence or place of business of such person indicated on the last revised assessment roll, a notice specifying the amount of taxes payable.
16. A failure to receive the aforesaid notice in advance of the date for payment of the interim levy or any installment, does not affect the timing of default or the date from which interest shall be imposed.
17. All taxes shall be paid into the office of the Treasurer or to such financial institutions authorized by the Municipal Act and approved by the Treasurer.

18. This by-law shall come into force and effect upon the date of the final reading thereof.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
25TH DAY OF MAY, 2021**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

# TOWNSHIP OF WEST LINCOLN

## SCHEDULE A

### TAX RATES FOR 2021

Assessment Class	Code	Assessment	Township Tax Rate	Region Tax Rate	Waste Tax Rate	Education Tax Rate	WLMH Levy Tax Rate	TOTAL	Urban Service Area (USA)		Total with USA
									Street Lights Tax Rate	Sidewalk Tax Rate	
Residential	(RT)	1,765,999,000	0.00368387	0.00587571	0.00047179	0.00153000	0.00003444	<b>0.01159581</b>	0.00008575	0.00011959	<b>0.01180115</b>
Multi-residential	(MT)	7,074,000	0.00725722	0.01157515	0.00092943	0.00153000	0.00006785	<b>0.02135965</b>	0.00016893	0.00023559	<b>0.02176417</b>
New Multi-Residential	(NT)	0	0.00368387	0.00587571	0.00047179	0.00153000	0.00003444	<b>0.01159581</b>	0.00008575	0.00011959	<b>0.01180115</b>
Small business on farm	(C7)	9,800	0.00639115	0.01019377	0.00081851	0.00220000	0.00005975	<b>0.01966318</b>	0.00014877	0.00020748	<b>0.02001942</b>
Commercial	(CT)	59,547,200	0.00639115	0.01019377	0.00081851	0.00880000	0.00005975	<b>0.02626318</b>	0.00014877	0.00020748	<b>0.02661942</b>
Commercial excess land	(CU)	687,700	0.00495314	0.00790017	0.00063434	0.00880000	0.00004631	<b>0.02233395</b>	0.00011529	0.00016079	<b>0.02261004</b>
Commercial vacant land	(CX)	3,087,300	0.00495314	0.00790017	0.00063434	0.00880000	0.00004631	<b>0.02233395</b>	0.00011529	0.00016079	<b>0.02261004</b>
Shopping center	(ST)	7,258,300	0.00639115	0.01019377	0.00081851	0.00880000	0.00005975	<b>0.02626318</b>	0.00014877	0.00020748	<b>0.02661942</b>
Shopping center excess land	(SU)	0	0.00495314	0.00790017	0.00063434	0.00880000	0.00004631	<b>0.02233395</b>	0.00011529	0.00016079	<b>0.02261004</b>
Commercial-New Construction	(XT)	8,622,800	0.00639115	0.01019377	0.00081851	0.00880000	0.00005975	<b>0.02626318</b>	0.00014877	0.00020748	<b>0.02661942</b>
Comm-New Const excess land	(XU)	44,800	0.00495314	0.00790017	0.00063434	0.00880000	0.00004631	<b>0.02233395</b>	0.00011529	0.00016079	<b>0.02261004</b>
Industrial	(IT)	24,120,000	0.00968858	0.01545312	0.00124081	0.00880000	0.00009058	<b>0.03527309</b>	0.00022552	0.00031452	<b>0.03581313</b>
Industrial excess land	(IU)	53,600	0.00750865	0.01197617	0.00096163	0.00880000	0.00007020	<b>0.02931665</b>	0.00017478	0.00024375	<b>0.02973518</b>
Industrial vacant land	(IX)	1,177,000	0.00750865	0.01197617	0.00096163	0.00880000	0.00007020	<b>0.02931665</b>	0.00017478	0.00024375	<b>0.02973518</b>
Hydro Industrial	(IH)	105,100	0.00968858	0.01545312	0.00124081	0.00880000	0.00009058	<b>0.03527309</b>	0.00022552	0.00031452	<b>0.03581313</b>
New Industrial	(JT)	11,657,800	0.00968858	0.01545312	0.00124081	0.00880000	0.00009058	<b>0.03527309</b>	0.00022552	0.00031452	<b>0.03581313</b>
Large industrial	(LT)	1,170,300	0.00968858	0.01545312	0.00124081	0.00880000	0.00009058	<b>0.03527309</b>	0.00022552	0.00031452	<b>0.03581313</b>
Large industrial excess land	(LU)	251,600	0.00750865	0.01197617	0.00096163	0.00880000	0.00007020	<b>0.02931665</b>	0.00017478	0.00024375	<b>0.02973518</b>
Pipeline	(PT)	29,128,000	0.00627032	0.01000105	0.00080303	0.00880000	0.00005862	<b>0.02593302</b>	0.00014596	0.00020355	<b>0.02628252</b>
Farmlands	(FT)	480,132,100	0.00092097	0.00146893	0.00011795	0.00038250	0.00000861	<b>0.00289896</b>	0.00002144	0.00002990	<b>0.00295029</b>
Managed forests	(TT)	1,948,100	0.00092097	0.00146893	0.00011795	0.00038250	0.00000861	<b>0.00289896</b>	0.00002144	0.00002990	<b>0.00295029</b>
Farmland Awaiting Development	(R1)	0	0.00276290	0.00440678	0.00035384	0.00114750	0.00002583	<b>0.00869685</b>	0.00006431	0.00008969	<b>0.00885086</b>
Total levy		2,402,074,500	<b>8,054,849</b>	12,847,348	1,031,579	4,190,040	75,304	<b>26,199,119</b>	80,402	112,131	<b>26,391,652</b>

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW NO. 2021-45

### **BEING A BY-LAW TO AUTHORIZE THE BORROWING OF MONEY TO MEET THE CURRENT EXPENDITURES OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS** the provisions of the *Ontario Municipal Act*, S.O. 2001, C.25, Section 407(1) permit a municipality to authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amounts that the municipality considers necessary to meet the expenses of the municipality for the year and of the amounts, whether or not they are expenses for the year, that the municipality requires in the year; and,

**AND WHEREAS** pursuant to subsection 407(2) of the Act, the total amount borrowed pursuant to this by-law together with the total of any similar borrowings is not to exceed the limits set forth in that subsection or other relevant sections of the Act and if so required under subsection 407(2), the Municipality shall have obtained the approval of the Local Planning Appeal Tribunal.

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

1. THAT, the Treasurer is authorized on behalf of the Municipality to borrow from time to time from Canadian Imperial Bank of Commerce ("CIBC") a sum or sums not exceeding in the aggregate \$2,000,000 (two million dollars) to meet, until taxes are collected, the current expenditures of the Municipality for the year pursuant to subsection 407(1) of the Act, and to execute any documents that are required in connection with the borrowing of the above sum, plus interest, at a rate to be agreed upon from time to time with CIBC, in addition to any reasonable charges of CIBC associated with this borrowing; and,
2. THAT, all sums borrowed pursuant to this by-law, as well as all other sums borrowed pursuant to the Act in this year and in previous years from CIBC for any purpose will, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when the revenue is received; and,
3. THAT, the Treasurer is authorized and directed to apply in payment of all sums borrowed plus interest all of the moneys collected or received on account in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for this purpose; and,
4. THAT, the Treasurer is authorized to furnish to CIBC a statement showing the nature and amount of the estimated revenues of the Municipality not yet collected and also showing the total of any amounts borrowed that have not been repaid.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
25<sup>th</sup> DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**



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

**BY-LAW NO. 2021-46**

**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 previously amended Appendix "A" through By-law 2017-101 and By-law 2019-84;

**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 the consumer price index;

**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, By-law 2019-84 be and is hereby repealed effective July 1, 2021.
3. That this new By-law takes effect on July 1, 2021.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 25<sup>th</sup>  
DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**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, 2020-61, 2021-15 and 2021-46)

The fees for processing planning applications are outlined below for the fees effective  
**June 1, 2021**

Note: Application fees do not apply to applications initiated by the Region of Niagara within the limits of the Township of West Lincoln.

<b>Section</b>	<b>Fees Effective July 1, 2020</b>	<b>Fees Effective June 1, 2021</b>
1. Official Plan Amendment**	\$8,724**	\$8,900**
2. Combined Official Plan Amendment/Zoning By-law Amendment**	\$11,667**	\$11,900**
3. Zoning By-law Amendment**	\$6,795**	\$6,930**
4. Zoning By-law Amendment (Condition of Consent)**	\$3,400**	\$3,465**
5. Removal of (H) Holding Symbol**	\$1,419**	\$1,445**
6. Temporary Use By-law**	\$2,402**	\$2,450**
7. Extension to Temporary Use By-law	\$1,612	\$1,645
8. Temporary Use Agreement	\$1,612	\$1,645
9. Site Plan Approval and Development Agreement (Initial or Amendment where a new Agreement is Required)**	\$4,903**	\$5,000**
10. Site Plan Approval or Development Agreement Amendment where no Agreement is required	\$2,402	\$2,450
11. Discharge of a Site Plan Agreement	\$1,420	\$1,445
12. Consultation Process for Telecommunication Facilities	\$1,835	\$1,870
13. Plan of Subdivision Approval**	\$7,980**	\$8,140**
14. Red Line Revisions to a Draft Approved Plan of Subdivision/Condo or Site Plan**	\$2,402**	\$2,450**
15. Plan of Condominium**	\$7,980**	\$8,140**
16. Condominium Conversion	\$7,637	\$7,790
17. Condominium Amalgamation	\$1,420	\$1,445
18. Exemption of Draft Plan of Condominium Approval	\$1,612	\$1,645
19. Extension to Draft Plan Approval of a Draft Plan of Subdivision or Condominium	\$1,612	\$1,645
20. Subdivision Agreement (more than 10 lots/units)	\$7,356	\$7,500
21. Subdivision Agreement/Declaration (10 units/lots or less)	\$3,500	\$3,770
22. Condominium Agreement/Declaration (more than 10 units/lots)	\$3,500	\$3,770
23. Condominium Agreement/Declaration (10 units/lots or less)	\$1,750	\$1,785
24. Development Agreement as a Condition of Consent	\$1,600	\$1,630
25. Final Approval of a Plan of Subdivision or Condominium	\$1,612	\$1,645
26. Street Naming for New Subdivisions	\$1,420	\$1,450
27. Amendment to Subdivision, Development or Condominium Agreement	\$6,795	\$6,930
28. Request for Removal of Part Lot Control (per lot/block)	\$1,420	\$1,445
29. Approval of Road Opening/Upgrade (to allow access to build)	\$1,612	\$1,645
30. Adjournment or Rescheduling Fee for any Planning Application requested for any Planning Application	\$ 275	\$280
31. Deeming By-law	\$ 925	\$945
32. Zoning Compliance/Green Energy Zoning Compliance	\$ 182	\$185
33. Pre-consultation Meeting*	\$ 250*	\$255*
34. Written Property Reports	\$ 182	\$185
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.”

**NOTES:**

\*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

\*\* **Effective March 1<sup>st</sup>, 2021** should development have commenced prior to a planning application being fully approved and completed then an additional fee of \$1200.00 shall be applied to the base fee noted, as an extra administrative fee(s).

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

**BY-LAW NO. 2021-47**

**BEING A BY-LAW TO AMEND BY-LAW 2002-112 WHICH APPOINTS A COMMITTEE OF ADJUSTMENT, DELEGATES THE AUTHORITY FOR CONSIDERING APPLICATIONS FOR MINOR VARIANCES AND CONSENTS, PROVIDES FOR COMPENSATION FOR THE MEMBERS OF THE COMMITTEE OF ADJUSTMENT, ADOPTS POLICIES, PROCEDURES AND CONDITIONS FOR THE OPERATION OF THE COMMITTEE OF ADJUSTMENT, AND ESTABLISHES A TARIFF OF FEES UNDER THE PLANNING ACT.**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln enacted By-law 2002-112 to appoint a Committee of Adjustment, to delegate the authority for considering applications for minor variances and consents, to provide for compensation for the members of the Committee of Adjustment, to adopt Policies, Procedures and Conditions for the Operation of the Committee of Adjustment, and to establish a Tariff of Fees under the Planning Act;

**AND WHEREAS** The Council of the Township of West Lincoln has previously amended Schedule “D” through By-law 2017-100, By-law 2019-85 and 2021-16;

**AND WHEREAS** the Township of West Lincoln now deems it expedient to amend Schedule “D” of By-law 2002-112, as amended which provides for a tariff of fees for the processing of applications for consent or minor variance.

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

- 1. That, By-law 2002-112, as amended, be further amended by deleting Schedule “D” and inserting the attached new Schedule “D” in lieu thereof.
- 2. That this By-law takes effect on July 1, 2021.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
25<sup>th</sup> DAY OF MAY, 2021.**

\_\_\_\_\_  
**MAYOR DAVE BYLSMA**

\_\_\_\_\_  
**JOANNE SCIME, CLERK**

**SCHEDULE “D”**  
**TARIFF OF FEES FOR THE COMMITTEE OF ADJUSTMENT**  
**(Schedule D to By-law 2002-112 – as amended by 2021-47)**

The fees for processing an application for consent or minor variance to the Committee of Adjustment are outlined below, **effective July 1, 2021**

Description	Fee October 1, 2019	Fee July 1, 2021
<b>Basic Processing Fee - Applications for Consent</b> <i>Includes administration and mailing fees required to process consent applications and Validation of Title requests.</i>	<b>\$2320.00</b> (where new lot created/validation of title) <b>\$1165.00</b> (for minor boundary adjustments and other)	<b>\$2365.00</b> (where new lot created/validation of title) <b>\$1190.00</b> (for minor boundary adjustments and other)
<b>Health Inspection Fee - West Lincoln Properties</b> <i>Required if municipal sewage system is unavailable (i.e. private septic system proposed).</i>	<b>\$230.00</b> Per new lot + remnant	<b>\$235.00</b> Per new lot + remnant
<b>Adjournment/Rescheduling Fee</b> <i>Applicable as determined by Committee when an adjournment of an application is necessary.</i>	<b>\$275.00</b> Per application	<b>\$280.00</b> Per application
<b>Final Certification Fee</b> <i>Fees are per application, payable upon submission of the documents (deeds) for issuance of final certification.</i>	<b>\$365.00</b>	<b>\$370.00</b>
<b>Basic Processing Fee - Minor Variance Applications</b> <i>Includes administration and mailing fees required to process minor variance applications.</i>	<b>\$1690.00*</b>	<b>\$1725.00*</b>
<b>Request for Change in Conditions - Consents</b> <i>Includes administration and mailing fees required to process requests for change in conditions, under Section 53(23) of the Planning Act.</i>	<b>\$775.00</b>	<b>\$790.00</b>

**NOTES:**

These fees do not apply to applications made by the Region of Niagara within the limits of the Township of West Lincoln.

\* **Effective March 1<sup>st</sup>, 2021**, should development have commenced prior to a planning application being fully approved and completed then an additional fee of \$1200.00 shall be applied to the base fee noted, as an extra administrative fee.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2021-48

A BY-LAW TO AMEND BY-LAW 2019-83, AS  
AMENDED, UNDER THE BUILDING CODE ACT  
RESPECTING CONSTRUCTION, DEMOLITION,  
CHANGE OF USE, OCCUPANCY PERMITS,  
TRANSFER OF PERMITS, INSPECTIONS AND  
ASSOCIATED FEES.

**WHEREAS** pursuant to the *Building Code Act 1992, S.O. 1992, c .23* as amended, the Lieutenant Governor in Council has established a *Building Code* which is in force throughout Ontario;

**AND WHEREAS** Section 7 of the *Building Code Act 1992, S.O. 1992, c .23* as amended, empowers Council to pass by-laws respecting construction, demolition, change of use, transfer of *permits*, inspections, required documentation and the submission of such with an application for *permit*, and the setting and refunding of fees;

**AND WHEREAS** The Council of the Township of West Lincoln has previously amended Schedule 'A' through By-law 2020-19;

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln deems it necessary and expedient to amend Schedule 'A' "Schedule of Fees".

**THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS  
AS FOLLOWS:**

1. That, By-law 2019-83, 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 June 1, 2021.

**READ A FIRST, SECOND  
AND THIRD TIME AND  
FINALLY PASSED THIS 25<sup>th</sup>  
DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

**Schedule “A”**  
**By-law No. 2019 – 83 (as amended by 2020-19 and 2021-48)**

**SECTION 1     FEE CALCULATION**

**1.1            FORMULA**

- 1.1.1        All permit fees provided in the tables below shall be considered to be per square metre for the purpose of the prescribed formula unless otherwise noted.
- 1.1.2        Permit fees shall be calculated based on the formula given below, unless otherwise specified by this schedule.

**Permit Fee = Prescribed Fee x Area**

Where the prescribed fee is that specified in the schedule for classification of the proposed work; and

Where Area is the calculated gross floor area of the proposed work in square metres (sq. m.) for each class of permit

**1.2            MINIMUM PERMIT FEE**

- 1.2.1        A minimum permit fee of \$150.00 shall be charged for all work, unless otherwise indicated or prescribed “flat fee” has been assigned within the tables below
- 1.2.2        The minimum permit fee shall be a non-refundable fee.

**SECTION 2     PERMIT FEES**

**2.1            NEW CONSTRUCTION AND ADDITIONS**

**Group A – Assembly Occupancies**

Class of Permit	Fee
school, church, restaurant over 30 seats, library, theatre, educational or recreational facility and occupancies of a similar nature	\$16.48
outdoor public swimming pool	\$355 flat

**Group B – Institutional Occupancies**

Class of Permit	Fee
hospital, nursing home, reformatory, prison and occupancies of a similar nature	\$18.42

**Group C – Residential Occupancies**

Class of Permit	Fee
single detached, semi-detached, duplex dwellings	\$13.71
triplex, fourplex, townhouse dwellings	\$13.71
apartment building	\$13.71
hotel / motel	\$11.66
garage, carport, deck, porch, shed (accessory building)	\$3.45
finish basement in dwelling unit	\$6.85

Class of Permit	Fee
sunroom / solarium (not heated)	\$7.61

**Group D – Business and Personal Service Occupancies**

Class of Permit	Fee
office or medical building, financial institution and occupancies of a similar nature – <b>FINISHED</b>	\$15.32
office or medical building, financial institution and occupancies of a similar nature – <b>ARCHITECTURAL SHELL</b>	\$12.26

**Group E – Mercantile Occupancies**

Class of Permit	Fee
low rise retail store, strip plaza, small restaurant or 30 seats or less and occupancies of a similar nature – <b>FINISHED</b>	\$13.35
low rise retail store, strip plaza, small restaurant or 30 seats or less and occupancies of a similar nature – <b>ARCHITECTURAL SHELL</b>	\$10.68

**Group F – Industrial Occupancies**

Class of Permit	Fee
factory, plant, warehouse, industrial building and occupancies of a similar nature	\$9.95
parking garage	\$10.94
service station and / or car wash	\$6.45
canopies including gas station canopies and those intended for the parking and loading or unloading of vehicles	\$3.45
solar collectors for swimming pools	\$150 flat

**Private Sewage Systems**

Class of Permit	Fee
new application and/or replacement of existing CLASS IV system	\$900 flat + \$200 additional for tertiary fees
minor sewage system repair or septic tank replacement	\$450 flat
CLASS V installation	\$400 flat
building addition / alteration	\$275 flat
comment on consent applications	\$275 flat
subdivision for each lot	\$275 flat
Investigate complaint/site visit	\$275 flat
Follow-up/site visit (non-routine inspections)	\$275 flat
Analysis/report	\$275 flat



**Farm Buildings**

Class of Permit	Fee
Greenhouse	\$0.95
barn or agricultural building other than a greenhouse	\$2.30

**Mobile / Portable Buildings**

Class of Permit	Permit Fee
trailer (construction trailer / sea container)	\$230 flat
relocatable building / portable (support structure included)	\$550 flat
CSA certified mobile home (foundation not included)	\$288 flat
uncertified mobile home (foundation included)	\$7.18
mobile home foundation	\$2.06

**Tents and Air Supported Structures**

Class of Permit	Permit Fee
air supported structure, tent, temporary fabric structure (use aggregate area for multiple tents) – <b>under 250 m<sup>2</sup></b>	\$150 flat
air supported structure, tent, temporary fabric structure (use aggregate area for multiple tents) – <b>250 m<sup>2</sup> or more</b>	\$4.22

**Signs**

Class of Permit	Permit Fee
signs – <b>under 10m<sup>2</sup></b>	\$150 flat
signs – <b>10m<sup>2</sup> or more</b>	\$345 flat

**Designated Structures**

Class of Permit	Permit Fee
communication tower	\$345 flat
satellite dish with structural pedestal anchored to solid concrete pier and or building structure	\$150 flat
other designated structures as listed in Division A 1.3.1.1 of the Ontario Building Code	\$288 flat

**Miscellaneous Works**

Class of Permit	Fee
roof structure (replace, modify or alter structure)	\$430 flat
installation of drainage layer & weeping tile system	\$230 flat
minor alterations and repairs (not requiring plans)	\$150 flat
underpinning / shoring	\$150.00 / m

Class of Permit	Fee
temporary stages	\$316 flat
demising wall / party wall installation	\$138 flat
fireplace / woodstove	\$150 flat

**Fire Systems**

Class of Permit	Fee
commercial kitchen hood & fire suppression system	\$288 flat
fire alarm system upgrades / installations	\$460 flat
sprinkler system upgrades / installations	\$460 flat
standpipe system upgrades / installations	\$460 flat

**Energy Projects**

Class of Permit	Fee
industrial wind turbines subject to Renewable Energy Approval in accordance with the Green Energy and Green Economy Act	\$11,500 flat
solar collector – swimming pool	\$150 flat
solar collector – ground mounted	\$402 flat
solar collector – roof mounted	\$288 flat

**2.2 ALTERATIONS AND REPAIRS**

**Group A – Assembly Occupancies**

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$9.89
including plumbing OR mechanical (55% of full rate)	\$9.06
excluding plumbing AND mechanical (50% of full rate)	\$8.25

**Group B – Institutional Occupancies**

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$11.05
including plumbing OR mechanical (55% of full rate)	\$10.13
excluding plumbing AND mechanical (50% of full rate)	\$9.21

**Group C – Residential Occupancies**

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$8.22
including plumbing OR mechanical (55% of full rate)	\$7.54

Class of Permit	Fee
excluding plumbing AND mechanical (50% of full rate)	\$6.85
foundation only	\$3.43

**Group D – Business and Personal Service Occupancies**

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$9.22
including plumbing OR mechanical (55% of full rate)	\$8.45
excluding plumbing AND mechanical (50% of full rate)	\$7.69

**Group E – Mercantile Occupancies**

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$8.02
including plumbing OR mechanical (55% of full rate)	\$7.35
excluding plumbing AND mechanical (50% of full rate)	\$6.68

**Group F – Industrial Occupancies**

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$5.97
including plumbing OR mechanical (55% of full rate)	\$5.45
excluding plumbing AND mechanical (50% of full rate)	\$4.98

2.3

DEMOLITION

Class of Permit	Fee
buildings less than <b>100m<sup>2</sup></b> in gross floor area	\$150 flat
all other demolitions	\$0.77

2.4

PLUMBING AND SEWER

- 2.4.1
- Construction work related to plumbing and sewer installation when conducted as a component of other construction covered by a permit shall be included in the permit fee charged for that construction.
- 2.4.2
- Where plumbing or sewer works are done as standalone projects the following fees shall be applicable:

**Single, Semi-Detached, Duplex, Triplex, Fourplex, and Row House**

The fee shown below shall include all plumbing contained inside the building

Class of Permit	Fee
first six (6) fixtures	\$150 flat
each additional fixture	\$9.20 per fixture

**All Other Buildings**

The fee shown below shall include all plumbing contained inside the building

Class of Permit	Fee
first five (5) fixtures	\$230 flat
each additional fixture	\$9.20 per fixture

**Sewer and Water Main Installations**

The fee shown below shall include all buried pipe on private property outside the building

Class of Permit	Fee
first fifteen (15) metres	\$150 flat
each additional fifteen (15) metres	\$40.25 flat

**Specialized Plumbing Fixtures and Appurtenances**

The fee shown below shall include all plumbing contained inside the building

Class of Permit	Fee
back flow preventer installation (water line)	\$150 flat
back water valve (sewer)	\$150 flat
sump pump installation (weeping tile installation included)	\$288 flat
grease / oil interceptor installation	\$288 flat

**2.5 OTHER FEES**

**Administration**

Class of Permit	Fee
transfer of permit	\$150 flat
moving a building (all alterations & repairs subject to applicable charges as stipulated above)	\$150 flat
deferral of permit revocation (per instance)	\$150 flat
limiting distance agreement (registered on title)	\$1,150 flat
research request – Building Division Records search	\$80.50 / hour
911 house number – sign, post and installation (rural lots)	\$150 flat
911 house number – replacement of sign only	\$69 flat

**Permits**

Class of Permit	Fee
change of use (under 400m <sup>2</sup> )	\$150 flat

Class of Permit	Fee
change of use (400m <sup>2</sup> or more)	\$0.87
change of use (no construction required)	\$86.50 flat
partial occupancy permit for unfinished buildings	\$150 flat

**Inspections**

Class of Permit	Fee
non routine inspection	\$86.25 / hour
illegal grow operation – general inspection	\$719
illegal grow operation – occupancy inspection	\$863
off hours inspection	\$143.75 / hour
unprepared for inspection	\$86.25 flat

**Plans Examination**

Class of Permit	Fee
stock plans examination (model plans reviewed without building permit application)	\$402.50 flat
off hours plans examination requests (min. 4 hours)	\$143.75 per hour
review of alternative solution (min. 4 hours)	\$143.75 per hour
secondary plans examination	\$86.25 per hour
review of revisions / amendments to permits	\$115
engineer review as determined by Chief Building Official	actual cost

2.6

**CONDITIONAL / PARTIAL PERMITS**

Class of Permit	Percentage of Permit Fee
conditional building permit agreement, in addition to all applicable building permit fees – <i>the conditional building permit fee shall be a nonrefundable fee</i>	\$862.50 flat
Building Foundation – complete to grade including all underground services	15%
Completed Structural Shell – complete exterior shell without any interior finishes	55%
Completed Architectural Shell – complete exterior shell including interior finishes on exterior and structure walls	80%
Complete Building – includes all tenant improvements and complete interior finishes	100%

2.7 FEE BASED ON VALUE OF CONSTRUCTION

Class of Permit	Fee
for categories of construction not listed above (minimum permit fee identified in subsection 1.2 of this schedule shall apply)	\$17.25 per \$1,000 of valuated construction cost or portion thereof

SECTION 3 DEPOSITS

3.1 PERFORMANCE / SECURITY

- 3.1.1 The performance / security deposit is collected by the Township to provide securities for any potential damage that may occur to municipal property through the course of the permitted construction. Furthermore, the deposit is also held for the assurance that all necessary inspections are completed through the duration of construction and finally to ensure that the permit file can be appropriately closed at the conclusion of the works.
- 3.1.2 An applicant shall be required to submit the applicable deposit(s) as specified below for each permit application submitted.
- 3.1.3 Where fees are incurred by the applicant through the course of the construction process, these fees shall be deducted from the submitted deposit and upon the close of the permit, any deposit funds remaining will be refunded to the applicant.

Performance / Security Deposits

Class of Permit	Fee
single, semi, duplex, triplex, fourplex, townhome	\$1,150 per dwelling unit
addition(s) to buildings described above where excavation is required	\$863 flat
buildings accessory to the buildings above w/ construction value greater than \$3,500	\$575 flat
construction projects other than those described above (Site Plan Agreement <b>IS</b> required)	\$1,438 flat
construction projects other than those described above (Site Plan Agreement <b>IS NOT</b> required)	\$2,875 flat
demolition project	\$863 flat
moving a building	\$1,150 flat

3.2 LOT GRADING

- 3.2.1 The lot grading deposit is collected by the Township to provide securities to ensure compliance with the proposed lot grading plan submitted with the application.
- 3.2.2 An applicant shall be required to submit the applicable deposit(s) as specified below for each permit application submitted.

Lot Grading Deposit

Class of Permit	Fee
each dwelling on property in a plan of subdivision that <b>HAS NOT</b> already been assumed by the Township	\$1,150 per dwelling unit
each dwelling on property other than those listed above	\$1,725 per dwelling unit

3.2.3 Where an applicant requests an extension for the completion of lot grading to allow occupancy of the dwelling in a plan of subdivision or plan of condominium to occur prior to the completion of lot grading in accordance with Article 3.6.4 of this by-law, any such request shall be accompanied by the following applicable deposit(s) as specified below for each dwelling having occupancy being requested.

**Occupancy despite Incomplete Lot Grading Deposit**

Class of Permit	Fee
single detached, semi-detached, duplex dwellings	\$4,000 per dwelling unit
triplex, fourplex, street townhouse dwellings	\$3,450per dwelling unit
condominium townhouse dwellings	\$2,875 per dwelling unit
any dwelling type other than those listed above	\$2,300 per dwelling unit

**3.3        CONDITIONAL PERMIT**

- 3.3.1 In the case of a conditional permit the applicant shall submit a conditional permit deposit which shall be calculated by the Chief Building Official to be a percentage of the value of construction as prescribed below.
- 3.3.2 The conditional permit deposit shall be submitted as a condition of a Conditional Permit Agreement whereby the agreement shall establish a limitation to the extent of permitted construction.
- 3.3.3 Where an applicant exceeds the limitations set out by the Conditional Permit Agreement, the Applicant shall be deemed to be in breach of the said agreement and as such the conditional permit deposit, in its entirety, shall be forfeited to the Township.

**Conditional Permit Deposit**

Class of Permit	Fee
conditional building permit deposit	10% of construction value (minimum \$5,000)

**SECTION 4     REFUNDS**

**4.1        FEES**

- 4.1.1 Pursuant to the provisions of Subsection 5.7 of this by-law, the fees that may be refunded shall be a percentage of the eligible applicable fees assessed by this Schedule of Fees, calculated by the Chief Building Official as follows:

Stage of Permit	Refund
where the permit has been issued and field inspections have yet to be performed, subsequent to permit issuance	50%
for each inspection conducted after issuance of the permit	5%

- 4.1.2 If the calculated refund is less than the minimum permit fee applicable to the work as described in Subsection 1.2 of this Schedule, no refund shall be made of the fees paid.
- 4.1.3 No fee shall be eligible for a refund where the request for refund is made twelve (12) months or more after the issuance of the permit.

## **4.2 DEPOSITS**

- 4.2.1 The Performance / Security deposit identified in this Schedule shall be held by the Township until the work for which the permit has been issued has been completed in accordance with the stipulated requirements of the permit to the satisfaction of the Chief Building Official. The applicant shall be responsible for any damage to municipal property or any restriction and associated costs of any such damage or repair may be deducted by the Township in addition to any other available remedy or penalty.
- 4.2.2 Should the cost of repairs exceed the value of the deposit held, the Township shall invoice the applicant for the amount in excess of the deposit, and if such invoice is not paid by the stipulated due date, the Township may recover the costs by action or by adding the costs to the tax roll of the property to which the permit relates, and collecting them in the same manner as taxes according to Section s.1 (2.1) of the *Municipal Act*.
- 4.2.3 Should the Performance / Security deposit not be required to be called upon during the duration of the project, it will be released upon successful completion of the project in accordance with the approved permit documents which results in closure of such permit file unless the provisions of subsection 5.8 for the forfeiture of deposits has been applied.
- 4.2.4 The Lot Grading deposit and Occupancy despite Incomplete Lot Grading deposit identified in this Schedule shall be held by the Township until the lot grading of the lot is complete and the as built lot grading plan complying with the provisions of Article 3.6.1 of this by-law has been submitted to the satisfaction of the Chief Building Official.
- 4.2.5 In situations where the lot grading of the lot is not completed within the given timeline of seven (7) months from the date of issuance of the occupancy permit of the associated dwelling, the Lot Grading deposit and / or the Occupancy despite Incomplete Lot Grading deposit may be drawn upon to have the necessary lot grading works completed to conform to the original lot grading plan submitted and accepted through the issuance of the permit.
- 4.2.6 Should the cost to complete the lot grading work exceed the value of the deposit(s) held, the Township shall invoice the applicant for the amount in excess of the deposit(s) and if such invoice is not paid by the stipulated due date, the Township may recover the costs by action or by adding the costs to the tax roll of the property to which the permit relates, and collecting them in the same manner as taxes according to Section s.1 (2.1) of the *Municipal Act*.
- 4.2.7 Should the Lot Grading deposit and / or Occupancy despite Incomplete Lot Grading deposit not be required to be called upon during the duration of the project, it will be released upon the successful completion of the lot grading and the submission of the as built lot grading plan complying with the provisions of Article 3.6.1 of this by-law to the satisfaction of the Chief Building Official unless the provisions of subsection 5.8 for the forfeiture of deposits has been applied.

## **SECTION 5 EXPLANATORY NOTES**

### **5.1 AREA OF CALCULATION**

- 5.1.1 The area to be used in the calculation of fees shall be the total area of all floors, including those below grade, measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls. Area shall be calculated in square metres (m<sup>2</sup>) for the purpose of this schedule.
- 5.1.2 Where there are no floor or exterior walls for the project, area is to be calculated as the greatest horizontal area of the structure
- 5.1.3 No deductions shall be made in the calculation of floor area for openings such as stairs, elevators, shafts or ramps.
- 5.1.4 Unfinished or unoccupied basements and crawlspaces are not to be included in the calculation of area in fee calculations for new construction and additions.



**5.2            INTERPRETATION**

- 5.2.1            Major occupancy is based upon the classifications as provided in the Ontario Building Code.
- 5.2.2            A multiple unit (apartment) building is a building which consists of five (5) or more individual residential units in the same building.
- 5.2.3            An Alternative Solution is as defined in the Ontario Building Code.
- 5.2.4            The fee prescribed for and Alternative Solution shall be in addition to any other applicable fee prescribed by this Schedule. Should any additional fees be incurred by the Township in relation to the review of such a submission, but not limited to consultant fees, these costs shall be added to the calculated permit fee at 100% of its value.
- 5.2.5            Where multiple conditional permits are requested for the same property due to the construction of multiple buildings on the same property, the Chief Building Official may assign a value for the conditional building permit deposit that differs from that specified in the table above. This process may be utilized to collect a deposit for the property for the removal of the requested construction collectively as opposed to individually with each permit and shall be reflective of the cost associated with the removal of the requested construction. This deposit shall be associated and available to be drawn upon by each of the individual conditional building permits that it is assigned to represent.

**5.3            DISPUTE**

- 5.3.1            The permit fee shall be determined by the Chief Building Official or designate, on the basis of this Schedule. If the applicant disagrees with the fee so determined, then the prescribed fee shall be paid as a deposit and after the works are complete, a refund shall be made based on the actual work done and inspection performed, at the discretion of the Chief Building Official.

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**  
**BY-LAW NO. 2021- 49**

**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 ‘S1’ & ‘S2’ to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lot 1 on Plan M94; Part Lots 12 & 13 on Plans 30M300; Parts 1 and 2 on RP30R15516, in the Township of West Lincoln, shown as the subject lands on Schedule ‘A’, attached hereto and forming part of this By-law.
- 2. THAT Map ‘S1’ & ‘S2’ 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 a Development ‘D’ zone to an Open Space Recreation ‘OSR’ zone.
- 3. THAT Map ‘S1’ & ‘S2’ 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 a Development ‘D’ zone to a Residential ‘R2’ zone.
- 4. THAT Map ‘S1’ & ‘S2’ 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 a Development ‘D’ zone to a Residential Medium Density ‘RM2-201’ zone with exception.
- 5. THAT Map ‘S1’ & ‘S2’ 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 a Development ‘D’ zone to a Residential Medium Density ‘RM3-202’ zone with exception.
- 6. THAT Map ‘S1’ & ‘S2’ 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 a Development ‘D’ zone to a Residential Medium Density ‘RM3-203’ zone with exception.
- 7. THAT Part 5 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:

RM2-201

Permitted Uses:  
As per the parent zone.

Regulations:  
As per the parent zone, except for interior units where a maximum driveway width of 70% of the unit frontage and a minimum front yard landscaped area of 30% is permitted. Driveways on abutting internal units can be paired together,  
Minimum separation distance between townhouse exterior unit side walls: 2.4 metres

RM3-202

Permitted Uses:  
As per the parent zone, and in addition, back-to-back townhouses.

Regulations:  
As per the parent zone, except: a minimum lot area of 265 sq. metres per dwelling unit to be applied to the entire block.  
Minimum separation distance between townhouse exterior unit side walls: 2.4 metres

RM3-203

Permitted Uses:

As per the parent zone, and in addition, Stacked Townhouses

Regulations:

As per the parent zone, except for stacked townhouses where a minimum unit area of 120 sq. metres per dwelling unit to be applied within the entire block.

Minimum separation distance between townhouse exterior unit side walls: 2.4 metres

8. THAT all other provisions of By-law 2017-70, as amended, continue to apply.
9. NOTWITHSTANDING *Planning Act*, section 45(1.3), minor variance applications shall be permitted for the subject lands within two (2) years of the passing of this by-law.
10. 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  
25<sup>nd</sup> DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

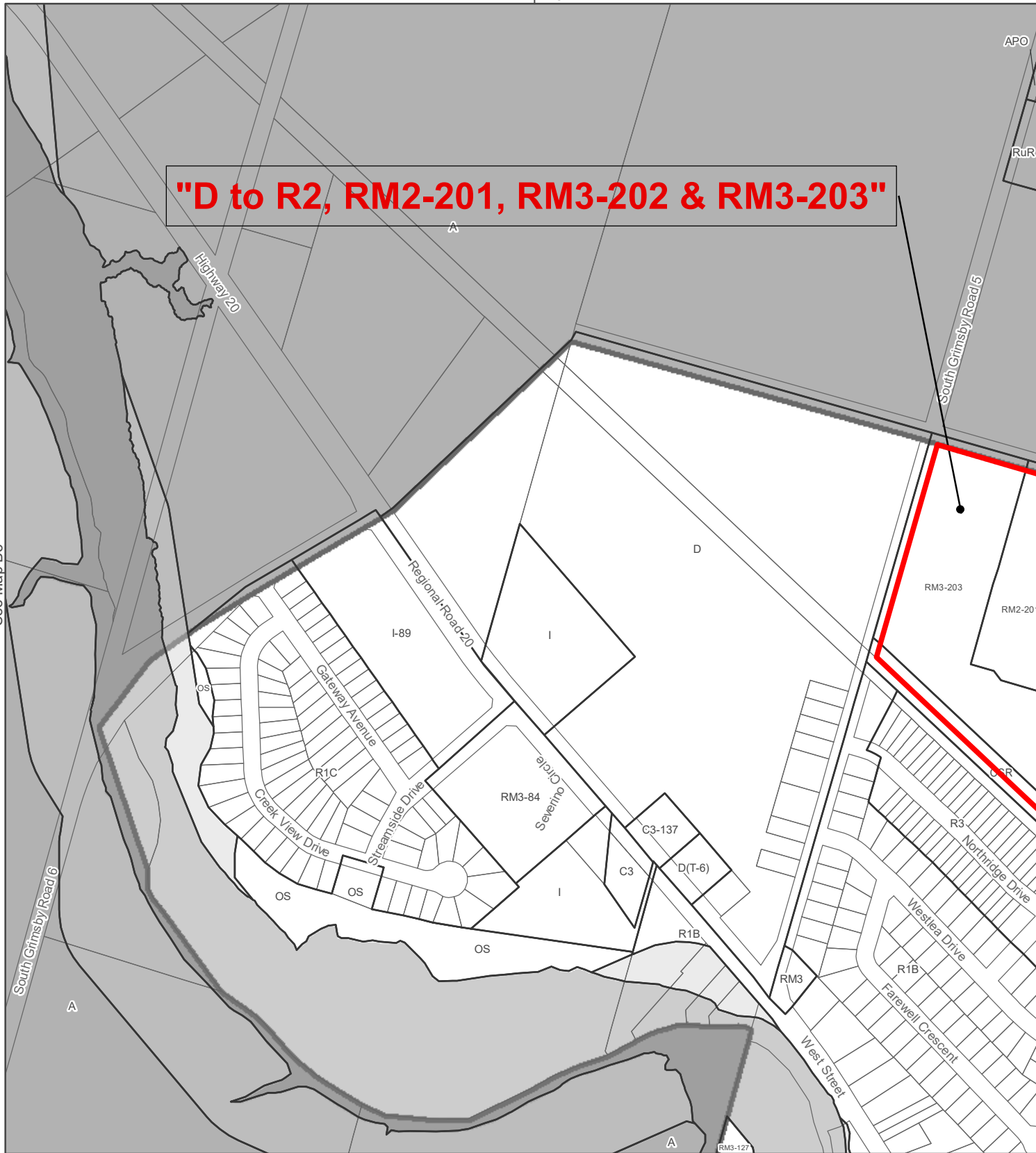
## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2021-49**

**Location:** The subject property is located north of the CP Rail Corridor, west of the existing Station Meadows Subdivision, east of South Grimsby Road 5, and south of Spring Creek Road (unopened Road allowance) and is legally described as Lot 1 on Plan M94; Part Lots 12 & 13 on Plans 30M300; Parts 1 and 2 on RP30R15516, in the Township of West Lincoln.

**Purpose & Effect:** The purpose of this bylaw is to rezone the subject property from a Development “D” zone to Low Density Residential ‘R2’, Medium Density Residential ‘RM2-201’, Medium Density Residential ‘RM3-202’, Medium Density Residential ‘RM3-203’ and Open Space Recreation, to permit the property to be developed for residential and parkland purposes.

**Public Consultation:** A virtual public open house was held on September 29th 2020 where 15 members of the public attended and provided comments to Township Staff and the Consultants. A statutory Public Meeting was also held on October 13, 2020 where several members of the public and members of Committee and Council spoke.

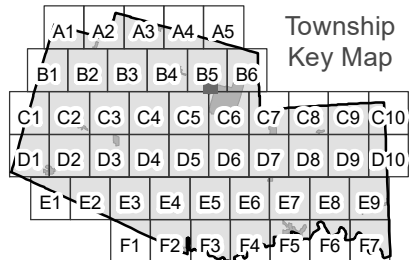
File: 1601-21-19  
Applicants: P Budd Developments



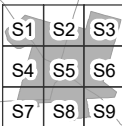
**"D to R2, RM2-201, RM3-202 & RM3-203"**

See Map B5

See Map S2



Smithville Key Map

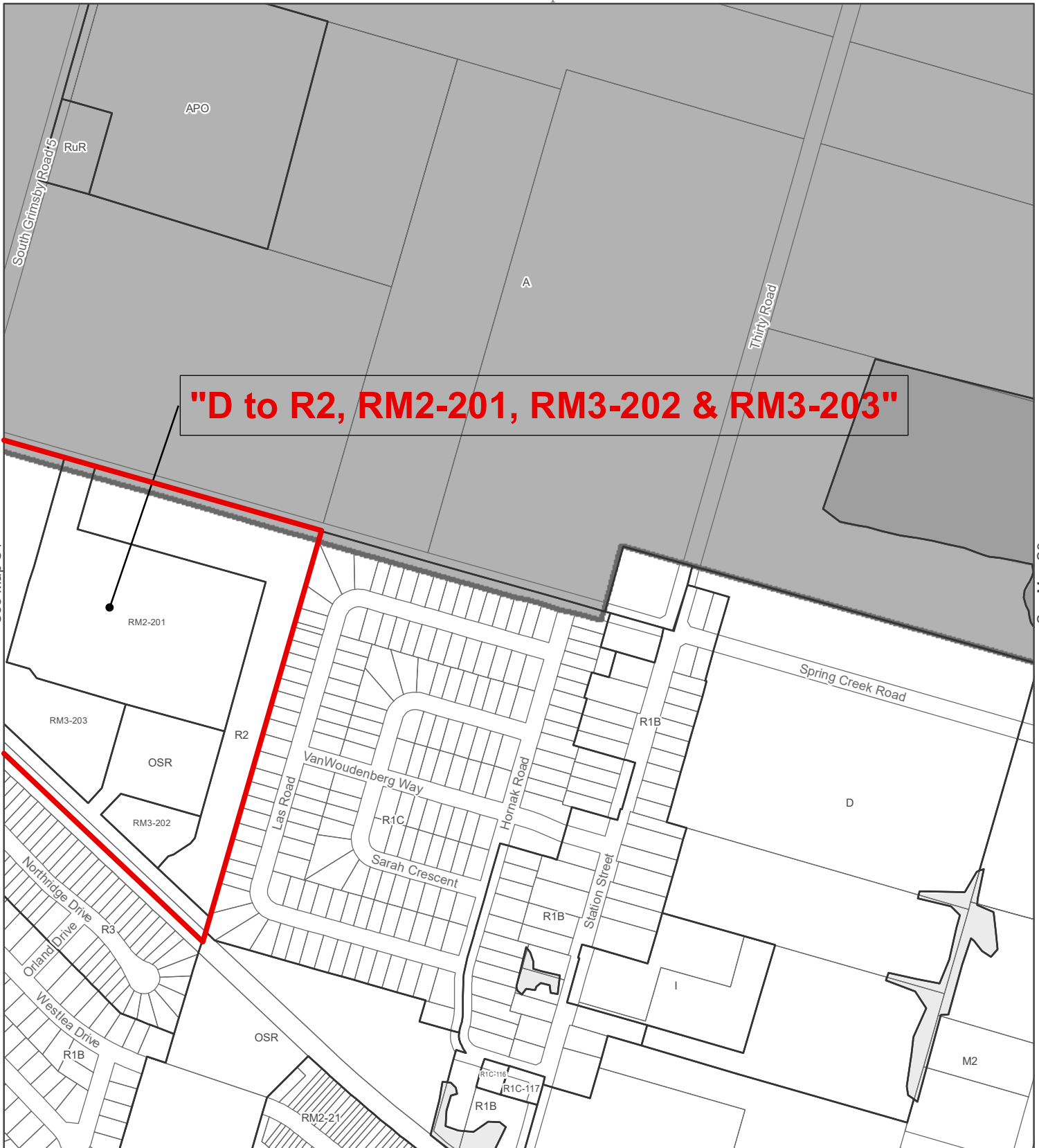


- Settlement Area Boundary
- Zone Boundary
- EC
- EP
- Waste Management Facility Assessment Area

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

1:6,000  
0 150 m  
N  
Last Updated: February 2021

Map  
**S1**

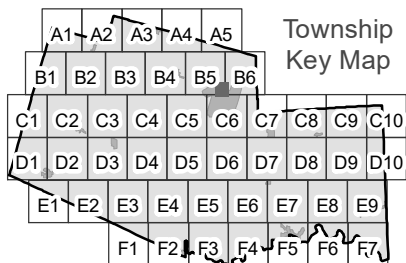


**"D to R2, RM2-201, RM3-202 & RM3-203"**

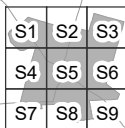
See Map S1

See Map S3

See Map S5



Smithville Key Map



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

# **Township of West Lincoln** Schedule A Zoning By-law No.2017-70

1:6,000  
0 150 m  
N  
Last Updated: February 2021

Map  
**S2**

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

**BY-LAW NO. 2021-50**

**A BY-LAW TO AUTHORIZE A SITE PLAN AGREEMENT  
BETWEEN THE CORPORATION OF THE TOWNSHIP OF  
WEST LINCOLN AND RONALD DANIEL HLYWKA FOR  
LANDS DESCRIBED AS LOT 28 ON PLAN M-92, IN THE  
FORMER TOWNSHIP OF SOUTH GRIMSBY, NOW IN THE  
TOWNSHIP OF WEST LINCOLN.**

**WHEREAS** the Corporation of the Township of West Lincoln deems it expedient to enter into a Site Plan Agreement with Ronald Daniel Hlywka for lands described as Lot 28 on Plan M-92, in the former Township of South Grimsby, now in the Township of West Lincoln.

**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 Plan Agreement with Ronald Daniel Hlywka for lands described as Lot 28, Plan M-92, in the former Township of South Grimsby, now in the Township of West Lincoln.
2. THAT the Mayor and Clerk be and each of them is hereby authorized to sign the said Site Plan Agreement and any other document or documents necessary to implement the intent of this By-law and the said Site Plan 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 Plan Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A", shall form part of this By-law, and shall be registered on title.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
25th DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

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

**BY-LAW NO. 2021-51**

**A BY-LAW TO AUTHORIZE AN AMENDING SITE PLAN AGREEMENT WITH RIVERVIEW POULTRY LIMITED., AND ANY MORTGAGEES, IF APPLICABLE, ON LANDS DESCRIBED AS CONCESSION 8 PART LOT 6, PART OF PART 1 OF PLAN 30R867 AND PART 1 OF PLAN 30R8956; TOWNSHIP OF WEST LINCOLN**

**WHEREAS** the Corporation of the Township of West Lincoln deems it expedient to enter into an Amending Site Plan Agreement with Riverview Poultry Limited., and any Mortgagees, If Applicable, On Lands Described As Concession 8 Part Lot 6, Part Of Part 1 of Plan 30R867 And Part 1 Of Plan 30R8956.

**AND WHEREAS** approval and authority for such Amending Agreement is required;

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

1. That the Council of the Corporation of the Township of West Lincoln enter into an Amending Site Plan Agreement with Riverview Poultry Limited., And Any Mortgagees, If Applicable, On Lands Described As Concession 8 Part Lot 6, Part Of Part 1 of Plan 30R867 And Part 1 Of Plan 30R8956.
2. That the Mayor and Clerk be and each of them is hereby authorized to sign the said Amending Site Plan Agreement and any other document or documents necessary to implement the intent of this By-law and the said Amending Site Plan 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 Amending Site Plan 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.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 25<sup>th</sup>  
DAY OF MAY, 2021**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**



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

**BY-LAW NO. 2021-52**

**A BY-LAW TO NAME A PUBLIC HIGHWAY IN THE TOWNSHIP OF WEST LINCOLN IN THE REGIONAL MUNICIPALITY OF NIAGARA BEING REGIONAL ROAD 14 (FROM CANBOROUGH STREET TO THE ST. CATHARINE STREET INTERSECTION) AS GRIFFIN STREET SOUTH AND REGIONAL ROAD 20 (FROM THE CIBC PARKING LOT TO THE WEST STREET/STATION STREET INTERSECTION) AS GRIFFIN STREET NORTH**

**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;

**WHEREAS** the Municipal Act, 2001, provides that a local municipality may name or change the name of a public road, and;

**WHEREAS** notice was provided to all affected residents on March 12<sup>th</sup>, 2021, and;

**WHEREAS** such notice was mailed to the residents of this stretch of road (depicted in Schedule A) on March 12<sup>th</sup>, 2021, of the proposed street naming, corresponding Virtual Open House (March 31<sup>st</sup>, 2021) and that Council would hear any person(s) who wished to appear as a delegation at a Public Meeting held at the Planning Committee Meeting of April 12<sup>th</sup>, 2021, and;

**WHEREAS** One (1) public comment was received.

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

1. That, Council hereby confirms that the street name of Regional Road 14 (from Canborough Street to the St. Catharine Street intersection), shall be “Griffin Street South” and Regional Road 20 (from the CIBC parking lot to the West Street/Station Street intersection) shall be “Griffin Street North”; as illustrated on Schedule A attached hereto.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 25<sup>th</sup>  
DAY OF MAY, 2021.**

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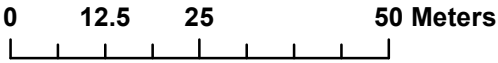
**MAYOR DAVE BYLSMA**

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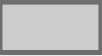

**JOANNE SCIME, CLERK**



**Schedule 'A'**  
**Griffin Street North and South**



**Legend**

-  Griffin Street North
-  Griffin Street South

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

**BY-LAW NO. 2021-53**

**A BY-LAW TO AUTHORIZE A SITE PLAN AGREEMENT  
BETWEEN THE CORPORATION OF THE TOWNSHIP OF  
WEST LINCOLN AND VUCKOVIC FARMS INC. ON  
BEHALF OF XPLORNET FOR LANDS DESCRIBED AS  
CONCESSION 8, PART LOT 36 AND 37, IN THE FORMER  
TOWNSHIP OF SOUTH GRIMSBY, NOW IN THE  
TOWNSHIP OF WEST LINCOLN.**

**WHEREAS** the Corporation of the Township of West Lincoln deems it expedient to enter into a Site Plan Agreement with Vuckovic Farms Inc. on behalf of Xplornet for lands described as Concession 8, Part Lot 36 and 37 in the former Township of South Grimsby, now in the Township of West Lincoln;

**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 Plan Agreement with Vuckovic Farms Inc. on behalf of Xplornet for lands described as Concession 8, Part Lot 36 and 37 in the former Township of South Grimsby, now in the Township of West Lincoln;
2. THAT the Mayor and Clerk be and each of them is hereby authorized to sign the said Site Plan Agreement and any other document or documents necessary to implement the intent of this By-law and the said Site Plan 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 Plan 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  
25<sup>TH</sup> DAY OF MAY, 2021.**

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**DAVE BYLSMA, MAYOR**

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**JOANNE SCIME, CLERK**

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

**BY-LAW NO. 2021-54**

**A BY-LAW TO AUTHORIZE AN AGREEMENT  
BETWEEN THE CORPORATION OF THE TOWNSHIP  
OF WEST LINCOLN AND BRANDT LTD. FOR THE  
SUPPLY OF A BACKHOE LOADER**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln  
deems it expedient to enter into an agreement with Brandt Ltd. for the supply of a  
Backhoe Loader;

**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 enter  
into an agreement with Brandt Ltd. for the supply of a Backhoe Loader;  
and,
2. That, the Mayor and Clerk be authorized to sign the above mentioned  
agreement, and any other related documents, and to affix the Corporate  
Seal thereto.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 25th  
DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

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

**BY-LAW NO. 2021-55**

**A BY-LAW TO AUTHORIZE AN AGREEMENT  
BETWEEN THE CORPORATION OF THE TOWNSHIP  
OF WEST LINCOLN AND RUSH TRUCK CENTRES  
FOR THE SUPPLY OF ONE SINGLE AXLE AND TWO  
TANDEM PLOW TRUCKS**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln deems it expedient to enter into an agreement with Rush Truck Centres for the supply of one Single Axle and two Tandem Plow Trucks;

**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 enter into an agreement with Rush Truck Centres for the supply of one Single Axle and two Tandem Plow Trucks.
2. That, the Mayor and Clerk be authorized to sign the above mentioned agreement, and any other related documents, and to affix the Corporate Seal thereto.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 25th  
DAY OF MAY, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**