

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

MEETING NO. NINE

November 9, 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 Mike Rehner
Councillor Jason Trombetta

Staff: Bev Hendry, CAO
Brian Treble, Director of Planning and Building
Jessica Dyson, Deputy Clerk
Meghan Birbeck, Planner I*
Roberta Keith, IT Manager
Kevin Geoghegan, IT Help Desk Analyst

Other Members: Albert Witteveen, Regional Councillor

***IN ATTENDANCE PART-TIME**

1. CHAIR - Councillor William Reilly

Prior to commencing with the Planning/Building/Environmental Committee meeting agenda, Chair Reilly provided 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 jdyson@westlincoln.ca before 4:30 p.m. on the day of the meeting. Comments submitted will be considered as public information and will be read into the public record.
3. The meeting will be livestreamed and recorded and available on the Township's website.

2. LAND ACKNOWLEDGEMENT STATEMENT

On behalf of the Members of Council and staff, we wish to acknowledge this land on which the Township of West Lincoln operates. The land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples and is still home to many indigenous people today. We are grateful to have the opportunity to work here today and to follow the Haudenosaunee system of blending laws and values and the Anishinaabe beliefs to strive to live in harmony and balance throughout the Municipality. We acknowledge that we are all treaty people and accept our responsibility to honour all our relations.

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

3.1 Councillor Shelley Bradaric - Item P109-21 - Report No. PD-122-2021 Zoning By-law Amendment - JCT Services

Councillor Bradaric declared a conflict of interest/disclosure of pecuniary interest with respect to Section 10 Item P109-21 on the agenda, being Staff Report No. PD-122-2021 regarding Zoning By-law Amendment - 7005 Concession 4 Road - JCT Services - Joe Dilluio (Owner) and Eldon Darbyson (Agent). Councillor Bradaric advised that she lived in proximity to the subject property and provided a written declaration in this regard. Councillor Bradaric did not participate in discussion or vote on Item 10.1 on the agenda.

4. PUBLIC MEETING(S)

The Public Meeting commenced at 6:30 p.m.

4.1 Street Naming Public Meeting - 167 St. Catharine Street

Re: Public meeting to consider the street naming for up to 2 private streets within a Condominium located at 167 St. Catharine Street, Smithville.

5. CHANGE IN ORDER OF ITEMS ON AGENDA

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

6. APPOINTMENTS

There were no appointments.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

There were no requests to address items on the agenda.

8. CONSENT AGENDA ITEMS

8.1 ITEM P108-21

CONSENT AGENDA ITEMS:

Moved By Mayor Bylsma

Seconded By Councillor Ganann

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

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

Carried

SUMMARY OF APPROVED CONSENT AGENDA ITEMS:

1. Technical Report No. PD-120-2021 – 167 St. Catharine Street Condominium Street Naming
2. Recommendation Report No. PD-118-2021 - Authorizing By-law – (Agent) Ontario Outbuilding – (Owner) Bert Vis Upholstery - 214 St Catharine Street. File No. 2100-012-21

9. COMMUNICATIONS

There were no communications.

10. STAFF REPORTS

10.1 ITEM P109-21

Planner II (Madyson Etzl) and Director of Planning & Building (Brian Treble)

Re: Information Report No. PD-122-2021 – Zoning Bylaw Amendment – 7005 Concession 4 Road – JCT Services – Joe Dilluio (Owner) Eldon Darbyson (Agent)

NOTE: Councillor Shelley Bradaric declared a conflict on this item. (Councillor Bradaric declared a conflict of interest/disclosure of pecuniary interest with respect to Section 10 Item P109-21 on the agenda, being Staff Report No. PD-122-2021 regarding Zoning By-law Amendment - 7005 Concession 4 Road - JCT Services- Joe Dilluio (Owner) and Eldon Darbyson (Agent). Councillor Bradaric advised that she lived in proximity to the subject property and provided a written declaration in this regard. Councillor Bradaric did not participate in discussion or vote on Item 10.1 on the agenda.)

In response to Councillor Ganann's question regarding the mapping of the property and the proposed location of the business structure, the Director

of Planning and Building stated the proposal as presented to Committee indicates that the proposed future business building is mapped to be further away from the owner's home and is considerably closer to the neighbouring property. The Director of Planning & Building noted that staff are of the opinion that the proposed building should be closer to the owner's home, not the neighbouring property, adding that this concern is part of the detailed discussion that staff are currently having with the applicant. Councillor Ganann also stated that she has concerns with Concession 4 Road being used as a truck route, noting that she would be interested in hearing the comments made from Public Works staff with respect to this issue. Councillor Rehner echoed Councillor Ganann's comments and concerns.

Moved By Councillor Jason Trombetta

Seconded By Councillor Harold Jonker

1. That, Report PD-122-2021, regarding "Updated Information Report – Zoning By-law Amendment - 7005 Concession #4 Road – JCT Services- Joe Dilluio (Owner), Eldon Darbyson (Agent)", dated November 9th, 2021, be RECEIVED; and,
2. That, a recommendation report be submitted to a future Planning/ Building/Environmental Committee or Council meeting once a full staff and agency review has been completed and a full understanding of the applicant's proposal is achieved.

Carried

10.2 ITEM P110-21

Planner II (Madyson Etzl) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-123-2021 – Zoning Bylaw Amendment – Site Plan Authorizing Bylaw – Post Time Services (Kevin Vanderwier)

Moved By Councillor Cheryl Ganann

Seconded By Councillor Jason Trombetta

1. That, Report PD-123-2021, regarding "Zoning By-law Amendment – Site Plan Authorizing Bylaw–Post Time Services – Kevin Vanderwier", dated November 9th 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, an application for Zoning By-law Amendment 1601-011-21 submitted by Post Time Services - Kevin Vanderwier and a corresponding Zoning By-law be APPROVED and passed; and

4. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period; and,
5. That, an authorizing bylaw be passed to permit the Mayor and Clerk to sign an amending Site Plan Agreement once completed to the satisfaction of staff.

Carried

10.3 ITEM P111-21

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

Re: Recommendation Report No. PD-126-2021 - Snow Event/Weather Advisory Focused Winter Parking Enforcement to Accommodate the Procedural Review of Parking, Driveway, Boulevard and Culvert Bylaws

In response to Councillor Trombetta's question regarding why staff are providing feedback with respect to the procedural review and snow event/weather advisory parking enforcement to Council when this has not been done in the past, the Director of Planning & Building stated that there has not been an update on the enforcement strategy with respect to parking for a number of years. The Director of Planning & Building also stated that the last time this enforcement issue was discussed, staff were directed to complete random and sporadic winter enforcement adding that staff wanted to advise Council of the new approach with respect to weather parking enforcement before proceeding with the change. In response to Councillor Trombetta's question regarding if there are certain areas that have a larger presence of on-street parking in the winter months, The Director of Planning & Building stated that in Smithville there are a number of trouble areas, however, two areas that have frequent parking challenges in the winter are Golden Acres and Swayze Court.

In response to Councillor Ganann's question regarding how this information will be shared amongst the community, the Director of Planning & Building stated that subject to Council's endorsement, the by-law enforcement officer will start with notices on vehicles to provide a warning, as well as posting the notice on the Township's website, sign boards and social media outlets.

Moved By Councillor Shelley Bradaric

Seconded By Mayor Dave Bylsma

1. That, report PD-126-2021, regarding "Snow Event/Weather Advisory Focused Winter Parking Enforcement to Accommodate the Procedural Review of Parking, Driveway, Boulevard and Culvert Bylaws", dated November 9th, 2021 be received; and,

2. That enforcement staff proceed with a parking enforcement focus 24 hrs. before and after a snow event/weather advisory, with an increased set fine to accommodate the ongoing procedural review of the Parking, Driveway, Boulevard and Culvert Bylaws; and,
3. That enforcement staff provide feedback to Council at a later date in regards to the procedural review, and snow event/weather advisory focused parking enforcement.

Carried

10.4 ITEM P112-21

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

Re: Recommendation Report No. PD-119-2021 - Comprehensive Zoning Bylaw 2017-70, as amended Housekeeping Amendments No. 6

The Director of Planning & Building stated that with the assistance of legal counsel as well as a lawyer at the Provincial level, staff have identified a couple of changes to the "lot" definition as outlined in the Townships Zoning By-law that would assist staff with making it clear about the status of natural severances and how the Township would recognize them in the Zoning By-law. The Director of Planning & Building added that the natural severance piece is one of the proposed changes in this report.

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

1. That, Report PD-119-2021, regarding "Housekeeping Amendments No. 6 to Zoning Bylaw 2017-70, as Amended", dated November 9, 2021 be received; and,
2. That, proper notice be given and a public meeting be held, as required by the Planning Act, at a future Planning/Building/Environmental Committee Meeting.

Carried

10.5 ITEM P113-21

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-124-2021 - Authority to Sign an Amending Site Plan Agreement with West Niagara Agricultural Society (WNAS)

In response to Mayor Bylsma's question regarding the proposed area of approval and if the Township has provided an area to the applicants where they would be able to build within that allotted area, the Director of Planning & Building stated that the concepts mapped out on the proposed site plan would be the area in which a building would be constructed,

noting that the concepts outlined are not meant to be a perfect depiction of the size rather more of a concept of the approved area.

In response to Councillor Jonker's question regarding the site plan fee, the Director of Planning & Building stated that a request came forward for a previous site plan application from the Agricultural Society to waive that site plan fee, however, there is no similar request at this time for this application adding that as proposed right now the site plan will be reviewed and approved once a fee is received.

Moved By Mayor Dave Bylsma

Seconded By Councillor Cheryl Ganann

1. That, Report PD-124-2021, regarding "Recommendation Report, Authority to Sign an Amending Site Plan Agreement with West Niagara Agricultural Society (WNAS) ", dated November 9th, 2021, be RECEIVED; and,
2. That, a by-law be passed to authorize the Mayor and Clerk to sign an amending site plan agreement once completed to staff's satisfaction.

Carried

10.6 ITEM P114-21

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-125-2021 - Authorizing By-law to remove an Existing Site Plan from Title of Part Lot 16, Conc 8, owned by the Davis Family to Allow Conveyance of a Road Allowance to the Region

Moved By Councillor Cheryl Ganann

Seconded By Councillor Harold Jonker

1. That, Report PD-125-2021, regarding "Recommendation Report, Authorizing By-law to Remove Site Plan from Title of Part Lot 16, Conc 8, owned by the Davis Family to Allow Conveyance of a Road Allowance to the Region", dated November 9th, 2021, be RECEIVED; and,
2. That, a by-law be passed to authorize the Mayor and Clerk to sign all documents necessary for the removal of the existing site plan from Part 2 of 30R15738, the Regional road allowance lands, for road widening purposes, prior to transfer to the Region of Niagara.

Carried

11. OTHER BUSINESS

11.1 ITEM P115-20

Members of Committee

Re: Other Business Matters of an Informative Nature

PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – Nov. 9, 2021

1. Councillor Ganann
Re: Annual Christmas Tree Lighting

Councillor Ganann advised that the Kiwanis in partnership with the Township of West Lincoln and The Smithville Christian High school are hosting a Tree Lighting Event on Wednesday, November 24th, at 6:30p.m. Councillor Ganann stated that this is an outdoor event only and therefore is hoping for good weather.

2. Mayor Bylsma
Re: Remembrance Day

Mayor Bylsma made a reminder that Thursday, November 11th was Remembrance Day highlighting that there will be a service at the Smithville Legion.

12. NEW BUSINESS

There were no items for new business.

13. CONFIDENTIAL MATTERS

There were no confidential matters.

14. ADJOURNMENT

The Chair to declare the meeting adjourned at the hour of 7:07p.m.



JESSICA DYSON, DEPUTY
CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR