

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

MEETING NO. FIVE

May 9, 2022, 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
Kevin Geoghegan, IT Help Desk Analyst

Other Members: Simon Musca*
David Heyworth, Niagara Region*
Diana Morreale, Niagara Region*
Karen Alexander, Invasive Species Centre*
Peter Budd*
Dave Kuzmich*

***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. This meeting will be livestreamed and recorded and available on the Township's website.

2. LAND ACKNOWLEDGEMENT STATEMENT

Councillor Reilly read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hattiwendaronk (Hat-i-wen-DA-runk), the Haudenosaunee (Hoe-den-no-SHOW-ee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

3. 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.

4. PUBLIC MEETING(S)

There were no Public Meetings.

5. CHANGE IN ORDER OF ITEMS ON AGENDA

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

6. APPOINTMENTS

6.1 ITEM P43-22

Simon Musca, Smithville Resident

Re: Stanpac Noise Concerns

FOR INFORMATION

Simon Musca stated that he was in attendance to express concerns with respect to the ongoing noise issue that is coming from Stanpac. Simon stated that he read the Recommendation Report PD-53-2022 being presented and expressed that he was pleased to see that there is a solution being presented to mitigate the noise that is being emitted by Stanpac's cyclone machine.

6.2 ITEM P44-22

Karen Alexander, Invasive Species Centre
Re: European Water Chestnut in the Welland River

POWERPOINT PRESENTATION

There was a number of comments made by Members of Committee showing support for assisting the Invasive Species Center with removing the invasive Water Chestnut from the Welland River.

Mayor Bylsma requested a motion be put on the table to provide further direction to Township staff of how the Township can more specifically assist the Invasive Species Centre with respect to the European Water Chestnut in the Welland River.

Moved By Mayor Dave Bylsma

Seconded By Councillor Harold Jonker

1. That, the correspondence received from Karen Alexander regarding "European Water Chestnut in the Welland River", dated May 9, 2022, be received; and,
2. That, staff be directed to gain information and make a recommendation on the Invasive Species European Water chestnut in the Welland River and report back to the Summer Planning/Building/Environmental Committee Meeting
3. That a delegation request to AMO be submitted to an appropriate ministry, and;
4. That, this recommendation be circulated to various stakeholders including the NPCA, AMO, Regional of Niagara and municipalities surrounding the Welland River.

Carried

6.3 ITEM P45-22

David Heyworth, Official Plan-Policy Consultant (Niagara Region)
Re: New Niagara Region Official Plan

POWERPOINT PRESENTATION

In response to Councillor Rehner's question regarding the involvement and consultation with the Indigenous people with respect to the process of the new Niagara Region official plan, Mr. Heyworth stated that there have been numerous meetings with the local First Nations and Indigenous communities to provide discussion and a level of engagement in the project.

In response to Councillor Rehner's concerns regarding the protection and viability of agricultural land in Ontario, Mr. Heyworth stated that the Niagara Region is taking a balanced approach noting that the Region is using a higher intensification rate of 60 percent where the provincial requirement is 50 percent. Mr. Heyworth also stated that there is a consciousness around the agricultural system and land base and that given the amount of growth that is occurring and the extent of the Region's existing settlement areas, there is a need for more land. The Director of Planning & Building added that Township Council has had a lot of discussion with respect to how the growth would be handled within the Township and stated that Council has chosen to concentrate growth in Smithville which is a much more efficient way to group and develop on full services and avoid scattered non-farm development spread across the Township.

In response to Councillor Ganann's question regarding the timing of the Official Plan approval and if the project will be interrupted in any way, Mr. Heyworth stated that the Region's goal is to put forward a recommended plan to Regional Council in June and submit that plan to the Province in the beginning of July to meet the required timeline. Mr. Heyworth noted that once the plan is submitted to the Province, it is in the hands of the Province in terms of their review and approval.

In response to Councillor Jonker's question regarding the addition of the provincial natural heritage system and if this piece of land can be farmed on, Mr. Heyworth stated that the provincial natural heritage system policy and mapping that the Region is incorporating into the Regional Official Plan, is being applied right now due to provincial policy, noting that the heritage system is widespread and incorporates natural features which goes across agricultural lands because of the connection the natural features provide for wildlife, however there are policies that allow for agricultural activities that are outside of the natural features to continue to occur.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

8. CONSENT AGENDA ITEMS

All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be

removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

8.1 ITEM P46-22

CONSENT AGENDA ITEMS

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

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

1. Items 1 and 2 be and are hereby received for information with the exception of Item no.(s)_____.

Carried

1. Multi-Municipal Wind Turbine Working Group Minutes – February 10, 2022
2. Information Report No. PD-51-2022 – Proposed Amendment to the Greenbelt Area boundary regulation – Growing the size of the Greenbelt

9. COMMUNICATIONS

9.1 ITEM P47-22

Julie Hamilton, Deputy Clerk (Municipality of Arran-Elderslie)

Re: Multi-Municipal Wind Turbine Working Group - Setback Recommendations from Wind Turbines

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

That, the correspondence received from Julie Hamilton, Deputy Clerk (Municipality of Arran-Elderslie) regarding "Multi-Municipal Wind Turbine Working Group - Setback Recommendations from Wind Turbines" dated April 22, 2022, be received for information.

Carried

10. STAFF REPORTS

10.1 ITEM P48-22

Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD - 53 - 2022 - Stanpac Request to Waive Minor Variance Fee and Building Permit Fee

Moved By Councillor Cheryl Ganann

Seconded By Councillor Jason Trombetta

1. That, report PD-53-22, regarding “Recommendation Report – Stanpac Request to Waive Minor Variance Fee and Building Permit Fee”, dated May 9, 2022 be RECEIVED; and,
2. That, Township staff work with the Committee of Adjustment to process a Minor Variance application in as timely a fashion as possible in order to allow a building permit to be issued; and,
3. That, the authority to waive fees apply prior to the ratification of this report by Township Council.

Carried

10.2 ITEM P49-22

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

Re: Recommendation Report No. PD-49-2022 - Zoning By-Law Amendment – Neil Carter – 2990 South Grimsby Road 18 (File No. 1601-002-22)

Moved By Mayor Dave Bylsma

Seconded By Councillor Jason Trombetta

1. That, Report PD-49-2022, regarding “Recommendation Report – Zoning Bylaw Amendment – Neil Carter 2990 South Grimsby Road 18 – File No. 1601-002-22” dated May 9th 2022, be RECEIVED; and,
2. That, an application for Zoning By-law Amendment 1601-002-22 submitted by Neil Carter - and a corresponding Zoning By-law be APPROVED and passed; and
3. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period.

Carried

10.3 ITEM P50-22

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

Re: Recommendation Report No. PD-50-2022 - Bill 109 – More Homes for Everyone Plan

In response to Councillor Ganann’s question regarding if there were any concerns from a safety perspective, particularly fire hazards, with respect to the changes in Bill 109 More Homes for Everyone Plan, the CAO stated

that there was not much consultation on this change at all adding that this concern would be important for the Township to raise as time goes on. The Director of Planning & Building also stated that the consultation period for providing comments went until April 29th, however the Bill received royal assent on April 14th, noting that many comments were likely received, but never given consideration as part of the approval of Bill 109.

In response to Mayor Bylsma's question regarding if the Township is obligated to take all planning applications submitted, noting the hard position this new Bill would put on Township staff, the Director of Planning & Building stated that this decision would be something that Township staff would have to speak with Legal Counsel about with respect to some of the ramifications of that position as well as potential cost consequences if the Township ended up before the Ontario Land Tribunal (OLT).

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

1. That Planning Report PD-50-2022, regarding "Information Report – Bill 109 – More Homes for Everyone Plan", dated May 9, 2022, be RECEIVED FOR INFORMATION PURPOSES; and,
2. That, the Township hereby notify the Region of Niagara of their support for the Region's letter regarding "Response to More Homes for Everyone Act, 2022, Provincial Bill 109" dated April 29, 2022, as found at Attachment 1 to this report.

Carried

10.4 ITEM P51-22

Building Inspector and By-law Enforcement Officer (John Bartol) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-52-2022 – P. Budd Developments Inc. Site Alteration Application for "Station Meadows West – Phase 1" No. 3000-002-22

Moved By Councillor Cheryl Ganann

Seconded By Councillor Harold Jonker

1. That, report PD-52-22, regarding "Recommendation Report – P. Budd Developments Inc. Site Alteration Application for "Station Meadows West – Phase 1" No. 3000-002-22", dated May 9, 2022 be RECEIVED; and,
2. That, an authorizing By-law, as found at Attachment 2 to this report, be passed to permit the Mayor and Clerk to sign a site alteration

agreement, in draft form as found at Attachment 3, ensuring compliance with their draft approved plan of subdivision, as well as, the conditions as set out in this report and draft site alteration permit; and,

3. That, all efforts be taken by the owner to acknowledge and protect neighbouring residents, including but not limited to: dust control, speed control, noise control, obedience of the Highway Traffic Act, etc. Failure to do so will provide Enforcement staff with authority to revoke this permit at any time.

Carried

11. OTHER BUSINESS

11.1 ITEM P52-22

Deputy Clerk (Jessica Dyson)

Re: Multi-Municipal Wind Turbine Working Group (MMWTWG) 2022 Membership Renewal

In response to Councillor Trombetta's question regarding the status of the Multi-Municipal Wind Turbine Working Group, Councillor Jonker, member of the Working Group, stated that the working group had been quiet due to COVID, however, has recently started picking back up again and meeting more regularly. Councillor Jonker expressed his support of keeping the MMWTWG active for the Township, especially because of the constant change of regulations around wind turbines as well as the decommissioning of the wind turbines in the future.

Moved By Councillor Mike Rehner

Seconded By Councillor Jason Trombetta

That the correspondence regarding "Multi-Municipal Wind Turbine Working Group (MMWTWG) 2022 Membership Renewal" dated April 29, 2022, be received and supported.

Carried

11.2 ITEM P53-22

Members of Committee

Re: Other Business Matters of an Informative Nature

There were no Members of Committee that brought forth any other business items of an informative nature.

11.3 ITEM P54-22

Bev Hendry, CAO

Re: European Water Chestnut Invasive Species - Additional Information

The CAO wished to provide additional information with respect to the European Water Chestnut Invasive Species item, sharing that Township staff brought forward Report PD-04-2022 in January 2022 relating to the letter of support to the Invasive Species Centre. The CAO stated that the purpose of her raising this item is to advise Members of Committee that the Township have taken some action already, noting that that recommendation brought forward tonight is just more detail of how the Township can further support the Invasive Species initiative.

12. NEW BUSINESS

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

13. CONFIDENTIAL MATTERS

There were no Confidential Matters.

14. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 8:29 p.m.

JESSICA DYSON,
DEPUTY CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR