



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

### MEETING NO. SEVEN

Tuesday, May 24, 2022, 7:00 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 Standing Committee or Council meetings until further notice.

**\*\* Virtual Attendance & Participation:** Members of the public who wish to participate by providing oral comments for matters that are on the agenda must attend the virtual meeting by obtaining a Zoom invite in advance by emailing [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) by May 24, 2022 before 4:30p.m. Those who wish to observe the meeting may view the meetings livestream which can be found on the Council and Committee Calendar on the Township's website. \*\*

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### Pages

#### 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. Any Members of the Public can watch this evening's Council meeting by using the livestream link found on the Township's website as this meeting is being livestreamed and is also being audio/video recorded and will be posted on the Township's website and can be viewed anytime following the meeting.

#### 2. 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 Hatiwendaronk (Hat-i-wen-DA-ronk), 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. OPENING PETITION - Councillor William Reilly**

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

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

**6. 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.

1. Chair to inquire if the IT Manager was aware if there was anyone on the ZOOM meeting that was indicating they wished to provide comment to provide permitted under Section 6.7 of the Procedural By-law.

2. Chair to inquire if the Clerk had received any comments by email from any members of the public prior to 4:30 pm today with respect to a specific item on the agenda as permitted by Section 6.7 of the Procedural By-law.

**7. APPOINTMENTS/PRESENTATIONS**

- 7.1. Vittoria Wikston, Niagara 2022 Canada Summer Games 8  
Re: Niagara 2022 Canada Summer Games - Update & West Lincoln  
Inclusion  
**PowerPoint Presentation to be provided prior to Meeting**

**8. REGIONAL COUNCILLOR’S REMARKS**

**9. CONFIRMATION OF MINUTES**

- 9.1. Council Minutes - Regular 11  
Re: April 25, 2022  
  
Moved By Councillor Shelley Bradaric  
That, the minutes of the April 25, 2022 regular Council meeting be accepted.
- 9.2. Council Minutes - Special 31

Re: April 27, 2022

Moved By Councillor Cheryl Ganann

That, the minutes of the April 27, 2022 special Council meeting be accepted.

9.3. Public Meeting Under the Planning Act

35

Re: Minutes of April 27, 2022

Moved By Councillor Harold Jonker

That, the minutes of the public meeting held on April 27, 2022 under Section 17 of the Planning Act, with respect to:

- a. Official Plan Amendment - OPA No. 62 - Smithville Master Community Plan;  
be accepted.

10. COMMUNICATIONS

10.1. The Town of Grimsby & Township of West Lincoln Taxpayers

124

Re: Grimsby Regional Airport

Moved By Councillor Mike Rehner

That, the Council of the Township of West Lincoln support the citizens residing in the area of the Grimsby Air Park, which is located in the Town of Grimsby, directly adjacent to the municipal border of the Township of West Lincoln; and,

That, the Township of West Lincoln support both the citizens West Lincoln and Grimsby whose rights to safety, enjoyment of property and privacy are being compromised as a result of the use and operation of Grimsby Air Park; and,

That, the Township of West Lincoln request the Federal Transportation Minister to address the concerns raised by citizens of West Lincoln and Grimsby whose rights to equal treatment under the laws and policy of the Federal Government have been disregarded; and,

That, the Federal Transportation Minister be also aware of the negative impact that the continued operation of the Grimsby Air Park may have on the Town of Grimsby and Township of West Lincoln's ability for future growth; and,

That, the Federal Minister of Transportation be and hereby requested to investigate the use and operation of Grimsby Air Park and the possible abuse of the privileges that have been bestowed upon them, being Interjurisdictional Immunity, in a manner that disserves the many other

Air Parks that contribute positively to their immediate communities; and,

That, a copy of this resolution be forwarded to Dean Allison, MP –  
Niagara West, the Town of Grimsby to take further action to address the  
citizens of Grimsby and West Lincoln who are being affected by the use  
and operation of Grimsby Air Park; and,

That, a copy of this resolution be forwarded to Niagara Region and the  
Niagara Region Area Municipalities for support.

**11. MAYOR’S REMARKS**

**12. REPORT OF COMMITTEE**

- 12.1. Planning/Building/Environmental Committee139
- Re: Minutes of May 9, 2022

Moved By Councillor William Reilly  
That, the minutes of the May 9, 2022 Planning/Building/Environmental  
Committee meeting, be accepted, and the recommendations contained  
therein, be approved; with the exception of Item#(s)  
\_\_\_\_\_.

- 12.2. Administration/Finance/Fire Committee148
- Re: Minutes of May 16, 2022

Moved By Councillor Jason Trombetta  
That, the minutes of the May 16, 2022 Administration/Finance/Fire  
Committee meeting, be accepted, and the recommendations contained  
therein, be approved with the exception of Item #(s) \_\_\_\_\_.

- 12.3. Public Works/Recreation/Arena Committee159
- Re: Minutes of May 16, 2022

Moved By Councillor Harold Jonker  
That, the minutes of the May 16, 2022 Public Works/Recreation/Arena  
Committee meeting, be accepted, and the recommendations contained  
therein, be approved with the exception of Item #(s)  
\_\_\_\_\_.

**13. 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.



**14. 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.

**15. OTHER BUSINESS**

15.1. TABLED ITEM (March 28, 2022 Council Meeting)  
Director of Planning & Building (Brian Treble)  
Re: Recommendation Report No. PD-36-2022 - Smithville Landowners Group request for support of Minister’s Zoning Order (MZO)

15.2. Members of Council  
Re: Council Remarks

**16. 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.

**17. BY-LAWS**

Moved By Councillor Jason Trombetta

1. That, leave be granted to introduce By-laws # 2022-40, 2022-41, 2022-42, 2022-43, 2022-44, 2022-45, 2022-46 and 2022-47 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,

2. 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.

- |       |  |     |
|-------|--|-----|
| 17.1. | BY-LAW 2022-40   | 164 |
|       | A By-law to confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 25th day of April, 2022 and of its special meeting held on the 27th day of April. |     |
| 17.2. | BY-LAW 2022-41   | 165 |
|       | To delegate specific authority to the Chief Administrative Officer of the Corporation of the Township of West Lincoln for certain acts during a “Lame Duck” period.  |     |
| 17.3. | BY-LAW 2022-42   | 167 |
|       | Being a By-law to amend By-law 2013-58 which adopted Rules for Procedures of Council and Committees thereof.   |     |
| 17.4. | BY-LAW 2022-43   | 168 |
|       | A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln   |     |
| 17.5. | BY-LAW 2022-44   | 171 |

A By-law to authorize a Site Alteration Agreement between the Corporation of the Township of West Lincoln and P. Budd Developments Inc. (agent - Rankin Construction), for lands described as Plan M94 Lot 1 Plan 30M300; Pt Lots 12 and 13 and RP 30R15515 Parts 1 and 2, in the former Township of South Grimsby, now in the Township of West Lincoln.

17.6. BY-LAW 2022-45 172  
A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Niacon Ltd. Construction Company for the replacement of Fire Station #2.

17.7. BY-LAW 2022-46 173  
A Bylaw to amend Bylaw 2002-115 which By-law confirms Fees and Charges for the Corporation of the Township of West Lincoln - Development Charges Default Administration Fee

17.8. BY-LAW 2022-47 175  
A By-law to amend By-law 89-2000 which regulates Traffic and Parking on Township Roads

**18. 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:

18.1 CAO (Bev Hendry)

Re: Personal Matter Relating to an Identifiable Individual - CAO 2021 Performance

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

- Personal matters about an identifiable individual, including municipal or local board employees.

Moved By Councillor Harold Jonker

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

18.1. CAO (Bev Hendry)  
Re: Personal Matter Relating to an Identifiable Individual - CAO 2021 Performance

Moved By Councillor Cheryl Ganann

1) That, the memorandum, dated May 24, 2022, from the CAO regarding "2021 CAO Performance; be received for information; and,

2) That, requests approved in closed session be and are hereby approved.

**19. ADJOURNMENT**

The Mayor to declare this meeting adjourned at the hour of \_\_\_\_\_.

# 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: \***

Vittoria Wikston

**Who are you representing? \***

- ☐ Self
- ☒ Group/Organization

**Group or Organization Name: \***

Niagara 2022 Canada Summer Games

**Street Address: \***

25 Corporate Park Drive

**Town/City: \***

St. Catharines

**Postal Code: \***

L2S 3W2

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

- ☒ Email
- ☐ Telephone

**Email Address: \***

[REDACTED]

## Presentation Details

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

Council

**Requested Meeting Date: \***

5/24/2022



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

Update & West Lincoln inclusion - Niagara 2022 Canada Summer Games

**Do you have a presentation (slide deck)? \***

**Please upload your presentation materials.**

☒ Yes ☐ No

**Have you presented before on this topic? \***

☒ Yes ☐ No

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

Request has come from West Lincoln to N22 to present an overview of West Lincoln's inclusion in the upcoming Games.

## 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. FIVE**

**April 25, 2022, 7:00 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Staff:** Joanne Scime, Clerk  
Bev Hendry, CAO  
Kevin Geoghegan, IT Help Desk Analyst

**Others:** Regional Councillor Albert Witteveen  
Sheryl Matthews, FACS Niagara Foundation\*  
Brittany Ditizio, FACS Niagara Foundation\*  
Bruce Harris, WeeStreem

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

Mayor Bylsma called the Council meeting to order at approximately 7:00 p.m.

Mayor Bylsma made the following announcements following the singing of O' Canada:

- (1) Due to efforts to contain the spread of COVID-19 and to protect all individuals, and to comply with the Province's State of Emergency Order, the Council Chambers will not be open to the public to attend Standing Committee and/or Council Meetings until further notice.
- (2) As noted on this evening's agenda, any Members of the Public who wished to provide comments, could do so either by attending the meeting and requesting to speak under the "Request to Address Items in the Agenda", which could be

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done by contacting the Clerk prior to 4:30 p.m. today (day of the meeting) or they could email their comments to the Clerk by 4:30 p.m. today (day of the meeting). It was noted that any comments emailed will be considered to be public information and will be read into public record later in the agenda.

(3) Members of the Public can watch this evening's Council meeting by using the livestream link which can be found on the Township's website as this meeting was being livestreamed as well as being audio/video recorded and will be posted on the Township's website for viewing following the meeting.

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

Mayor Bylsma 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 Hatiwendaronk (Hat-i-wen- DA-ronk), 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. OPENING PETITION - Councillor Mike Rehner**

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

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

## **5. 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.

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

The Mayor inquired if the IT Help Desk Analyst 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 Help Desk Analyst confirmed there were not.

Additionally, the Mayor 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.

## **7. APPOINTMENTS/PRESENTATIONS**

- 7.1 Sheryl Matthews - FACS Niagara Foundation  
Re: PowerPoint Presentation - Fundraising & Community Event -  
Mountainview LemonAid Day - Sunday, June 12, 2022

Sheryl Matthews, representing FACS Niagara Foundation, reviewed a PowerPoint Presentation regarding a fundraising event that will be held on June 12, 2022 to benefit Family and Children's Services (FACS). Ms. Matthews advised that Mountainview Building Group and other great community sponsors have generously provided 100 LemonAID Day Kits for families and children to host a Lemonade Stand with the proceeds going directly to sending vulnerable children supported by FACS Niagara to attend summer camps. A copy of the PowerPoint Presentation is attached as **Schedule "A"** to the minutes.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Cheryl Ganann

**THAT**, the Council of the Township of West Lincoln hereby support Family and Children's Services (FACS) Niagara including their fundraising and community events; AND

**WHEREAS** Family and Children's Services (FACS) Niagara has been dedicated to protecting and supporting children and improving the lives of vulnerable children, youth, and families across the Niagara Peninsula since 1898; AND

**WHEREAS** Mountainview Building Group and other generous sponsors are supporting FACS Niagara Foundation in these efforts by encouraging children and families to give back to their community by registering online and setting up a lemonade stands across the Township of West Lincoln and the Niagara Peninsula on Sunday, June 12th; AND

**WHEREAS** Mountainview Building Group and other great community sponsors have generously provided 100 LemonAID Day Kits, so every family and child have the resources needed to successfully participate, and so that ALL the funds raised by children go directly to sending vulnerable children supported by FACS Niagara to summer camps; AND

**WHEREAS** by instilling the values of community, generosity and goodwill in the next generation, Mountainview Building Group and other generous

sponsors are helping build a brighter future for Niagara; AND

**WHEREAS** The Township of West Lincoln commends the hundreds of young citrus-squeezing children for their philanthropy and hard work, generosity, goodwill, and for making our community a much better place to live.

**THEREFORE, BE IT RESOLVED THAT** the Council of the Township of West Lincoln hereby encourages children of the Township of West Lincoln to participate in the annual Mountainview LemonAID Day; AND Encourages all citizens of the Township of West Lincoln to support these children in their efforts by generously donating in person or online to the Mountainview LemonAID Day stands, AND help send 450 children from Niagara Peninsula to experience summer camp in 2022; AND

**THAT** the Council of the Township of West Lincoln hereby supports Family and Children's Services (FACS) Niagara and their upcoming fundraising and community event being Mountainview LemonAID Day to be held on Sunday, June 12, 2022 and encourage children, parents and families within our community to support and participate Mountainview LemonAID Day in the Township of West Lincoln.

**Carried**

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

Regional Councillor Albert Witteveen read from a prepared statement which is attached as **Schedule "B"** to the minutes. Regional Councillor Witteveen provided an update on various events and business matters that were addressed by Niagara Region over the past month.

Councillor Rehner advised that Niagara was doing something similar to what the State of New York had done a few years ago by promoting economic development and bringing business to New York State by offering businesses free property taxes for 10 years. Councillor asked Regional Councillor Witteveen whether there had been any discussion in the Niagara Region to implement similar incentive offerings.

In response to Councillor Rehner's inquiry, Regional Councillor Witteveen stated that he was not aware of the Niagara Region offering similar incentives that New York State had offered to businesses but were instead offering resources which already existed in Niagara Region.

Mayor Bylsma stated that there are some incentives for businesses to develop

on brownfields in the Niagara Region; however, he advised that he was not aware of any other incentives being offered at this time.

## 9. CONFIRMATION OF MINUTES

### 9.1 Council Minutes – Regular

Re: March 28, 2022

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Harold Jonker

That, the minutes of the March 28, 2022 regular Council meeting be accepted.

**Carried**

### 9.2 Public Meetings Under the Planning Act

Re: April 11, 2022

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor William Reilly

That, the minutes of the public meetings held on April 11, 2022 under Section 34 of the Planning Act, with respect to:

a. Zoning By-law Amendment - 197 Griffin Street (C A Real Estate Holdings) (File No. 1601-005-22)

b. Zoning By-law Amendment - 2990 South Grimsby Road 18 (Neil Carter) (File No. 1601-002-22)

be accepted.

**Carried**

### 9.3 Public Meeting - Site Alteration Application

P. Budd Developments Inc. (File No. 3000-002-22)

Re: Minutes - April 11, 2022

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor Shelley Bradaric

That, the minutes of the public meeting held on April 11, 2022 with respect to a Site Alteration Permit Application for the following applicant:

(1) P. Budd Developments Inc. - Plan M94 Lot 1 Plan 30M300; PT Lots 12 and 13 and RP; 30R15516 Parts 1 and 2 (off of South Grimsby 5 Road) in Smithville, north of the CP Rail Line (File No. 3000-002-22)

be accepted.

**Carried**

**10. COMMUNICATIONS**

There were no communications.

**11. MAYOR'S REMARKS**

Mayor Bylsma noted the success of the Easter Farmers Market, which he stated was well attended by the community and vendors. Mayor Bylsma hoped all residents had a happy and safe Easter weekend.

Mayor Bylsma suggested that Councillors and residents of West Lincoln should anticipate future good news coming forth shortly.

**12. REPORT OF COMMITTEE**

**12.1 Planning/Building/Environmental Committee**

Re: Minutes April 11, 2022

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

1. That, the minutes of the open session portion of the April 11, 2022 Planning/Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved; and,

2. That, the confidential minutes relating to the closed session portion of the April 11, 2022 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**

**12.2 Administration/Finance/Fire Committee**

Re: Minutes of April 19, 2022

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Harold Jonker

That, the minutes of the April 19, 2022 Administration/Finance/Fire Committee meeting, be accepted, and the recommendations contained therein, be approved.

**Carried**

**12.3 Public Works/Recreation/Arena Committee**

Re: Minutes of April 19, 2022

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor Shelley Bradaric

That, the minutes of the April 19, 2022 Public Works/Recreation/Arena Committee meeting, be accepted, and the recommendations contained therein, be approved.

**Carried**

**13. RECONSIDERATION**

There were no items put forward for reconsideration.

**14. NOTICE OF MOTION TO RESCIND**

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

**15. OTHER BUSINESS**

**15.1 TABLED ITEM (March 28, 2022 Council Meeting)**

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-36-2022 - Smithville Landowners Group request for support of Minister's Zoning Order (MZO)

**15.2 Members of Council**

Re: Council Remarks

**1) Councillor Harold Jonker**

Re: West Lincoln Chamber of Commerce - Community Barbeque & Touch a Truck Event

Councillor Jonker stated that West Lincoln Chamber of Commerce will be hosting a Barbeque Touch a Truck event, and encouraged residents of West Lincoln who have an interesting vehicle to contact him to participate in the event, which was occurring on July 23, 2022.

**2) Councillor Ganann**

Re: Various Matters - Earth Day & Kiwanis Bottle Drive

Councillor Ganann thanked staff for participating in Earth Day, and was delighted to see everyone out.

Councillor Ganann thanked those who participated in raising \$1,400 from the Kiwanis Bottle Drive, which funds will go back into the community.

**3) Councillor Jason Trombetta**

Re: Niagara Pallets Tour

Councillor Trombetta stated that he went earlier today for a walk-thru of Niagara Pallets with Fred Vrugteveen, and saw how Niagara Pallets has kept up with the evolved market. Councillor Trombetta stated that Niagara

Pallets was one of the biggest innovators and employers in West Lincoln, and encouraged the other Members of Council to take a tour of their operation.

4) Councillor William Reilly

Re: Various Matters - Niagara Region Fire Chief's Promotional Video & National Volunteer Day

Councillor Reilly advised that last week the Niagara Region Fire Chiefs had revealed a video to inspired the next generation of firefighters, which was very well done, and had done a good job to celebrate the current firefighters as well as hopefully encouraging future firefighters.

Additionally, Councillor Reilly pointed out that today was National Volunteer Day, and thanked all volunteers in our community.

5) Councillor Shelley Bradaric

Re: West Lincoln Community Care Food Drive

Councillor Bradaric stated that West Lincoln Community Care had started their Food Drive and collection of children toys. Councillor Bradaric stated that drop off brown bags should be done by May 14, 2022, and informed staff that the food drive last year had provided nearly 9000 lbs of donations.

## **16. NEW ITEMS OF BUSINESS**

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

## **17. BY-LAWS**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

1. That, leave be granted to introduce By-laws # 2022-25, 2022-26, 2022-27, 2022-28, 2022-29, 2022-30, 2022-31, 2022-32, 2022-33, 2022-34, 2022-35, 2022-36, 2022-37, 2022-38 and 2022-39 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,

2. 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**

**17.1 BY-LAW 2022-25**

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 28<sup>th</sup> day of March, 2022.

**17.2 BY-LAW 2022-26**

Being a By-law to adopt the estimates for the year 2022 and to set the rates of taxation for the year 2022.

**17.3 BY-LAW 2022-27**

A By-law to authorize an amending site plan agreement between the Corporation of the Township of West Lincoln, 2284658 Ontario Inc., and any Mortgagees for lands described as Concession 9, Part Lot 19, in the former Township of South Grimsby, now in the Township of West Lincoln (Municipally known as 7484 Regional Road 20).

**17.4 BY-LAW 2022-28**

A By-law to authorize an amending site plan agreement between the Corporation of the Township of West Lincoln and 1794733 Ontario Inc. and any other Mortgagees for lands described as Concession 8, Part Lot 5, RP30R-15101 Part 2, in the former Township of South Grimsby, now in the Township of West Lincoln.

**17.5 BY-LAW 2022-29**

A By-law to authorize a site plan agreement between the Corporation of the Township of West Lincoln, Marz Homes (Smithville West) Inc., and any Mortgagees, for lands describes as Lot 9, Plan M96, in the former Township of South Grimsby, now in the Township of West Lincoln.

**17.6 BY-LAW 2022-30**

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln.

**17.7 BY-LAW 2022-31**

A By-law to regulate driveways, new and altered entrances, the Maintenance and Protection of Boulevards and Township Right of Ways within the Township of West Lincoln (Entrance and Boulevard By-law)

**17.8 BY-LAW 2022-32**

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln.

**17.9 BY-LAW 2022-33**

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 of Permits, Inspections Associated Fees.

**17.10 BY-LAW 2022-34**

A By-law to amend By-law 2017-48, as amended, which regulates Private Outdoor Swimming Pools and Associated Fees.

**17.11 BY-LAW 2022-35**

A By-law to provide for the use of Voting Machines, Voting Recorders, Elector Management System, Optical Scanning Vote Tabulators, Internet Voting Technology or other Voting Devices at Elections.

**17.12 BY-LAW 2022-36**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Walkers Construction Limited for the 2022 Road Rehabilitation Work Project.

**17.13 BY-LAW 2022-37**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and George Lane Landscaping for Wellandport Grass Cutting.

**17.14 BY-LAW 2022-38**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Toromont CAT for the supply and delivery of the 2022 Motor Grader.

**17.15 BY-LAW 2022-39**

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Voatz Canada Limited for Online Voting for the Township of West Lincoln 2022 Municipal Election.

**18. CONFIDENTIAL MATTERS**

There were no confidential matters.

**19. ADJOURNMENT**

The Mayor declared the meeting adjourned at the hour of 7:47 p.m.



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**JOANNE SCIME, CLERK**

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**MAYOR DAVE BYLSMA**



# Mountainview LemonAID Day



**Sunday, June 12, 2022**



# Kids Helping Kids

*Mountainview LemonAID Day* is a community driven event, encouraging kids to help kids by raising funds to send children to summer camps.

On Sunday, June 12, teams of kids will set up lemonade stands across Niagara to ask for donations.



**MOUNTAINVIEW**  
**LEMONAID**

**FAMILY AND CHILDREN'S SERVICES NIAGARA**



# Mountainview LemonAID Day

Video



# Give “Summer Smiles”

Because of generous sponsors, all funds raised will send vulnerable children and youth to summer camps this July and August.

After two-pandemic years, these kids need the positive experiences that camps offer more than ever!





# 100 Stands & 100%

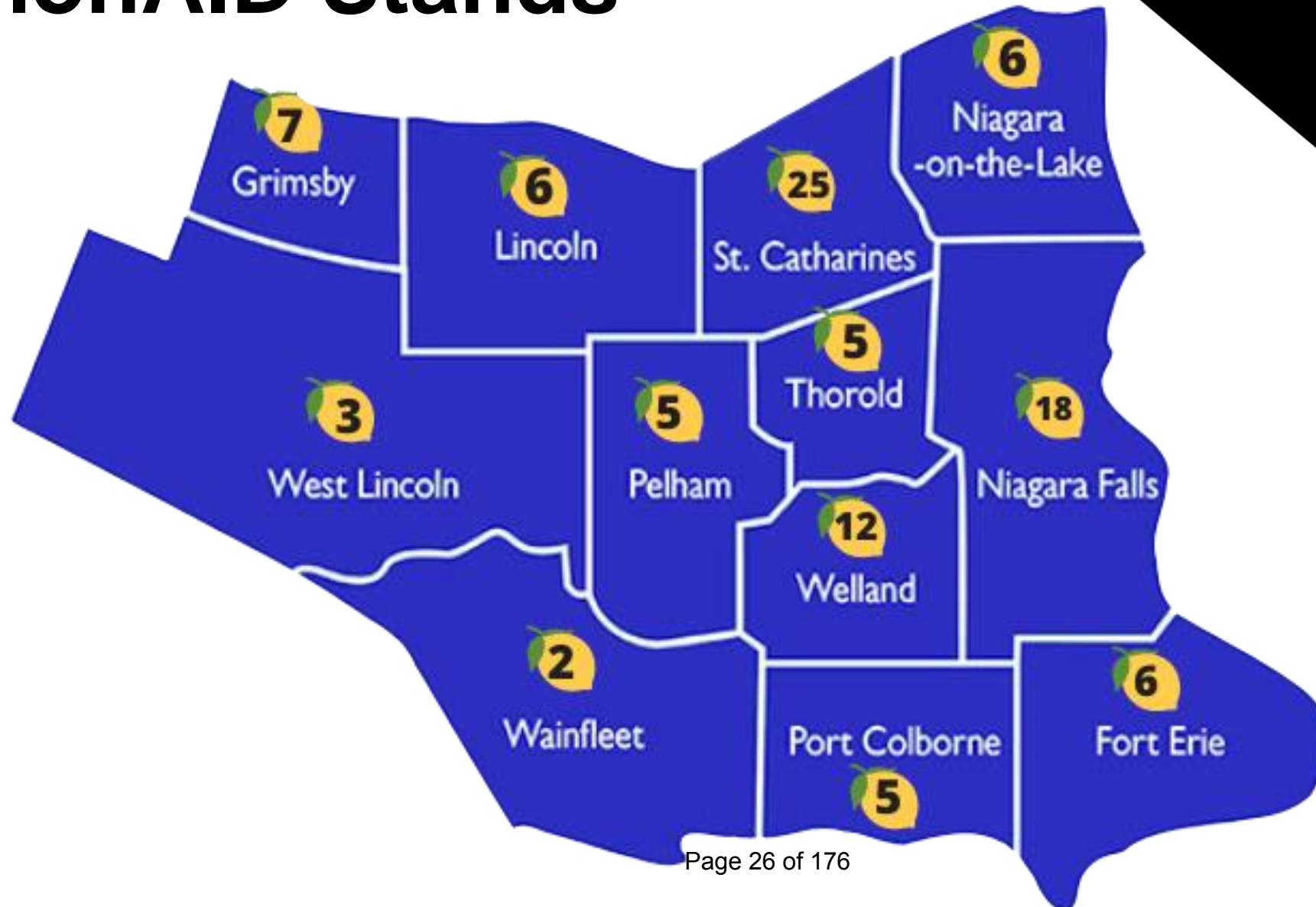
Each of 100 “Teams” across Niagara Region will receive:

- ✓ LemonAID Stand & Banner
- ✓ Four (4) T-Shirts & Hats
- ✓ Lemonade Concentrate
- ✓ Pitchers & Stickers
- ✓ 100 cups & more

**Every dollar (100%) raised by kids will send other kids to camp!**



# LemonAID Stands







# Promote SUNDAY, JUNE 12



# We Need Your Support!

- ✓ Promote Sunday, June 12 as *Mountainview LemonAID Day*
- ✓ Encourage the community
- ✓ Participate on Sunday, June 12

Register today at  
[www.facsniagarafoundation.org](http://www.facsniagarafoundation.org)

For more information, please contact  
905-937-7731 or  
[foundation@facsniagara.on.ca](mailto:foundation@facsniagara.on.ca)



**MOUNTAINVIEW**  
**LEMONAID**  
FAMILY AND CHILDREN'S SERVICES NIAGARA



## **SCHEDULE "B" TO THE APRIL 25, 2022 COUNCIL MINUTES**

Regional Councillor's Report for April 25, 2022

Good evening Mayor, members of council, staff and the public. I would like to start by giving you a few highlights from our committee meetings that I have attended. At our Planning and Economic Development meeting we were updated on the 10 Year Economic Development Strategy communications and promotional plan. We are nearing the completion of the plan and ready to implement the goals set out in the plan. The main focus is to cultivate individuals seeking to relocate their businesses to Niagara with the focus on companies within the manufacturing and Agribusiness sectors throughout North America. Local marketing initiatives focus on the GTA and ads will run across Canada with digital and print ads. Economic Development staff are working with Chamber of Commerce, Economic Development offices and Municipal staff to market and find homes for employment growth in our 12 local municipalities. We were also updated on the 2021 Year End Development Monitoring Report. Highlights were that in Niagara we saw a 39% increase in applications from 2020. We saw an increase across all sectors of the planning file, by municipality we saw this increase across all of the Region. Some stats were 826 development applications reviewed, 848 pre-consultation meetings attended and a 33% increase in fees collected.

## **SCHEDULE "B" TO THE APRIL 25, 2022 COUNCIL MINUTES**

2022 Outlook is projected to have a similar outcome for applications.

At our Public Health and community services committee we were notified that Chief Kevin Smith will be moving to the West coast for a career opportunity and Deputy Rick Ferron will cover in his place till a permanent replacement can be hired. Much discussion took place on offloading at the hospital with patients. Our staff met with the Minister of Health on the crisis and costs to the taxpayers of Niagara, this meeting took place on April 13, 2022. An example of the offload hours being consumed are anywhere from 600-900 hrs week of staff time. This is creating a large strain on our EMS staff and system. In 2021 this amounted to 21,000 hrs of ambulance time which accounted for 19% of the resources at a cost of \$2.4 million. This is not a specifically a Niagara problem as this is an Ontario wide concern. Solutions are being discussed so that this does not escalate into a further crisis and costs to the local taxpayer.

And councillors this is my report for April, if you have any questions on I have reported on I will gladly answer your questions. Thank-you for the opportunity to report to you.

Albert



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

**MEETING NO. SIX**

**April 27, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Absent:** Councillor Mike Rehner (Absent – No Notification Provided)

**Staff:** Brian Treble, Director of Planning and Building  
Joanne Scime, Director of Legislative Services/Clerk  
Madyson Etzl, Planner II  
Roberta Keith, IT Manager

**Others:** Steve Wever, GSP Group  
Aaron Farrell, Wood  
Karl Grueneis, AECOM  
Edward Stubbing, AECOM  
Raymond Ziemba, SGL Planning & Design  
Paul Lowes, SGL Planning & Design  
Samantha Zandvliet  
Jowett Lau, Phelps Homes  
Zoe Gunn  
James Gunn  
Linda Sivyer  
Bryan Las  
Carlos Garcia  
Franco Abbaglivo  
Joan Milovick  
Richard Vandezande

Benita Boerema  
Diana Morreale, Niagara Region  
Michelle Sergi  
John Las  
WeeStream

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## **1. LAND ACKNOWLEDGEMENT STATEMENT**

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

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

Mayor Bylsma made the following announcements following the singing of O' Canada:

(1) Due to efforts to contain the spread of COVID-19 and to protect all individuals, and to comply with the Province's State of Emergency Order, the Council Chambers will not be open to the public to attend Standing Committee and/or Council Meetings until further notice.

(2) As noted on this evening's agenda, any Members of the Public who wished to provide comments, could do so either by attending the meeting and requesting to speak under the "Request to Address Items in the Agenda", which could be done by contacting the Clerk prior to 4:30 p.m. today (day of the meeting) or they could email their comments to the Clerk by 4:30 p.m. today (day of the meeting). It was noted that any comments emailed will be considered to be public information and will be read into public record later in the agenda.

(3) Members of the Public can watch this evening's Council meeting by using the livestream link which can be found on the Township's website as this meeting was being livestreamed as well as being audio/video recorded and will be posted on the Township's website for viewing following the meeting.

Mayor Bylsma 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 Hatiwendaronk (Hat-i-wen- DA-ronk), 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.

**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.

**3. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

The Mayor inquired if the IT Help Desk Analyst 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 Help Desk Analyst confirmed there were not.

Additionally, the Mayor 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.

**4. PUBLIC MEETING UNDER THE PLANNING ACT**

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

**4.1 Proposed Official Plan Amendment No. 62 - Smithville Master Community Plan**

**NOTE:** Refer to Public Meeting Minutes under the Planning Act - April 27, 2022

Mayor Bylsma called a very brief recess at approximately 8:47 pm and the meeting resumed at approximately 8:49 p.m.

**5. OTHER BUSINESS**

**5.1 Director of Planning & Building (Brian Treble)  
Re: Technical Report No. PD-48-2022 - Proposed Smithville Urban Boundary for Growth to 2051 and Official Plan Amendment No. 62**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Jason Trombetta

1. That, Report PD-48-2022, regarding "Technical Report, Proposed Smithville Urban Boundary for Growth to 2051 and Official Plan Amendment No. 62", dated April 27<sup>th</sup>, 2022, be RECEIVED; and,
2. That, a Recommendation Report be presented at a future Planning/Building/Environmental Committee meeting following the receipt of any additional public or agency comments and the adoption

of the new Regional Official Plan by Regional Council.  
**Carried**

**6. ADJOURNMENT**

The Mayor declared this Special Meeting of Council adjourned at the hour of 8:52 p.m.



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**JOANNE SCIME, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK**

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**MAYOR DAVE BYLSMA**

**TOWNSHIP OF WEST LINCOLN  
PUBLIC MEETING UNDER THE PLANNING ACT MINUTES  
AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S OFFICIAL PLAN**

**April 27, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Absent:** Councillor Mike Rehner – Absent - No notification provided

**Staff:** Brian Treble, Director of Planning and Building  
Joanne Scime, Director of Legislative Services/Clerk  
Madyson Etzl, Planner II  
Roberta Keith, IT Manager

**Others:** Steve Wever, GSP Group  
Aaron Farrell, Wood  
Karl Grueneis, AECOM  
Edward Stubbing, AECOM  
Raymond Ziemba, SGL Planning & Design  
Paul Lowes, SGL Planning & Design  
Samantha Zandvliet  
Jowett Lau, Phelps Homes  
Zoe Gunn  
James Gunn  
Linda Sivyer  
Bryan Las  
Carlos Garcia  
Franco Abbaglivo  
Joan Milovick  
Richard Vandezande  
Benita Boerema  
Diana Morreale, Niagara Region  
Michelle Sergi

John Las  
WeeStreem

**\*IN ATTENDANCE PART-TIME**

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**Official Plan Amendment No. 62 - Smithville Master Community Plan**

**1. Proposed Official Plan Amendment**

The Mayor advised that this public meeting was being held to consider an Official Plan Amendment, being Official Plan Amendment No. 62 for the Smithville Master Community Plan.

**EXPLANATION OF THE PURPOSE AND EFFECT OFFICIAL PLAN AMENDMENT:**

The Public Open House and Public Meeting will provide opportunities for feedback on a proposed amendment to the Township of West Lincoln Official Plan. The purpose and effect of Official Plan Amendment No. 62 is to incorporate the Master Community Plan for the urban expansion of Smithville into the Township of West Lincoln Official Plan. The Master Community Plan has been developed under the Planning Act and is integrated with related infrastructure planning in accordance with the requirements of the Municipal Engineers Association's Municipal Class Environmental Assessment (EA) for Water, Wastewater and Roads (as amended in 2015) Master Plan Approach #4. A Subwatershed Study is also being undertaken to address environmental and stormwater considerations associated with the Twenty Mile Creek watershed and support the Master Community Plan Study including the EA process. To date, three Public Information Centres (PICs) have been held for this study, including PIC #0 on January 30, 2020, PIC #1 on February 11, 2021 and PIC #2 on October 6, 2021.

**2. Purpose of the Public Meeting**

The Mayor stated that the Planning Act requires in Section 17(15) that before adopting an Official Plan Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the amendment.

The purpose of this public meeting is to receive comments and answer questions from the public regarding the amendment to the Township of West Lincoln's Official Plan with respect to the proposed Official Plan Amendment No. 62 for the Smithville Master Community Plan.

The Mayor 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 Mayor advised that the Planning Act requires under the Ontario Regulation 543/06 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 Ontario Land Tribunal (OLT).

### **3. Public Meeting**

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

The Clerk advised that proper notice was given by way of advertising in a newspaper with general circulation on April 7<sup>th</sup>, 2022 as well as posting notice of the public meeting on the Township's website.

The Mayor advised that this was a public meeting to consider an Official Plan Amendment submitted by the Township of West Lincoln being the Official Plan Amendment No. 62 - Smithville Master Community Plan.

The Mayor asked the Director of Planning & Building, Brian Treble, to explain the purpose and reason for the proposed Official Plan Amendment.

The Director of Planning & Building, Brian Treble, provided an overview of the application and Technical Report PD-48-2022. The Director of Planning & Building advised that the Township had received four letters from residents, which are attached to the minutes as **Schedules A, B, C and D**.

The Director of Planning & Building introduced Steve Wever, Aaron Farrell, Karl Grueneis, and Ed Stubbing to expand on the explanation and findings of the proposed Official Plan Amendment.

Steve Wever addressed that this evening's meeting is a Statutory Public Meeting to address Official Plan Amendment No. 62, as submitted by the Township of West Lincoln, to implement components of the Smithville Community Master Plan.

Mr. Wever reviewed a PowerPoint Presentation, which has been attached to the minutes as **Schedule E**.

Mr. Aaron Farrell continued to review of the PowerPoint Presentation; however, shortly after commencing his presentation, Mr. Farrell lost connection.

Mayor Bylsma requested the next speaker to present as it relates to the PowerPoint Presentation with hopes that Mr. Farrell will be able to reconnect to the meeting to complete his portion of the presentation.

Mr. Karl Grueneis continued to review the PowerPoint Presentation relating to the Water and Wastewater Servicing Strategy components.

Mr. Ed Stubbing continued to review the PowerPoint Presentation relating to the Transportation components.

Mr. Farrell was able to reconnect to the meeting, and continued to review the PowerPoint Presentation relating to the Watershed Study.

Mr. Wever concluded the presentation by outlining key portions of Official Plan Amendment (OPA) 62.

The Mayor 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 Official Plan Amendment. The Chair suggested that if there were any Members of the Public present who wished to provide comments that they should state them now, as OLT may not consider comments made during any other Council and/or Committee meetings.

Raymond Ziemba, representing both SGL Planning & Design and the Smithville Landowners Group, thanked Township staff and the consultant team regarding their efforts towards OPA 62. Mr. Ziemba expressed the groups overall approval of OPA 62, with some concerns regarding road cross sections, natural heritage systems, infrastructure phasing, and some of the proposed land uses. Mr. Ziemba stressed that these concerns may be addressed in the future as part of OPA 63, and/or as part of the approval of OPA 62. Mr. Ziemba stated that he looked forward to working with Township staff and the consultant team on future updates.

Paul Lowes, also a member of SGL Planning & Design and the Smithville Landowners Group, reiterated the support of OPA 62 on behalf of the Smithville Landowners Group which his colleague Mr. Ziemba had also expressed. Mr. Lowes stated that he wished to address the final point of Mr. Wevers presentation regarding the MDS arcs that were addressed as part of the consultant's presentation this evening. Mr. Lowes stated that he and his colleague have faced these issues before in other locations, and believed they can be addressed in phasing policies which would reserve the land for future development. Mr. Lowes also suggested that a Natural Heritage Policy would not be appropriate, as the lands in question do not possess natural heritage features. Mr. Lowes concluded his comments by expressing the willingness of his team to work with Township staff and its consultants, as well as his teams overall support of OPA 62. Mr. Lowes thanked Township staff and their consultants for the hard work they have contributed to the project.

Zoe Gunn  
Thirty Road, Smithville

Zoe Gunn, resident of West Lincoln, expressed that they have been following this project from the beginning, but are not part of the Smithville Landowner group. Mrs. Gunn questioned why their property was no longer a part of this urban boundary expansion project, even though their property was previously included within the project boundaries. Mrs. Gunn stated that she could not identify or find any specific reason why, as of the most recent iteration of the project, no longer had her property been included within the scope of the urban boundary expansion. Mrs. Gunn stated that the only reason why her property seemed not to be included in the urban boundary expansion was found during the presentation by Mr. Wever, at which time it was noted as being too close to livestock operations. Mrs. Gunn asked for the specific criteria of a livestock operation, as she would like for her property to be a part of the urban boundary expansion project.

James Gunn  
Thirty Road, Smithville

James Gunn, a resident of West Lincoln, stated that when discussions were occurring for commercial areas in the urban boundary expansion, every section of Smithville but the north-end, near the hydro corridor, was not included in development plans. Mr. Gunn referenced earlier comments from Mr. Grueneis and Mr. Stubbing, which suggested that traffic would be diverted towards the north-end of Smithville to avoid congesting the downtown area. Mr. Gunn questioned why the project does not include any transportation developments in the north-end of Smithville which had been included in earlier plans, if the current iteration of the project intended to divert traffic flow there. Mr. Gunn then questioned why that the current proposal of the project was removing land from the development, such as the north-end of the hydro corridor, if the original plan included less land than what the project had required to complete.

Mr. Stubbing and Mr. Wever addressed Mr. and Mrs. Gunn's concerns regarding the exclusion of their property from the urban boundary expansion project by citing restrictions based upon the economic modeling of growth provided by the provincial government. Mr. Stubbing also addressed the concerns regarding traffic by explaining that the development IN the west and south-end areas of Smithville were much more efficient and pivotal in achieving the goals of the project. Mr. Stubbing and Mr. Wever both thanked the residents for their questions and concerns.

Zoe Gunn  
Thirty Road, Smithville

In response to the answers given from Mr. Wever and Mr. Stubbing, Mrs. Gunn still expressed her confusion why some MDS setbacks seem to be weighed more heavily than others, and why some properties with MDS restrictions were allowed to be included in the plan but others were not. Mrs. Gunn stated her interest in why, if only a certain amount of land can be included in the project as Mr. Wever suggested, that the plan includes property with environmental concerns, as opposed to land without those issues.

Linda Sivyer  
Townline Road, Smithville

Mrs. Sivyer stated she had a PowerPoint Presentation, however due to technical issues, she was unable to share with the meeting, but has been attached to the minutes as **Schedule F**.

Mayor Bylsma expressed his regret and sympathy with Mrs. Sivyer regarding the technical difficulties that disallowed the sharing of her PowerPoint Presentation and suggested that Mrs. Sivyer forward her presentation to the Clerk, who would include the PowerPoint as part of the minutes. A copy of Mrs. Sivyer's presentation are attached as **Schedule F** to the minutes.

Mayor Bylsma thanked Mrs. Sivyer for her insights and comments on the plan, and requested those with comments for Mrs. Sivyer to address them.

Mr. Farrell also expressed his gratitude for Mrs. Sivyer's comments and addressed comments regarding forest management, and the land linkages between urban & rural features. Mr. Farrell also addressed concerns regarding water contamination during the urban expansion, and offered intended solutions to mitigate water pollution.

Brian Las

Mr. Las brought forth concerns, similar to Mrs. Gunn, regarding the criteria and justification for the exclusion of land from the north-end of Smithville from the urban boundary expansion. Mr. Las asked if these criteria or justifications would be made available to those who wished to understand why certain lands were not being included.

The Director of Planning & Building responded to the questions raised by Mr. Las by stating that the justification required to complete the Township's study will be provided to the Region. If this justification provided to the Region was adequate, The Director of Planning & Building advised he did not see reason why further

justification needs to be made to land owners. The Director of Planning & Building cited the particular limitations on the amount of land that can be brought into the project based on the growth targets, and suggested that bringing in any more land beyond these growth targets would be taking agricultural land out of production in West Lincoln. The Director of Planning & Building then asked Mr. Wever if he has any technical insights from the report that could help address the concerns raised by Mr. Las.

Mr. Wever responded to Mr. Las's inquiry and explained the reasoning behind the process that was used in choosing land within the urban boundary plan. Mr. Wever explained that ultimately, the process was largely guided by the Region's own system, with input from his team. Mr. Wever suggested that anyone with questions regarding the process of defining boundaries seek out the Region's website and official reports regarding the urban boundary expansion plan. Mr. Wever also stated that OPA 63, and future updates, will also provide some updates and insights regarding the question of the boundary.

The Mayor asked if any Members of the Council had any oral or written submissions on the proposed Official Plan Amendment. The Mayor 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 have any comments they should state them now as the Ontario Land Tribunal (OLT) may not consider comments made during any other Council and/or Committee meetings.

Councillor Ganann expressed her gratitude and appreciation to staff and the consultant team for their presentation. Councillor Ganann also thanked Mrs. Sivyer for her detailed presentation, as well as all other residents who mailed in comments and concerns regarding the protection of West Lincoln's Natural Heritage Systems. Councillor Ganann did not have any questions regarding the presentation, but wanted to express her admiration for the citizens of West Lincoln who were passionate about the future of the Township.

Councillor Jonker raised a question to Mr. Weaver regarding the justification of including a particular barn into the urban boundary expansion towards the east of Smithville, but not to the west of Smithville. Councillor Jonker requested the reasoning behind including MDS site Barn number 29, as opposed to MDS site Barn 22 as depicted on Slide 51 of the Presentation.

Mr. Wever, in response to Councillor Jonker's inquiries, cited the justifications and process put in place by the Region. Mr. Wever advised of the Region's concern regarding overlapping MDS sites as the reason of the inclusion of Barn 29, and in the pursuit of consistent policy across the Region, had to remove MDS areas like Barn 22.

Councillor Jonker responded to Mr. Wever's comments, stating that with the current mapping of MDS sites on the proposed urban boundary, it would, in his opinion, make certain agricultural lots unusable. Councillor Jonker requested further clarification on how, particularly MDS site 29, would remain usable after the boundary expansion, as opposed to other MDS sites that were not included in the project that would remain usable.

The Director of Planning & Building responded to Councillor Jonker's concerns by suggesting that technical questions be saved for a future date, as they can not be properly addressed on a virtual platform at this time.

Councillor Bradaric stated she had two questions regarding transportation for the urban expansion plan. The first question was to confirm the area of linkages of West Lincoln, that being towards north and south. The second question was concerning the upgrades to Townline Road in Smithville, as it was shown to have a heavy increase in traffic during the consultant's presentation.

Mr. Stubbing responded to Councillor Bradaric's inquiries, confirming that the linkages planned for the urban expansion project were indeed focused on north and south of Smithville. Mr. Stubbing answered the second question by stating that the addition of a third turning lane on Townline Road would help avoid potential heavy traffic.

Councillor Bradaric stated that she had an additional question for Mr. Farrell, regarding whether there was potential for karst features that are unknown amongst the urban boundary project and what the cost or issues of an unknown karst feature would be amongst the new development.

Mr. Farrell responded to Councillor Bradaric by stating that there was a possibility that there would be unknown karst features amongst the development; however, through the work already done by the team, it should be a very manageable issue. Mr. Farrell stated that if a small karst feature was found, it would not cause serious issues for the development.

Mayor Bylsma echoed earlier comments by Mr. Lowes regarding the MDS setbacks that were in conflict with residential zoning that could be converted to Natural Heritage Sites and agreed that these lands could be held for future development. Mayor Bylsma suggested this option should be considered in order to avoid the necessity of future amendments. Mayor Bylsma posed a question to the Director of Planning & Building, asking if Spring Creek Road was part of the secondary plan in the development.

The Director of Building & Planning responded to the Mayor's inquiry regarding the designation of Spring Creek Road and noted this road was effectively the

boundary of the existing urban boundary area. The Director of Planning & Building stated that in its current form, it was half inside the urban boundary and half outside the urban boundary.

Mayor Bylsma thanked the Director of Planning & Building for the clarification, and asked whether or not the Township would need to enlarge Spring Creek Road, and if so, who would then be responsible for this enlargement. Mayor Bylsma also asked if Spring Creek Road should be taken into consideration to be expanded even further in anticipation of the future urban development.

The Director of Planning & Building responded to Mayor Bylsma's inquiries by stating that an advantage that the Township of West Lincoln will have going forward, in which the Township did not have before, was a master plan that outlined forecasted needs for the municipality. The Director of Planning & Building stated that Spring Creek Road was not being considered to be the key link in the urban boundary expansion, and that the Township has been considering other options, which will be made readily available as part of the master plan.

Mayor Bylsma thanked the Director of Planning & Building for his comments and requested further clarification with the potential of a poor investment into a road, which may not be sufficient for the upcoming urban boundary expansion.

Councillor Jonker asked Mr. Stubbing what the cost/benefit analysis was for potential bypass routes of the train track within the urban boundary expansion.

In response to Councillor Jonker's inquiry, Mr. Stubbing stated that a comprehensive cost analysis had been undertaken which cited potential issues of bypassing the train tracks which will be considered and are included in the report.

The Mayor stated that a Technical Report was being considered by Council later, as part of this evening's Special Council meeting and that a recommendation report will be forthcoming to a future Committee and/or Council Meeting. The Mayor advised that once Committee and/or Council has made a decision with respect to the Official Plan Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. The Mayor 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 Mayor stated that anyone who was 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 Mayor 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 Mayor 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.

**4. Adjournment**

This public meeting with respect to the proposed Official Plan Amendment No. 62 was concluded at the hour of 8:47 p.m.



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**JOANNE SCIME, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK**

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**MAYOR DAVE BYLSMA, CHAIR**



# SCHEDULE "A" TO APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES

**Gerrit Boerema**

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**From:** Jessica Dyson  
**Sent:** April 20, 2022 2:11 PM  
**To:** Lyle Killins  
**Cc:** Gerrit Boerema  
**Subject:** RE: Official Plan Amendment #62, Smithville Community Plan

Good afternoon Lyle,

Thank you for your email providing comments and questions regarding the Official Plan Amendment.

I have included our Planner, Gerrit, to this email and ask that he include/answer your comments outlined below.

Thank you kindly,  
Jessica



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

COVID 19 Update March 1, 2022 – Beginning March 1st, the Township of West Lincoln is continuing to implement next steps in the Province's Next Phase of Reopening.

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**From:** Lyle Killins [mailto:[lkillins@live.com](mailto:lkillins@live.com)]  
**Sent:** April 20, 2022 2:05 PM  
**To:** Jessica Dyson <[jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca)>  
**Cc:** Lyle Killins <[lkillins@live.com](mailto:lkillins@live.com)>  
**Subject:** Official Plan Amendment #62, Smithville Community Plan

Ms. Dyson

Please be advised that clarification would be appreciated regarding the following:

- 1 Given significant historic numerous sewage flow bypasses at the Baker Road Treatment plant during wet weather periods,  
which improvements would be anticipated ? Would bypass of the treatment facility be anticipated to continue and or increase?
- 2 Would the Baker plant need to have a significant upgrade to handle projected demand?

**SCHEDULE "A" TO APRIL 27, 2022 PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**

3 Would wet season effluent be discharged to the Twenty Mile Creek?

4 Would additional pumps be required?

5 Would current sewer flow mains require replacement?

6 What would be the anticipated cost for sewer and water upgrades to handle increased loading?

7 Given an anticipated significant servicing cost, who would be expected to be responsible for payment?

I would appreciate a response.

Regards,

Lyle Killins C.P.H.I (c)

**SCHEDULE "B" TO THE APRIL 27, 2022 PUBLIC MEETING  
UNDER THE PLANNING ACT MINUTES**

*Letter  
for Apr 27/22  
Special Council Mtg*

Elizabeth Abonyi  
6392 Townline Road  
Smithville, Ontario L0R 2A0

April 18, 2022

Township of West Lincoln  
318 Canborough Street  
Smithville, Ontario L0R 2A0

*Received  
Apr 19/22  
Jame*

Attention: Jessica Dyson, Deputy Clerk

To Whom It May Concern:

Re: Smithville Master Community Plan

I am the property owner of what is now known as 6392 Townline Road. I have lived there since 1956. After my mother and father passed away, I continued running the chicken farm at that address; first by myself, then with the help of my husband and my two sons.

I had understood that existing farms in the urban boundary expansion area would be allowed to continue operating as before. I was not bothered by what other landowners might choose to do with their own properties, so long as my family and I were free to keep the farm.

However, looking at the newly released "Draft Preferred Concept Plan - Transportation Map", I was shocked to discover that Port Davidson Road is to be rerouted through one of my barns, my storage garage, and only a few metres from my house. This "Transportation Map" also proposes a recreational trail across my property, immediately behind the other two barns.

Naturally, I am strongly opposed to these proposals. The previously released concept plans had left Port Davidson Road where it was and my farm property intact. I respectfully request that, should the bylaw amendment go ahead, the township reject the realignment of Port Davidson Road. I also ask that the proposed recreational trail not be forced through my property.

Yours truly,

*Elizabeth Abonyi*

Elizabeth Abonyi

## **SCHEDULE "C" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES**

April 25, 2022

Dear Members of West Lincoln Council and the Region of Niagara,

We are the owners of 3031 & 3093 Thirty Road & a vacant lot on the west side of Thirty Road (Part 1 of 30R9026). Our properties are in the study area for the Smithville urban expansion and together are almost 80 acres of land. We have been following the expansion process closely as we wish to have our lands included into the new urban boundary of Smithville.

However, since the last public information center in the fall of 2021, our lands are no longer included in the proposed urban boundary. Back then they were still being discussed to be added in. There didn't appear to be any explanation of why our lands have been removed from possible expansion and this has been a surprise to us. This is the first time we have been made aware of this. In speaking with the planning department, it seems as if it was because of chicken barns along Young Street and South Grimsby Road 5.

We have only been able to find one map on the Plan Smithville website that shows the buffers from livestock barns. No further explanation was given on the Plan Smithville website that we could find.

Shown on our properties are two livestock barns (3093 & 3031 Thirty Road) however, the barn on 3093 is only a small hobby horse barn with very few horses and the barn on 3031 is not a livestock barn. Sometimes a few sheep are in the barn during the winter, but the barn is not intended for livestock.

We also have looked at the barn map, and the proposed new boundary and see lots of livestock barns both within and just outside of the new boundary, with buffers going into the boundary. These lands are still being included in the expansion area, but we wonder why our properties are no longer being considered.

We did not join the group of landowners at the beginning of the process since we are not developers and did not fully understand the project. We hope that that didn't affect the review of our lands.

We would like to see our lands added to the boundary as:

1. The majority of our properties are outside of the livestock buffers
2. The lands abutting us to the east are proposed to be added to the boundary, so this would square up the boundary
3. Our properties could help provide more houses to help with the housing crisis
4. Adding lands north of Smithville do not create traffic problems as most people would head to the QEW

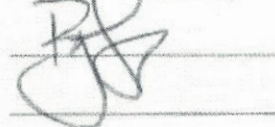
We would appreciate if Council would re-consider adding our lands to the urban boundary of Smithville.

Sincerely,

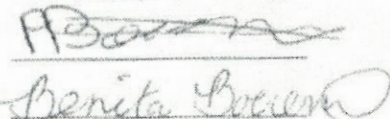
James and Zoe Gunn



Bryan Las ~~Boerema~~



Peter and Benita Boerema





# SCHEDULE "D" TO THE April 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES

**Turkstra Mazza**

Hamilton London Toronto

**Jennifer Meader**

Turkstra Mazza Associates  
15 Bold Street  
Hamilton Ontario Canada L8P 1T3  
Office: 905.529.3476 x2740  
Cell: 416.605.0508  
[jmeader@tmalaw.ca](mailto:jmeader@tmalaw.ca)

## VIA EMAIL

April 27, 2022

Township of West Lincoln  
318 Canborough Street  
Smithville Ontario L0R 2A0

Attention: Mayor & Members of Council

Dear Messrs and Mesdames:

**Re: OFFICIAL PLAN AMENDMENT NO. 62 ("OPA 62")  
Phelps Homes Ltd. & JTG Holdings Incorporated**

We are counsel to Phelps Homes Ltd. and JTG Holdings Incorporated ("**clients**"). Our clients own land bordering the existing Smithville settlement area and are proposed to be added to the Smithville Urban Boundary through proposed OPA 62. Our clients support the inclusion of their lands within the urban boundary as proposed. However, certain concerns have been identified in respect of the associated policies and mapping proposed by OPA 62. Those concerns are set out below. We would welcome the opportunity to meet with Staff to discuss these matters in detail before the proposed Recommendations Report is presented to Council.

1. OPA 62 proposes to amend the Urban Settlement Area Structure policies in Section 5 of the Official Plan to replace the existing Greenfield Areas policies with a revised policy indicating that Future Greenfield Areas will be designated for specific land uses through a future Township-initiated OPA to implement the Smithville Master Community Plan ("**SMCP**"). This policy should be revised to allow for privately-initiated OPAs to implement the SMCP. This will give the landowners the ability to move the process forward, if necessary, and ensure residential land supply can be brought to market as expeditiously as possible.
2. OPA 62 proposes to amend the Secondary Plan policies in Section 6.11 of the Official Plan by adding a new section 6.11.7 – Smithville Community Plan. Policies state that the intent for the area is to be designated for appropriate future urban land uses, to be incorporated in the Official Plan through a future Township initiated OPA. Until such time as the OPA is approved and incorporated by amendment to the Official Plan, the permitted uses within the Secondary Plan Area are limited to only uses "of an interim nature" and would essentially limit the use of the subject lands to certain existing uses that are not defined. Given the time it may take to fully implement the SMCP, this policy should allow a broader range of uses in the interim, such as for

## **SCHEDULE "D" TO THE April 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES**

the adoption of OPAs for portions of the Secondary Plan Area to implement appropriate future urban land uses.

3. In addition, new Policy 6.11.7 proposes that the Natural Heritage System (“**NHS**”) designation and policies shall continue to apply to the land within the Smithville Master Community Plan. As noted below, these designations should be deleted and determined as part of the future comprehensive planning process required to implement planned development.
4. With respect to mapping changes, OPA 62 proposes to remove the impacted lands from Schedule B-3 and add them to Schedule B-4. At the same time, it proposed to remove all the existing land use designations currently applying to the lands on Schedule B-3 and redesignate them “Smithville Master Community Plan” on Schedule B-4, with one exception. It proposes to remove all existing land use designations except those lands designated NHS. All lands proposed for inclusion in the Urban Boundary should be treated consistently. This would entail designating all the lands with the singular Smithville Master Community Plan designation, so that all lands can be planned comprehensively and in a balanced manner.
5. OPA 62 proposes to carry forward existing environmental overlays on Schedules C-1: Natural Heritage System, C-2: Environmental Protection Area, C-3: Environmental Conservation Area, and C-4: Natural Heritage System Other Features. As noted in comment 3 above, these overlays should be deleted and determined as part of a comprehensive planning solution through the secondary plan process, or preferably, through site-specific development applications.
6. The polygon designated NHS on the lands owned by JTG Holdings Incorporated should be removed. This polygon’s designation is inaccurate and inappropriate, as most of it is active farm field. It has been studied extensively by our clients’ ecologists. They have determined that there is no scientific rationale for its designation as part of the NHS.

We thank you in advance for your consideration of these comments and look forward to discussing these concerns further with staff.

Yours truly,

A handwritten signature in black ink, reading "Jennifer Meader". The signature is written in a cursive, flowing style.

Jennifer Meader



**SMITHVILLE MASTER COMMUNITY PLAN**  
PUBLIC INFORMATION CENTRE 3 /  
PUBLIC MEETING OF COUNCIL

**April 27, 2022**

# **AGENDA**

## **1. Project Timeline**

## **2. Preferred Concept Option**

## **3. Impact Assessment Results and Recommendations**

- **Subwatershed / Stormwater Management**
- **Water and Wastewater**
- **Transportation**

## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**



# **AGENDA**

## **1. Project Timeline**

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## **3. Impact Assessment Results and Recommendations**

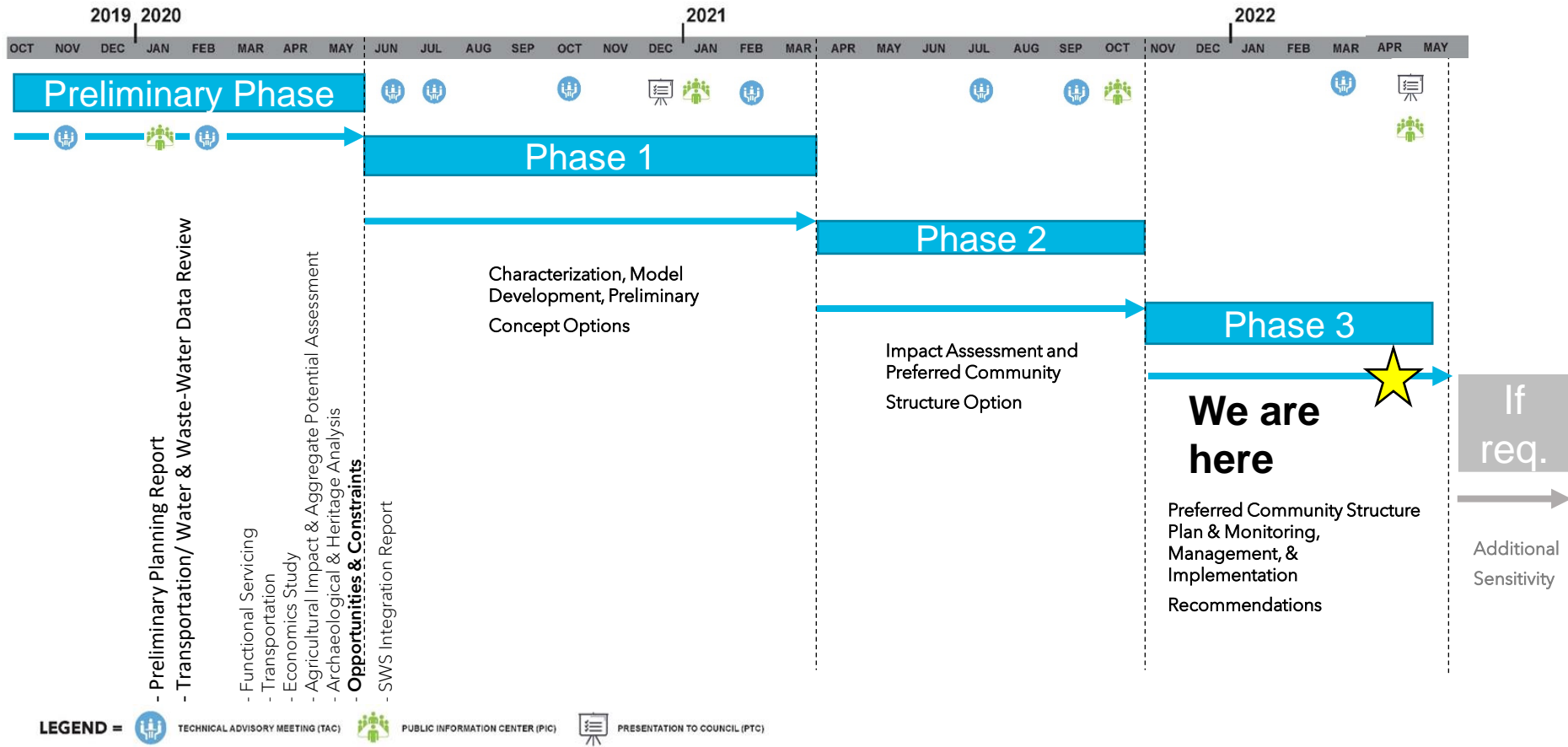
- Subwatershed / Stormwater Management
- Water and Wastewater
- Transportation

## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**

# PROJECT TIMELINE



# **AGENDA**

## **1. Project Timeline**

## **2. Preferred Concept Option**

## **3. Impact Assessment Results and Recommendations**

- Subwatershed / Stormwater Management
- Water and Wastewater
- Transportation

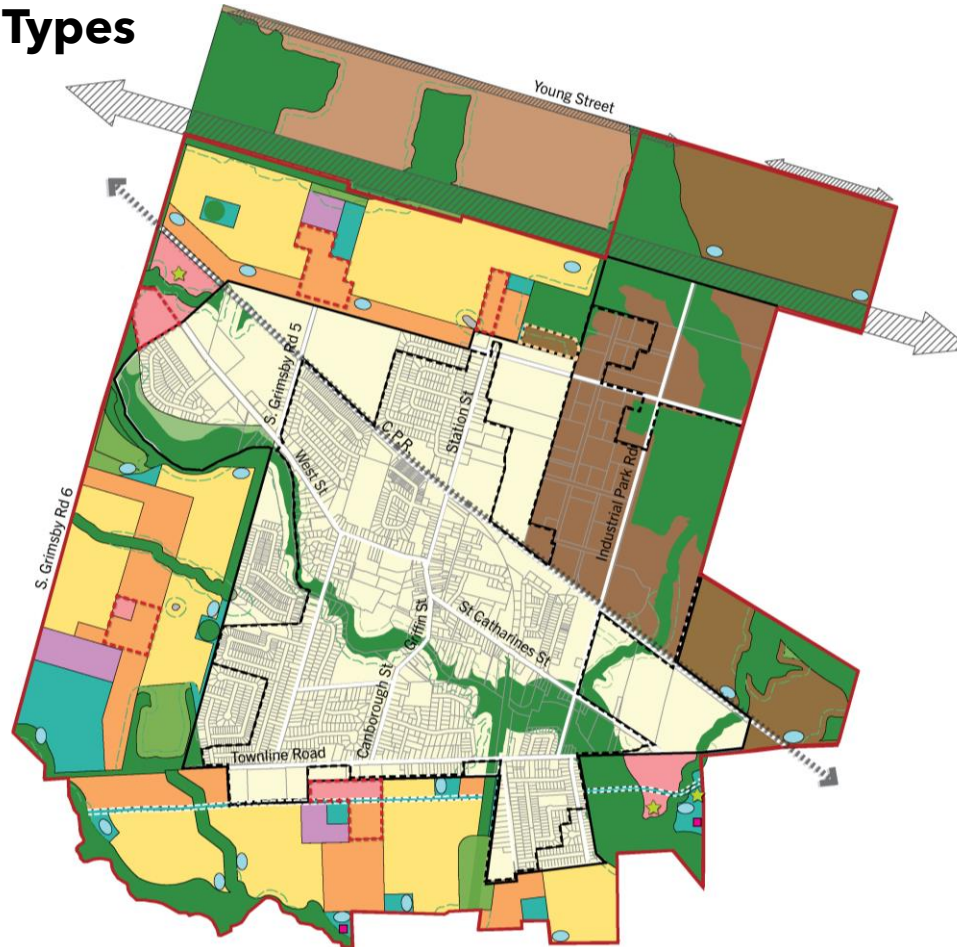
## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**

# PREFERRED CONCEPT

## Place Types



### LEGEND

- Existing Urban Boundary
- Built-up Area
- Existing Community Area
- Existing Employment Area
- Proposed Urban Boundary

### Urban Place-Types

- Residential
- Medium Density
- Mixed Use Node
- Commercial
- Open Space
- Community Facility
- Employment
- Restricted Employment

### Non-Urban Place-Types

- Agriculture - Related Use

### Natural Heritage System

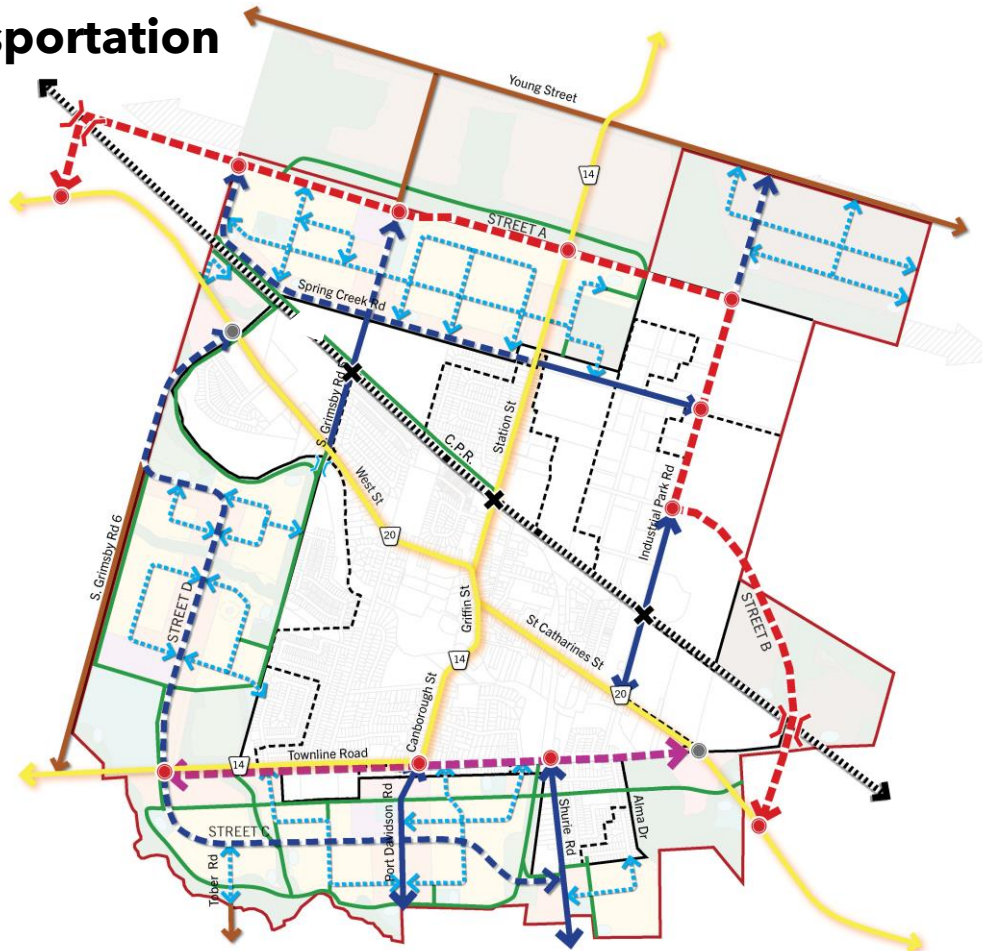
- Natural Heritage System (NHS)
- Conceptual Buffer
- Recommended Restoration Area
- ★ Potential Restoration Area
- Wetlands for Further Review

### Infrastructure / Corridors

- Proposed SWM Facility
- Proposed Sanitary Pumping Station
- Gas Pipeline
- Hydro Corridor
- Existing Rail Corridor

# PREFERRED CONCEPT

## Transportation



### LEGEND

- Existing Urban Boundary
- Built-up Area
- Proposed Urban Boundary

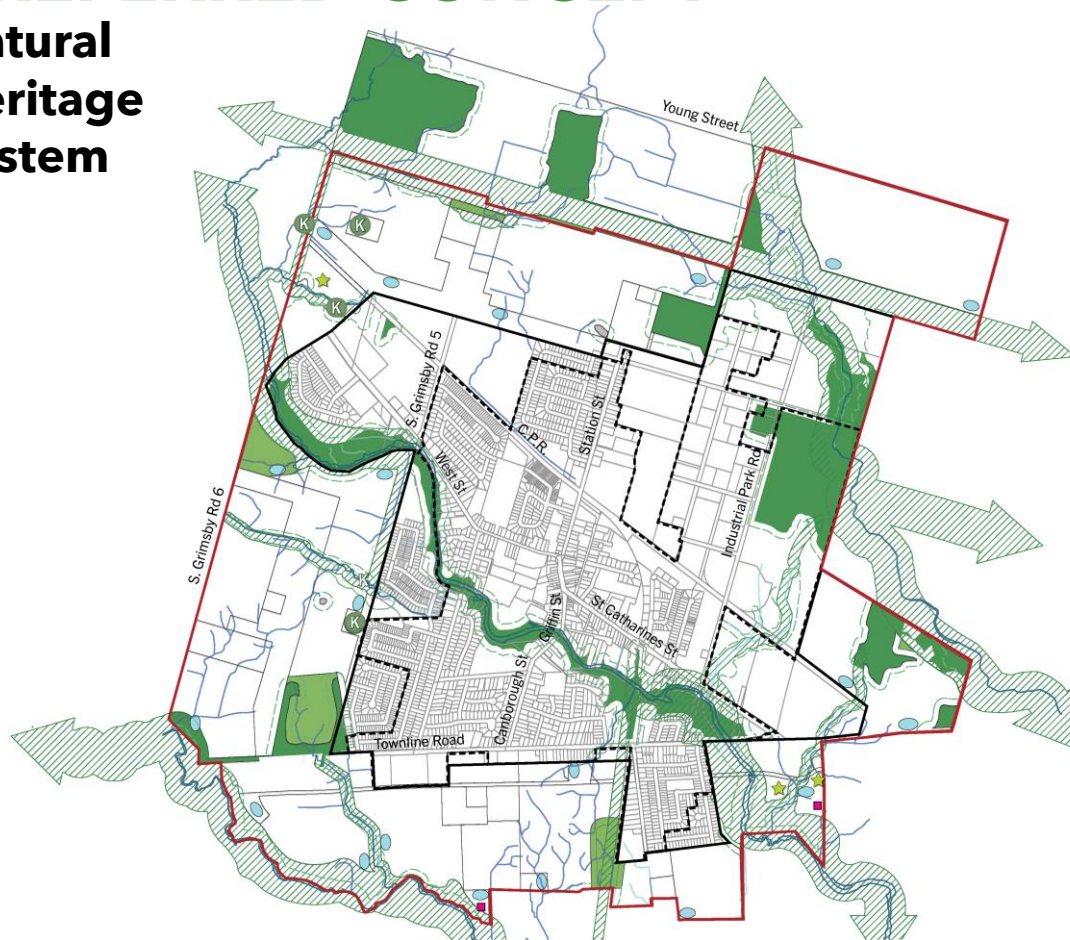
### Transportation Network

- Future Active Transportation/Trails
- Regional Road
- Future Arterial 'A' Road
- Future Arterial 'B' Road
- Existing Collector Road
- Future Collector Road
- Existing Rural Road
- Conceptual Local Road
- Existing Rail Corridor
- Existing Rail Crossings (At Grade)
- Future Rail Crossings (Grade Separated)
- Future Pedestrian Bridge
- Key Intersection / Roundabout
- Future Key Intersection / Roundabout



## PREFERRED CONCEPT

### Natural Heritage System



#### LEGEND

- Existing Urban Boundary
- Built-up Area
- Proposed Urban Boundary

- Concept Buffer

#### Natural Heritage System

- Core Area
- Recommended Restoration Area
- Linkage

- Karst

- Potential Restoration Area

- Wetland for Review

#### Waterbodies

- Watercourse
- Watercourse HDF
- Intermittent Watercourse
- Proposed SWM Facility

# **AGENDA**

## **1. Project Timeline**

## **2. Preferred Concept Option**

## **3. Impact Assessment Results and Recommendations**

- **Subwatershed / Stormwater Management**
- **Water and Wastewater**
- **Transportation**

## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**

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## **SUBWATERSHED STUDY**

### **Subwatershed Study Purpose**

- The Subwatershed Study is the component of the planning process which investigates the existing natural environment within the area, and the impacts from future development
- A Subwatershed Study involves several environmental specialists, and investigates that natural features, natural hazards, and movement of water within and surrounding the existing and future development areas.
- Key outcomes from a Subwatershed Study are recommendations for the protection and management of the natural environment following development, and includes planning input and criteria for:
  - Land Use Planning (Defining the Natural Heritage System)
  - Watercourse Management
  - Stormwater Management



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## **SUBWATERSHED STUDY**

### **Subwatershed Study Status**

- The Subwatershed Study Team has reviewed all available background information, and completed field investigations to develop a detailed understanding the natural features and systems, and their interdependencies
- The first phase of the impact assessment was completed to identify the effects which the future land use would have on the area's natural and water resources systems and features, and to develop a long list of alternatives for mitigating these effects and impacts
- The second phase of the impact assessment has been completed to evaluate alternative strategies and approaches to mitigate the impacts, and provide a recommended environmental and stormwater management plan, including measures to mitigate and manage the impacts of climate change

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## **SUBWATERSHED STUDY**

### **Groundwater Impact Assessment and Management**

- An increase in impervious surfaces reduces the natural infiltration of groundwater, decreasing groundwater levels and potentially decreasing groundwater discharge and recharge to the upper bedrock
- Groundwater flow within the overburden where it is less than 6 m thick and groundwater flow within the shallow fractured bedrock allow for a greater potential for contaminant movement
- Installation of infrastructure below the water table leads to the potential need for dewatering during construction and post construction and a decrease in groundwater levels
- The installation of water and sewer infrastructure can lead to the interception of the shallow water table altering shallow groundwater flow paths and creating leakage into sanitary and storm sewers

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## **SUBWATERSHED STUDY**

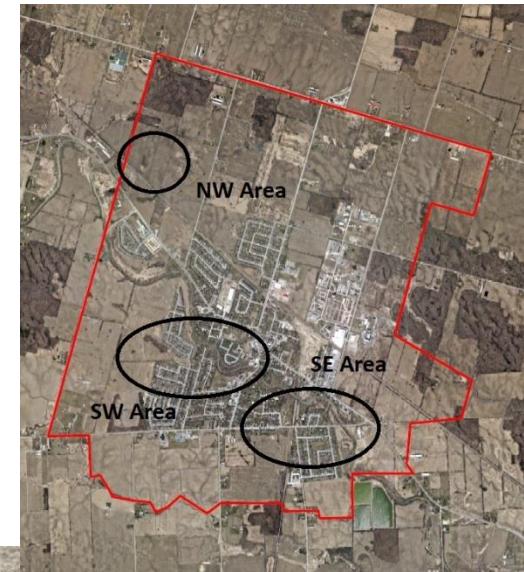
### **Groundwater Impact Assessment and Management**

- Impacts from the proposed development can be mitigated by implementing Low Impact Development infiltration techniques, and redirection of groundwater flow along utility trenches may be mitigated by implementing anti-seepage collars or clay plugs
- Dewatering activities must follow the guidelines provided by the MECP to address potential impacts related to the reduction in groundwater levels as well as water quantity and quality impacts related to dewatering discharge

## **SUBWATERSHED STUDY**

### **Karst Impact Assessment and Management**

- Openings in the limestone have been identified in the area
- These openings, known as karst, form when storm runoff and snowmelt dissolve the limestone, forming sinkholes and pathways for water to move underground
- Development from agriculture to urban will result in increased run-off within subwatersheds
- Sinkholes have a set capacity to drain surface water via bedrock conduits; all sinkholes within the study area reach capacity and overflow at least during spring freshet



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## **SUBWATERSHED STUDY**

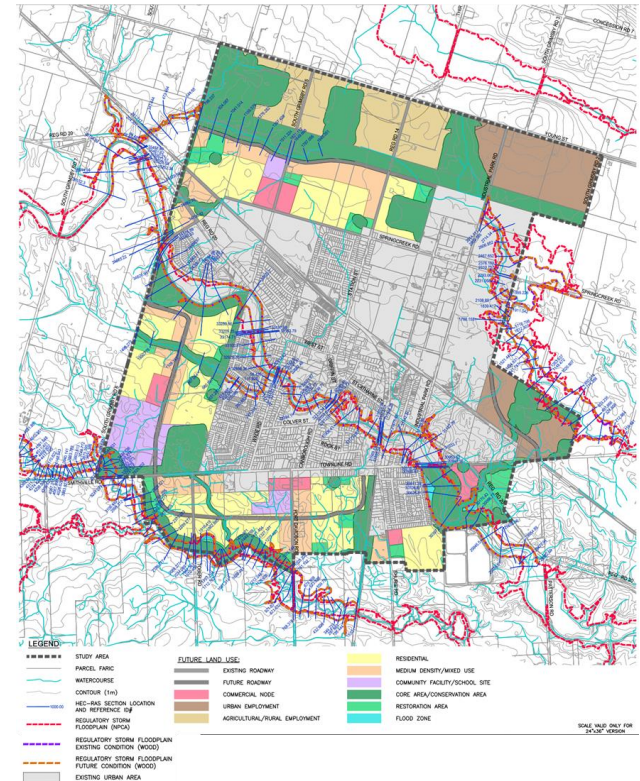
### **Karst Impact Assessment and Management**

- Management recommendations have been developed specific to each karst feature within the study area
- Three features are designated Karst Hazardous Sites, requiring protection in-situ with a 50 m buffer, pending further study
- The remaining features may be managed without requiring a 50 m buffer; management recommendations have been developed specific to each feature and include increasing the size of rail culverts to improve drainage at the karst feature, excavating and grouting the karst feature, and bypassing excess runoff around the feature
- In all cases, additional runoff should not be directed toward sinkholes post-development

## **SUBWATERSHED STUDY**

### **Surface Water Impact Assessment and Management**

- If unmitigated, storm event peak flows would increase locally, representing increased flood potential to adjacent properties
- Runoff volume would increase at karst features, increasing local flood potential and scour
- Erosion potential would increase along receiving watercourses
- Future development could result in increases in certain pollutants such as solids, oil and grease, metals, nitrogen, and phosphorus



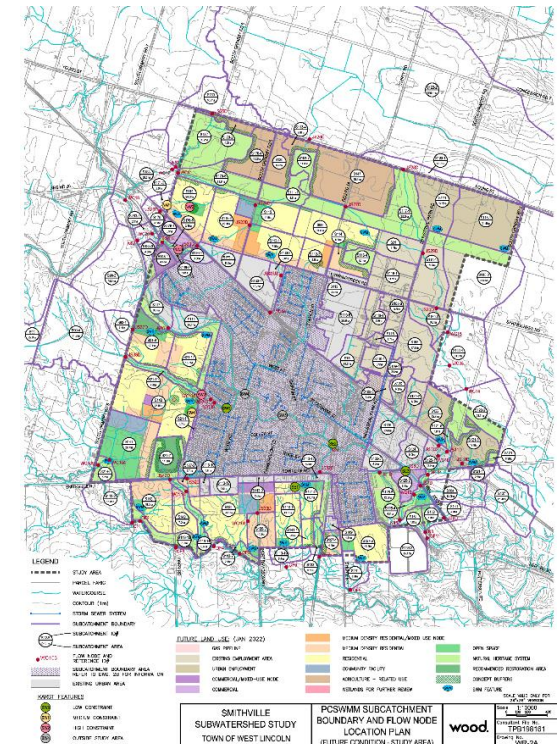


# **SUBWATERSHED STUDY**

## **Surface Water Impact Assessment and Management**

A stormwater management plan has been developed to:

- Provide stormwater quality treatment to an Enhanced standard per current Provincial guidance
- Mitigate thermal enrichment of storm runoff to receiving watercourses
- Mitigate increased erosion potential within receiving watercourses
- Mitigate increased flood risk locally and offsite
- Manage water budget to key features including karst



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## **SUBWATERSHED STUDY**

### **Surface Water Impact Assessment and Management**

Stormwater management criteria:

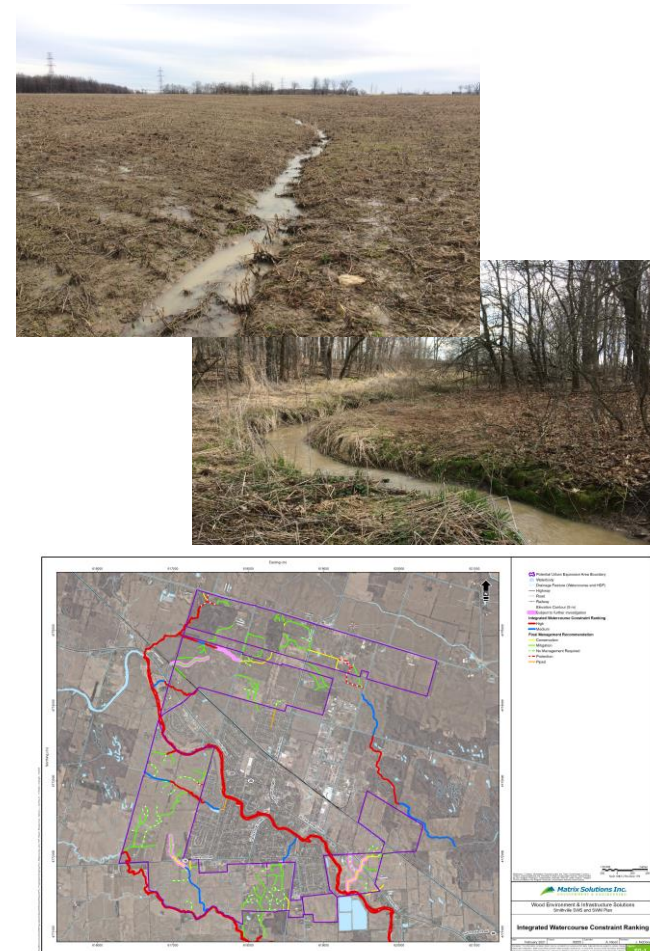
- All future development is to provide stormwater quality treatment to an Enhanced standard per current Provincial guidance, thermal mitigation, and erosion control
- Post-to-pre stormwater quantity control for all future development within Spring Creek, and future development areas of North Creek and Twenty Mile Creek discharging to local tributaries
- No quantity controls required for future development areas of North Creek and Twenty Mile Creek discharging directly toward main branches of watercourses to manage the timing of peak flows to these watercourses
- Low Impact Development Best Management Practices are required for all future development to manage water budget



## **SUBWATERSHED STUDY**

### **Streams Impact Assessment and Management**

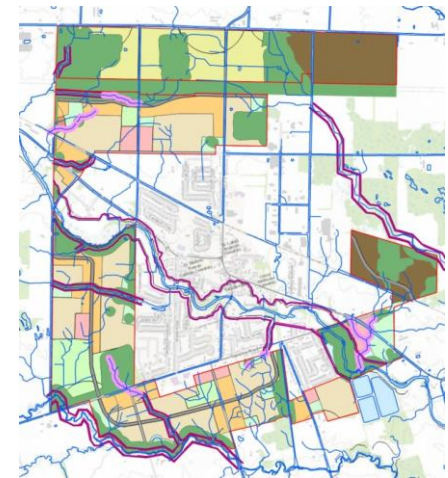
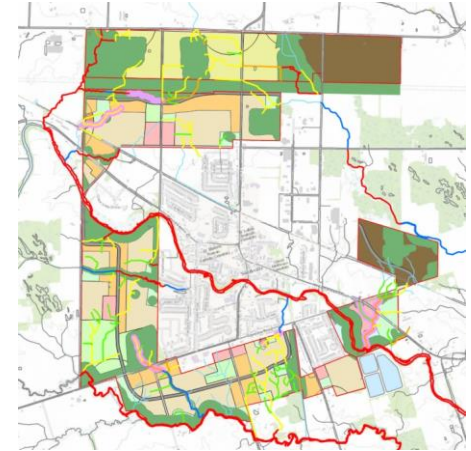
- Drainage features within the study area are primarily headwater drainage (HDF) features, with some defined and regulated watercourses
- Twenty Mile Creek is the most significant watercourse and valley system within Smithville, with confined corridors and floodplains.



## **SUBWATERSHED STUDY**

### **Streams Impact Assessment and Management**

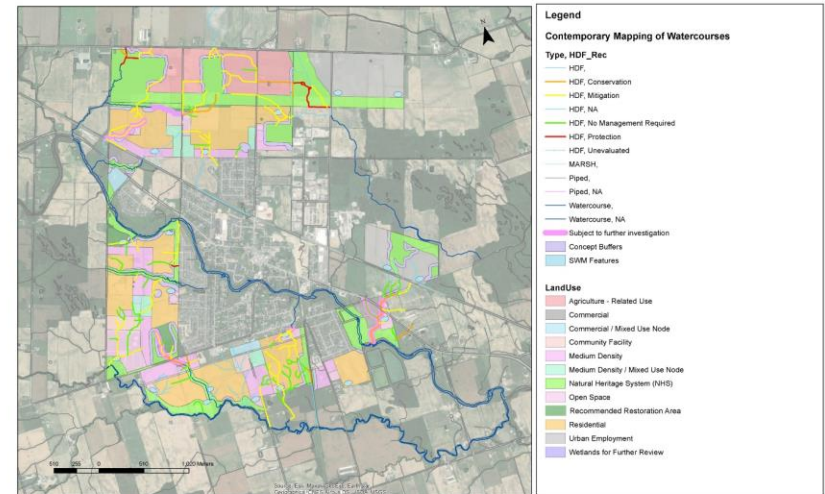
- Increased imperviousness would accelerate and exacerbate natural erosional processes within and downstream of development area, resulting in loss of property, threats to infrastructure and environmental
- New watercourse crossings would result in a loss of natural channel & floodplain near the crossing, local flow constriction & associated impacts to fluvial processes (e.g., scour pool)
- Reductions to watercourse corridors would reduce the area for natural stream processes and natural cover



## **SUBWATERSHED STUDY**

### **Streams Impact Assessment and Management**

- Recommendations for managing headwater drainage features (HDFs) have been established in accordance with the CVC/TRCA Guidelines
- Existing degraded watercourses may be realigned in some locations, and local improvements implemented to improve and enhance fluvial and habitat functions
- Guidance provided for planning and design of watercourse crossings to minimize number and length of crossings, maintain natural channel functions, and mitigate risk to public

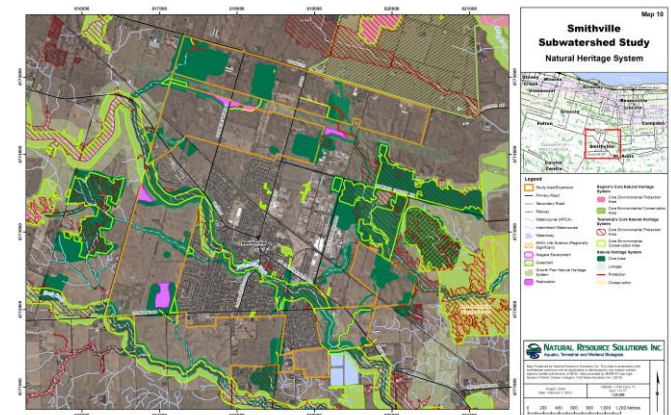




## SUBWATERSHED STUDY

### Fisheries and Terrestrial Impact Assessment and Management

- Twenty Mile Creek and North Creek provide year-round fish habitat and support a diverse fish community of warm and coolwater fish species
- Some intermittent features and HDF contain fish in the spring provide important seasonal habitat and indirect benefits to the larger creeks
- The study area includes many significant wetlands, significant woodlands, significant wildlife habitat, and Species at Risk



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## SUBWATERSHED STUDY

### Fisheries and Terrestrial Impact Assessment and Management

Impacts to aquatic and terrestrial features and habitat are in the form of:

- **Direct Impacts:** Fish barriers, erosion and sedimentation of watercourses, vegetation removal, removal of non-significant woodlands and isolated trees (including hedgerows), increased wildlife mortality and reduction in wildlife movement corridors
- **Indirect Impacts:** Changes to groundwater interactions and water balance to wetlands, increased water temperature in watercourses, reduced water quality, impacts from salt, lighting and noise
- **Induced Impacts:** Unauthorized trail blazing by residents, impacts from pets, dumping of garbage and yard waste

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## **SUBWATERSHED STUDY**

### **Fisheries and Terrestrial Impact Assessment and Management**

Management recommendations for **Direct Impacts**:

- Tree protection plans to minimize tree removal and harm
- Vegetation removal avoiding the active season of wildlife (esp. bats, migratory birds)
- Appropriate surveys as necessary if vegetation removal is to occur during the wildlife active seasons (e.g. bat acoustic surveys, bird nest searches in simple habitats)
- Endangered Species Act requirements and permitting where necessary
- Compensation for wildlife habitats directly removed
- Wildlife linkages, eco-passages, road calming measures

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## **SUBWATERSHED STUDY**

### **Fisheries and Terrestrial Impact Assessment and Management**

Management recommendations for **Indirect Impacts**:

- Implementation of a robust, sustainable Natural Heritage System
- Buffers of sufficient width from natural heritage features
- Compensation for tree removal and use of native species as much as possible
- Construction Mitigation (i.e. avoid lighting of natural features during and post-construction, dust suppression, construction fencing and staging of works)
- Stormwater management including Low Impact Development
- Wetland water balance assessment and implementation



## SUBWATERSHED STUDY

### Fisheries and Terrestrial Impact Assessment and Management

Management recommendations for **Induced Impacts**:

- Education (i.e. brochures, signage along trails)
- Invasive species management
- Installation of habitat features (e.g. bird houses, bat boxes, pollinator boxes and foraging species)
- Best management practices during construction (e.g. proper vehicle maintenance and storage)
- Appropriate wildlife crossing structures at road crossings
- Implement trails in appropriate locations

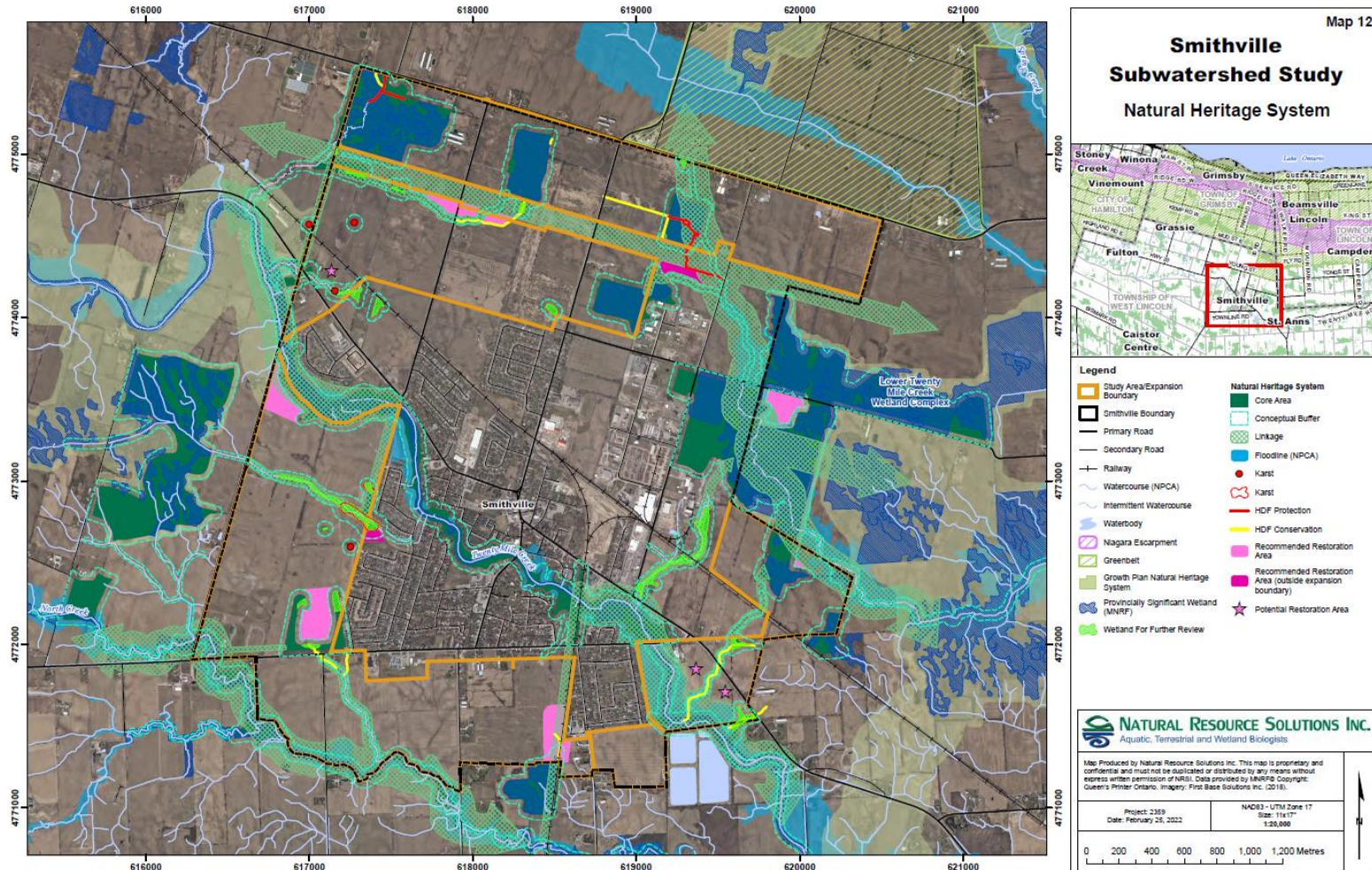
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## **SUBWATERSHED STUDY**

### **Fisheries and Terrestrial Impact Assessment and Management**

- A Natural Heritage System (NHS) has been identified within the study area based on existing policy, a background review, and field surveys
- The NHS builds upon the existing features and systems within the area, and integrates them various other components and enhancements to develop a cohesive and robust system

# SUBWATERSHED STUDY



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## **SUBWATERSHED STUDY**

### **Climate Change Considerations**

- Recognized by all levels of government as having the potential to affect almost every aspect of our lives, including human health and well-being and environmental impacts
- Climate change is recognized to be a result of greenhouse gas emissions (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, water vapour)
- The projected changes in climate recognized to increase risk for Canada's ageing infrastructure, causing structural damage, compromising system reliability and threatening health and safety
- Provincial and Regional policies require municipalities to consider the potential impacts of climate change as part of natural environment planning in order to better protect the natural environment system and reduce economic costs

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## **SUBWATERSHED STUDY**

### **Climate Change Considerations**

Mitigation measures proposed for Smithville:

- Incorporating Green Infrastructure (i.e. LID BMPs) into stormwater management plan promotes resiliency and enhances stormwater quality, erosion, and quantity control
- Provision of green spaces (i.e. parks, wetlands) reduces heat effects and provides additional opportunities for incorporating Green Infrastructure into development
- Planning for robust Natural Heritage System, including linkages and enhancement areas, actively reduce harmful greenhouse gas emissions, mitigate heat effects from urban development, and maintenance of water budget

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## **SUBWATERSHED STUDY**

### **Next Steps**

- A detailed implementation plan will be developed, outlining the requirements for future studies, monitoring requirements, and recommendations for the stormwater management plan



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## **STORMWATER**

- The stormwater management plan builds upon the criteria and strategy advanced in the Subwatershed Study, and is integrated with the land use and infrastructure planning for the area
- The plan will screen the list of stormwater management practices to a short list of recommendations for implementation
- The stormwater management plan is being developed as part of the third phase of the Subwatershed Study, and will specify the recommended location and type(s) of stormwater management infrastructure for the development



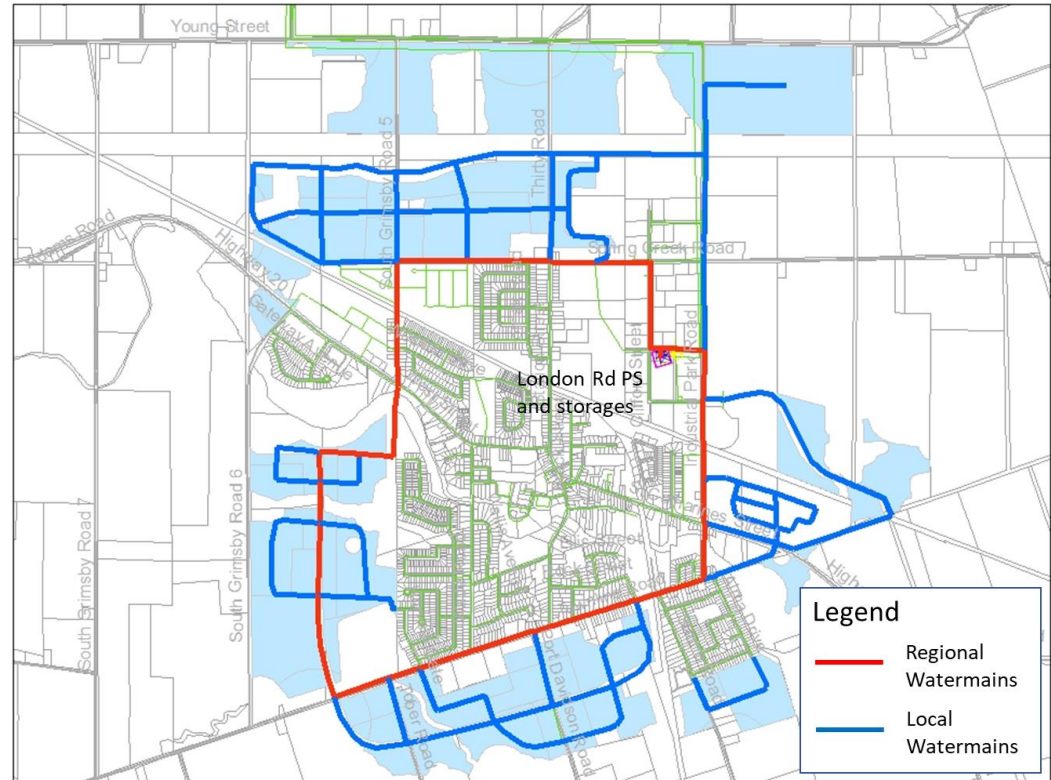
# STORMWATER

Practice	Flood Control	Erosion Control	Quality Control	Water Balance	Evapotranspiration	Groundwater Recharge
End-of-Pipe (Wet Pond/Wetland/Hybrid)	X	X	X			
Dry Pond	X	X				
Rooftop Detention Storage	X					
Parking Lot Storage	X					
Amended Topsoil		X	X	X	X	X
Green Roofs		X	X	X	X	
White Roofs				X	X	
Tree Trench Boxes		X	X	X	X	X
Oil/Grit Separators			X			
Rainwater Harvesting		X		X		
Pervious Pipes		X	X	X		X
Oversized Pipes	X					
Permeable Pavement		X	X	X		X
Soakaway Pits		X	X	X		X
Infiltration Trenches		X	X	X		X
Bioretention Bumpouts		X	X	X	X	X
Grassed Swales			X			
Biofilters/Bioswales		X	X	X	X	X

## **WATER**

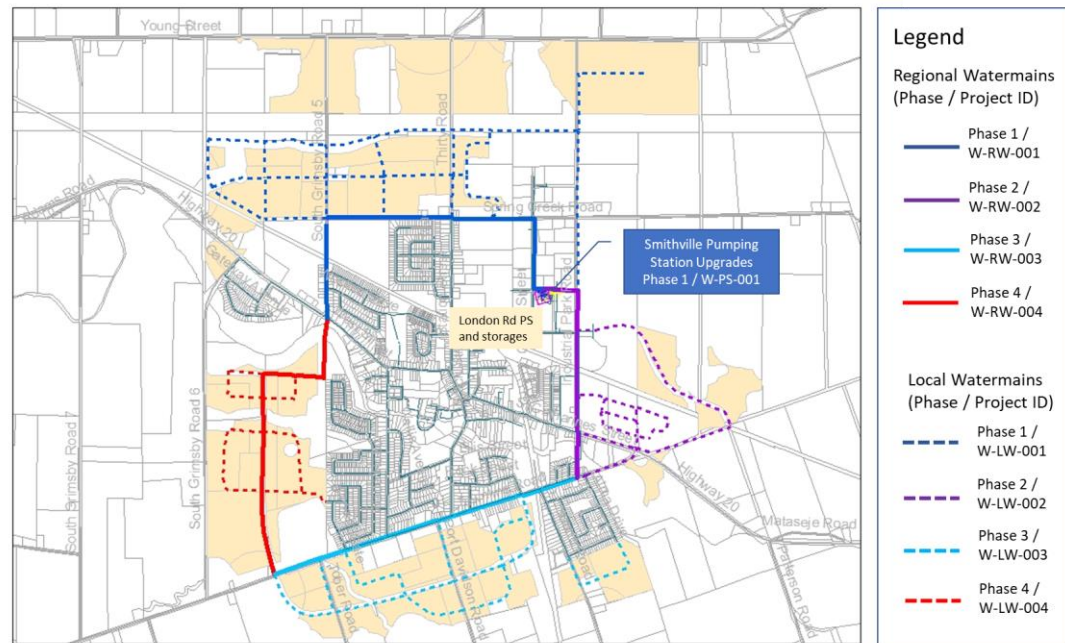
The proposed transmission main ring system will:

- Be coordinated with the current Smithville Northwest Quadrant servicing
- Maximize the use of existing road corridors and future road network and planned improvements to existing roads
- Continue to follow direction from Niagara Region's 2016 Water and Wastewater Waste Servicing Plan (MSP) and will be subsequently captured in the Region's current MSP Update



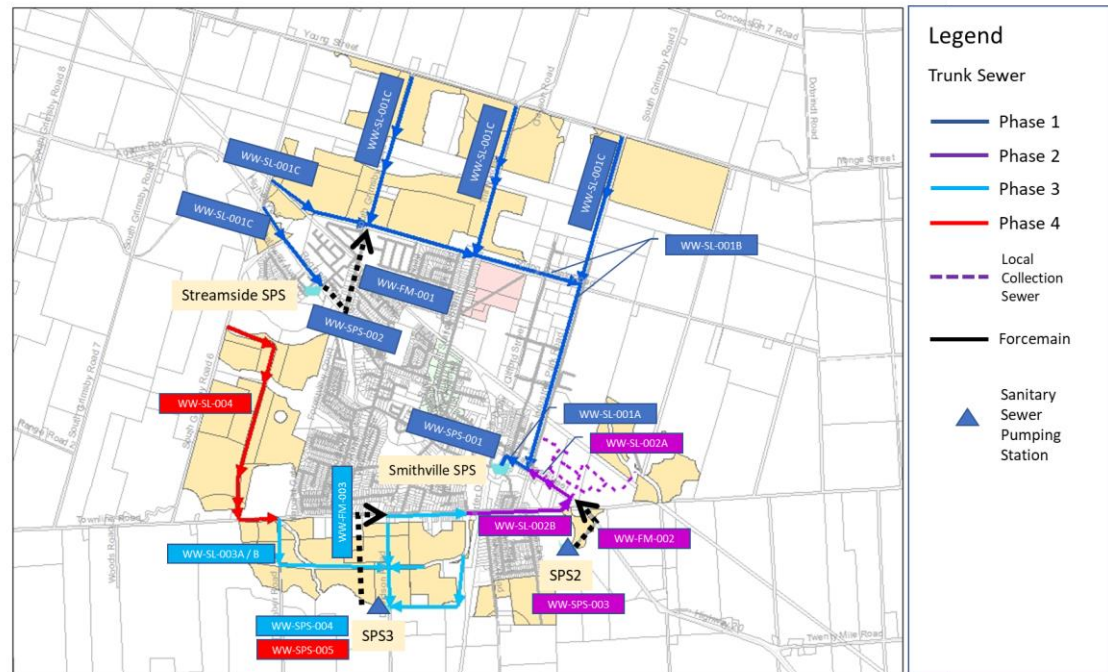
## WATER

- To meet the future water demands due to the urban boundary expansion, additional pumping capacity will be required
- Recommended water servicing infrastructure projects will be implemented in four phases. The projects are anticipated to be Schedule A+ through the integrated MCEA process subject to approvals and no appeals of OPA 63
- Phase 1 includes the regional watermain from London Road pump station to Grimsby Road 5 and West Street Intersection and upgrades to the Smithville Pumping Station
- Phase 2 includes the regional watermain from London Road pump station to Townline Road
- Phase 3 includes the regional watermain on Townline Road
- Phase 4 includes the regional watermain within the future right-of-way
- All phases will include local distribution watermain for future local water services



## WASTEWATER

- The overall wastewater servicing strategy is based on conveying future development flows to the upgraded existing Smithville wastewater pumping station via new sanitary sewers that utilize existing and future roads
- Strategy avoids sending future development flows through the existing sanitary sewer network, parts of which are already at or near capacity
- New wastewater pumping stations proposed at Streamside Drive and in the south
- The siting of new wastewater pumping stations was guided by topography and desire to be integrated with planned open space and stormwater management facilities
- Recommended wastewater servicing infrastructure projects will be implemented in four phases. The projects are anticipated to be Schedule A+ through the integrated MCEA process subject to approvals and no appeals of OPA 63
- Strategy will provide input to Niagara Region's current Water and Wastewater Master Servicing Plan (MSP) and will be subsequently captured in the Region's current MSP Update



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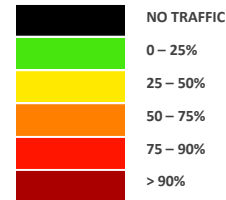
## **TRANSPORTATION**

- The Transportation Assessment has consisted of two main components:
  - A traffic analysis and forecasting exercise
  - A review of existing and future multi-modal needs
- The Traffic Analysis has included the development of a traffic model that simulates existing traffic infrastructure and volumes to allow for testing of future scenarios. It has been conducted in three stages:
  - Model Development: development of model, input of traffic volumes and trip origin and destinations
  - Phase I: Future scenario testing and major infrastructure
  - Phase II: Refinement of preferred concept network and scenario testing



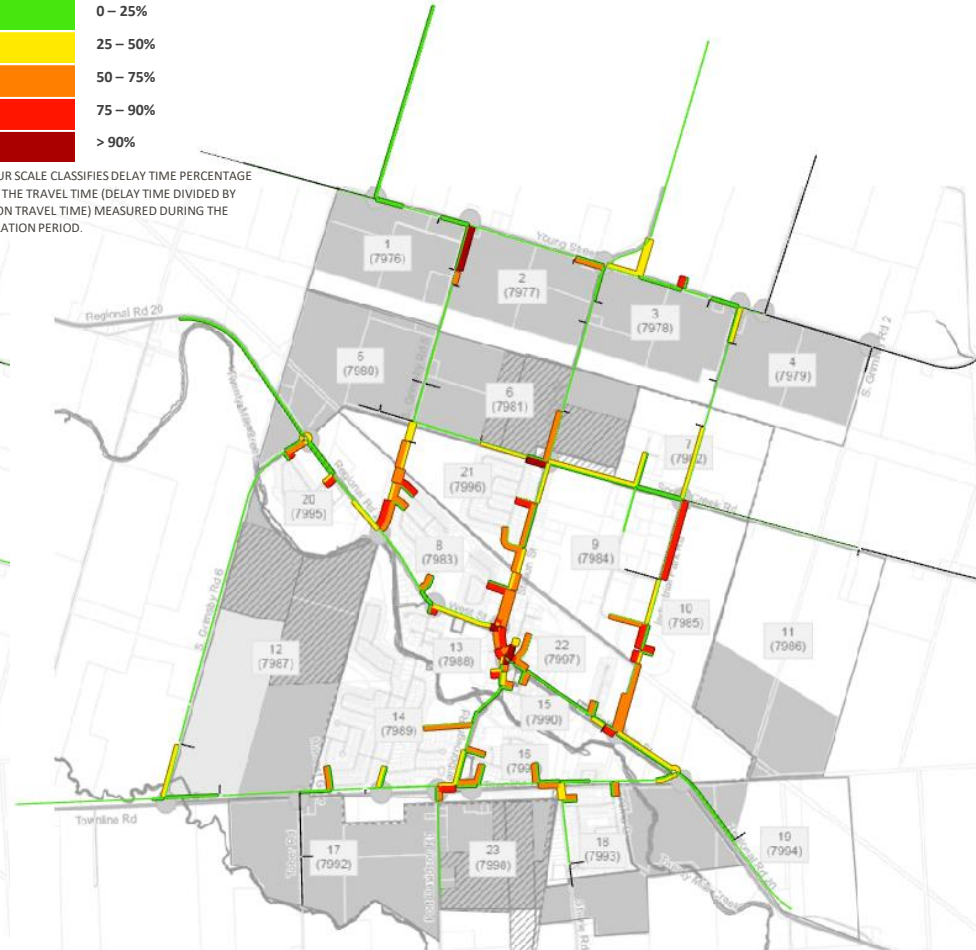
## With Development

### SIMULATED DELAY TIME



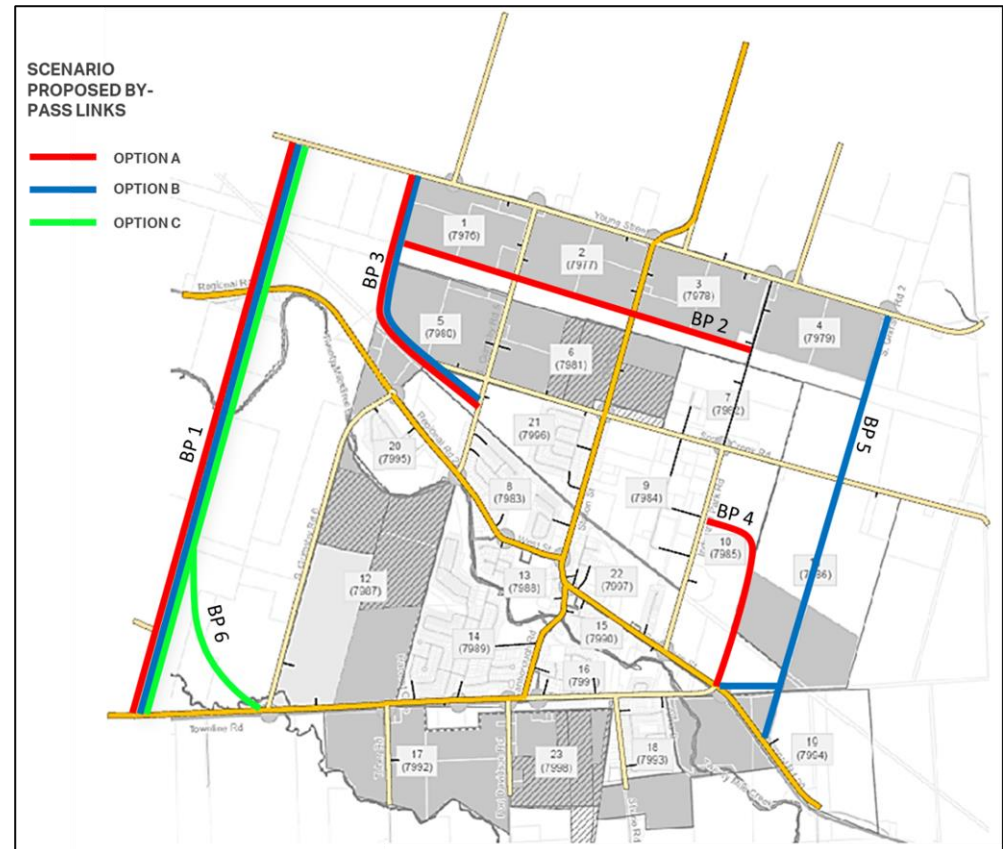
COLOUR SCALE CLASSIFIES DELAY TIME PERCENTAGE FROM THE TRAVEL TIME (DELAY TIME DIVIDED BY SECTION TRAVEL TIME) MEASURED DURING THE SIMULATION PERIOD.

## Without UBE Development



## Phase I

- The strategic testing primarily focussed on the testing of three possible bypass alignments
- Results from the assessment showed each alignment resulted in improvements to different parts of the network
- A northern bypass alignment is being recommended based on traffic modeling and regional connectivity





## Phase II

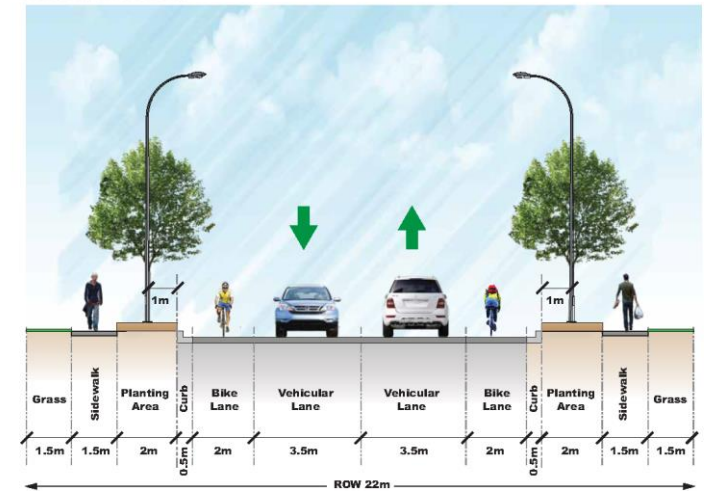
- Sensitivity testing included looking at improvements to flow and delays by signaling certain intersections
- It included testing whether widening of certain corridors could also improvement conditions
- Both grade separation over the CP line and realignment of certain existing roads was also tested



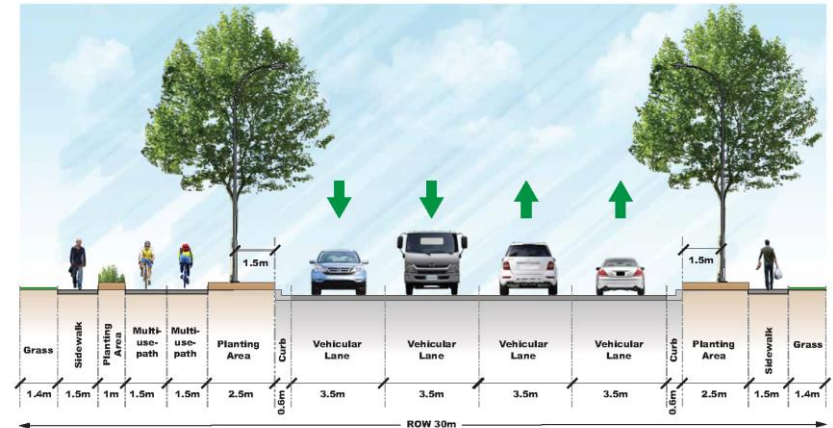
## Multi-Modal Transportation

- A set of Streetscape standards have been developed that incorporate different modes and should be used for all new and redeveloped streets
- An Active Transportation network that features a mixture of on and off road bicycle lane, multi use paths and trails is being developed
- A review of parking provision and public transit options is also being considered

**Collector Road**



**Arterial A (Urban Edge)**



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## **Findings**

- That the addition of the UBE Development will have a significant town wide impact on the level of delay experienced by road users without mitigation:
  - That the provision of additional links can help to ease delays by spreading volume
  - That a series of mitigation strategies will be required to provide residents and users with a journey that minimizes delays in and around the town
- To further reduce the impacts of the UBE Development efforts to encourage modal shift for shorter journeys are needed:
  - The provision of a connected, safe and well signed active transportation network
  - The application of Streetscape designs and standards
- The results of the traffic modelling exercise and other assessments will be included in a Transportation Master Plan for Smithville.

# **AGENDA**

## **1. Project Timeline**

## **2. Preferred Concept Option**

## **3. Impact Assessment Results and Recommendations**

- Subwatershed / Stormwater Management
- Water and Wastewater
- Transportation

## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**

## **DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)**

### **SMITHVILLE URBAN AREA EXPANSION**

– Purpose:

- Update population and employment forecasts and targets to 2051\*
- Add land to the Smithville urban area boundary\*
- Designate the added land as "Future Greenfield Area"\*
- Identify the added land as a Secondary Plan Area (Smithville MCP)
- Establish policies to reserve the Smithville MCP area for future urban land uses, public service facilities and infrastructure, transportation and natural heritage systems (*Note: the Smithville MCP Secondary Plan will be implemented through a separate Official Plan Amendment (OPA 63))*)
- Update Rural Settlement Area boundaries\*

**\*As per the new draft Niagara Region Official Plan**

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## **DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)**

### **SMITHVILLE URBAN AREA EXPANSION**

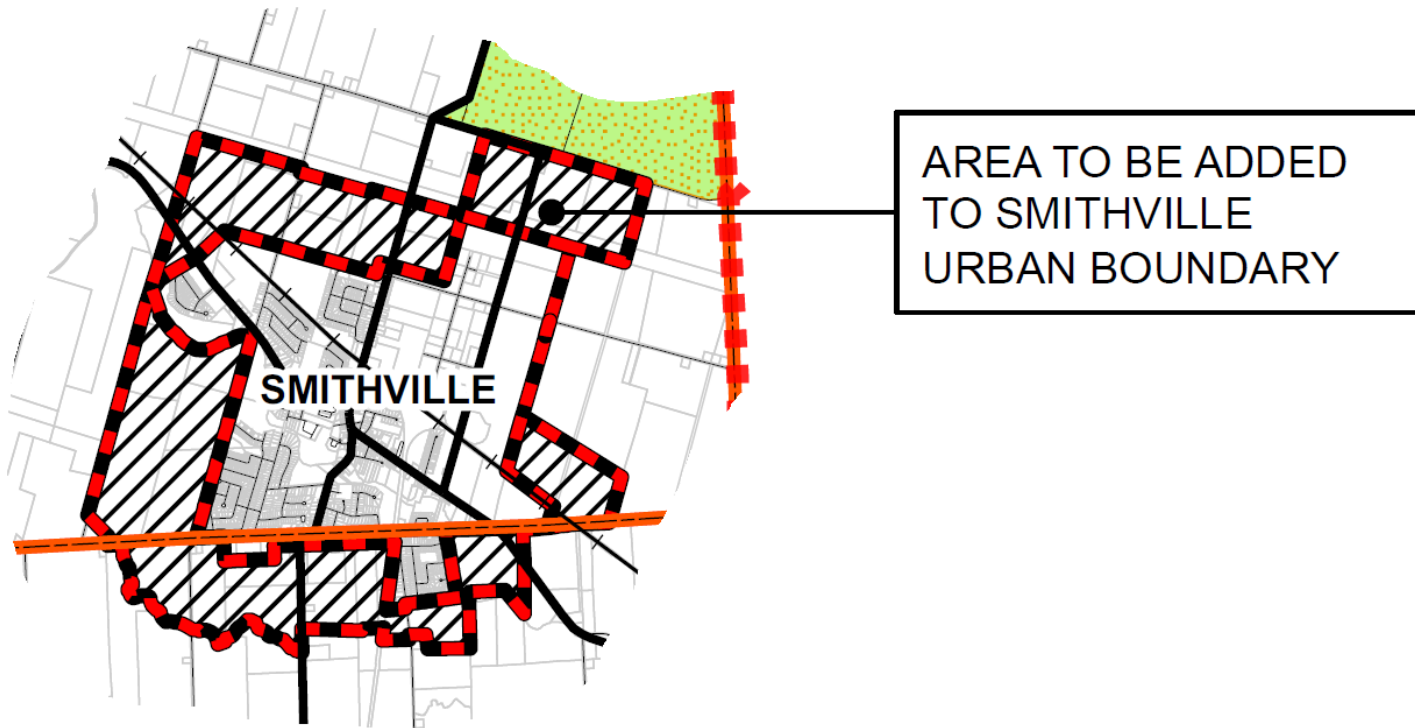
#### Growth Forecast and Targets:

- 2021 Census Population: 15,454
- 2051 Forecast Population: 38,370
- 2051 Forecast Employment: 10,480
- Intensification Target: 13%
- Greenfield Density Target: 50 people and jobs per hectare
- Housing Mix Target:
  - 60% low density
  - 35% medium density
  - 5% high density

## **DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)**

### **SMITHVILLE URBAN AREA EXPANSION**

- Subject Land:



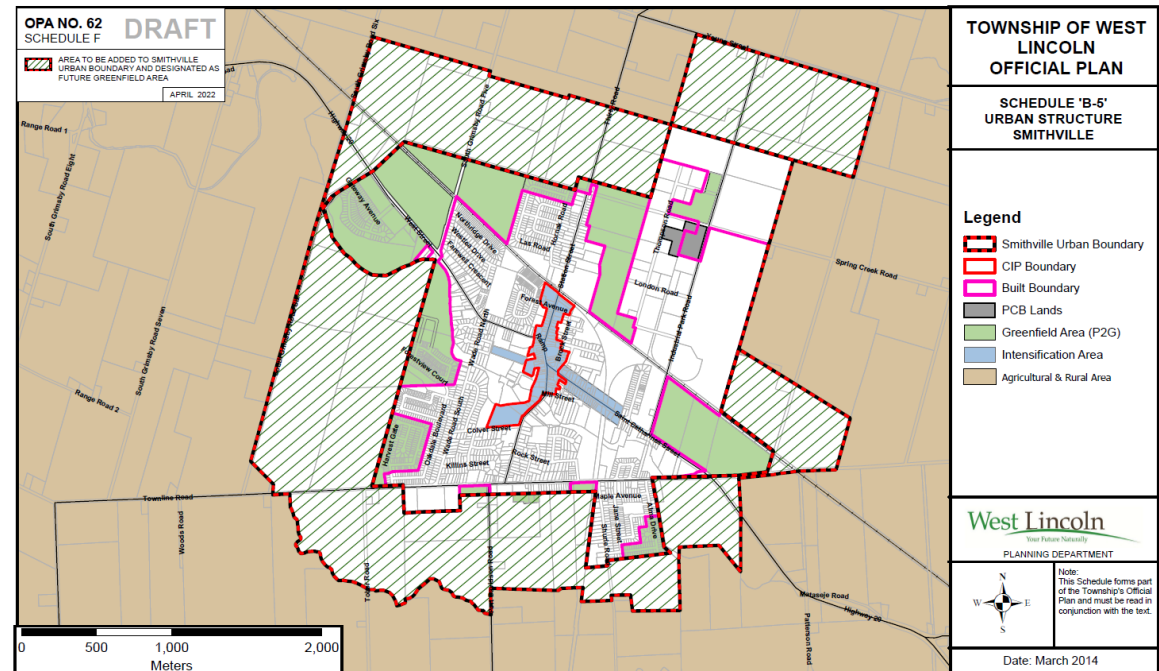


# DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)

## SMITHVILLE URBAN AREA EXPANSION

### Future Greenfield Area:

- To be reserved for future residential neighbourhoods, commercial and mixed-use areas, employment areas, community facilities, parks and a linked natural heritage and open space system
- To be designated for specific land uses and required infrastructure, transportation and natural heritage systems through a separate amendment (OPA 63)

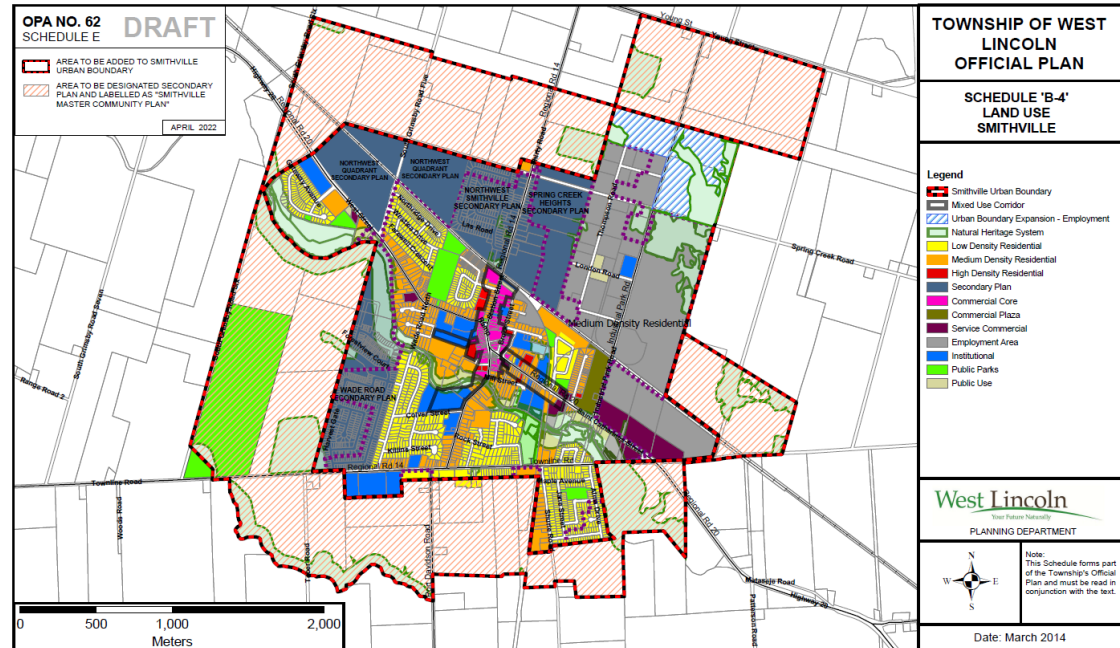


# DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)

## SMITHVILLE URBAN AREA EXPANSION

### Smithville MCP Secondary Plan Area:

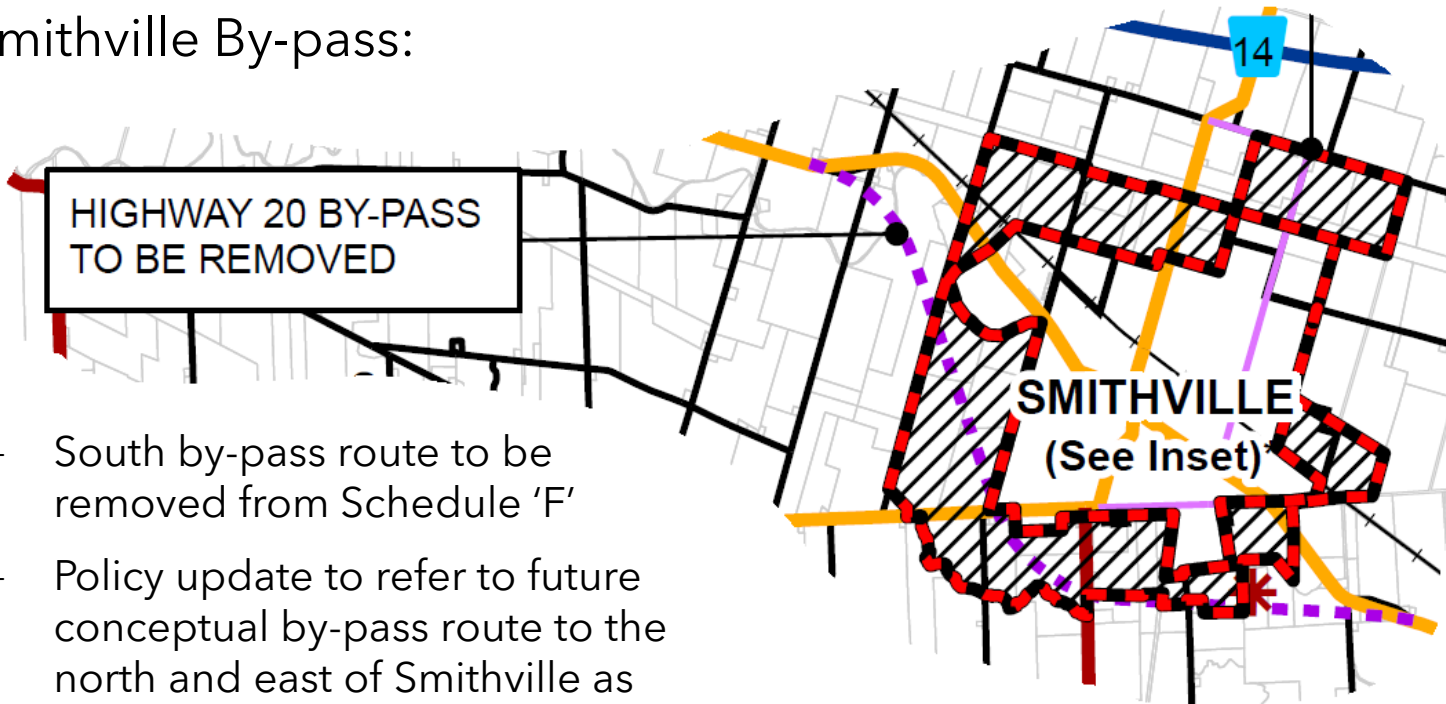
- Permitted uses limited to those of an interim nature and infrastructure
- Public Parks designation continues to apply to Leisureplex
- Existing Natural Heritage System mapping and designations apply
- Secondary Plan details to be implemented through separate amendment (OPA 63)



## **DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)**

### **SMITHVILLE URBAN AREA EXPANSION**

Smithville By-pass:

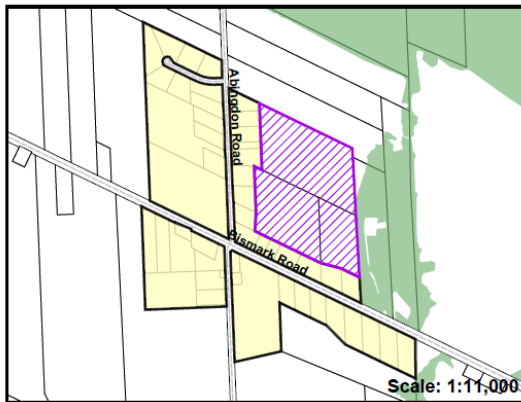


- South by-pass route to be removed from Schedule 'F'
- Policy update to refer to future conceptual by-pass route to the north and east of Smithville as shown in new draft Niagara Region Official Plan

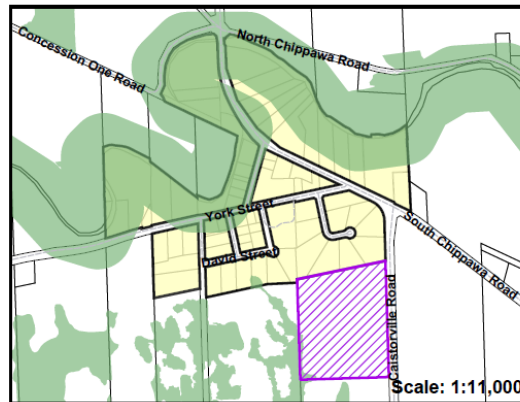
# DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)

## RURAL SETTLEMENT AREA (HAMLET) BOUNDARY UPDATES


**ABINGDON**



**CAISTORVILLE**

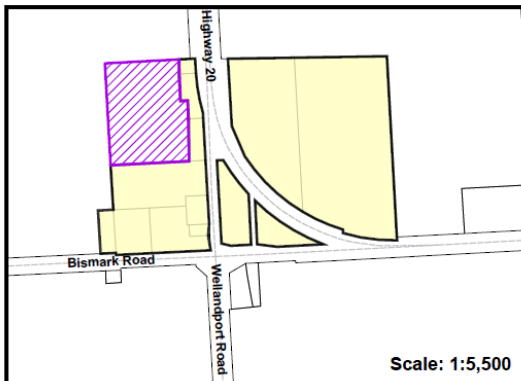


**OPA NO. 62** **DRAFT**  
SCHEDULES L, M, N

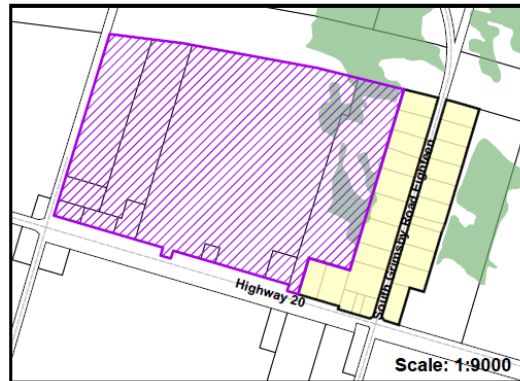
 AREA TO BE ADDED TO HAMLET  
SETTLEMENT AREA

APRIL 2022

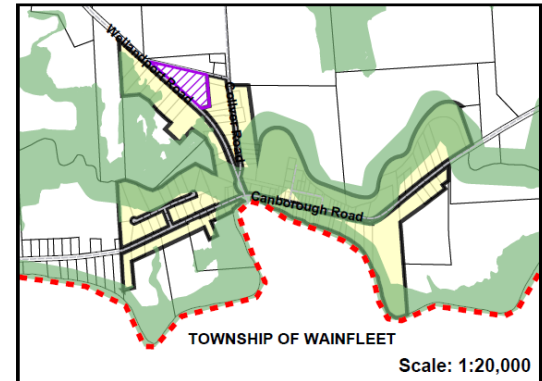
**BISMARK**



**FULTON**






**WELLANDPORT**

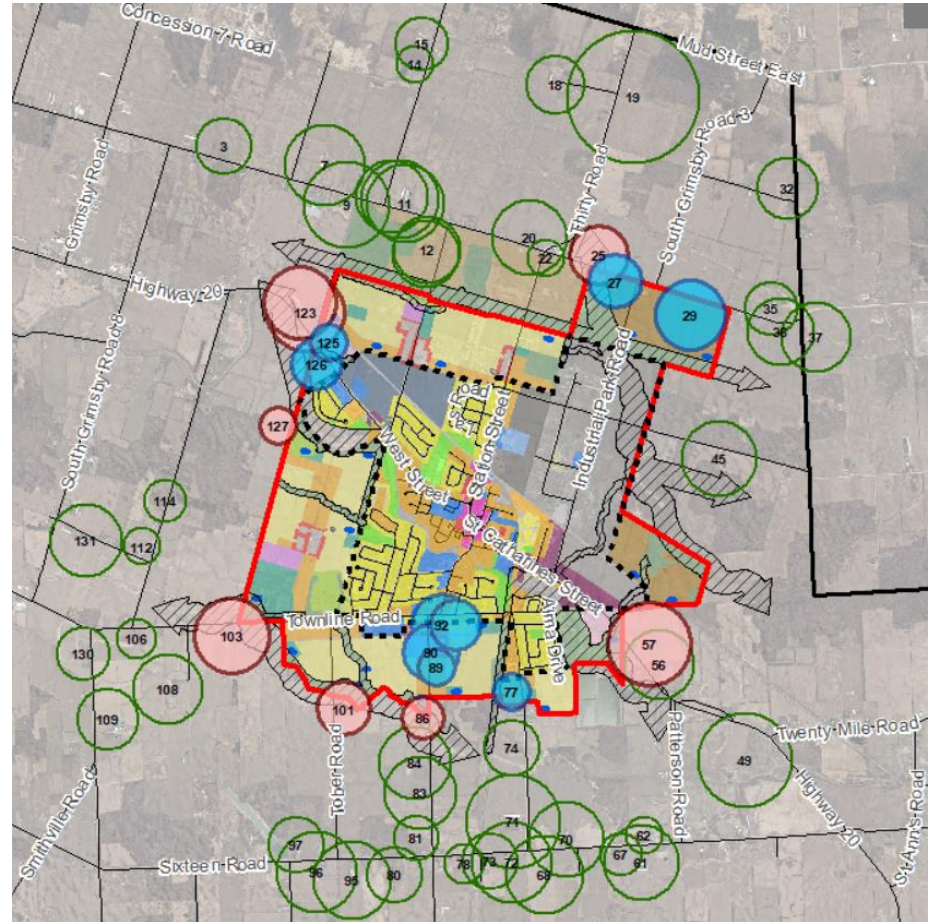




## DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)

### MINIMUM DISTANCE SEPARATION (MDS)

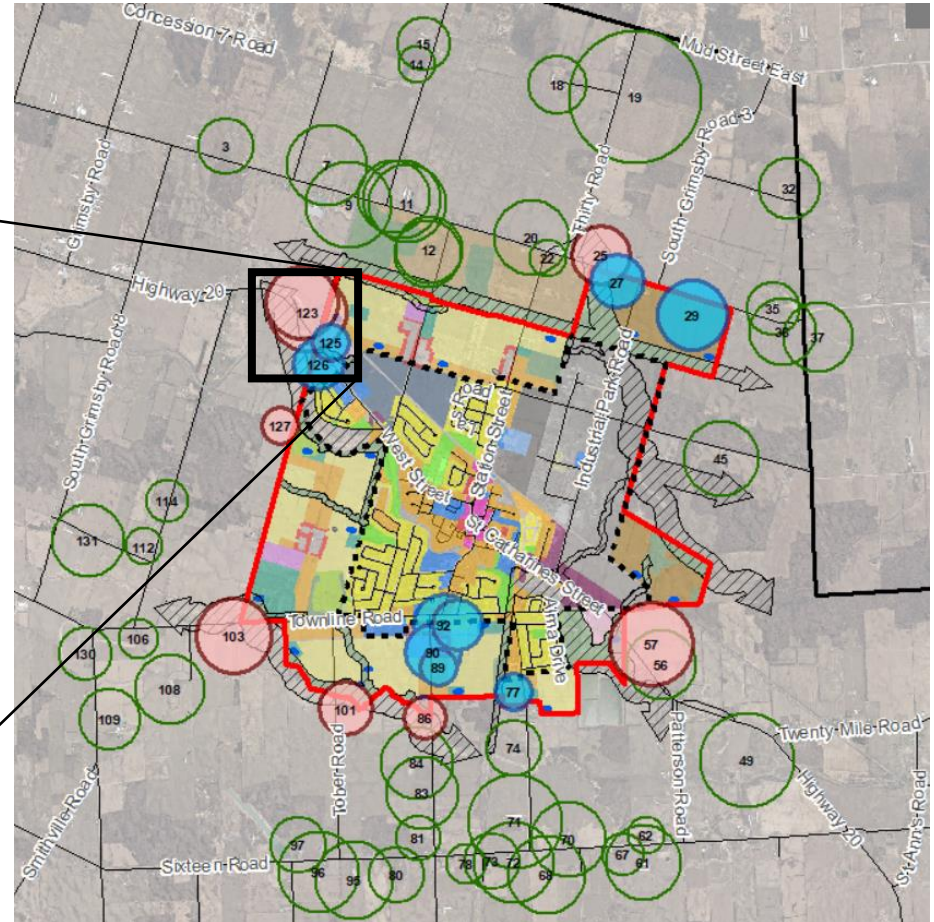
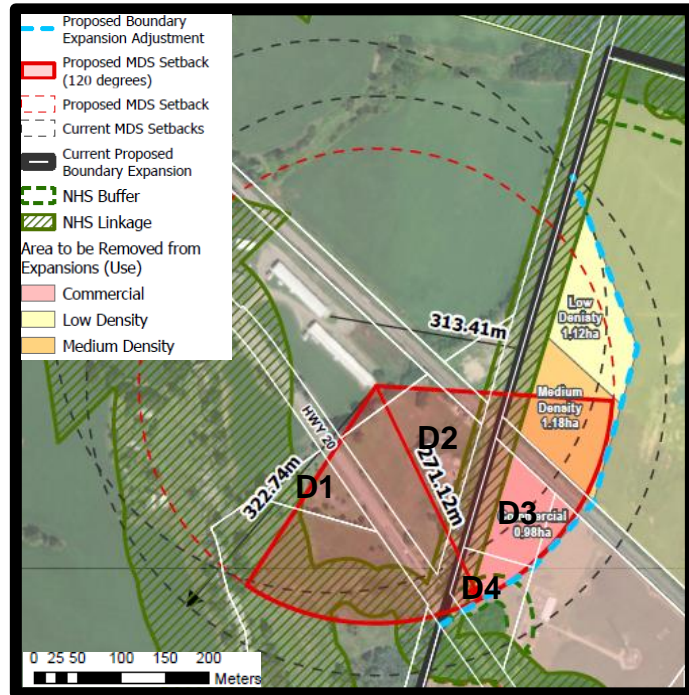
-  MDS I – completely outside urban area  
(no impact)
-  MDS I – barn in urban area  
(further review and phasing required for  
development)
-  MDS I – overlaps urban area  
(no impact - policy exceptions and/or  
boundary refinement required)



## DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)

### MINIMUM DISTANCE SEPARATION (MDS)

Barns 123 & 135 - Intervening Land Uses  
Proposed Urban Boundary Refinement (3.4 ha):





## DRAFT OFFICIAL PLAN AMENDMENT (OPA 62)

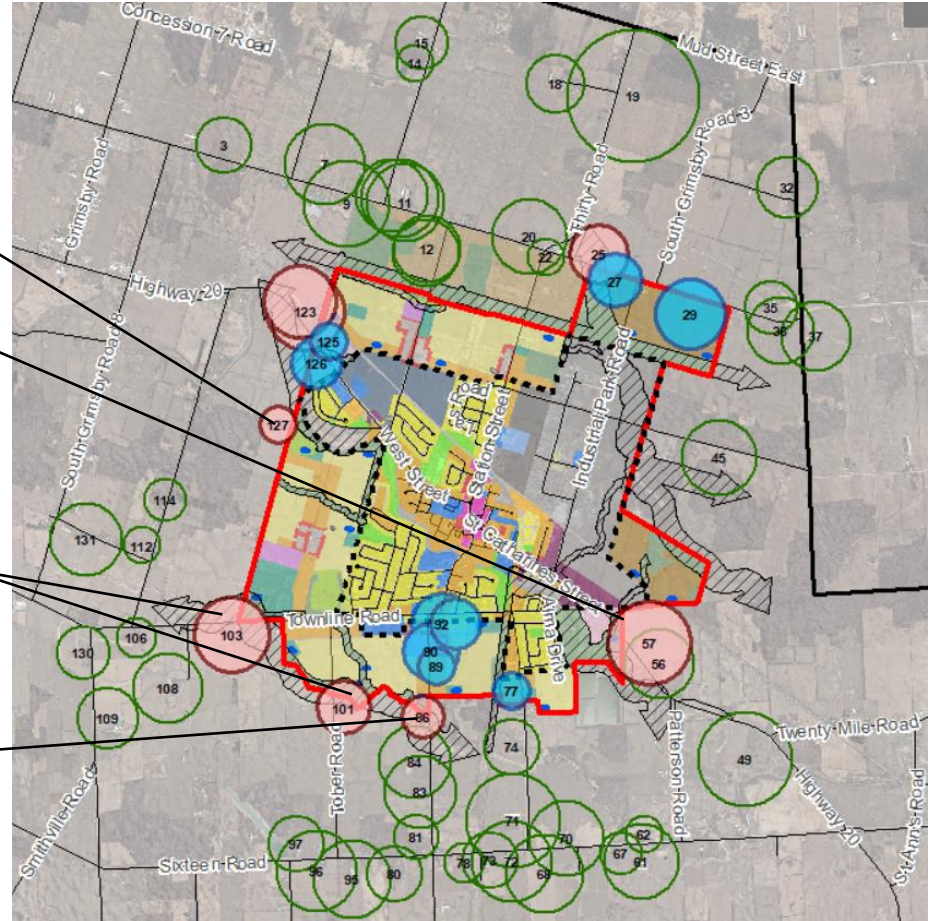
### MINIMUM DISTANCE SEPARATION (MDS)

**Barn 127** – Proposed Restoration Area  
(no impact – policy exception required)

**Barn 57** – Proposed Natural Heritage System,  
Open Space & SWM; MDS I already overlaps  
existing urban boundary (no new impact)

**Barns 101, 103** – Proposed Natural Heritage System  
(no impact – policy exception required)

**Barn 86** – Proposed Natural Heritage System,  
Open Space & SWM (no impact – policy  
exception required)





# **AGENDA**

## **1. Project Timeline**

## **2. Preferred Concept Option**

## **3. Impact Assessment Results and Recommendations**

- Subwatershed / Stormwater Management
- Water and Wastewater
- Transportation

## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**

## **NEXT STEPS**

- Review and respond to comments and questions received
- OPA No. 62 Township and Region of Niagara approval
- Draft OPA No. 63 (Smithville MCP Secondary Plan) circulation and public meeting
- Subject to adoption by Township and Regional councils, and no appeals the MCP, Sub Watershed Study and Municipal Servicing Master Plans will be finalized and be used to guide implementation of the MCP

# **AGENDA**

## **1. Project Timeline**

## **2. Preferred Concept Option**

## **3. Impact Assessment Results and Recommendations**

- Subwatershed / Stormwater Management
- Water and Wastewater
- Transportation

## **4. Draft Official Plan Amendment**

## **5. Next Steps**

## **6. Questions**

**Thank you!  
Question Period**



**West Lincoln**  
Your Future Naturally

**SMITHVILLE MASTER COMMUNITY PLAN**

**PIC 3 / COUNCIL MEETING, April 27, 2022**

# **SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES**

## **Text – WL council presentation April 27<sup>th</sup>, 2022**

Good evening, we are Linda and Rick Sivyer, we live on Townline Road. And we thank you for this opportunity to give feedback on the Proposed Master Community Plan Amendment, with respect to the urban boundary expansion.

### Slide 1

Let's state our position. We fully support the plans developed by our planning department and their consultants for the Master Plan Amendment for a number of reasons.

- It aligns with the master plan of the Niagara Region for population growth.
- We see a balanced approach to enlarging the urban boundary with attention to intensification within the existing boundary, the addition of a variety of housing types including more affordable homes, allowance for more commercial and industrial areas in well-chosen locations, areas for recreation and provisions for infrastructure, transportation and services.
- We see an awareness of the amount of agricultural land to be taken out of production and the need to protect wetlands and other Natural Heritage Systems. We wish to comment specifically on these Natural Heritage Systems. Some of those systems are included within the urban boundary expansion zone in keeping with provincial recommendations for best practices.

### Slide 2

*"The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features."*

It goes further to require the maintenance of these linkages to protect, improve or restore the quality and quantity of water.

### Slide 3

*Natural Heritage Systems are defined as areas which are linked by natural corridors and which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems.*

In Ontario and across the country in recent years there is a growing understanding (as well as supporting legislation) that these areas are essential to plant and animal protection and biodiversity. They act as carbon sinks to combat climate change, they protect water quantity and quality, they mitigate the effects of both flooding and drought but they also provide for the well-being of the human population, our physical and mental health and with important economic benefits as well.

### Slide 4

*Municipalities will incorporate the Natural Heritage System for the Growth Plan as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity*

## **SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES**

*and connectivity of the system and the long-term ecological or hydrologic functions of the features and areas as set out in the policies in this subsection...*

*at least **30 per cent** of the total developable area will remain or be returned to natural self-sustaining vegetation...*

Let's be clear what this means, these natural systems the policies refer to are not individually planted trees here and there in isolated spots where they may or may not grow. And these natural systems are not a few trees planted along a boulevard, although those are attractive. Restored eco systems require space, a location for good growth, good management to get them started and then time.

Slide 5

Here we see the Natural Heritage Systems map in the Master Plan amendment for all of West Lincoln. Notice the attention paid to natural corridors linking important natural features to facilitate movement of species and lessen the risk of isolated populations declining in numbers and disappearing. Those are the worm-like shapes on the map with the orange hash marks.

Notice too the identification of fish habitat, those blue lines, showing habitat for fish, yes, but also for all manner of aquatic species that rely on these systems and those that feed off them. And the riparian buffers along many stream banks, they are the areas of vegetation that prevent pollutants and top soil from flowing into streams.

Slide 6

This chart illustrates the water pollutants found in the 20 Mile Creek prepared by the NPCA, some greatly exceeding standards. While we don't take our drinking water directly from the 20 Mile Creek, think about where the creek water goes, into Lake Ontario, our water supply and you'll more easily get the connection with our human health. Multiply the pollutants in our creeks by the number of creeks flowing into the Great Lakes that provide drinking water to millions and it's easy to see the responsibility that every municipality shares. And it all starts with protecting our many small streams and water courses. You see from the chart of the pollutants that we are not yet successful enough. The Master Plan Amendment works address that.

Slide 7

Even forest remnants like the one shown here can provide small eco systems where species find a home, even if seasonally.

Slide 8

Notice the small pond that appears here each spring. It's home right now to a chorus of spring peepers, and a way station to returning ducks and a muskrat

Slide 9

It's home to cardinals, woodpeckers, spring orioles and numerous other bird species.

Slide 10

Don't forget that Natural Heritage Systems support the well-being of our human population of all ages.

## **SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES**

Our thanks to the residents along the north end of Harvest Gate for providing these photos.

### **Slide 11**

Untouched Natural Heritage Systems have taken eons to evolve and are not easily replaced by planting. But restoration and improvement are still important tools for us.

This slide was part of a presentation to council in June of last year by the students of Smithville Christian High School. Tree planting on approx. 2 acres of township land will take place this spring north of Golden Acres Drive through Land Care Niagara and with the township's financial support. Now is a good time to continue restoration and enhancement. Funds and expertise are available from a variety of sources to support municipalities. In addition to the Land Care tree planting program, the World Wildlife Federation and TD's friends of the environment are just 2 that are active locally.

### **Slide 12**

The students and staff of the High School are to be congratulated on their initiative and foresight in pursuing this reforestation project. They have understood the importance of reforestation in an urban setting. Let's follow their lead in protecting and restoring Natural Heritage Systems.

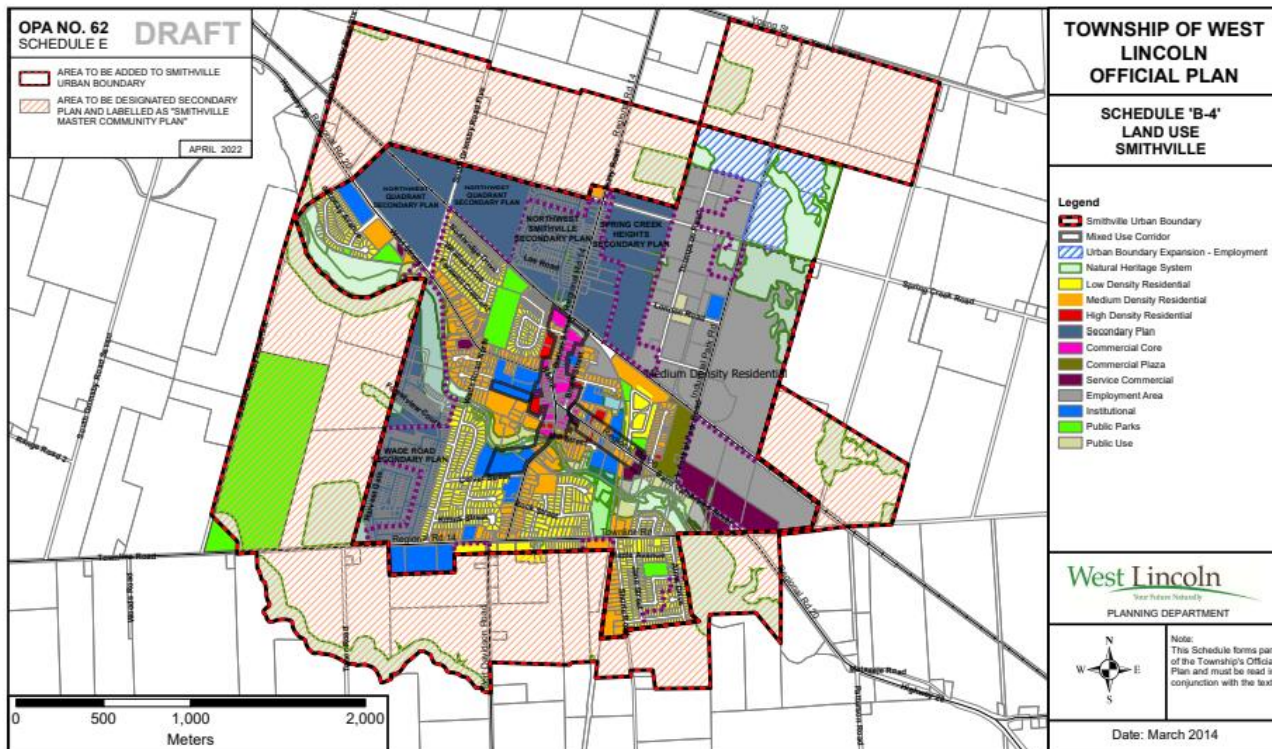
We fully expect there will be people who will challenge the Master Community Plan Amendment for their own financial interests. Let's understand that we, the residents, have hired the expertise of our planning department and their consultants to act in the best interests of the community. They understand the legislative requirements, they consider the local situation and conduct the necessary studies to develop a comprehensive plan. They are looking at the long term, the rest of our lives and the lives of those who come after us for generations. We should be guided by their expertise.

### **Slide 13**

And finally .... protection, enhancement and restoration of Natural Heritage Systems are not in conflict with urban expansion or economic well-being. They are essential pieces of the entire picture of a healthy community. We applaud the planning that has taken place to incorporate these systems for the benefit of all and urge council to accept the proposed amendment to the Smithville Master Community Plan.



# SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES



## **Planning Act and Provincial Policy Statement - Land Use**

- describes how land uses may be controlled, and who may control them  
promotes sustainable economic development in a healthy natural  
environment

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

## **Definition – Natural Heritage Systems**

Natural Heritage Systems are defined as areas which are linked by natural corridors and which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems.

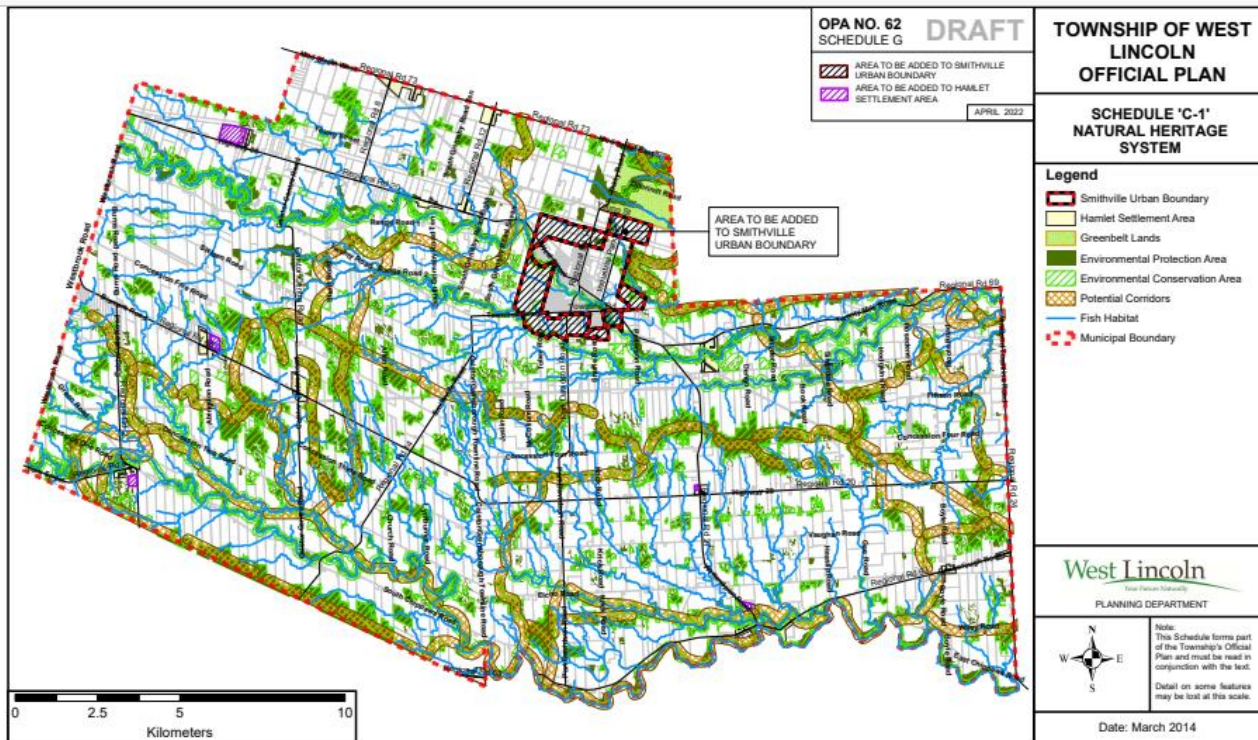
## **Natural Heritage Systems for the Growth Plan**

Municipalities will incorporate the *Natural Heritage System for the Growth Plan* as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the long-term ecological or *hydrologic functions* of the features and areas as set out in the policies in this subsection...

- New *development* or *site alteration* will demonstrate that...

**at least 30 per cent of the *total developable area* will remain or be returned to *natural self-sustaining vegetation*...**

# SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER THE PLANNING ACT MINUTES



**SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**

Parameter	Environmental Standards PWQO/CWQG	Median concentration 2016-2020	# Exceedances 2016-2020	% Samples Exceeding 2016-2020
Chloride	120 mg/L	62.7 mg/L	5	13%
Copper	0.005 mg/L	0.00255 mg/L	2	2%
E. coli	100 cfu/100mL	153 cfu/100mL	20	59%
Lead	0.005 mg/L	0 mg/L	0	0%
NO3-N	3.0 mg/L	1.297 mg/L	7	18%
TP	0.03 mg/L	0.227 mg/L	40	100%
TSS	30 mg/L	18.6 mg/L	11	28%
Zinc	0.02 mg/L	0.0117 mg/L	6	17%



**SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**



**SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**



**SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER  
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**SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**



# Reforestation Proposal

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Smithville Christian High School

Smithville Planning Committee Meeting  
June 14, 2021





# Why Plant Forests in Urban Settings?

- Reduces runoff
- Improves water filtration
- Habitat for wildlife
- Improves biodiversity
- Aesthetic purposes
- Carbon sink



**SCHEDULE "F" TO THE APRIL 27, 2022 PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**



To: Mr. Dean Allison – MP Niagara West

Date: 1/28/2022

From: The Town of Grimsby

Subject: Grimsby Regional Airport

Dear Mr. Allison,

Please find this communication on behalf of the Town of Grimsby and Tax Payer constituents who reside in the area of the Grimsby air park.

As you are aware, the changes with respect to the operation of this formerly small and lightly used air park have presented us with challenges that we strongly feel need to be addressed.

We appreciate the time that you and your office have provided us in our resolution efforts back in October 2021. Please know that we as a Group have responded in a good faith manner hoping that the outcome of that meeting would translate into something positive. Please know that more than six months have passed and nothing positive has resulted from your efforts. In fact we have reason to believe that things will actually get worse as we head into the spring and summer months.

As a result, we are hopeful that you can, as we discussed six+ months ago, reach out to the Minister of Transport Canada on our behalf. We have provided a draft letter for that purpose for your convenience. Any recommendations you have with respect to changes to this letter are welcome. Additionally, we have supplied a document entitled “Grimsby air park – Background, Issues and Recommendations”. Contained within it is some historical context, discussion on current policy and recommendations we believe are reasonable and fair to all those affected.

In short as you are aware, our concerns include but are not limited to:

- 1) Our Rights to Safety, Enjoyment of Property and Privacy that are currently being compromised.
- 2) How Our Rights to Equal Treatment under the laws and policy of the Federal government have been disregarded.
- 3) The impact that the continued operation of this air park in this manner will have on our ability to grow this part of our town in the longer term.

With respect to points 1 and 2, we have reason to believe not that anyone has approached us or that these restrictions are present on our property deeds that we are no longer allowed to enjoy our properties as others can. We apparently are no longer allowed to do things like light fires, fly kites or fly drones because of the imposition of this PRIVATELY owned and RECREATIONAL air park.

Again we appreciate your time and support in this matter and are hopeful that we can continue the dialogue necessary to see this matter resolved satisfactorily.

Kindest Regards,

The Town of Grimsby and its' Tax Payers.

To: The Minister of Transport Canada, Mr. Omar Alghabra

Date:

From: MP – Niagara West, Mr. Dean Allison on behalf of the Towns of Grimsby and West Lincoln and a Growing Group of Tax Payers

Subject: Issues with PRIVATELY owned and operated Grimsby air park, Current air park Regulations and Interjurisdictional Immunity

Dear Minister Alghabra,

Please find the attached discussion and recommendations. It outlines the issues that currently exist between a PRIVATELY owned and operated air park (Grimsby Regional air park), numerous Tax Paying citizens in the area of the air park and the Town of Grimsby.

It also discusses possible resolutions that we as a Group hope will be considered. There is much more to this than recorded, however we respect your time, so we have tried to keep this communication as brief and concise as possible.

We are hopeful that upon review of this information that you recognize:

- 1) Our Rights to Safety, Enjoyment of Property and Privacy that are currently being compromised.
- 2) Our Rights to Equal Treatment under the laws and policy of the Federal government have been disregarded.
- 3) The negative impact that the continued operation of this air park in this manner will have on our ability to grow this part of our town in the longer term.
- 4) That this air park is abusing the privilege bestowed upon it (Interjurisdictional Immunity) in a manner that does a disservice to those many air parks that contribute positively to their immediate communities.

With respect to points 1 and 2, we have reason to believe, not that anyone has approached us or that these restrictions are present on our property deeds, that we are no longer allowed to enjoy our properties as others can. We apparently are no longer allowed to do things like light fires, fly kites or fly drones because of the imposition of this PRIVATELY owned and RECREATIONAL air park.

We look forward to further discussion of this at your earliest convenience and trust you will advise Mr. Dean Allison, our MP of West Niagara, accordingly.

Of course feel free to contact me directly.

On behalf of a growing list of concerned Tax Paying property owners, thank you for your attention to this important matter.

Greg Middleton,

**Grimsby air park – Historical Context, Existing Policy and Recommendations**

## Historical Context

The Grimsby air park used to be a privately owned and operated personal hobbyist operation. Many years ago, it had a modest training facility that failed as a business.

Air traffic was largely minimal and most pilots were respectful of our rights to safety, enjoyment of property and privacy. They largely kept out over the fields. Despite the air park organizing in 1978, there were many homes and livestock operations in the vicinity prior to that. This air park was only tolerated because of the minimal amount of traffic it presented. Prior to the year 2000 landing/take-off events were only a few per week. Between the years 2000 and 2015, prior to new ownership, the number of landing/take-off events were approximately a modest 520 per year or 10 per week.

## Fast forward to the Present.....

This air park has now been sold to a company that among other things, is now operating a flight school out of that location. As a result, we have been faced with significantly increased traffic, some of which are flying as low as SEVENTY FIVE feet over our homes depending on how close one is located to the airport. Even kilometres away they pass over our homes in some cases as low as ONE HUNDRED feet. Late night/Early morning activity is not uncommon. Imagine a plane barnstorming your home at 100' at 6am or planes passing over your lifelong home every 4-5 minutes for hours at a time! Sometimes they are so loud you have to stop talking, they rattle windows, you can hear them in basements or with ear protection on.

The Grimsby air park exists on roughly 100 acres compared to the 300+ acres the Niagara District Airport occupies that offers these very same services. Twenty minutes away, the Dorothy Rungeling Airport in Welland Ontario resides on 400+ acres. At approximately 100 acres The Grimsby air park was never intended to be anything more than a small personal air park. The new operation represents a **change in use** that area residents do not support and that is resulting in damages. On some days we are dealing with over a 100 landing/take-off events.

## It is important to note that.....

It should also be noted that, with respect to land use for an air park, this property fails in many regards in ways that puts pilots and those on the ground in harms way. Wildlife refuges, ponds, open fields, parks, cattle paddocks, poultry factory farms, hog farms and landfills all exist within Primary, Secondary and Special Zones per TP1247 PART 3. The level of risk ranges from POTENTIALLY HIGH to POTENTIALLY MODERATE. This represents more risk than the local residents are prepared to accept for this largely **RECREATIONAL** activity. These concerns were not as prevalent beforehand due to the low number of flights, however now this is not the case. Bird collisions have been witnessed. Wild life such as deer crossing the runway has also been observed.

There is virtually no security on this site. There is no perimeter fencing and security lighting.

We have eye witness accounts of middle in the night flights arriving without runway and airplane lighting activated. They land for a couple of minutes, a car will exit the air park rapidly and the plane takes off again. The concern here is that this facility, due to lacking security, is engaged in illegal activity.

Additionally, it would appear that this PRIVATELY owned air park is taking advantage of the Interjurisdictional Immunity it enjoys in a manner that was never the original intent of this privilege.

a) On at least one occasion events like unsanctioned and unsafe drag racing have been held on this site. They involved large groups, had no security or first responder support. Police were called and the organizers cited federal Interjurisdictional immunity preventing law enforcement from enforcing the laws we all live by.

b) Please know that we also have reason to believe that the original intent of the re-classification of this property from RURAL to UTILITY by the previous owner was in order to execute a sale to Durante Properties. Durante Properties shortly after taking control of this property, took the Town of Grimsby to the Land Tribunal over its use of the property as a works yard. The Town of Grimsby lost on appeal in 2020. This has resulted in a situation where a private company is using and abusing its Interjurisdictional Immunity privileges to avoid scrutiny of its activity on this property.

**As a Community we have tried to deal with this Air Park in a constructive manner.....**

In early 2021 a noise committee was established that included a Grimsby councillor (Dorothy Bothwell) and the Mayor of West Lincoln (Dave Bylsma). This committee only met once. It was reported that recommendations were drafted. Despite inquiries, we were never apprised of these recommendations. Despite numerous complaints from many affected property owners we never received a response from air park management.

In the 3<sup>rd</sup> quarter of calendar year 2021, out of frustration and at the request of our TAX PAYER GROUP, a meeting was called by our MP Dean Allison, Mayors of West Lincoln and Grimsby and our MPP Sam Oosterhoff with air park management. As a result of this meeting, in October 2021, it was reported by the air park that they would re-engage the noise committee, implement a 1000' rule (pilots to attain 1000' before banking or entering descent at 1000') and make the air park PPR (Prior Permission Required). In the interest of being reasonable, despite reservations, we as a Group decided to give this a chance.

Unfortunately none of the above responses resulted in any improvement. The outcome of this as of the 1st week of January 2022, a full YEAR after the initial engagement and six months after the multi-governmental meeting with the Grimsby air park, has been:

a) No decrease in flight activity. On those days nice enough to fly during these winter months, planes continued to repeatedly passed over our homes and properties at unsafe altitudes. Please see a sample of flight activity at the bottom of this document. Please know that very recently and largely due to the increase in fuel prices, flight activity has lessened. We are only mentioning this here in the interest of being open and honest. However, we are concerned that once fuel prices return to something more normal, that activity will return to its previous levels.

b) Planes disregarding the 1000' rule and our homes continuing to be barnstormed.

c) Emails to the air park going unanswered.

d) The noise committee not re-initiated as promised.

e) On at least one occasion meetings were cancelled without notice. One involved Mayor Bylsma.

The bulk of the offensive activity is related to flight training. Air park property management knew this was the case when offering to make the air park PPR (Prior Permission Required). The air park claimed it was pilots from other air parks causing the problems. It was the very pilots/trainers that operated out of this air park.

On one occasion one member of our Group was finally able to get a response from the air park and was offered an "if you don't like it move" ultimatum by the manager Gary Plummer.

Naturally, we are all very concerned what this will mean when the weather gets nicer. Especially if the attitude expressed above prevails.



**In summary, our concerns are related to....**

a) Our Rights to safety, enjoyment of property and privacy continue to be stripped away by a PRIVATELY owned recreational company and pilots that continue to fly their planes over our properties at altitudes that according to current CARAC policy would be considered unsafe elsewhere.

b) Our Rights to Fair and Equal Treatment under the law and the fact that we are not offered the same protections afforded to property owners who reside farther away from this air park under the current policy. We have reason to believe that this issue, satisfying Charter compliance case predicates, is actionable.

Again this PRIVATE enterprise offers zero economic value to the community, is not owned by any level of government and is not of national interest. It is simply a facility that allows recreational pilots a place to execute and learn their hobby at our collective expense.

We are not aware of any other recreational activity that is allowed to impose itself in this manner on Tax Paying property owners as is the case here. Please know that there are other facilities available that offer these services that are more ideally suited for this activity in the Region.

Please know that in close proximity to this air park, West Lincoln has developed a hamlet which is slated for additional growth. Grimsby has established a hamlet along Grimsby Mountain Road that is also affected by this traffic. That is in addition to all of the homes and farming/livestock operations that have existed in the area, many of which were present before the air park was first licensed, on a much smaller scale, to operate on this location. The Town of Grimsby has also made significant investment in its recreational property Southward Community Park just down the road. This park falls into the Secondary Hazard Zone per TP1247 Part 3.

The negative impact this has had on numerous residents has been widespread ranging from PTSD like symptoms, lost sleep, severe anxiety, loss of enjoyment and of course concern that at any time one of these planes could fail and a crash occur. One person has already been injured from an aircraft crash originating from this air park.

Several months ago, a plane that was destined for the Grimsby air park for circuit training purposes crash landed on the 407. We have witnessed bird strikes and close calls that we know go unreported. Again, please review the impact statements to get a sense of our frustration and concern.

This is a photo of a plane that crashed a couple of 100 yards from Ruby Wilcox's former lifetime residence on Kemp Road, Grimsby.



The plane pictured below crash landed on the 407 just a couple of months ago. Thankfully, no innocents were hurt. It was on its way to Grimsby air park where it was scheduled to continuously fly for hours over our homes/properties at altitudes that would be considered unsafe elsewhere. All this for a recreational hobby! I know my hobbies don't put people at risk in their homes.



## **A Few Points on Current Regulatory Policy**

For your convenience, please find these brief notes on current policy and how they contribute to this situation.

### **1) Minimum Flight Altitudes:**

Currently rules are in place restricting flight altitudes/clearance of 1000' (linearly/laterally) over built up areas (houses, buildings, persons present) or 500' in areas that are not built up (expansive fields, undeveloped terrain). We understand that this policy was designed to allow the pilot an opportunity to recover and avoid personal property in the event of a bird strike, malfunction, health issue or any other mishap that can occur. This policy makes sense.

The following is what does not make sense. Exempt from the above rules are the take-off and landing phases of flight. Please note that landing and take-off phases of flight are, for reasons that should be obvious, statistically the highest risk phases of flight.

Every time a plane barnstorms our homes/properties and Transport Canada investigates they use this exemption to justify this behaviour. The response from Transport Canada has traditionally been that as long as the pilot is landing or taking off they can fly at whatever altitude they want, wherever they want!

***We hope you are asking yourself the following questions:***

***a) Why would government policy allow for a pilot to fly/land/take-off over a PRIVATE Home/Property that is not controlled/owned by the air park at altitudes that are otherwise restricted over other properties for reasons of SAFETY?***

***b) How is it possible that one CANADIAN Tax Payer is afforded protections under the law and another afforded NOTHING under the very same policy document?***

### **2) Interjurisdictional Immunity**

Air parks enjoy what is called Interjurisdictional Immunity. Interjurisdictional Immunity prevents the province, municipality and region from enforcing laws and policies on air parks such as this even if they are PRIVATE enterprises and of zero national interest.

This immunity extends to building, land change/use, noise etc. It would appear that once a property is licensed as an air park, even if it is PRIVATELY owned and of no significance whatsoever, that regional, provincial and municipal authorities have little recourse in terms of enforcement of their respective laws on those properties.

This has caused other municipalities much grief and material legal costs. Take Burlington Airport for example and its landfill disposal efforts. This was all done in the name of expansion which never occurred. It was largely accepted that the tipping fees, which were almost a million dollars, were the real reason behind that activity. The end result for the city of Burlington was expending hundreds of thousands of dollars in legal fees and significant hardship on local property Tax Payers. This occurred only because of the immunity that is for some reason afforded to these private businesses by the Federal government and subsequent abuse by the property owner. We are hopeful that you are seeing the disconnect here.

As mentioned previously, we have reason to believe that Durante Properties is primarily interested in this property for private non-aviation related activities. However, it wants to keep the aviation element of the property active so that it can enjoy the Interjurisdictional Immunity that is attached to it.

## **Our Recommendations and Request for Change**

It's always easy to complain, so we have given some thought to what we consider to be practical solutions to these problems. As the Legal property owners of the lands in question, we feel that they are appropriate and respect our Rights to Fair and Equal treatment under Federal Laws and Government policy as they pertain to our Rights to Safety, Enjoyment of Property and Privacy.

### **1) Control of Land Required to Facilitate 1000' Altitude**

Privately owned for-profit air parks that are of zero national interest should be required to either acquire through lease or ownership the land necessary to accommodate a pre-landing/post-take-off phase of flight altitude/clearance of 1000' (linearly/laterally).

This policy change would introduce consistency within the measures currently employed to protect the general population. All CANADIANS are afforded equal treatment under the rule of law. Government policies can not discriminate. In this particular case we as a Group do not have the same protections afforded other CANADIAN Tax Payers. Canadians other than us are afforded visa vis government policy a minimum flight clearance of 1000' over their personal properties. For some reason, Tax Paying property owners in the vicinity of air parks (even if they are kilometres away/regardless of who was there first) are not afforded these very same protections. This is a Charter issue.

If this policy change were implemented, many of our issues would be resolved. It would provide a mechanism whereby if neighbours accepted the risks a facility of this nature could co-exist. It would also provide for the implementation of understandings that would be enforceable. It would recognize that area property owners have rights that deserve to be respected.

Frankly, we do not understand how this allowance to fly/land/take-off over someone else's personal property during the most dangerous phases of flight ever came into existence. However, that doesn't mean it can't or shouldn't be corrected. We use the term correction, because it is our opinion that this policy should never have been introduced in the first place and that when this policy was originally developed area property owners were not considered in the process. We are pretty certain the only people that had input were pilots and they were simply securing their own interests at our expense. As it stands right now our properties are being used as extensions of this air park to the benefit of the for-profit private largely recreational enterprises that operate out of them.

We understand that federally owned airports that are of national interest like Pearson International, would be exempt for obvious reasons.

Many of us on this list are business owners ourselves. Our business operations would never be allowed to impose on someone else's rights to safety, enjoyment of property and privacy for all the right reasons. The same common-sense restrictions should exist with small private air park businesses.

### **2) Re-consider Interjurisdictional Immunity**

While we appreciate that in the case of airports that are of national interest and importance the Federal government is required to be the governing body and Interjurisdictional Immunity afforded, we don't understand why small privately owned recreational air parks of zero national and economic importance are also afforded the same protections/privilege. We understand the regulatory end of it, but we just don't understand the immunity aspect. What has been witnessed in a number of jurisdictions, for example Burlington, is that these air parks use this immunity to insulate themselves from local, regional and provincial laws to the detriment of those levels of government and their tax payers. Providing PRIVATE enterprises this level of immunity from governance of other levels of government is fraught with problems as has been discussed here already with the Burlington air park case and our own personal experiences with Grimsby air park.

In this particular case, Durante Properties can operate with impunity claiming activities on the property are aviation related. As was discovered in the Burlington Air Park case the dumping of fill that occurred on that property ultimately had more to do with tipping fees than it did with air park expansion. According to court documents Rossi the owner of the Burlington Air Park netted \$855,000 for this abuse.

Additionally, we find it disturbing that a property owner can apply to have their property licensed as an airport and there is nothing the local, regional and provincial governments, or neighbours for that matter, can do about it even if the use as an airport contravenes local land use rules. We find it disturbing that PRIVATE air parks can with immunity build, alter the land, contravene noise and nuisance laws contrary to all levels of government policy that is put in place for others. There is something wrong with that.

We respectfully request that in the case of small privately owned airports such as the one in Grimsby, Interjurisdictional immunity be re-considered such that immunity to *change of use*, local building, noise and land management policy are no longer provided for.

### **3) Restrict Air Traffic at Grimsby air park**

Lastly, we respectfully request, if the above two recommendations can not for some reason be accommodated, that flight activity at this air park be heavily restricted, given the ***change of use*** the NEW operation represents, to that which it was while operating under the previous owners (520 per year) and the training activity halted.

As mentioned earlier we are being exposed to planes barnstorming our homes and properties every 4-5 minutes for hours on some days. This is surely something that no Tax Payer should be expected to endure to support the operation of a PRIVATELY owned for profit business that is in this case largely recreational, of ZERO economic benefit to all levels of government and is of ZERO national interest.

## **TAX PAYER IMPACT STATEMENTS**

### **Branko Kuruc 219 Woolverton Rd. Grimsby**

The increased traffic represents safety and noise issues. This air park should be re-located.

### **Glen&Kathy Worstencroft 3425 South Grimsby Rd. 11 Grassie.**

I am very concerned. The type of airport they are changing to, should not be in a residential area. I want to help stop it.

Yes, I am in west Lincoln, just down road 12 on the opposite side of Mud from you.

This planes pass directly over my house, last on the left before the train tracks.

They pass right over at a very low altitude. It is a scary feeling knowing that some of these pilots are in training! I do feel unsafe.

As far as enjoyment of property goes? It's gone way downhill. Can't even enjoy an outdoor BBQ with friends because of the noise!

And regarding privacy, yes I feel like I'm being watched whenever they fly over whether I'm outside doing yard work, or practicing my golf swing.

It's becoming more and more stressful as time goes on.

I've made numerous calls to the town of Grimsby bylaw enforcement officer to see if the airport must be breaking some kind of noise laws. Just called yesterday and left a message, waiting to hear back.

And one more thing. What about the negative effect all this is having on the resale value of our homes?! It must be devaluing, who wants to buy a house that's in the path of runways of a busy airport?

I'm mad as hell about it. Sorry, I think it's even having an affect on my mental health as well.

### **Rick and Michelle Nordeman, 237 Inglehart Road, Grimsby**

Michelle and I have lived at 237 Inglehart Road for 3 years and the air traffic has increased significantly over that time. Many of the planes from the Grimsby air park are flying directly over our homes at very low altitudes which makes us feel unsafe and like we are being watched. Many are also extremely loud to the point that we can't even hear each other speak. When training, the same plane takes off and lands repeatedly every 4-5 minutes making it very difficult to enjoy our backyards. Please, something needs to be done to address these concerns

### **Max, Linda, and Leah Smith. 7876 Mud Street E. Grassie, ON.**

We are very concerned. We have been dealing with these people since last August 2020. You have 100% of our support.

We lived here for 20 years across from the airport and never had any issues with the airport until the new owners moved into our community and took over. They show their ignorance daily.

We have been harassed and bullied, especially when putting in a complaint into the Grimsby By-Law Officer several times within the last 14 months, and didn't get any response back. They then changed their flight path to over our house. People are afraid to put a complaint in because they are afraid they will be harassed.

This airport has caused nothing but trouble. It has caused much anxiety, stress, and physical/mental health issues.

My husband has been diagnosed by the Doctor with PTSD which occurred at the beginning of all of this last August. We have to wear double hearing protection due to the noise, there are vibrations inside our home when they fly over, and we are worried about the health effects this is causing. This airport needs to be shut down so we all can enjoy our properties once again.

Thank God, for our Mayor, Dave Bylsma for being 100% with us, he has been supporting us since last August 2020.

Thank you,

### **John Taylor, Marie Taylor Kristine Taylor John Michael Taylor Katherine Taylor 3531 South Grimsby Road 12 Grassie**

I am concerned about the issues at the air park. The noise from some of the planes is awful during take offs, particularly when they simply go up turn around land and take off again, sometimes as many as 10 – 12 times in a row, basically every 5 minutes, you cannot sit outside at times because of them! Another



concern is the height of the planes. I personally have seen the planes below 100 feet crossing over the houses on South Grimsby Road 12. Just this week I noticed a plane crossing over my back yard below 100 feet and that plane had to pull up to miss the houses on Mud Street. Something must be done for the safety of the residents trying to live a quiet peaceful life without what I can only assume is harassment by these individuals as the disturbances have escalated since the first complaints.

**Mary and Kyle Newton 8010 Mud Street, Grassie On L0R 1M0**

The planes are coming in to land extremely low. I drive school bus and have noticed how low the planes are flying in. I was on my way home from my bus route the other morning and had a plane come in for a landing. I was surprised as to how low the plane was on approach. A little unnerving to say the least. I too have had my home "barn stormed". The event that stands out is an evening I was up at around 2-2:30 in the morning. There was a plane looping around my house for what seemed like an hour. I drive school bus and need to have a good nights sleep since I'm up at 5:30am to get ready for work. I believe this happened during the spring or early summer of 2020. I was livid! I do have a hard enough time sleeping now I have to worry about some pilot practicing manoeuvres the wee hours of the morning over my home. Glad the drag racing was mentioned. I couldn't enjoy a beautiful Sunday. Made Mud Street even more dangerous to walk on while the cars attending the event had no consideration to the residents and used the street to warm up. I too called Grimsby town hall and complained. Last I heard the bylaw officer was looking into it. We built our dream home here 22 years ago. We love there area for the peace and quiet and didn't mind the small quite airport and the occasional freight train. We didn't sign up for what is going on with the airport now. We pay too much in property taxes to put up with this type of "poor neighbour". I'm sure the owners of the airport wouldn't put up with what we are enduring as home owners. Thank you for what you are doing! Sincerely, Mary Newton

**Lisa Blythe. 3568 South Grimsby Rd. 12**

Hi my name is Lisa Blythe I live at 3568 South Grimsby Rd. 12

I'm in 100% agreement to stop the airport from doing anything more than what the small Grassie air park did.

I'm the 8th Generation to live in Grassie, Grew up on the family fruit farm. Lived in the same place for the last 52 years and was here long before any airport went in.

The differences between the two airstrips are the following:

Old Grimsby air park

3-4 planes during the week day

6 or so maybe on the weekend

Planes would follow a flight plan and NOT go over the residential houses.

Small planes, small engines, small sound.

NEW Grimsby Regional Airport

25 plus planes during the week day

Extremely busy on the weekends probably 75 plus planes landing and taking off continuously

Start flying as early as 7:00 am and well past dark.

Larger planes, bigger engines, extremely loud sounding engines

Planes constantly taking off, circling landing, taking off, circling landing.

Can't enjoy the back yard, planes low flying over our house

When the louder engine planes take off We can't talk to someone that's standing right beside you. It's terrible and extremely frustrating.

Now they started allowing exotic, modified, fast, loud cars to race on Sunday afternoons doing 1/4 mile times.

This airport is in the Hamlet of Grassie and should not be allowed or located in a residential area. Way back when the airport was much smaller and should never have been allowed to grow into what it is today. There were many of us here that were here before.

**Mike and Susanna Ferreri, 233 Inglehart Road, Grimsby, Ontario**

I am very concerned about safety and noise, and lack of peacefulness around my area. It is very disturbing and disruptive to our quality of life. There are a lot of big birds like turkey vultures in this area. I have seen near misses.

It also is agitating my pets and livestock waking them up when ever they fly by so low and loud and the noise is unbelievable for such small planes.

I am kilometers away and instead of keeping out over fields fly over my home at less than 100'. Almost like they are doing it on purpose.

The new owner is not helpful.

**Jamie Campbell. 278 Allen Rd, Grimsby**

I agree totally this unused airport has now become a hazard and nuisance, we can not sit out on a weekend and have a conversation with out having to wait for the noisy plane to pass only to return 15 minutes later. These planes now fly right over our home and property, when the airport was open previously (several years ago), the planes which were not frequent flew over the bush, not our heads!  
Thank you for taking this initiative.

**Shelly Penny, 120 Elm Tree Rd W, Grimsby L3M 4E7**

We, Jeff & Shelley Penny, would like to join your petition please. We would rather not have more air traffic over our home. The low altitude these planes fly at represents a risk to our safety, our right to enjoyment of our property and our right to privacy.

**Carmen Biljan. 210 Kemp rd West. Grimsby, Ontario**

We should file a class action lawsuit against Grimsby, the Federal Government and the Grimsby Air Park. The noise level has to increased 1000 percent. They fly right over our farm at 210 Kemp rd West. The management is unresponsive to our concerns. Every time we complain it gets worse like they are penalizing us for complaining.

We really need to do something ASAP

Let's get started

Carmen Biljan

**Jill and Tony Abbot, 213 Inglehart Road, Grimsby, Ontario**

We are writing this letter to address our concern with the noise and air traffic from the Grimsby air park.

We are concerned about our safety as the planes travel at very low altitudes and in some cases almost appear to be out of control perhaps due to wind. Winds can be very extreme in this area.

Also , when outside and attempting to relax on our back deck/garden we are subject to the frequent droning noise and shadows of low flying planes taking off and landing from this air strip. This noise continues to be a disturbance while inside the house especially when these planes choose to turn direction overtop of our dwelling. The vibration can actually be felt when inside. We will also note at this time that these flights are not specific to a certain time of day but continue morning, afternoon and evening and have also been heard well after night fall at times. Is there no rest/downtime for these flights?

Although we respect the fact that people enjoy their flying, it should not be detrimental to our safety and the enjoyment of our own personal property. Our hope is that you as mayor will take the lead as requested to see that this situation is rectified and represent the concerns of all of us tax payers who deserve better.

**Scott Phillips, 3557 South Grimsby Road 12, Grassie, Ontario, L0R1M0**

This air park never used to be a problem. Now it has become a big problem and safety concern.

**Andy Gould and Crystal Angers, 218 Inglehart Road, Grimsby**

MAKE IT STOP! WE ARE TAX PAYERS AND HAVE RIGHTS!

**Mike and Nattie Rehner, 270 Inglehart Road, Grimsby**

We are against the expansion of the local airport. The increased air traffic presents increased safety risk given the extremely low altitudes and results in noise, pollution, and privacy concerns. There are no benefits of this expansion to our neighbours and local community, only detriments. This needs to be stopped.

Mike and Natty Rehner

**Tony and Sandy Viveros, 205 Inglehart Road, Grimsby, Ontario**

Please know that we are extremely concerned about the air traffic generated by the new owners of the Grimsby Air Park.

I have lived in my home since 1998 and the problem has been getting worse since the purchase. It is obvious that if an incident like a bird strike occurred they would have no chance to recover. Please know migratory birds are common in this area. We have witnessed impacts. At any rate they should have more respect for our safety and privacy. There are a lot of fields they can fly over if need be. Actually it would be better for all concerned if this air park did not exist. It doesn't belong here and would be better suited farther south on a bigger property away from homes. There are days that they start about 6 a.m., carry on all day at about 5 minute intervals and are so low to the houses, it is unnerving. So low that we can almost see the pilot. We can feel vibrations in our home which is unacceptable. I hope that this situation can be resolved soon.

**Greg and Rita Middleton, 241 Inglehart Road, Grimsby**

The new owners of this air park have ZERO regard for their neighbours. If the pilots and management were concerned about safety they wouldn't fly directly over homes that are km's away at less than 100'. This air park needs to be re-located where it won't put people and property at risk. Where it won't have to depend on property they don't own to attain a safe flight altitude. It has no business operating in this built-up area. This problem will not go away and will only get worse when more development inevitably occurs here.

**Tino Cipans, 179 Inglehart Road, Grimsby**

This air park should never have been allowed in the first place. Ruby Wilcox hated it especially when they chopped her trees down after she told them no. Two planes have crashed their already.

**Joe Deluca – President– Gizio Club, 288 Kemp Road, Grimsby**

I own/run a business and have made significant investment in this community in a manner that results in significant municipal taxes and provincial/federal taxes. I employ people in this area. I have to jump through hoops to plant trees and install a community soccer field, yet this privately owned company is allowed to ruin our business and do whatever it wants. How am I supposed to host a wedding with noisy planes flying over our property in a way that is dangerous and inconsiderate. These recreational pilots are ruining this area and this air park needs to be re-located.

**Carleigh & Jordan Hochheimer, 442 Mud St West, Grassie L0R 1M0**

We are concerned with the increased traffic, increased noise, and not only the safety of us but of our two small children. Not only are the planes an issue flying directly above our house CONSTANTLY, but a few weeks ago they had a drag racing competition there and the increase in traffic was insane. We had cars flying down our road WAY above the speed limit with zero concern or regard to anyone or anything. How am we supposed to feel safe raising our family when the owner doesn't care about anyones safety? This is not ok and these issues need to be corrected.

**Robert and Lacy Stull 3577 S. Grimsby Road 12, Grassie**

Unsafe and noisy aircraft originating from this air park.

**Walter Vanderholk, 489 Allen Road, Grassie, Ontario**

Unsafe and noisy aircraft originating from this air park.

**Maria Kuiper, 198 Mud Street, Grimsby, Ontario**

Unsafe and noise all nights. Causing me migraines.

**Misaru Suzuki 3556 South Grimsby Road 12, Grassie, Ontario**

We are concerned about our safety, noise and quality of life.

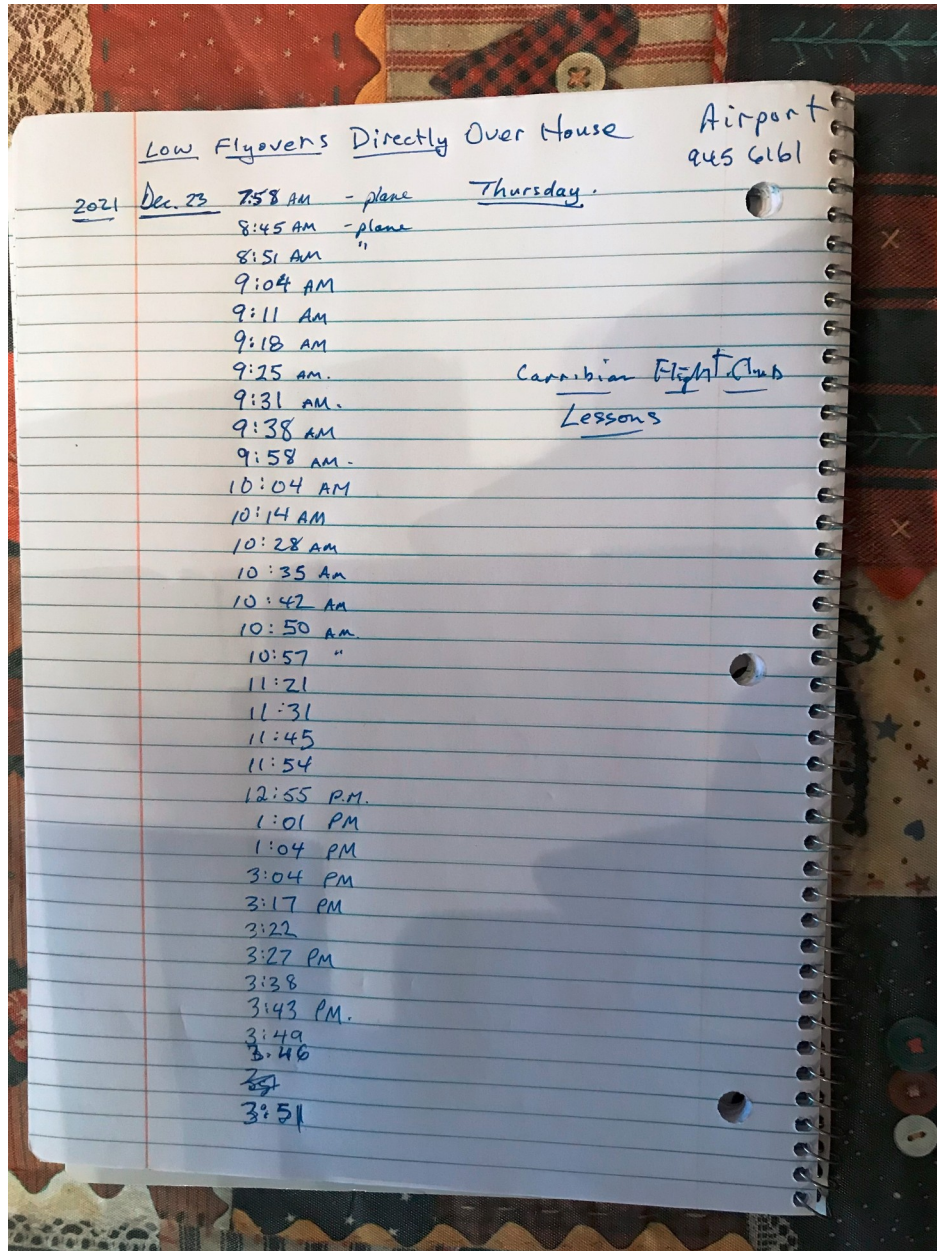
**Shawn Comeau, 3588 S. Grimsby Road 12. Grassie, Ontario**

I have witnessed planes flying so low I thought it was going to hit Max Smiths house. This has happened far more than once. It looked like they were doing it on purpose.

### Chris Moffat, Grassie Road

Even at some distance from this air park these planes fly extremely low often banking over our barns and livestock causing them grief. We are concerned for our safety, the well being of our livestock and the peace that typically comes from living in the country. My family's home has been here a lot longer than this air park ever was!

Here is a sample of what we have to deal with in terms of traffic. Imagine your home barnstormed continuously every few minutes for hours on end!



**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**

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**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](mailto: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 29<sup>th</sup>, however the Bill received royal assent on April 14<sup>th</sup>, 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**

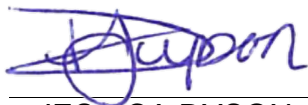
There were no new items of business raised by any Member of Committee in attendance.

**13. CONFIDENTIAL MATTERS**

There were no Confidential Matters.

**14. ADJOURNMENT**

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



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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 16, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Staff:** Bev Hendry, CAO  
Joanne Scime, Clerk  
Mike DiPaola, Director of Public Works & Recreation  
Dennis Fisher, Fire Chief  
Katelyn Hall, Deputy Treasurer  
Kevin Geoghegan, IT Help Desk Analyst

**Others:** Bruce Harris, WeeStreem

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**1. CHAIR - Councillor Jason Trombetta**

Chair Trombetta called the meeting to order at approximately 6:30 p.m.

Prior to commencing with the Administration/Finance/Fire Committee meeting agenda, Chair Trombetta made 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 had the opportunity to submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) prior to 4:30 pm on the day of the meeting, being today April 19, 2022. Any comments submitted are considered as public

information and will be read into public record at a later point in the agenda.

3. This meeting was being livestreamed as well as recorded and will be available on the Township's website following the meeting.

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

Chair Trombetta 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 Hatiwendaronk (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. CHANGE IN ORDER OF ITEMS ON AGENDA**

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

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

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

## **5. APPOINTMENTS**

There were no appointments/presentations.

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

The Chair inquired if the IT Help Desk Analyst 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 Help Desk Analyst confirmed he did not.

Additionally, the Chair asked the Director of Legislative Services/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 Director of Legislative Services/Clerk confirmed she had not.

## **7. CONSENT AGENDA ITEMS**

### **7.1 ITEM 32-22**

#### **CONSENT AGENDA ITEMS**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Cheryl Ganann

That the Administration/Finance/Fire 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 # 2.

**Carried**

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

1. Information Report T-12-2022 - Financial Update as of April 30, 2022
3. Information Report CAO-02-2022 - Disconnecting from Work Policy

#### **ITEM 32-22 (2) - Information Report WFLD-06-2022 - Monthly Update April 2022**

Mayor Bylsma asked for the Fire Chief's thoughts regarding issues of arson in the Township of West Lincoln in the early years of present Council term and asked if these issues have since been abated.

The Fire Chief responded to Mayor Bylsma's questions, stating that these arson issues have relented, citing that there has not been an abundance of suspicious fires in the past 10 months. The Fire Chief stated that they have been seeing motor vehicle accidents more often than fire issues, citing that there has been a slight increase of motor vehicle accidents this year as compared to past years.

Mayor Bylsma thanked the Fire Chief for his response, stating that these insights will provide useful updates to the community.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor William Reilly

That, Information Report WLFD-06-2022 regarding "Monthly Update - April 2022", dated May 16, 2022, be received for information purposes.

**Carried**

## **8. COMMUNICATIONS**

### **8.1 ITEM A33-22**

Anita Philpott, Secretary/Treasurer, West Niagara Agricultural Society

Re: 2022 West Niagara Fair be designated as a “Community Festival” in order to obtain a Special Events Permit from the Ontario Alcohol & Gaming Commission

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor William Reilly

1. That, the correspondence from Anita Philpott, Secretary/Treasurer, of the West Niagara Agricultural Society, dated April 28, 2022 requesting that the 2022 West Niagara Fair be designated as a “Community Festival” in order to obtain a Special Events Permit from the Ontario Alcohol & Gaming Commission, be received; and,
2. That, the Council of the Corporation of the Township of West Lincoln hereby designate the 2022 West Niagara Fair as a “Community Festival of Municipal Significance” in accordance with the Liquor License Act of Ontario and the Alcohol and Gaming Commission of Ontario, which festival is to be held from Friday, September 9th to and including Sunday, September 11th, 2022, at the West Niagara Agricultural Centre, 7402 Mud Street, Grassie.

**Carried**

## **9. STAFF REPORTS**

### **9.1 ITEM A34-22**

Director of Legislative Services/Clerk (Joanne Scime)

Re: Recommendation Report C-02-2022 - Restricted Acts of Council (Lame Duck Periods): Period 1) From August 19, 2022 and October 24, 2022 and; Period 2) from October 24th, 2022 to November 14th, 2022)

Councillor Bradaric posed a question to the CAO and Director of Legislative Services/Clerk regarding the transfer of power within the Township administration, specifically as it relates to what would happen if the CAO, for some reason, was not available and unable to transfer her CAO's power.

In response to Councillor Bradaric's inquiry, the CAO cited that within the written job descriptions of the four Directors there was a provision in place where one of the Directors had the authority to fill in for the CAO for brief periods of time. The CAO's comments were backed by the Director of Legislative Services/Clerk, who confirmed the comments made by the CAO were correct.

Mayor Bylsma echoed the comments made by the CAO and Director of Legislative Services/Clerk, stating that in many cases across the Province, the Director of Legislative Services/Clerk, alongside senior members of staff, have the authority to step in to assume responsibilities of the CAO, should the CAO be absent for whatever reason.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Harold Jonker

1. That, Recommendation Report C-02-2022, regarding “Restricted Acts of Council (Lame Duck Periods) Period 1) From August 19, 2022 and October 24, 2022 and; Period 2) from October 24th, 2022 to November 14th, 2022”, dated May 16, 2022, be received; and,
2. That, notwithstanding the provisions of the Township's Tendering and Purchasing Policy and Delegation of Powers and Duties Policy, Council adopt the attached draft By-law which delegates authority to the Chief Administrative Officer (CAO), for a specific time period, as outlined in Section 275 of the Municipal Act.

**Carried**

## **9.2 ITEM A35-22**

Director of Legislative Services/Clerk (Joanne Scime)

Re: Recommendation Report C-03-22 - Inaugural Meeting of Council  
Procedural By-law Amendment

Councillor Rehner questioned what the capacity levels were for the Council Chambers, in which the Director of Legislative Services/Clerk responded that the capacity of the Council Chambers and combined with the former Committee Room area was 69 occupants. Councillor Rehner continued to express his desire to hold the Inaugural Meeting of Council after the upcoming Municipal Election in the Council Chambers. Councillor Rehner suggested that allowing for Councillors to bring 3 to 4 individuals each would place the capacity limit of the Council Chambers below the 69-person threshold.

In response to Councillor Rehner's inquiry, the CAO stated that the 69-person capacity limit was based on pre-COVID capacity, which does not take into consideration for social distancing should this become an issue that needed to be addressed in the Fall. The CAO advised that the West Lincoln Community Centre would be a more ideal place to hold the ceremony as the gymnasium area had a lot of space to accommodate a larger turnout and/or social distancing considerations.

Councillor Reilly agreed with the CAO's comments, and also stated that since members of the public can also attend the Inaugural event, space would be even more limited. Councillor Reilly then stated that since the potential attendee number for the Inaugural ceremony was unknown, he felt it would be best to err on the side of caution and use the larger Township owned facility, being the West Lincoln Community Centre (i.e. gymnasium).

**Moved By** Councillor Harold Jonker

**Seconded By** Councillor William Reilly

1. That, Recommendation Report No. C-03-2022 regarding "Inaugural Meeting of Council Procedural By-law Amendment", dated May 16, 2022, be received for information; and,
2. That, Section 2.1 (Inaugural Meeting) of the Township of West Lincoln's Procedural By-law 2013-58 (as amended), be further amended to set a date, time and location for the Inaugural Meeting of Council as provided in Schedule "A" to this report; and,
3. That, the 2022 Inaugural Meeting of Council be held on Monday, November 21, 2022 at the West Lincoln Community Centre commencing at 7 p.m.

**Carried**

### **9.3 ITEM 36-22**

Fire Chief/CEMC (Dennis Fisher)

Re: Recommendation Report WLFD-07-2022 - New Fire Station # 2 Tender Report

Councillor Jonker asked the Fire Chief when he expected the construction for the new fire hall would commence and also if the current fire hall would still continue to be used while construction was underway.

In response to Councillor Jonker's inquiries, the Fire Chief stated that depending on approval from Council, he anticipated that a ground breaking ceremony would occur in the first or second week of June, and depending on the contractor, Niacon, construction may possibly begin during the last week of June. The Fire Chief & CEMC also confirmed that the current fire hall would continue to be used during the construction of the new Station 2 Fire Hall.

Mayor Bylsma stated that he understood the economic pressures the Township has faced due to the rising cost of construction materials since



the pandemic hit, and recognized the need for this project to commence as soon as possible in order to avoid any further rising costs. Mayor Bylsma thanked the Fire Chief and staff for their hard work and efforts that went into this project.

Councillor Rehner inquired whether or not Station 2 firefighters were consulted with respect to the design process of the new fire hall, and whether or not they were pleased with the final drawings.

In response to Councillor Rehner's inquiries, the Fire Chief stated Station 2 Firefighters were involved in all levels of the project, and were pleased with the final drawings of the new fire hall.

Councillor Rehner asked the Fire Chief whether there had been any discussion amongst the firefighters that the funds being spent on the new fire hall should be awarded elsewhere. Councillor Rehner gave the example that perhaps some of the firefighters felt that the money should be used instead to rehabilitate the current fire hall. The Fire Chief & CEMC confirmed that there was no feedback from the firefighters that suggest they should instead use the money to rehabilitate the current fire hall.

Councillor Ganann expressed her approval of the new fire hall project, citing that this project has been needed for a very long time, which were also echoed by Councillor Reilly.

In response to Councillor Bradaric's inquiry regarding the length of the debenture period as well as the interest rate, the Deputy Treasurer confirmed that the debenture period for the project would be 30 years at a locked interest rate of 4.39%, which was the current rate with Infrastructure Ontario.

Councillor Trombetta expressed the importance of this new fire hall for Ward 1 and its residents and noted that many people in the community were in full support of this investment and hoped Council will support the construction of a new fire hall.

The Fire Chief expressed his gratitude to staff, Council, and all involved with the project for their ongoing support.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Shelley Bradaric

1. That, Recommendation Report WLFD-07-2022 Re: New Fire Station # 2 Tender Report, dated May 16, 2022 be accepted; and,

2. That the tender be awarded to Niacon Construction in the amount of \$3,456,590.00; (excluding HST); and,
3. That, Council approve a total budget of \$3,950,000 for the replacement of Fire Station #2; and,
4. That, Council approve Budget Amendment BA2022-04 for \$1,250,000 as outlined in this report; and,
5. That a bylaw be adopted to authorize the Mayor and Clerk to sign an agreement with Niacon Construction for the construction of New Fire Station # 2 in the amount of \$3,456,590.00 (excluding HST).

	<b>For</b>	<b>Against</b>
Councillor Jason Trombetta	X	
Councillor Shelley Bradaric	X	
Mayor Dave Bylsma	X	
Councillor Cheryl Ganann	X	
Councillor Harold Jonker	X	
Councillor Mike Rehner	X	
Councillor William Reilly	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

#### **9.4 ITEM 37-22**

Director of Finance and Treasurer (Donna DeFillippis)

Re: Recommendation Report T-13-2022 - Development Charges Interest Policy under Sections 26.1 and 26.2 of the Development Charges Act

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Harold Jonker

1. That, Recommendation Report T-13-2022 regarding "Development Charges Interest Policy under Sections 26.1 and 26.2 of the Development Charges Act", dated May 16, 2022, be received; and,
2. That, "Interest Policy under Sections 26.1 and 26.2 of the Development Charges Act", as attached as Appendix A to this report be approved; and,

3. That, a \$400 administrative fee for payment defaults under Section 26.1 of the Development Charges Act be approved; and,
4. That, By-Law 2002-115 be updated to include the \$400 administrative fee for payment defaults under Section 26.1 of the Development Charges Act.

**Carried**

## **10. OTHER BUSINESS**

### **10.1 ITEM A38-22**

Members of Committee

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

There were no verbal updates provided by any Member of Committee with respect to Boards and Committees which they sit on.

### **10.2 ITEM A39-22**

Members of Council

Re: Other Business Items of an Informative Nature

(1) Councillor Cheryl Ganann

Re: Various Matters

(i) Community Tree Planting

Councillor Ganann reminded Members of Council and the public that on May 17th, 2022, the Community Tree planting will be happening and that it was her understanding that Councillor Reilly, Mayor Bylsma as well as herself will be in attendance.

(ii) West Lincoln Community Care Food Drive

Councillor Ganann stated that the West Lincoln Community Care Food Drive was a great success and she thanked the Knights of Columbus, and Kiwanis for their assistance with this event. Councillor Ganann noted that 8400 lbs of goods were weighed, and thanked the community for their care and outreach for people in need in the community at large.

(iii) Provincial All Candidates Night

Councillor Ganann stated that the West Niagara Chambers of Commerce will be jointly hosting a Provincial All Candidates Night on Wednesday, May 18 at 6:30 pm at the Great Lakes Christian High School in Beamsville. Councillor Ganann stated that this event will provide

residents of West Niagara a chance to learn more about the candidates and their respective parties, and also ask questions.

2) Mayor Dave Bylsma

Re: First Long Weekend of Summer - Remind Residents to be Safe

Mayor Bylsma noted to the community at large, that the first long weekend of summer was coming up, and wished everyone a safe and happy long weekend.

## **11. NEW BUSINESS**

### **11.1 ITEM A40-22**

Mayor Dave Bylsma

Re: New Item of Business - Grimsby Air Park

Mayor Bylsma advised that he would like to put forward a Notice of Motion for the May 24, 2022 Council Meeting with respect to the Grimsby Air Park and how the use and operations at this airport have affected the residents who live in both West Lincoln and Grimsby. Mayor Bylsma stated that some work has been done and synopsis of discussion has been put together which the residents would like to put forward to the Federal Transportation Minister in helping to address the concerns of residents from both West Lincoln and Grimsby. Mayor Bylsma advised that he attended a meeting with residents of Grimsby and West Lincoln along with Mr. Dean Allison, MP, Niagara West, who advised that he personally would bring the resident's concerns directly to the Federal Transportation. Mayor Bylsma stated that he will be bringing a document to the May 24th Council Meeting for discussion and to request Council Member's support of a resolution that could then be forwarded to the Federal Transportation Minister to address the residents of Grimsby and West Lincoln's concern as it relates to the operation of the Grimsby Air Park.

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor William Reilly

That, a new item of business be introduced being discussion relating to the Grimsby Air Park.


**Carried**

## **12. CONFIDENTIAL MATTERS**

There were no confidential matters.

**13. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 7:32 p.m.



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**JOANNE SCIME, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK**

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**COUNCILLOR JASON  
TROMBETTA, CHAIR**

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

**MEETING NO. FOUR**

**May 16, 2022, 7:36 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Staff:** Bev Hendry, CAO  
Joanne Scime, Director of Legislative Services/Clerk  
Mike DiPaola, Director of Public Works and Recreation  
Cindy Weir, Interim Library CEO

**Others:** Bruce Harris, WeeStreem

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**1. CHAIR - Councillor Harold Jonker**

Councillor Jonker called the meeting to order at 7:36 p.m.

Prior to commencing with the Public Works/Recreation/Arena Committee meeting agenda, Chair Jonker made 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 could have submitted comments for matters that were on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. today and any comments submitted would be considered public information and read into the public record at a later point in the agenda this evening.
3. The meeting was being recorded and would be available on the Township's website.

**2. LAND ACKNOWLEDGEMENT STATEMENT**

Chair Jonker 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 Hatiwendaronk (Hat-i-wen- DA-rong), 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. CHANGE IN ORDER OF ITEMS ON AGENDA**

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

**4. 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.

**5. APPOINTMENTS**

There were no appointments/presentations.

**6. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

The Chair inquired if the IT Help Desk Analyst 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 Help Desk Analyst confirmed there was 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, for which the Clerk confirmed she had not.

**7. CONSENT AGENDA ITEMS**

**7.1 ITEM PW16-22**

CONSENT AGENDA ITEMS

**Moved By** Councillor William Reilly

**Seconded By** Mayor Dave Bylsma



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.

**Carried**

**SUMMARY OF CONSENT AGENDA ITEMS APPROVED:**

1. West Lincoln Public Library Board - Minutes of February 11, 2022
2. West Lincoln Public Library Board - Minutes of March 11, 2022
3. West Lincoln Public Library Board - Minutes of April 8, 2022

**8. COMMUNICATIONS**

There were no communications.

**9. STAFF REPORTS**

**9.1 ITEM PW-17-22**

Coordinator of Engineering Services (Jennifer Bernard) & Director of Public Works and Recreation (Mike DiPaola)

Re: Recommendation Report PW-09-2022 - Amendment to Schedule P of By-law 89-2000 – Stop Sign Locations

**Moved By** Councillor Cheryl Ganann

**Seconded By** Mayor Dave Bylsma

1. That, Recommendation Report PW-09-2022 regarding “Amendment to Schedule P of By-law 89-2000 – Stop Sign Locations”, dated May 16, 2022 be received; and,
2. That, Council pass a by-law (Attachment “A”) to amend Schedule P of By-law 89-2000 as outlined in this report.

**Carried**

**9.2 ITEM PW-18-22**

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

Re: Recommendation Report PW-10-2022 - Wind Project Tree Replacement Program Update

Mayor Bylsma acknowledged that the wind project tree replacement program was no small task, and that the planting concluded a very long process. Mayor Bylsma stated the trees were of good quality and caliber, and were planted on sites where trees were lost. Mayor Bylsma further advised that any trees that were not taken were used by the Township and were planted at the Train Station, along boulevards, and Leisureplex.

Mayor Bylsma concluded his comments by commending the CAO for her commitment to getting this project completed.

The CAO thanked Director of Public Works & Recreation, Mike DiPaola, and also the Project Manager, Ray Vachon, for all their hard work regarding this project, and working alongside the landowners involved.

Councillor Jonker and Councillor Rehner expressed their appreciation for the tree replacement program.

**Moved By** Councillor William Reilly

**Seconded By** Councillor Jason Trombetta

THAT, Information Report PW-10-2022; re: Wind Project Tree Replacement Program Update, dated May 16, 2022, be received for information.

**Carried**

## **10. OTHER BUSINESS**

### **10.1 ITEM PW19-22**

Members of Council

Re: Other Business Items of an Informative Nature

(1) Councillor Cheryl Ganann

Re: Various Matters

(i) City of Hamilton's Truck Route Master Plan

Councillor Ganann noted that as previous to the meeting, the final report was released with respect to the City of Hamilton's Truck Route Master Plan, and the plan confirmed that Westbrook Road was not included as a truck route.

(ii) National Public Works Week

Councillor Ganann expressed her support of National Public Works Week and thanked the Township Public Works Staff for all their hard work and dedication to keep our residents safe.

Councillor Rehner also stated his appreciation and respect for the Public Works Staff, who have done a fantastic job repairing the Township Roads.

## **11. NEW BUSINESS**

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

**12. CONFIDENTIAL MATTERS**

There were no confidential matters.

**13. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 7:54 p.m.



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**JOANNE SCIME, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK**

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**COUNCILLOR HAROLD  
JONKER, CHAIR**

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

**BY-LAW NO. 2022-40**

**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 25<sup>th</sup> DAY OF APRIL, 2022 AND OF ITS SPECIAL MEETING HELD ON THE 27<sup>th</sup> DAY OF APRIL.**

**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 fifth meeting, regular, held on the 25<sup>th</sup> day of April, 2022, and of the sixth meeting, special, held on the 27<sup>th</sup> day of April, 2022 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  
24<sup>th</sup> DAY OF MAY, 2022.**

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**MAYOR DAVE BYLSMA**

---

**JOANNE SCIME, CLERK**

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW NO. 2022-41

### TO DELEGATE SPECIFIC AUTHORITY TO THE CHIEF ADMINISTRATIVE OFFICER OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN FOR CERTAIN ACTS DURING A “LAME DUCK” PERIOD

**WHEREAS**, Section 270 (1) of the Municipal Act, 2001, as amended, requires, in part, that a municipality adopt and maintain policies with respect to the delegation of its powers and duties and hiring of employees; and,

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln adopted by-law 2007-143 which adopted a policy with respect to delegation of powers and duties for the Corporation of the Township of West Lincoln which requires that all delegations be authorized by by-law; and,

**AND WHEREAS** Section 275 of the Municipal Act, S.O. 2001, c. 25, as amended, restricts acts that a Council can take after Nomination Day (August 19, 2022) and after Voting Day (October 24, 2022) if the Council is in a lame duck position as defined in Section 275(1) and 275(2);

**AND WHEREAS** Section 273(3) of the Municipal Act, S.O. 2001, c. 25 restricts Council from taking action on the following:

- The appointment or removal from office of any officer of the municipality;
- The hiring or dismissal of any employee of the municipality;
- The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- Making any expenditure or incurring any other liability which exceeds \$50,000;

**AND WHEREAS** in order to be prepared should Council authority cease (Lame Duck) between Nomination Day (August 19, 2022) and commencement of the Council Term, West Lincoln Council deems it necessary to enact a Delegation By-law;

**AND WHEREAS** Council deems it expedient to delegate authority to the Chief Administrative Officer and Officers of the Corporation of the Township of West Lincoln to take action, where necessary, on certain acts during the “Lame Duck” period;

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

1. **THAT** where specified joint delegation of authority is to be exercised, in the absence of consensus, the delegation of authority rests with the Chief Administrative Officer (CAO);
2. **THAT** the CAO be delegated the authority to hire or remove any employee of the municipality with the exception of statutory officers of the municipality;
3. **THAT** the CAO be delegated the authority to appoint any Acting statutory officer of the municipality in the event of a departure or vacancy of such an officer's position;
4. **THAT** the CAO and the Treasurer are jointly delegated as the financial signing authority for expenditures outside the current budget, exceeding \$50,000;
5. **THAT** the CAO and Clerk are jointly delegated the authority to execute any Agreement of Purchase and Sale pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;

6. **THAT** the CAO and the Clerk are jointly appointed signing authority for all agreements pursuant to Article 5;
7. **THAT** the CAO shall report to Council on any actions taken under the restrictions listed in Section 275(3) of the Municipal Act, S.O. 2001 between Nomination Day and the commencement of the Council Term;
8. **THAT** this By-law shall take effect only in the event that Council Authority ceases under Section 275 of the Municipal Act, being the Lame Duck provisions, and shall cease upon the Swearing In of the 2022-2026 Municipal Council for the Township of West Lincoln.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>th</sup> DAY OF MAY, 2022.**

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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. 2022-42**

**BEING A BY-LAW TO AMEND BY-LAW 2013-58 WHICH  
ADOPTED RULES FOR PROCEDURES OF COUNCIL  
AND COMMITTEES THEREOF.**

**WHEREAS** the *Municipal Act*, 2001, S.O. 2001, c. 25, Section 238, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** The Corporation of the Township of West Lincoln has enacted Procedural By-law No.2013-58;

**AND WHEREAS** The Corporation of the Township of West Lincoln considers it desirable to amend Section 2.1 of the Procedural By-law in order to set a date, time, and location for the Inaugural Meeting of Council;

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

1. THAT the Township of West Lincoln Procedural By-law No. 2013-58 be amended by removing Sections 2.1 and replacing it with the following new Sections 2.1:

**2.1 Inaugural Meeting**

- (a) The Inaugural Meeting of Council shall be held on the first Monday following the date that the new term of Council as prescribed in the Municipal Elections Act to commence at 7 p.m. at the West Lincoln Community Centre.
- (b) The first Meeting after a bi-election shall be held not later than 31 days after the term of the newly elected Member commences.
- (c) Seating arrangements in the Council Chambers for Members of Council shall be established at the discretion of the Mayor.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>nd</sup> DAY OF MAY, 2022**

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**MAYOR DAVE BYLSMA**

---

**JOANNE SCIME, CLERK**



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

**BY-LAW NO. 2022- 43**

**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 'A2' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 8, Part Lot 35, formerly in the Township of South Grimsby, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 2990 South Grimsby Road 18, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'A2' 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 Low Density Residential (R1A) to Low Density Residential (R1A-214) with a site specific exception zone.
3. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:
  1. R1A-214  
Permitted Uses:  
As per the parent zone, plus a home industry use limited to the use of a private data processing center.  
  
Regulations:  
As per the parent zone, except permitting a use to be located on the property operating out of the existing accessory building at a total gross floor area for the business of no more than 100 square metres. Such use to be fully contained within the accessory building except for a cooling system that shall be located on the rear side of the building. Such use shall comply with all Building Code and Fire Code rules and regulations.
4. THAT all other provisions of By-law 2017-70 continue to apply.
5. 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  
24th DAY OF MAY, 2022**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2022-43**

**Location:**

This By-law involves a parcel of land located on the west side of South Grimsby Road 18, legally known as Concession 8, Part Lot 34, formerly in the Township of South Grimsby, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 2990 South Grimsby Road 18.

**Purpose & Effect:**

The rezoning application to rezone the subject lands to a Low Density Residential zone with a site specific exception to recognize a home industry on the subject property limited to the use of a private data processing center. This data processing center will be located on the property operating out of the existing accessory building at a total gross floor area for the business of no more than 100 square metres. Such use to be fully contained within the accessory building except for a cooling system that shall be located on the rear side of the building. Such use shall comply with all Building Code and Fire Code rules and regulations.

**Public Consultation:**

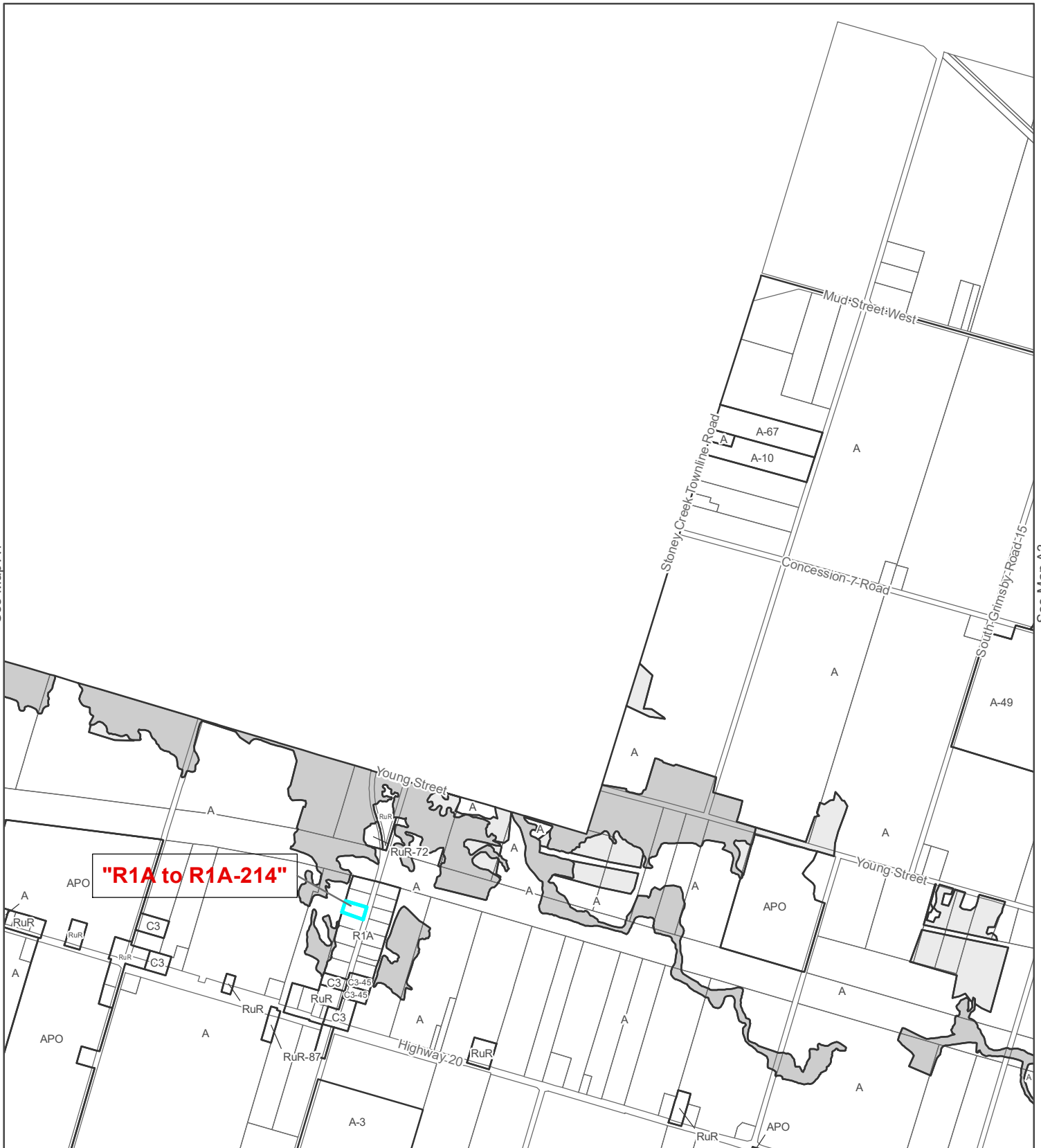
The Public Meeting was held on Monday April 11<sup>th</sup> 2022. There were no public comments received as part of this meeting.

File: 1601-002-22

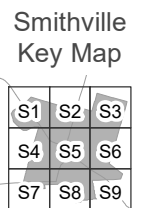
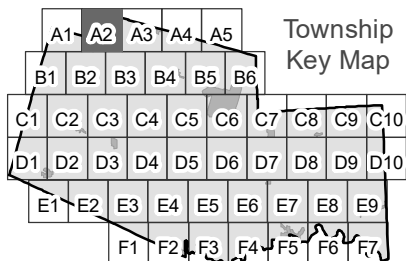
Applicants: Neil Carter

See Map A1

See Map A3



See Map B2



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

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

Map  
**A2**

1:20,000  
0 500 m

Last Updated: January 2021

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

**BY-LAW NO. 2022-44**

**A BY-LAW TO AUTHORIZE A SITE ALTERATION AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND P. BUDD DEVELOPMENTS INC (AGENT – RANKIN CONSTRUCTION), FOR LANDS DESCRIBED AS PLAN M94 Lot 1 PLAN 30M300; PT Lots 12 AND 13 AND RP 30R15515 PARTS 1 AND 2, 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 Alteration Agreement with P. Budd Developments Inc, (Agent – Rankin Construction) for lands legally described as Plan M94 lot 1 Plan 30M300; Pt lots 12 and 13 and RP 30R15515 Parts 1 and 2, 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 Alteration Agreement with P. Budd Developments Inc, (Agent – Rankin Construction) for lands legally described as Plan M94 lot 1 Plan 30M300; Pt lots 12 and 13 and RP 30R15515 Parts 1 and 2, 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 Alteration Agreement and any other document or documents necessary to implement the intent of this By-law and the said Site Alteration Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. That a copy of the said Site Alteration Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as “Schedule A”, and shall form part of this By-law, upon registration on title.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>TH</sup> DAY OF MAY, 2022.**

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

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

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

**BY-LAW NO. 2022-45**

**A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN  
THE CORPORATION OF THE TOWNSHIP OF WEST  
LINCOLN AND NIACON LTD. CONSTRUCTION  
COMPANY FOR THE REPLACEMENT OF FIRE STATION  
#2.**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln deems it expedient to enter into an agreement with Niacon Ltd. Construction Company for the replacement of Fire Station #2.

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

1. That, the Corporation of the Township of West Lincoln enter into an Agreement with Niacon Ltd. Construction Company for the replacement of Fire Station #2; and,
2. That, the Mayor and Clerk be authorized to sign the above mentioned Agreement and to affix the Corporate Seal thereto.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>th</sup> DAY OF MAY, 2022.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

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

**BY-LAW 2022-46**

**A BYLAW TO AMEND BYLAW 2002-115 WHICH BY-LAW  
CONFIRMS FEES AND CHARGES FOR THE CORPORATION OF  
THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS** the Municipal Act, 2001 requires that all fees and charges be established by by-law as of January 1, 2003;

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln enacted By-law 2002-115 to confirm fees and charges for the Corporation of the Township of West Lincoln.

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln enacted By-law 2022-46 to amend By-law 2002-115 to provide a fee of four hundred dollars (\$400.00), being a non-refundable administration fee for default of payment pursuant to an instalment agreement entered into under Section 26.1 of the Development Charges Act, which shall be in addition to the payable development charges.

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

1. That the binder of fees and charges as confirmed by By-law 2002-115 be updated to add the following new fee under the Finance Section appended as Schedule "A" hereto.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>th</sup> DAY OF MAY, 2022.**

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

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

**TOWNSHIP OF WEST LINCOLN**  
**By-Law 2022-46**  
**Schedule A**

ITEM:	DESCRIPTION:	FEE:
1.	A non-refundable administration fee for default of payment pursuant to an instalment agreement entered into under Section 26.1 of the Development Charges Act, which shall be in addition to the payable development charges	\$400.00 (HST excluded)



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

**BY-LAW NO. 2022-47**

**A BY-LAW TO AMEND BY-LAW 89-2000 WHICH  
REGULATES TRAFFIC AND PARKING ON TOWNSHIP  
ROADS**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln enacted By-law 89-2000 to regulate traffic and parking on Township roads;

**AND WHEREAS** the Council of the Corporation of the Township of West Lincoln now deems it expedient to revise Schedule “P” of By-law 89-2000 which provides for Stop Signs on local roads within the Township;

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

1. That Schedule “P” of By-law 89-2000 be amended to reflect the addition of the following stop sign locations to Page 19 of Schedule “P” as outlined herein; and,
2. That By-law No. 89-2000 be amended by deleting therefrom Schedule “P” and inserting the attached new Schedule “P” in lieu thereof.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
24<sup>th</sup> DAY OF MAY, 2022**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

**PURPOSE AND EFFECT OF BY-LAW 2022-47**

1. To add the following stop sign locations to Page 19 of Schedule “P” of the Township’s Consolidated Traffic By-law 89-2000:

HIGHWAY	AT	FACING TRAFFIC
Dennis Drive	St. Catharines St	Southbound on Dennis Dr
Dennis Drive	Dennis Dr	Westbound on Dennis Dr
Brandon Lane	Dennis Dr	Eastbound on Brandon Lane
Brandon Lane	Dennis Dr	Westbound on Brandon Lane