



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 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. **

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 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 Hattiwendaronk (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
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
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
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

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
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 Committee
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 Committee
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 Committee
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

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

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

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

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

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

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

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

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 _____.