



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COUNCIL (ALL COMMITTEE) MINUTES**

MEETING NO. NINE

July 18, 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 Mike Rehner – Left at approximately 10:15pm,
prior to Confidential Matters
Councillor William Reilly
Councillor Jason Trombetta

Staff: Joanne Scime, Clerk
Bev Hendry, CAO
Donna DeFilippis, Treasurer/Director of Finance
Mike DiPaola, Director of Public Works and Recreation
Brian Treble, Director of Planning and Building
Tim Hofsink, Deputy Fire Chief
Gerrit Boerema, Planner II
Cindy Weir, Interim Library CEO

Others: Roberta Keith, IT Manager*
Beth Audet, Communications Specialist*
John Mascarin, Aird Berlis*
Meaghan Barrett, Aird Berlis*
Steve Wever*
Aaron Farrell*
Karl Grueneis*
Paul Griffin*
Richard Vandezande*

***IN ATTENDANCE PART-TIME**

1. SINGING OF "O CANADA"

Following the singing of O' Canada and prior to commencing with the Council meeting, Mayor Bylsma 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 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

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-nee), and the Anishinaabe (Ah-nish-ih- NAH-bey), including the Mississauga's 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 Shelley Bradaric

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

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

- 5.1 Appointments/Presentations Re: Meaghan Barrett & John Mascarin, Aird Berlis LLP (Township Integrity Commissioners) - Code of Conduct Complaint 2022-01 - Integrity Commissioner Report

Councillor Harold Jonker declared a conflict of interest with respect to the above noted matter as the Integrity Commissioner's report relates to a Code of Conduct Complaint filed against Councillor Jonker. As a remedial or corrective measure, Council may, on the basis of the recommendation from the Integrity Commissioner, impose suspension of Councillor Jonker's remuneration under subsection 223.4 (5) or 223.6(2) of the Municipal Act, 2001.

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

The Help Desk Analyst advised that Mr. Paul Griffin had put up his hand to address a matter on this evening's Council agenda.

6.1 Paul Griffin

Re: Item 15.7 (Other Business) - Recommendation Report PD-68-2022 - Comprehensive Zoning By-law 2017-70, as amended - Housekeeping Amendments No. 6 (File 1601-03-22)

Mr. Paul Griffin advised that he wished to speak to Item 15.7 (Other Business) of the Council Agenda, being Recommendation Report PD-68-2022 - Comprehensive Zoning By-law 2017-70, as amended, Housekeeping Amendments No. 6 (File No. 1601-03-22). Mr. Griffin read from a prepared statement which has been attached to the minutes as **Schedule "A"**. In summary, Mr. Griffin stated that he would like the zoning for a portion of the property at 6008 Spring Creek Road (Referred in the Report as Concession 9, Part Lot 4) to remain the same as it was designated in 2015 being A1-559.

Following Mr. Griffin's presentation, Mayor Bylsma 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 Meaghan Barrett & John Mascarin, Aird & Berlis LLP (Township Integrity Commissioners)

Re: Code of Conduct Complaint 2022-01 - Integrity Commissioner Report

Councillor Harold Jonker declared a conflict on this item. (Councillor Harold Jonker declared a conflict of interest with respect to the above noted matter as the Integrity Commissioner's report relates to a Code of Conduct Complaint filed against Councillor Jonker and as a remedial or corrective measure Council may, on the basis of the recommendation from the Integrity Commissioner, impose suspension of Councillor Jonker's remuneration under subsection 223.4 (5) or 223.6(2) of the Municipal Act, 2001.)

NOTE: Councillor Jonker declared a conflict of interest and pecuniary interest with respect to the above noted item of business (refer to Disclosure of Pecuniary Interest and/or Conflict of Interest Section).

Mr. Mascarin provided introductions of himself and Ms. Meaghan Barrett and noted that Aird & Berlis was appointed as the Township's Integrity Commissioner for the Township of West Lincoln in December 2018 and stated that he and Ms. Barrett were in attendance this evening to report on a complaint that was filed against Councillor Jonker under the Township's Code of Conduct for Members of Council and Board Members.

Mr. Mascarin questioned if Councillor Jonker had declared a conflict of interest with respect to the Integrity Commissioner's Report as he was unsure if this was made earlier in the meeting.

In response to Mr. Mascarin's inquiry, Councillor Jonker advised that he had put up his hand up to declare a conflict of interest with respect to this matter, but was not quick enough as Mayor Bylsma had moved on to the next section of the agenda. At this point, Councillor Jonker declared a conflict of interest and pecuniary interest (direct or indirect) with respect to Agenda Item 7.1 (Appointments/Presentations) which related to the Integrity Commissioner's report to consider whether to suspend the remuneration for which he was paid as a Member of Council as a remedial/corrective measure as provided under subsection 223.4(5) or 223.6(2) of the Municipal Act, 2001 due to a contravention of the Township's Code of Conduct.

Mr. Mascarin noted that the investigation completed by Aird & Berlis was conducted in accordance as the Township's Integrity Commissioner and in full compliance with the requirements of Section 5.1 of the Municipal Act (Integrity Commissioner and Code of Conduct), the Township's Code of Conduct as well as the process and procedure that were outlined in the complaint protocol. Mr. Mascarin noted that Ms. Barrett primarily handled the investigation of the complaint; however, he noted that he was consulted during the investigations and provided advice and peer review of the report that was drafted. Mr. Mascarin noted that in carrying out the investigation into the complaint that were filed against Councillor Jonker, Aird & Berlis has acted in a completely neutral and impartial manner and in accordance with the requirements under the complaint protocol that Council has adopted as well as sought to adhere to the procedural fairness for all parties.

Ms. Barrett provided a brief presentation of the report (attached to the agenda) that was prepared as the result of the formal complaint that was filed against Councillor Jonker as it relates to his participation in the COVID-19 vaccination protest/demonstration in Ottawa in late January 2022.

Mr. Mascarin reviewed the remedial measures that were contained in the report for Council's consideration.

Councillor Jonker addressed Section 10 of the report, and stated that he regretted missing the emails from Ms. Barrett that were dated July 4th, and July 6th, 2022 (responded to the first email), and expressed his disappointment that there was no follow up email to ensure he received these emails. Councillor Jonker confirmed that he had received the two above noted emails, but because both his business and Township emails go to the same phone he had missed the two emails from Ms. Barrett. Councillor Jonker also addressed Sections 19 to 23 of the report, particularly as it relates to the allegations of the Freedom Convoy participants and stated that none of the allegations have been proven in a court of law. Councillor Jonker also clarified specifics relating to Section 23 of the report and quoted two different injunctions (Ontario Supreme Court Order dated February 7, 2022 and February 14, 2022). Councillor Jonker stated that the demonstrators worked very hard to comply with these Orders. With respect to Sections 22 to 25, Councillor Jonker stated that that Integrity Commissioner had recognized the fundamental right of freedom of expression as outlined by the Superior Court of Canada. With respect to Sections 46 to 58 which addresses the duty of loyalty, Councillor Jonker stated that he felt that he was able to participate in the demonstration, as well as maintain his loyalty to his duties as a Township Councillor and that he had attended the demonstration as a "truck operator and owner" and not as a Councillor. With respect to Sections 59 to 73 as it relates to gifts and benefits, Councillor Jonker stated that he did not personally receive any gifts or benefits from anyone in this Township and that Jonker Trucking, which he owned, lost money and has continued to not function the way he would like. Councillor Jonker confirmed that he did not receive any food, lodging or fuel in conjunction with his position as a Township Councillor, but as a truck driver. Councillor Jonker stated that his company paid for his lodging and that he personally had not received any fuel. Councillor Jonker stated that he did receive coffee and food and that he had great concern with respect to the interpretation of this section of the report and he questioned whether he needs to report each and every time he receives a coffee, piece of cake or a meal when visiting with

someone, whether this be as an owner of Jonker Trucking or as an elder of his church which would have nothing to do with being a Member of Council. Councillor Jonker stated that it would be impossible to give an accurate account of the coffee and food he received when at the demonstration.

Members of Committee put forth the following questions and/or concerns regarding the presentation made by Mr. Mascarin and Ms. Barrett, including but not limited to:

- 1) It was questioned whether or not a Councillor can remove their "Councillor hat" at their choosing to act as a private citizen. (Response = Mr. Mascarin stated that Members of Council cannot decide when and where they represent the Township, and advised that once a Councillor takes their oath of office they are always representing their municipality for which they were elected (refer to Section 65)).
- 2) It was questioned whether any extra efforts were made by Ms. Barrett to ensure that Councillor Jonker had received the emails that Councillor Jonker had not responded to, by way of a follow up or notification. (Response = Mr. Mascarin stated that his team followed the process properly and Councillor Jonker did not respond to Ms. Barrett's emails regarding what he had received (voluntarily disclose). Mr. Mascarin advised that a follow up email was not provided; however, Councillor Jonker was cooperating prior to the two emails in question being sent. Mr. Mascarin advised that Ms. Barrett sent another email which again Councillor Jonker did not respond to and it was their opinion that Councillor Jonker was ignoring the emails, which were sent to his Township's email address. Ms. Barrett stated that she purposely sends individual new emails each time with a clear subject line as to what the topic of the email was, therefore, there were two different and clear subject lines provided in each of the two separate emails sent to Councillor Jonker. Ms. Barrett stated she had requested voluntary disclosure and clarification as it relates to the preliminary findings of the gifts and benefits were that Councillor Jonker had received).
- 3) It was questioned whether or not a response from Councillor Jonker to the emails he had received were provided in a timely manner, would the severity of the penalties/remedial measures provided in the report been different, specifically being less severe. (Response = Mr. Mascarin stated that it would depend on what the response would have been; however, based on Councillor Jonker's submission this evening,

he did not feel the results would be any different and the penalties/remedial measures were in line with similar types of reports (the recent Town of Grimsby Integrity Commissioner report)).

- 4) It was questioned whether the Integrity Commissioner had any suggestions regarding how Council would track the remedial measures that have been suggested (i.e. 30-day period, 90-day period) and how Council would go about that process and asked if the Integrity Commissioner had anything to offer Council in this regard. (Response = Mr. Mascarin said that timelines were added to insure these measures were addressed in a timely manner and that, in his opinion, he felt the Clerk would track recommendation progress and report to Council).
- 5) It was questioned whether another Integrity Commissioner complaint can be filed if Councillor Jonker does not cooperate with the recommendations of Council and after August 19, 2022 (Nomination Day) and if any Code of Conduct complaints are placed on hold, pending the Member of Council has been re-elected, and the complainant brings back the complaint within 6 weeks of Election Day. (Response = Mr. Mascarin advised that all efforts were made to report on the complaint prior to the August 19 deadline and that the investigation has been fully completed and outlined in the report this evening. Mr. Mascarin stated that if Council makes a decision this evening then everything has been done and the matter does not need to be brought back within the specific timeframe as provided in the Act. Mr. Mascarin also stated that the only outstanding issues would be the compliance of the remedial measures which can be done during the blackout period).

In response to Mayor Bylsma's inquiry whether or not there was an appeal process available, Mr. Mascarin advised that there was no appeal process available as per the *Municipal Act* as the Integrity Commissioner was neutral, impartial and unbiased and the Integrity Commissioner makes the determination with procedural fairness. Mr. Mascarin advised that Councillor Jonker was afforded procedural fairness throughout the entire process, was given the outline of the complaint and was advised of the allegations as well as what the Integrity Commissioner's concerns were. Mr. Mascarin advised that Councillor Jonker was given a copy of the final report which was assumed to have been received as an undeliverable message was not returned, and he had an opportunity to make a response. Mr. Mascarin stated that the report was conclusive and binding and it would be unfair

for the member to be able to come forward today and start cross examining when the complainant doesn't have the same opportunity. Mr. Mascarin advised that if Councillor Jonker feels that a poor investigation was undertaken (without procedural fairness) he could make a complaint to the Ontario Ombudsman under Section 14 of *The Ombudsman Act*. Mr. Mascarin stated that if Councillor Jonker was unhappy with the investigation and Council's decision he could apply for judicial review under the *Judicial Review Procedural Act*, which was an application to the Ontario Divisional Court (panel of three judges) that includes a 30-day timeline from the date of Council's decision.

At the call of Councillor Trombetta, Mayor Bylsma stepped down as Chair at approximately 7:50 p.m. in order to ask questions and/or note his concerns. Councillor Trombetta, as Deputy Mayor, took the Chair to allow Mayor Bylsma to ask questions and/or provide comments.

In response to Councillor Bradaric's inquiry regarding a point of order as she felt Mayor Bylsma's questioning was in fact going into debate with the Township's Integrity Commissioner, Mr. Mascarin advised that he would be willing to address the Mayor's question as to what would happen if at a later time it was found that the demonstration was a lawful protest. Mr. Mascarin stated that the recommendations contained in the report were based on the facts as they exist today.

In response to Mayor Bylsma's inquiry as to whether it was found, at a later time (i.e. 6 months, a year), the protests were lawful, could Council reconsider their decision for which Mr. Mascarin stated that he could agree to this if there was a justifiable basis for doing so.

Mayor Bylsma returned to the Chair at approximately 7:55 p.m.

Councillor Jonker made a closing submission which were very similar to his earlier comments.

Councillor Reilly stated that it may be very difficult for Councillor Jonker to repay the value of the food and fuel that he received and suggested, as a friendly amendment, the resolution be amended to state that Councillor Jonker determine the monetary value of the food and fuel provided as a gift or benefit and this monetary value be donated to West Lincoln Community Care.

As a second, Councillor Ganann agreed to the friendly amendment.

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Councillor Reilly requested a recorded vote as it relates to the two following resolutions.

Donna DeFilippis, Treasurer/Director of Finance joined the meeting at 7:29 pm.

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

That, the Report of the Integrity Commissioner dated July 12, 2022 related to Code of Conduct complaint 2022-01 filed under the Township's Code of Conduct for Members of Council and Local Board Members (the "Code") be received.

	For	Against	Conflict
Mayor Dave Bylsma		X	
Councillor Shelley Bradaric	X		
Councillor Cheryl Ganann	X		
Councillor Harold Jonker			X
Councillor Mike Rehner	X		
Councillor William Reilly	X		
Councillor Jason Trombetta	X		
Results	5	1	1

Carried (5 to 1)

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

That, Council enact the following penalties/remedial measures for Non-Compliance with the Township's Code of Conduct specifically as it relates to Sections 4.1(g) and 7.1 of the Code:

(i) That, Council denounce the actions of Councillor Harold Jonker; and,

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(ii) That a formal reprimand be made against Councillor Jonker and that Council impose a suspension of his remuneration as a member of Council equal to thirty (30) days; and,

(iii) That, Councillor Jonker be directed to account for the estimated monetary value of the food and fuel that was provided to him and to his contingent of supporters as a gift or benefit during the Demonstration within thirty (30) days of Council's decision; and

(iv) That, Councillor Jonker provide proof satisfactory to Council that funds equal to the estimated monetary value of the food and fuel provided as a gift or benefit in remedial measure as noted above (iii) be given as a donation to West Lincoln Community Care within sixty (60) days of Council's decision.

	For	Against	Conflict
Mayor Dave Bylsma		X	
Councillor Shelley Bradaric	X		
Councillor Cheryl Ganann	X		
Councillor Harold Jonker			X
Councillor Mike Rehner	X		
Councillor William Reilly	X		
Councillor Jason Trombetta	X		
Results	5	1	1

Carried (5 to 1)

7.2 CAO (Bev Hendry)
Re: Strategic Plan Accomplishments Update 5 - PowerPoint Presentation

Prior to the CAO providing her presentation, Mayor Bylsma called a brief recess at 8:05 p.m. The Council meeting resumed at approximately 8:07 p.m.

The CAO's presentation was presented which outlined the many accomplishments that had occurred over this term of Council. The script of the presentation is attached to the minutes as **Schedule "B"**.

Councillor Ganann and Councillor Reilly expressed their appreciation for the presentation, and expressed their pride in playing a part in all of the outlined accomplishments.

8. REGIONAL COUNCILLOR'S REMARKS

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

9. CONFIRMATION OF MINUTES

- 9.1 Public Meeting Under the Planning Act
Re: Minutes of June 27, 2022

Moved By Councillor William Reilly
Seconded By Councillor Cheryl Ganann

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

- a. Official Plan Amendment (OPA) - OPA No. 63 for the Smithville Master Community Plan (Secondary Plan); be accepted.

Carried

- 9.2 Council Minutes – Regular
Re: June 27, 2022

Confidential Minutes Under Separate Cover

Moved By Councillor Cheryl Ganann
Seconded By Councillor Shelley Bradaric

1. That, the minutes of the open session portion of the June 27, 2022 regular Council meeting be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the June 27, 2022 regular Council meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

Carried

10. COMMUNICATIONS

There are no Communications.

11. MAYOR'S REMARKS

Mayor Bylsma noted a special day on Friday, which saw the torch relay for the Canada Summer Games. The Mayor stated it was an honour to be able to run along with CAO, Bev Hendry, as well as many members of our community from the Leisureplex to the West Lincoln Community Centre. Mayor Bylsma also noted he was part of the Farmers Market, and the first act at the new Bandshell. Mayor Bylsma expressed his appreciation towards all the new people in attendance, including a number of Members of Council.

Mayor Bylsma noted that before next council meeting we will be in the middle of the Niagara 2022 Canada Summer Games starting August 6, 2022 and the "13 for 13" event on August 8, 2022.

Mayor Bylsma wished all Council and the Community a safe and happy summer.

12. REPORT OF COMMITTEE

There are no Reports of Committee.

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 Members of Council.

15. OTHER BUSINESS

15.1 CONSENT AGENDA

NOTE: All items listed below are considered to be routine and noncontroversial 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.

Moved By Councillor Jason Trombetta

Seconded By Councillor Harold Jonker

1. Items 1, 2, 3, 4 and 5 be and hereby received for information; and,
2. Items 6 and 7 be and are hereby received and that the recommendations contained therein be adopted with exception of Item No(s). 6 and 7.

Carried

1. Multi-Municipal Wind Turbine Working Group Minutes - April 14, 2021
2. Information Report No. WLF0-09-2022 - Monthly Update June 2022
3. Information Report No. T-22-2022 - Financial Update as of June 30, 2022
4. Information Report No. PD-69-2022 - Building Department Annual Budget Report 2021
5. Information Report No. PD-71-2022 – European Water Chestnut – Update
6. Recommendation Report No. T-21-2022 - 2021 Accumulated Operating Surplus

Mayor Bylsma stepped down from the Chair at approximately 8:54 p.m. and Deputy Mayor Trombetta took the Chair in order to allow Mayor Bylsma to provide his comments as it relates to Items 6 and 7 of the Consent Agenda.

Mayor Bylsma stated his concerns with respect to the large amount of operating surplus as outlined in the Treasurer's Report and he noted his regret that these funds could have been allocated to pave additional sections of municipal roads.

Councillor Reilly stated that the Township was not sitting on money and that the Township has many reserves that are underfunded and while he understood Mayor Bylsma's concerns, this operating surplus was being recommended to go into reserve should emergency come forward. Councillor Reilly clarified that while the paving of roads was a concern, the surplus was being put towards other important matters.

Councillor Ganann noted that while the surplus may seem like a large sum, the Township has had to use quite a bit of it's reserves and this surplus will largely go to replenishing those reserves (i.e. Station 2 Fire Hall).

The Treasurer/Director of Finance stated that the accumulated surplus included \$150,000 of surplus that Council had approved to use in the 2022 budget. The Treasurer/Director of Finance advised that surpluses are used in budgets and staff are also recommending that \$150,000 be used in the 2023 budget to avoid fluctuations. The Treasurer/Director of Finance stated the Roads

Department, which was made up of a lot of different service areas, had savings in different areas (utilities, fuel, training consulting) during 2021 because of the pandemic and the uncertainty whether or not the Township would receive any funding from the Province; therefore, staff were very careful to watch expenditures. The Treasurer/Director of Finance advised that another item that led to the surplus was interest revenue, which staff budgets very conservatively as the markets are out of the Township's control.

Moved By Mayor Dave Bylsma

Seconded By Councillor William Reilly

1. That, Recommendation Report T-21-2022, regarding "2021 Accumulated Operating Surplus" dated July 18, 2022, be received; and,
2. That, Council authorizes \$150,000 of the 2021 Accumulated Operating Surplus be used as revenue in the 2023 budget; and,
3. That, Council authorizes the transfer of \$586,979 of the 2021 Accumulated Surplus into the Contingency Reserve, which requires approval of Budget Amendment BA2022-06.

Carried

7. Recommendation Report No. PD-70-2022 - Amendment to Sign By-Law 2020-54

Mayor Bylsma sought clarification regarding the jurisdictional powers of the Chief Building Official within the by-law, as it pertains to the appropriateness of signs.

The CAO responded to the Mayor Bylsma's inquiry and advised that this report was addressing the removal of a current power the Chief Building Official currently has with regards to appropriateness of signs.

Mayor Bylsma stated that he had misinterpreted the report and recommendation and withdrew his previously inquiry.

Mayor Bylsma returned to the Chair at approximately 9:14 p.m.

Moved By Mayor Dave Bylsma

Seconded By Councillor William Reilly

1. That, Recommendation Report No. PD-70-2022, relating to the "Amendment to Sign By-Law 2020-54", dated July 18th, 2022, be RECEIVED; and,

2. That, By-law 2020-54, as amended, be further amended by the passage of an Amending By-law similar to that found at Attachment 1 to this report.

Carried

- 15.2 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)
- 15.3 Manager of IT (Roberta Keith) and Treasurer/Director of Finance (Donna DeFilippis)
Re: Recommendation Report IT-01-2022 - Voice Over IP Communications Replacement

Moved By Councillor Harold Jonker

Seconded By Councillor Cheryl Ganann

1. That, Report IT-01-2022, regarding the "Voice Over IP Communications Replacement", be received; and,
2. That, Niagara Regional Broadband Network Ltd., be awarded the contract to install and maintain a new telecommunications system for the Township of West Lincoln to replace the existing end of life system; and,
3. That, a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with Niagara Regional Broadband Network Ltd.

Carried

- 15.4 Deputy Treasurer/Manager of Finance (Katelyn Hall) and Treasurer/Director of Finance (Donna DeFilippis)
Re: Recommendation Report T-18-2022 - 2021 Draft Audited Financial Statements and Audit Findings

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

1. That, Recommendation Report T-18-2022 regarding the "2021 Draft Financial Statements and Audit Findings", dated July 18, 2022, be received; and,
2. That, the 2021 Draft Audited Financial Statements, attached as Appendix A to this report, be approved; and,
3. That, the 2021 Audit Findings Report to Council, attached as Appendix B to this report, be received.

Carried

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

Re: Recommendation Report No. PD-66-2022 - Zoning By-law Amendment Application Jonathan and Crystal Sikkens – 7330 Concession 3 Road (File No. 1601-008-22)

Councillor Jonker questioned the status of the barn that was on the property.

In response to Councillor Jonker's inquiry, the Planner II stated that the Committee of Adjustment removed a condition that staff had included in their report with respect to the removal of the barn from the property (square footage was too large, the height of the barn was too high for the rural residential zoning and having the barn on the property resulted in a much larger lot size than staff wished to have). The Planner stated that because of the Committee of Adjustment had voted in favour of the barn being allowed to remain on the property, staff did not want to go against the Committee of Adjustment's decision and as such, staff's report that is being considered this evening was recommending allowing both the larger barn and the detached garage to remain on the rural residential property which would result in a larger lot size than what was normal.

Moved By Councillor William Reilly

Seconded By Councillor Mike Rehner

1. That, Recommendation Report PD-66-2022, regarding "Zoning By-law Amendment – Sikkens – File No. 1601-008-22", dated July 18, 2022, be RECEIVED; and,
2. That, application for Zoning By-law Amendment 1601-008-22 submitted by Jonathan and Crystal Sikkens for 7330 Concession 3 Road be approved in accordance with the attached amending by-law; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the Planning Act.

Carried

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

Re: Recommendation Report No. PD-67-2022 – Zoning Bylaw Amendment – B & A Heaslip Farms Ltd. – 3976 Regional Road 20 (File No. 1601-006-22 & 1601-007-22)

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

1. That, Recommendation Report PD-67-2022, regarding “Zoning By-law Amendment – B & A Heaslip Farms Ltd. 3976 Regional Road 20 (File No. 1601-006-22 & 1601-007-22)”, dated July 18, 2022, be RECEIVED; and,
2. That, application for Zoning By-law Amendment 1601-006-22 and 1601-007-22 submitted by Ben and Pam Heaslip for 3976 Regional Road 20 be approved in accordance with the attached amending by-law; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the *Planning Act*; and,
4. That, staff be authorized to return a full Zoning By-law Amendment fee to the applicants as two applications were submitted, but only one was required.

Carried

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

Re: Recommendation Report PD-68-2022 – Comprehensive Zoning By-law 2017-70, as amended, Housekeeping Amendments No. 6 (File No. 1601-03-22)

Councillor Rehner questioned the comments which were made by Mr. Griffin earlier this evening and requested the Director of Planning & Building to provide clarification on this matter.

In response to Councillor Rehner's inquiry, the Director of Planning & Building provided some history with respect to the property owned by the Griffin's on Spring Creek Road, particularly as it pertains to the rear lands which were removed from the urban boundary. The Director of Planning & Building stated that as part of compensation of the removal of this area, a special agricultural commercial zoning was given which allowed for an agricultural type business use on the property, with the understanding that their family used the property as part of their business and possible future expansion. The Director of Planning & Building shared that in 2017, the Township put in place the new Comprehensive Zoning By-law which carried forward the zoning text, but the zoning was not included in the mapping and this housekeeping amendment was needed in order for the property to be have a zoning as it was missed in 2017. The Director of Planning & Building clarified that staff were trying to correct this issue as part of this housekeeping amendment.

The Director of Planning & Building explained that through this process there has been changes since 2015 and the Township now has

Conservation mapping that shows Provincially Significant Wetlands that crosses through the Griffin Property (piece of property that extends through Spring Creek to the railway tracks). The Director of Planning & Building advised that through the Urban Boundary Expansion project the Township now knows that level crossings across CP Rails will not be supported by CP Rail unless the Township eliminates two crossings for every one that the Township wants to create; therefore, in order to get access from the South there will need to be access either below or above the railway track, which will not happen to service one business. The Director of Planning & Building stated that coming from the South will likely not be an option, and coming in from the West would mean access through the Refractories lands on Industrial Park Road. The Director of Planning & Building stated that the Refractories have made it very clear, as part of the Urban Boundary Expansion process, that they want the lands to be left alone. The Director of Planning & Building noted that there were two options as it relates to getting access from the North, the first option would be an unopened road allowance along the east side of the property, which extends through the wetlands; the other option being a driveway that the Griffin's have constructed through the lands, which seems like the logical access to the rear of the property.

The Director of Planning & Building stated that he was concerned the Township was granting zoning approval to a piece of land that staff do not know how road access will be addressed, and he wants to make sure that it was clear to anyone that may purchase these lands that there may be some challenges with granting zoning approval for the property at the south end when there was no access and/or frontage to a public road.

The Director of Planning & Building advised that staff have added wording to the draft amending by-law that has been proposed to be put on this property; however, it was not wording that requires anything further than what would have been required in 2015, but to be transparent these lands will need to be developed based on site plan approval, which will then determine access to the property to the rear.

The Director of Planning & Building stated there was one change to the proposed by-law that could be made for clarity purposes in the regulation and suggested that By-law 2022-67 be amended by adding the words "site plan" after the word "necessary" and removing the "s" from "approvals" as provided in the Regulations to Subsection 13.2 Table 29: Site Specific Provisions, Provision 'A-111'.

The Director of Legislative Services/Clerk stated that it would be appropriate to pull By-law 2022-67 and amend the by-law to reflect the change as noted above.

Moved By Councillor Mike Rehner

Seconded By Councillor William Reilly

1. That, Recommendation Report PD-68-2022, regarding “Comprehensive Zoning Bylaw 2017-70, as amended, Housekeeping Amendments No. 6 File No. 1601-03-22”, dated July 18, 2022 be received; and,
2. That, application for Zoning By-law Amendment 1601-003-22 submitted by the Township of West Lincoln be approved in accordance with the attached amending by-law; and,
That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the Planning Act.

Carried

15.8 Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-72-2022 – Official Plan Amendment No. 62 – 2051 Growth Forecasts and Targets, Mapping of Smithville Urban Boundary Expansion Lands and Boundary Adjustments in Hamlets of Abingdon, Caistorville, Fulton, Bismark and Wellandport

Councillor Ganann thanked staff, the consultant team, Landowners' Group, Niagara Region, NPCA, any others involved as well as the community for their hard work and dedication with respect to this project.

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

1. That, Recommendation Report PD-72-2022, regarding “Official Plan Amendment No. 62 – 2051 Growth Forecasts and Targets, Mapping of Smithville Urban Boundary Expansion Lands and Boundary Adjustments in Hamlets of Abingdon, Caistorville, Fulton, Bismark and Wellandport”, dated July 18th, 2022, be RECEIVED; and,
2. That, Official Plan Amendment No. 62 be adopted and corresponding implementation bylaws be APPROVED and passed; and,
3. That, as per the Planning Act, no further public meeting is required; and,
4. That, Staff be authorized to circulate the Notice of Adoption for Official Plan Amendment No. 62 to the required agencies and the public and to submit a copy of Official Plan Amendment No. 62 to the Region for approval, along with the required information record, with full force and

effect occurring once Official Plan Amendment No. 62 has been approved by the Region.

Carried

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

Re: Memorandum - dated July 18, 2022, regarding " File No. 2100-072-08 - Crossings on the Twenty Extension Approval

RECEIVED FOR INFORMATION

15.10 Members of Council

Re: Council Remarks

(i) Councillor William Reilly

Re: Various Matters

Councillor Reilly commended staff for putting on a very successful Canada Day event which was well received and praised by Members of the Community and that it was nice to get back to some normalcy.

Councillor Reilly stated that Music in the Park also kicked off on Friday as part of the Canada Day event which also received good feedback from the community.

Councillor Reilly noted that the AMO Annual Conference will be held in mid-August.

Councillor Reilly advised that at the end of June he attended the first Niagara Transit Commission Meeting and the he hoped to report back shortly on the progress of this Niagara Region initiative.

(ii) Councillor Cheryl Ganann

Re: West Lincoln's 2nd Music in the Park, Movie in the Park

Councillor Ganann reminded the community of the West Lincoln Chamber of Commerce's Community Barbeque that will be held on Saturday, July 23, 2022 from 10am and 3pm.

Councillor Ganann stated that a second Music in the Park will be held on Friday, July 22, 2022 with Movie in the Park being held on Saturday, July 23, 2022 being held following the Chamber's Community Barbeque.

(iii) Councillor Harold Jonker
Re: Various Matters

Councillor Jonker noted the West Lincoln Chamber of Commerce Community Barbeque will include a "touch a truck" event and thanked the Fire Department and Public Works for participating in this event

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 Mike Rehner
Seconded By Councillor William Reilly

1. That, leave be granted to introduce By-laws # 2022-63, 2022-64, 2022-65, 2022-66, ~~2022-67~~, 2022-68, 2022-69, and 2022-70, 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

SUMMARY OF BY-LAWS

17.1 BY-LAW 2022-63

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 27th day of June, 2022

17.2 BY-LAW 2022-64

Being a By-law to appoint a Municipal Officer and Property Standards Officer for the Corporation of the Township of West Lincoln (Jesse Paul)

17.3 BY-LAW 2022-65

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

17.4 BY-LAW 2022-66

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

COUNCIL (All Committee) - July 18, 2022

17.5 BY-LAW 2022-67 (see below)

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

17.6 BY-LAW 2022-68

Being a By-law to amend By-law 2020-54, as amended, a By-law to regulate size, use, location and maintenance of signs in the Township of West Lincoln

17.7 BY-LAW 2022-69

Being a By-law to adopt amendment No. 62 (2051 Growth Forecasts and Targets, Mapping of Smithville Urban Boundary Expansion Lands and Boundary adjustments in Hamlets of Abingdon, Caistorville, Fulton, Bismark and Wellandport) to the Official Plan for the Township of West Lincoln and to forward to the Regional Municipality of Niagara for approval

17.8 BY-LAW 2022-70

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Niagara Regional Broadband Network Ltd.

17.9 BY-LAW 2022-67

Re: Housekeeping Amendment No. 6

Moved By Councillor Mike Rehner

Seconded By Councillor William Reilly

1. That, leave be granted to introduce By-law 2022-67 and that the same shall be considered to have been read a first, second, and third time with one reading, and is 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 as Amended

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

That, By-law 2022-67 be amended by adding the words “site plan” after the word “necessary” and removing the “s” from “approvals” as provided in the Regulations to Subsection 13.2 Table 29: Site Specific Provisions, Provision ‘A-111’.

Carried

18. CONFIDENTIAL MATTERS

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

18.1 Director of Planning & Building (Brain Treble)

Re: Legal/Solicitor-Client Privilege - Peter Budd - Ontario Land Tribunal (OLT) Update

Applicable closed session exemption(s):

- Litigation of potential litigation, including matter before administrative tribunals, affecting the municipality or local board;
- The security of the property of the municipality or local board;
- Advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose

18.2 Director of Planning & Building (Brian Treble)

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

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- the security of the property of the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose

18.3 Treasurer/Director of Finance (Donna DeFilippis)

Re: Personal Matter - Confidential Report T-20-2022 - Section 357 Applications

Applicable closed session exemption(s):

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

18.4 CAO (Bev Hendry)

Re: Legal/Solicitor Client Privilege/Property Matter/Personal Matter - West Lincoln Community Centre

Applicable closed session exemption(s):

- Advice that is subject to Solicitor-Client privilege including communication necessary for that purpose
- Personal matters about an identifiable individual, including municipal or local board employees

Carried

Moved By Councillor Harold Jonker
Seconded By Councillor Cheryl Ganann

That, this Council (All Committee) meeting does now resume in open session at the hour of 10:47 p.m.

Carried

- 18.1 Director of Planning & Building (Brian Treble)
Re: Legal/Solicitor-Client Privilege - Peter Budd - Ontario Land Tribunal (OLT) Update

VERBAL UPDATE

Council rose without reporting.

- 18.2 Director of Planning & Building (Brian Treble)
Re: Legal/Enforcement Matter/Property Matter - Testamentary Devise - In the former Township of Gainsborough now Township of West Lincoln

VERBAL UPDATE

Council rose without reporting.

The Director of Planning & Building left the meeting at approximately 10:20 p.m.

- 18.3 Treasurer/Director of Finance (Donna DeFilippis)
Re: Confidential Recommendation Report No T-20-2022 - Section 357-358-359 Applications

Moved By Councillor William Reilly
Seconded By Councillor Harold Jonker

1. That Confidential Recommendation Report, T-20-2022, regarding "Section 357/358/359 Applications", dated July 18th, 2022 be received; and,
2. That the list of applications as contained in Appendix A to report T-20-2022 be approved.

Carried

- 18.4 CAO (Bev Hendry)
Re: Legal/Solicitor-Client Privilege/Property Matter/Personal Matter -
West Lincoln Community Centre

VERBAL UPDATE

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

That, the CAO be and is hereby authorized to proceed as directed in closed session with respect to a legal, solicitor client and property matter relating to the West Lincoln Community Centre.

Carried

19. ADJOURNMENT

Prior to adjournment Mayor Bylsma advised that the next Council Meeting will be held on Thursday, August 11, 2022 at 6:30 pm and advised that it was important for those that had indicated that they can attend this meeting to do so as there will only be a quorum of Council in attendance (i.e. 4 Members of Council)

The Chair to declare this meeting adjourned at the hour of 10:52 p.m.

JOANNE SCIME, DIRECTOR OF
LEGISLATIVE SERVICES/CLERK

MAYOR DAVE BYLSMA

I'd like to thank staff and council for the opportunity to speak tonight. I would also like to thank staff specifically for their time and efforts meeting with me over the last month in regards to this issue.

A portion of the property at 6008 Springcreek Rd (Referred to in your report as Concession 9, Part Lot 4) was zoned A1-559 in 2015 which permitted a contractor's establishment. The specifics of this site specific zone are noted in your report.

When the Township's new zoning by-law was adopted in 2017, the regulation text was carried over, but unfortunately, a clerical error occurred, and the mapping was not labeled.

The by-law clearly indicates the intended map, which shows the previously mentioned property, but the site-specific provision A-111 was not labeled anywhere on this new map.

Your report addresses 2 points on this issue, one being the error in mapping as I have mentioned. Unfortunately, rather than correcting the error, staff has proposed that the only way to fix this is to essentially zone the area from scratch. Rather than acknowledging that the parcel in question was meant to be zoned A-111, we have been told that there is no map to prove that the site-specific provision refers to our land though the 2015 by-law mapping shows otherwise. If the A-111 wording does not refer to this parcel on Springcreek, which piece of land is it referring to?

I have been informed by staff that the A-111 zoning is not recognized at this location, and will not be acknowledge until the NPCA determines that there is sufficient access to the land. This is not a requirement specific to any site plan approvals that may be necessary for any future plans. Simply put, even if council were to pass staff's recommendations, the zoning would still not be accepted without further NPCA approval. We received NPCA approval for this zoning in 2015 as can be found in Report PD-104-15. Staff has indicated that environmental mapping has changed and this report is no longer relevant, but map file number 1601-003-15, provided by the NPCA as part of the above stated report, clearly shows the parcel in question being land locked, except for access through NPCA regulated lands.

I am here to request that council acknowledge the clerical error, and reinstate the zoning as intended.

The pandemic has certainly taken up a significant amount of time during this term of council. I've heard a number of municipalities and municipal councils they'd love an opportunity for a "do over."

Indeed, the demand for a quick response did divert resources from municipal activities. However, we have still accomplished a very significant amount of projects and initiatives in support of our corporate strategic plan.

It's as a direct result of Council's commitment to a plan for this term that we are able to report back tonight on how well we have done. There is no need for a "do over." This is something that we should collectively be very proud of.

As you know, our Corporate Strategic Plan summarizes the Township's Vision, Mission and Values.

It also outlines 6 overarching themes: Strong Transportation Connections, Support for Business and Employment Opportunities for Residents, Strategic Responsible Growth, Local Attractions, Community Health and Safety, and Efficient, Fiscally Responsible Operations.

Each theme is broken down into prioritized initiatives that will help to advance our community over the next 10 years. You have directed Staff to focus on a total of 25 initiatives. Although in many cases, as you will see shortly, we have gone over and above that expectation. There will be a lot more detail in the biannual update reports that come to Council and are on the website.

In theme 1, our ongoing priorities are all about working with neighbouring municipalities to advocate for the escarpment crossing and investigating a Highway 20 bypass

West Lincoln has continuously advocated for the North-South escarpment crossing, teaming with the Region, Grimsby and Lincoln for five separate joint delegations with Caroline Mulroney, Minister of Transportation at the AMO and ROMA conferences.

These delegations focused on the Greater Golden Horseshoe 2051 Transportation Plan, requesting that it include the North-South Escarpment Crossing as a priority, to ensure a coordinated approach between Niagara and the Province on this critical infrastructure and the Region has approved funds to initiate the Individual Environmental Assessment (IEA) and this has commenced.

In connection with the Urban Expansion group, the Land Owners Group and Master Community Plan team jointly continue to explore relocation of the bypass in the southwest of Smithville to a northerly location. Technical Advisory Committee (TAC) and Steering Committee meetings have occurred specifically to discuss transportation linkages including the NEC and Smithville bypass.

Our short-term initiative is to complete a Roads Needs Study and set targets for the maintenance, rehabilitation and improvement of Township roads

The Roads Needs Study was finalized in September 2020, the information and recommendations from which was considered and included in the Township’s 2021 and 2022 Capital Budget and Forecast.

In line with this the following roads projects have been addressed:

In addition to the replacement of Bridge 34, we have rehabilitated Dock Dockstader Bridge (South Chippawa Road) and North Creek Bridge (Patterson Road).

In 2020, parts of Concession 2 and 7 along with a section of Sixteen Road were rehabilitated.

In 2021, the rehabilitation of sections of Elcho Road, South Grimsby Road 10, Beaver Creek Crescent and Fieldstone Drive, and the hard-topping of Concession 5 were completed.

The 2022 Roads Rehabilitation Contract was awarded in April. It included sections of South Grimsby Road 18, Abingdon Rd, Concession 4 Rd, and South Chippawa Rd.

The Brock Street Watermain Replacement and Road Construction has been completed.

The St. Ann's Road Reconstruction project has commenced with the Municipal Class Environmental Assessment Study & Preliminary Design and all study work will carry on with the road construction planned for 2025.

Township Staff also requested that the Region consider the upload of approximately 20 kilometres of local roads that service a regional function and is awaiting response.

Historically, the Township completed a Roads Needs Study approximately every five years. As part of the 2022 Budget, Council approved a service delivery request to complete an annual update of our Pavement Management System. Moving forward, we'd like to update the pavement surface condition ratings for one-third of the road network every year.

Our medium-term initiative is to build safe active transportation networks including sidewalks, bike paths and trails

The Brock Street Watermain & Road Reconstruction Project included the replacement of existing sidewalks to improve pedestrian safety.

A new school crossing and pedestrian crossover was installed by the Region at Wade Road and RR20/West Street. This crossing is staffed by a Crossing Guard.

The East Smithville Secondary Plan was approved without appeal and included concepts for trails and bike paths.

Developers who submitted Dunloe Plan of Subdivision applications are working on engineering designs that include trails and linkages

Township Staff have also notified the Region that we are interested in the Regional Lagoons land as part of a future trails and corridors plan.

Also related to our theme of transportation:

In 2020, Niagara OnDemand Transit added strategic transportation points on the map for West Lincoln at the Leisureplex, the West Lincoln Community Centre and Town Hall.

And in 2022, Township Council voted in favour of Consolidated Public Transit, helping Niagara to secure the triple majority support required to move forward with creating the long awaited consolidated transit commission.

In theme 2, our ongoing priority talks about streamlining Township processes for building and development

We have partnered with Pelham, Port Colborne and Wainfleet to undertake a review of building services.

We've significantly reduced timelines for the development review process by having Public Works staff complete in-house reviews of engineering submissions rather than sending them out for third-party peer review.

We've created a streamlined part lot control process, made improvements to streamline the site alteration process and introduced a pre-consultation fee that now allows developers and applicants a more thorough pre-consultation review.

We've introduced a sign by-law and subsequently streamlined the variance process for exceptions. In the summer of 2020, we streamlined patio approval restrictions.

We introduced AMPS for enforcement of various non-parking municipal by-laws, therefore assisting with effective enforcement and decreasing POA files.

Staff has become very efficient preparing and processing consent and minor variance applications and have already made decisions on 19 applications, which is on track to be another record breaking number of applications.

Our short-term initiative talks about attracting new industry, leveraging the industrial park and other potential employment lands. To do this we have:

- Added new watermain infrastructure in the Industrial Park area in 2020.

- Council approved the Refreshed Economic Development Plan in February 2020 and Council and Township Staff took basis training on the importance of Economic Development
- Expedited site plan approvals have been granted for 4 sites in the industrial park.
- Recommended a Fulton Rural Employment Park.
- Carried out lot creation for Manchester Pet Supplies, Home Hardware and Post Time Services lot enlargement

The Urban boundary expansion work of our Master Community Plan team is addressing all master servicing plans, employment lands, community service lands and transportation linkages.

An expansion of the Smithville Industrial Park is also a focus for growth.

Further planning work will identify sectors to target for growth. Meanwhile, staff is working with existing employers who are growing within.

Our medium-term initiatives are to advocate for increased investment in rural broadband, to investigate installation of water and sewer services on employment lands, and to explore new incentives in the downtown core to attract new commercial activity. To do this:

- We provided letters of support for ISPs seeking funding for rural broadband initiatives
- Met with Staff have had discussions with another cell tower provider about a potential new tower in Ward 1 along RR20 corridor.

- Continued advocacy with SWIFT resulted in announcement of Bell and Cogeco bringing fibre optic cabling to Smithville, Wellandport, Caistor and Grassie.
 - And We renegotiated the 20-year Bell Mobility cell tower lease at Station #2.
-

Other actions that weren't specifically indicated, but help to progress theme 2 include:

- Approved the Dog Got It hot dog cart and the Runaway Greek food truck
- Approved a new building on the Niagara Region Sportsmen's Club property.
- Approved the Riverside Oasis Farm Yurts, in Wellandport.
- Supported the expansion of Domaine Queylus
- And helping farmers farm by facilitating surplus severances and other transactions with farmers and land owners.

Several redevelopment initiatives are underway within the downtown core at 197 Griffin Street North along with site plan approvals for 121 and 113 Griffin Street South.

Roughly 5 site plans and site plan amendments have been received to be processed in 2022 so far.

Staff is working with businesses for rezoning and minor variances to support business start-up and expansion.

In theme 3, our ongoing priority talks about facilitating growth that builds complete communities, balancing commercial industrial and residential sectors

Our ongoing Urban Expansion project, the Smithville Master Community Plan, which commenced in the fall of 2019, focuses on building a complete community.

Peer review of development proposals to ensure keeping with Smithville character and Secondary Plan for Northwest Quadrant.

Staff worked with Caistorville United Church to find appropriate adaptive reuse to preserve church building.

Site alteration approval for Rosemont/Marz Homes to keep engineered fill in Smithville.

Prepared an Urban forest report – work with NPCA and Land Care Niagara

Master servicing planning for Northwest Quadrant includes draft plan approval for Marz Homes (Thrive) and expanding the types of housing such as back-to-back and stacked back-to-back units to improve affordability.

Staff is reviewing the sale of surplus lands on McMurchie Lane.

Our short-term initiative involves encouraging a variety of supportive, appropriate, safe and affordable housing options for the community

The St. Martin & College Street school sites were granted final approval without appeal in October 2020. These were Township-led community planning processes to define the needs of the community in terms of density and housing form.

The East Smithville Secondary Plan continues to be part of an extensive consultation with the development community. This

plan explores the best means by which to develop lands to the east of Industrial Park road.

Staff continue to track available lot inventory and building permit statistics to ensure an available supply of residential lots at all times for future growth.

Further Garden Suite approvals were granted

Final approval was granted to Spring Creek Manor, Ellis lots, and Bosscher/Sunset Acres, to assist with housing supply.

The review of the Spring Creek Heights Secondary Plan saw public consultation to ensure proper policy framework.

Staff has approved:

- Marz Homes Inc – Draft Plan of Subdivision,
- Marz Homes Inc and Greek Association OPA and ZBA,
- P. Budd Developments Draft Plan of Subdivision,
- Giro Estates – lot creation in St. Ann’s (consent, rezoning and development agreement),
- And has extended draft plan approval for 167 St. Catharine Street and approve street naming of the internal street.

A policy was developed for EA/Planning Approval process for Road/Street openings

Consultants were hired to complete rural employment review and review of Regional Official Plan work.

Our Green Energy/Renewable Energy policies for future development opportunities were finalized.

An upcoming housekeeping amendment to the Zoning By-law will review the residential zone regulations to keep up-to-date with evolving housing options.

In theme 4, our ongoing priority is for our West Lincoln Community Centre and support programming relevant to the community's needs.

Something about the FORT

The COVID-19 pandemic significantly impacted the implementation of new programming at our new Community Centre and Public Library branches.

Staff persevered and pivoted to the successful delivery of creative new virtual contests and lockdown challenges, and modified programs such as:

- the Family Day virtual magic show
- Easter take home kits and virtual scavenger hunt
- March Break Camp with daily virtual activities
- A Niagara-wide joint virtual Canada Day celebration,
- Canada Day take home kits

Niagara Region Public Health utilized the gymnasium space in the Community Centre for a COVID-19 Vaccination Site during 2021.

Staff worked hard to pivot and incorporate all required safety measures, and when facilities were permitted to open, they executed a number of widely successful community events and initiatives including:

- Harvest Routes
- Summer Camp

- Fitness Programs
- Drop-in Programs
- A Sportball Partnership
- Successful Seniors Community Grant Programs (Tai Chi, Gentle Yoga, games and craft workshops)
- And a new series of community events (in partnership with the Library) and underway to commemorate 2022 as the Year of the Garden
- An incredible Canada Day festival, including vendors, fun zones, interactive entertainment, a magic show, a fire show, a musical performance by Eric Ethridge, and a spectacular fireworks display
- And the West Lincoln leg of the Torch Relay, in partnership with the Niagara 2022 Canada Summer Games, which tied into the return of our Music in the Park event

Library staff was also quick to adjust, incorporating virtual aspects into their programming such as health and diet workshops, book/author presentations, book clubs and crafting/knitting groups etc,

In-house programming resumed at all library branches, once permitted, following all COVID-19 safety protocols

Upcoming events include:
Canada Games 13 for 13 Event
Movies in the park (2)
And the return of Harvest Routes

Our short-term initiatives focus on improving local parks and trails and exploring new opportunities for programming and sports events, and reinvigorating community halls, particularly in Wellandport and Caistor

In 2020, the Smithville Square Parkette was completed, providing a gathering place for residents and visitors in the downtown core.

A Bike Fix-It Station was donated by the St. Martin's school and installed in the Smithville Square Parkette in 2021

Trails and parks were included in all new development reports and staff is continuously looking at new trails to expand the walkability of Smithville through development applications.

A new playground at the Caistorville Library is now in place There's a new Bandshell located outside of the West Lincoln Community Centre and musical performances have commenced during the West Lincoln Farmers' Market and will continue at our upcoming Music in the Park events.

1500 trees of 8 different varieties were planted, in partnership with Smithville Christian High School, the NPCA and Land Care Niagara on 1.9 acres of Township-owned property north of Anastasio Park.

The Tree Replacement Program is now substantially complete – with 1,813 trees now planted on West Lincoln properties impacted by the Wind Project. An additional lot of trees is being held until the fall season, due to current dry conditions. The final impending planting will bring the grand total to more than 2,050 trees planted.

The 2022 Capital Budget includes improvements to both the Wellandport and the Caistor Community Centres.

- \$20,000 for HVAC at the Wellandport Hall and
- \$40,000 for a new septic system at the Caistor Community Centre

The Cemetery and Hall Boards received grants totalling \$15,500 to help with repairs, maintenance and equipment

Our medium-term initiative was to establish a Farmers' Market

In 2021 we received RED funding to kick-start a 2-year Farmers' Market pilot project.

We quickly hired our experienced Farmers' Market Coordinator and were able to launch the West Lincoln Farmers' Market in 2021, delivering 12 weeks of Friday Markets plus a Winter Market.

We held a special Easter Market this year and our regular Friday weekly Farmers' Market returned for the 2022 season in May.

In theme 5, our short-term initiatives are to build a new Fire Station #2, collaborative work to ensure the redevelopment of the West Lincoln Memorial Hospital, and updating the Public Works building and yard.

Tender for the new Fire Station #2 has been completed and Council approved and awarded the construction contract to Niacon Construction. Just last month, we held a ceremony to celebrate the official ground breaking.

Effective advocacy by the WLMH Foundation, Grimsby, Lincoln and West Lincoln resulted in Regional approval of funding as part of the local contribution requirement for the new West Lincoln Memorial Hospital.

The Township approved a dedicated tax levy to ensure Township funding targets towards the hospital are met

On April 29 of this year, the ground was officially broken for the construction of the new West Lincoln Memorial Hospital.

We received a ICIP grant for improvements to the Public Works Yard. This includes improvements to the HVAC/Exhaust System, LED Lighting upgrades, new garage bay doors, structural repairs to the interior wash bay walls, new flooring in the office areas. The work is now complete.

Other initiatives that were not specifically directed but help to progress community health and safety include:

- I sit on the regional Community Safety and Well Being Advisory Committee for small and rural municipalities
- We are continually working on 911 compliance with our street names
- Council approved a Speed Limit Review Policy to provide guidance to Public Works staff undertaking an engineering review of roads to establish whether or not the speed limit is appropriate
- With FCM funding completed our Plan to Mitigate the Impacts of Weather
- The Corporate Green Team is tasked with ensuring recommendations are implemented.
- Ensured the careful demolition and removal of the former Caistor Baptist Church to ensure community and property safety.
- We reported to Health Canada on Cannabis Enforcement issues and proceeded with injunction on illegal cannabis operation
- Participation in the Emily Project – 911 sign blade initiative for vacant farm land

- Environmental monitoring of the former Caistorville Gas Station
 - Working with Stanpac and community members to address an ongoing noise complaint
 - Working with community groups and the NPCA on invasive species clean-up in the Welland River
-

Our medium-term initiative is all about improving pedestrian safety.

Staff has successfully conducted traffic studies and implemented many improvements on West Lincoln roads and intersections to address safety concerns, including:

- A 4-way stop at Industrial Park Rd. and Spring Creek Rd.
- A 2-way stop on Georgakakos Drive moved to Oakdale Blvd
- Sidewalk repairs on John Street and new sidewalk connecting to the Caistorville Library
- A no-parking zone on the south side of Gateway Avenue, between Creekview Drive and South Grimsby Rad 6
- Parking restrictions on Colver Street by Smithville Public School
- A planned new designated pedestrian crossing near Dennis Drive to cross RR20

Conditions of approval have been assigned on subdivision developments, requiring new off road trails and on street traffic calming measures.

Staff continues to work with the Niagara Region to establish pedestrian crossings on Regional Roads to provide a safer and more walkable downtown core.

Our long-term initiative is to advocate for a physician recruitment strategy.

Included within Hamilton Health Science's plans for the West Lincoln Memorial Hospital is a strategy to recruit physicians. The Township continues to actively support these plans.

In theme 6, our ongoing priority is to complete an asset management plan prioritizing investments and balancing service levels with fiscal sustainability.

In 2020, a GIS/Asset Management Coordinator was hired, a Risk Framework Assessment was completed for all asset categories, and the development of Lifecycle Activity and Level of Service Framework began.

By the end of 2021, the Asset Management Database and our GIS systems were updated with sidewalks and bridges and accurate roads, parks and sanitary sewer data

The Asset Management Plan has now been completed, meeting the July 1, 2022 requirements.

An additional ongoing priority presented itself due to COVID-19: business continuity activities during the pandemic.

I've already spoken about how Staff has had to pivot to adapt to new requirements and safety protocol at our facilities, along with the events and programs that were modified.

There are many other undertakings that Staff have accomplished throughout this pandemic to ensure the continued service to our residents. These are definitely worth mentioning, as well:

- New, secure work-from-home technology
- Implemented and adjusted safety measures - screening, signage and additional screening personnel
- Policies and By-laws: mask wearing policy for staff and public, electronic meetings, public participation in electronic meetings, confidential matters held via zoom, switching to hybrid meetings, mandatory covid-19 vaccination policy
- Changed the Procedural By-law to allow electronic Council and Committee meetings.
- Now Livestreaming meetings

Our short-term initiatives focus on modernizing service delivery through new software and programs and investigating improved branding, increasing communication with residents and promoting local activities, attractions and events.

Through our new website, which was launched in 2020, the public can make requests, submit information and report concerns online.

A Land Acknowledgement Statement was created and updated, to be read at the beginning of each Council and Standing Committee meeting. An Indigenous Engagement page was added to the Township website.

A new website was also developed by the Parade Committee following the cancellation of the Christmas Parade in 2020. The website helped to promote new and returning events and made it

easier to complete and submit the necessary forms for participation.

New budget software was implemented in 2020 and was utilized for the preparation of the 2021 and 2022 budgets, which included the release of Openbook on the Township website.

We have new interactive mapping provides public access to Township GIS data.

Online time sheet entry was implemented to streamline payroll processing

The West Lincoln Public Library implemented Evergreen to allow streamlined access to the library catalogue and facilities partnered with LiNC.

Our manual meeting management process was replaced with eSCRIBE.

A new information and privacy policy was created.

Water shut offs were discontinued and the water arrears/collection process was streamlined.

Planning, Committee of Adjustment and Building Permit Fees were reviewed and increased to cover operating costs.

We are in the process of implementing Interac e-Transfer payment services for non-water/non-tax payments.

A new By-law was adopted to regulate open air fires and a new, easy online permit application process.

The Finance Department was approved for a Provincial grant for its Digital Modernization Project. To date, this has resulted in the implementation of Caseware software, which automates the preparation of the annual financial statements and the installation and implementation of cloud based water meter reading software. Staff is working on e-send features and the Virtual City Hall Portal, which has a target launch date of September 2022.

Our Information Technology department has issued an RFP for a new phone system and are in the process of evaluating the solutions. Staff plan on presenting a recommendation report in July 2022.

Improvements have also been made to key finance communication tools, namely the creation of a budget informational video, a budget survey, and updates to the tax bill and water bill inserts. These updates provide key information in an easier to understand format.

Internet voting is being implemented for the upcoming 2022 Municipal Election.

A Disconnecting from Work Policy has been created, as required by the province.

The Township's social media platforms (Facebook, Twitter and Instagram) have seen consistent branding and increased communication. Greater productivity has resulted in increased public engagement.

When compared to the last five months of 2021, the beginning of 2022 has seen more information and content shared with the public. The number of posts is up 17%. Our following is growing, with 2022 so far seeing a 27% increase in followers. And finally,

our content is reaching more people. Our post reach is up by 21%.

Thanks to the implementation of livestreaming, the updated information on the Township website, and the consistent promotion of meetings on social media, the Township's YouTube channel has seen a 228% increase in views

Other efficiencies include:

- I represent the Township on the Regional Coalition of Inclusive Municipalities working group
- The adjustment of septic permit fees
- A new Corporate Flag Policy with streamlined flag raising requests
- Updated non-union job descriptions
- The introduction of budget amendment tracking system and regular reporting requirements
- Enhanced security through firewall replacement
- Renewed agreement with the Niagara Society for Prevention of Cruelty to Animals and Humane Society
- Audited to ensure compliance under the Accessibility for Ontarians with Disabilities Act. This included updates to the Township's accessibility webpage.
- A new Council Remuneration By-Law and Council Expense Policy
- More than 30 proposed Planning and Building applicants so far in 2022
- 84 By-Law complaints so far in 2022
- Increased Planning and Building fees to help cover costs on a user pay basis

Our long-term initiatives talk about streamlining customer service to ensure response resolution and the exploration of systems and approaches to scale delivery service as the community grows.

New online forms have been implemented across Township departments.

We've been able to increase staffing in many areas, to tackle increased demands:

- A part time position in the finance department was replaced with a full time position
- A third Water & Wastewater Operator
- A GIS Asset Management Coordinator
- A Communications Specialist
- An Elections Assistant
- An HR Generalist will be hired in the fall
- An additional IT position

The Township's Refreshment Cart Licensing By-Law was amended, delegating authority to the Clerk of designate to approve licenses.

Overnight parking enforcement was modernized to "snow events and advisories"

The Alignment of AMP's Hearing Officer with all other municipalities.

A Planning Department reorganization is being considered and will be part of a staff report to Committee with proposed partnership with the Land Owners' Group.

As you have just heard in great detail, I am proud to report that we have made excellent process on all of our initiatives and many projects are even completed.

So what's next?

Regional Councillors Report July 18, 2022

Good evening Mayor, members of council, staff and members of the public

I would like to start this evening by sharing an event I attended in our community. Big Country Raw on July 9th celebrated 10years of business in our community. Rob and Geraldine Brower started this home base business by making raw pet food for themselves and dog breeders.

Over the course of many years the demand increased to many customers far and wide. Big Country Raw a number of years ago out grew the farm based location and established the now existing production facility over on the corner of Springcreek rd and Industrial rd. Big Country Raw now services raw pet food from coast to coast in Canada. They are a strong local employer and community supporter in West Lincoln. Last year they were given the recognition of being Canada's largest raw pet food provider. Many of you might have participated in the events on Saturday with vendors for pets and people. The event was deemed a success by the owners and they look forwards in the continued growth and commitment to the industry and the local community. This is truly a success story for West Lincoln to celebrate.

Now for some Regional updates, the Niagara Region is working on its Developmental By-law update to be implement for the next 5 years. The

deadline for this to be completed and implemented is for late August of this year. Much discussion that has come out of this proposed by-law was, taking away the agriculture exemption and also the the exemption on Religious institutions. During the committee meetings strong cases were made on the impacts of taking away the exemptions for these two key areas in Niagara. The discussion resulted in reinstating the exemptions for Agriculture buildings and Regions Institutions. All local area municipalities have had these exemptions in their Developmental Charge By-laws so this will ensure continuity within the Niagara Region.

At our Public Works committee meeting the highlight was that a project to replace a water main from Baker rd to Park road be replaced with a new upsized pipe from 500mm to 750mm. Portions of this infrastructure have been upgraded and this is the last piece to be done. This water supply is for South Grimsby, Beamsville and Smithville the pipe that is being replaced is and old iron ductile waterman from 1975. This will the nicely the work that is near completion on the water storage facility on top of Park rd. This shows that the Region is committed to provide the necessary infrastructure to meet the growing demand for West Niagara.

Later in the day I attended the Public Health and Community services meeting. Highlights consisted a report showing the funding to support

Seniors services here in Niagara. We receive 8.3 million funded through the Minister of Long Term Care. Financial pressures continue to provide the necessary services, strategy is to lobby Ministers at the AMO conference this August as i'm sure many other jurisdictions will be making the same requests. Something exciting that some of you might have already have heard about is a Pilot project to assist EMS with Taxis to service the less critical patients in Niagara. In the first Quarter of this year this pilot managed to divert 200 ambulance rides which then freed up services for actual emergencies.. To give you an idea of the cost of an ambulance per patient cost is \$1,006 per patient transported. This pilot is being watched by other Regions to see if it is a successful model to be replicated else ware. We are grateful for our EMS staff and management for coming up with strategies that will provide a high level of care in Niagara. A quick update on our Niagara Region Mental Health's Telemedicine services. We have 2 nurses employed that each service 1,800 clients a year. We have definitely seen an increase in this service and it will be monitored to make sure we have adequate staff for this important service to our residences.

Lastly I attended the Planning and Economic Development committee which I vice chair. Great news after COVID delays we are excited to be

hosting the Canada Summer Games here in Niagara with opening ceremonies on August 6 and closing ceremonies on August 21.

Much work has gone into this great event for Niagara but the most exciting part of the games will be the pairing of West Lincoln and Saskatchewan on Aug 8th. I'm sure the Mayor and the CEO can share some further details on this event in our community.

Again thank-you for the opportunity to share my engagement at the Niagara Region on behalf of the residences of West Lincoln. If any members of the council have any questions to the report I will answer them to the best of my abilities.

Thank-you
Albert Witteveen