



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

### MEETING NO. ELEVEN

Monday, September 26, 2022, 6:30 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 Council meetings until further notice.

#### **\*\*Submission of Public Comments/Virtual Attendance:**

The public may submit comments for matters that are on the agenda, or request to attend the virtual meeting as "Attendees" by emailing [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) by September 26, 2022 before 4:30 pm. Email comments submitted will be considered as public information and read into the public record. Those who wish to observe the meeting may view the meeting through our livestream feed which can be found on the Council and Committee Calendar on the Township's website [www.westlincoln.ca](http://www.westlincoln.ca).

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#### Pages

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

Prior to commencing with the Council meeting, Mayor Bylsma will provide the following announcements:

1. Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm on the day of the meeting (September 26, 2022). Comments submitted will be considered as public information and read into public record.
3. The meeting is being livestreamed as well as recorded and will be available on the Township's website following the meeting.

#### 2. **LAND ACKNOWLEDGEMENT STATEMENT**

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-ee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the Mississaugas of the Credit First Nation. There are many First Nations, Métis,

and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

**3. OPENING PETITION - Councillor Harold Jonker**

**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 Director of Legislative Services/Clerk had received any comments by email from any members.

**7. APPOINTMENTS/PRESENTATIONS**

There are no appointments/presentations.

**8. REGIONAL COUNCILLOR'S REMARKS**

**9. CONFIRMATION OF MINUTES**

9.1. Council Minutes - Regular

Re: August 11, 2022

**Confidential Minutes Under Separate Cover**

Moved By Councillor Shelley Bradaric

- 1. That, the minutes of the open session portion of the August 11, 2022 regular Council meeting be accepted; and,
- 2. That, the confidential minutes relating to the closed session portion of the August 11, 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.

9.2. Public Meetings Under the Planning Act

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Re: August 11, 2022 - Minutes

Moved By Councillor Cheryl Ganann

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

a. Zoning By-law Amendment - Leonard & Lynne Snippe - 5444 Concession 4 Road (File No. 1601-010-22)  
be accepted.

- 9.3. Public Meeting - 2022 Development Charges Background Study – Township of West Lincoln 50  
Re: Minutes - August 11, 2022

Moved By Councillor William Reilly

That, the minutes of the public meeting held on August 11, 2022 under Section 12 of the Development Charges Act, 1997, with respect to the 2022 Development Charges Background Study – Township of West Lincoln; be accepted.

- 9.4. Public Meeting under the Planning Act 71  
Re: September 12, 2022 - Minutes

Moved By Councillor Jason Trombetta

That, the minutes of the public meeting held on September 12, 2022 under Section 34 of the Planning Act, with respect to:

a. Zoning By-law Amendment - Fred and Rebecca Vrugteveen, and Niagara Pallets - 4981 Regional Road 20 (File No. 1601-011-22);  
be accepted.

**10. COMMUNICATIONS**

There are no communications.

**11. MAYOR'S REMARKS**

**12. REPORT OF COMMITTEE**

- 12.1. Planning/Building/Environmental Committee 76  
Re: Minutes - September 12, 2022

Moved By Councillor William Reilly

That, the minutes of the September 12, 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 82  
Re: Minutes - September 19, 2022

Moved By Councillor Jason Trombetta

That, the minutes of the September 19, 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 - September 19, 2022

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Moved By Councillor Mike Rehner  
That, the minutes of the September 19, 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. Director of Finance/Treasurer (Donna DeFilippis)  
Re: Recommendation Report T-26-2022 - Adoption of 2022  
Development Charges By-Law

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Moved By Councillor Shelley Bradaric

1. That, Recommendation Report T-26-2022 Adoption of 2022 Development Charges By-Law dated September 26, 2022, be received for information; and
2. That, Council approve the Development Charges Update Study dated July 22, 2022 and attached as Appendix A to this report; and,
3. That, Council approve the capital projects and calculations set out in Chapter 4 of the Development Charges Update Study dated July 22, 2022; and,

4. That, Council has determined that no further public meeting is required; and,
5. That, Council approve the Amending Development Charge By-Law 2022-77, as set out in Appendix B to this report.

15.3. Mayor Dave Bylsma  
Re: Emergency Operations Centre (EOC)

15.4. 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 Cheryl Ganann

1. That, leave be granted to introduce By-laws # 2022-75, 2022-76, 2022-77, 2022-78 and 2022-79, 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 2022-75   | 175 |
|       | 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 11 <sup>th</sup> day of August, 2022. |     |
| 17.2. | BY-LAW 2022-76   | 176 |
|       | A By-law to amend By-law 2010-57 which established the Joint Niagara Compliance Audit Committee for the Township of West Lincoln   |     |
| 17.3. | BY-LAW 2022-77   | 177 |
|       | A By-law to amend By-law 2019-51 respecting Development Charges for the Corporation of the Township of West Lincoln  |     |
| 17.4. | BY-LAW 2022-78   | 183 |
|       | A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln - Leonard & Lynne Snippe - 5444 Concession 4 Road (File No. 1601-010-22)              |     |
| 17.5. | BY-LAW 2022-79   | 186 |
|       | A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Circle P Paving Inc. for the 2022 Hot Mix Spot Repair at various locations      |     |

**18. CONFIDENTIAL MATTERS**

There are no confidential matters.

**19. ADJOURNMENT**

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



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

**COUNCIL MINUTES**

**MEETING NO. TEN**

**August 11, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

**Council:** Mayor Dave Bylsma  
Councillor Shelley Bradaric  
Councillor Cheryl Ganann  
Councillor William Reilly

**Absent:** Councillor Harold Jonker (notification provided – with regrets)  
Councillor Mike Rehner (notification provided – with regrets)  
Councillor Jason Trombetta (notification provided – with regrets)

**Staff:** Joanne Scime, Director of Legislative Services/Clerk  
Bev Hendry, CAO  
Donna DeFilippis, Treasurer/Director of Finance\*  
Dennis Fisher, Fire Chief\*  
Mike DiPaola, Director of Public Works & Recreation  
Brian Treble, Director of Planning & Building\*  
Gerrit Boerema, Planner II\*  
Kevin Geoghegan, IT Help Desk Analyst\*  
Stephanie Pouliot, Planner I\*

**Others:** Regional Councillor Albert Witteveen\*  
Karl Grueneis\*  
Aaron Farrell\*  
Paul Lowes\*  
Bryon Tan\*  
Gary Scandlan\*  
Steve Wever\*  
Richard Vandezande\*  
Scott Antonides\*  
Ron Budenas\*  
Sylvie Budenas\*  
Bruce Harris, WeeStreem\*

**\* = IN ATTENDANCE PART-TIME**

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## **1. PUBLIC MEETING UNDER THE PLANNING ACT**

Chair - Councillor William Reilly

The Chair, Councillor Reilly, called the Public Meeting under the Planning Act to order at approximately 6:30 p.m.

Prior to commencing with the Public Meeting under the Planning Act, the Councillor Reilly provided the following announcements:

- a) 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.
- b) Councillor Jonker, Councillor Rehner and Councillor Trombetta had provided notice that they will not be attending this evening's meetings.
- c) The public may submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. on the day of the meeting being August 11, 2022. Comments submitted will be considered as public information and read into public record.
- d) This evening's meeting were being livestreamed as well as recorded and will be available on the Township's website following the meeting.

The Public Meeting adjourned at the hour of 6:37 p.m.

Councillor Reilly called a 5-minute recess before moving forward with the next Public Meeting relating to the 2022 Development Charges Background Study for the Township of West Lincoln.

- 1.1 Zoning By-law Amendment - Leonard and Lynne Snippe - 5444  
Concession 4 Road (File No. 1601-010-22)

Refer to the August 11, 2022 Public Meeting under the Planning Act Minutes under separate cover.

## **2. PUBLIC MEETING - DEVELOPMENT CHARGES**

Chair - Mayor Dave Bylsma

The Chair, Mayor Dave Bylsma, called the 2022 Development Charges Background Study Public Meeting to order at approximately 6:42 p.m.

The Public Meeting adjourned at 7:03 p.m.

- 2.1 Subrina Goolsarran, Byron Tan & Gary Scandlan, Watson & Associates Economists Ltd.  
Re: 2022 Development Charges Background Study - Township of West Lincoln

Refer to the August 11, 2022 Development Charges Public Meeting Minutes under separate cover.

**3. 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. Councillor Jonker, Councillor Rehner and Councillor Trombetta provided advance notice that they will not be in attendance this evening.
3. The public may submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record.
4. 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.

**4. 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-rong), 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.

**5. OPENING PETITION - Councillor Cheryl Ganann**

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

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

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

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

- 7.1 July 18, 2022 Council (All Committee) Meeting - 7(7.1)  
Appointments/Presentations Re: Meaghan Barrett & John Mascarin, Aird Berlis LLP (Township Integrity Commissioners) - Code of Conduct Complaint 2022-01 - Integrity Commissioner Report

Mayor Bylsma stated that at the July 18, 2022 Council (All Committee) Meeting, Councillor Harold Jonker had declared a conflict of interest/pecuniary interest with respect to Item 7.1 under the Appointments/Presentations Section of the minutes. This item related to Code of Conduct Complaint 2022-01 against Councillor Jonker. The Integrity Commissioners, Meaghan Barrett & John Mascarin of Aird Berlis LLP, presented a report and recommendations for Council's consideration which included suspension of remuneration paid to Councillor Jonker, as permitted per Section 223.4(5) or (6) of the Municipal Act, 2001.

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

- 8.1 ITEM 17.6  
Re: Recommendation Report No. PD-077-2022 - Official Plan Amendment No. 63 - Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification

Mayor Bylsma asked the Director of Legislative Services/Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today to read into the record.

The Director of Legislative Services/Clerk advised that she had received an email which included a letter from Mr. Scott Antonides on behalf of the citizen group, Community for Responsible Growth. A copy of the letter was read into the record and has been attached to the minutes as **Schedule "A"** to the minutes.

On behalf of the Landowners Group, Mr. Paul Lowes, SGL Planning & Design Inc. stated that he appreciated the efforts staff and the consultant team of the Township took to address concerns that his clients brought forward. Mr. Lowes stated that there were still a number of concerns that the Landowners Group has, but hoped that the working relationship with the Township and the Landowners Group will continue forward and that these concerns will be addressed in the future.

## 9. APPOINTMENTS/PRESENTATIONS

- 9.1 Steve Wever, GSP Group Inc.  
Re: Official Plan Amendment No. 63 – Smithville Urban Boundary Expansion

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

Councillor Bradaric asked if there was any regard given for infrastructure and community facilities to address the expansion of early-years childcare (0 years to school age) and the need of more community facility space to incorporate programs for children in the early-years category.

In response to Councillor Bradaric's inquiry, Mr. Wever advised that the school boards were appreciative for the opportunity to provide comments; however, they do not typically make decisions on population growth and developments until much further into the process. Mr. Wever stated that the school boards seemed to be in support of the reports that were presented to them; however, much more dialogue will be had in the future.

Councillor Ganann stated her appreciation for Mr. Wever and his team and for their hard work alongside Township staff.

Councillor Reilly also stated his appreciation for the dedication of staff and the consultants in their work

Mayor Bylsma inquired to Mr. Wever regarding the mention of reverse lotting in the report, and how it pertains to the arterial road and adjacent properties.

In response to Mayor Bylsma's inquiry, Mr. Wever, explained the concept of reverse lotting (similar to the residential development constructed at the corner of Spring Creek Road and Station Street) which has been recommended in the policy.

## 10. 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 couple of weeks.

## 11. CONFIRMATION OF MINUTES

11.1 Council Minutes – Regular  
Re: July 18, 2022

NOTE: Councillor Harold Jonker declared a conflict on this item. (Mayor Bylsma stated that at the July 18, 2022 Council (All Committee) Meeting, Councillor Harold Jonker had declared a conflict of interest/pecuniary interest with respect to Item 7.1 under the Appointments/Presentations Section of the minutes. This item related to Code of Conduct Complaint 2022-01 against Councillor Jonker. The Integrity Commissioners, Meaghan Barrett & John Mascarini of Aird Berlis LLP, presented a report and recommendations that were presented for Council's consideration at the July 18, 2022 Council meeting including suspension of remuneration paid to Councillor Jonker, as permitted per Section 223.4(5) or (6) of the Municipal Act, 2001.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

1. That, the minutes of the open session portion of the July 18, 2022 regular Council meeting be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the July 18, 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**

**12. COMMUNICATIONS**

12.1 Municipal Engineers Association

Re: The Retention of Professional Engineers at Ontario Municipalities

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

That, the correspondence from the Municipal Engineers Association regarding "The Retention of Professional Engineers at Ontario Municipalities", dated June 23, 2022; be received for information.

**Carried**

12.2 Brian Walker, Niagara Peninsula Energy Inc.

Re: Advance Notice of Peninsula West Director Appointments

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

1. That, the correspondence received from Brian Walker, Board of Directors of Niagara Peninsula Energy Inc., dated July 12, 2022, regarding advance notice of Peninsula West Director Appointments, and;
2. That, Councillor William Reilly's term will end on December 31, 2022 and as of January 1, 2023 the Township of West Lincoln will have one (1) representative on the Board, being Councillor Mike Rehner, whose term will end on December 31, 2023, be received for information.

**Carried**

12.3 Ann-Marie Norio, Regional Clerk

Re: All Way Stop Designation By-law - Regional Road 14 (Thirty Road) at Young Street in the Township of West Lincoln

**RECEIVED FOR INFORMATION**

12.4 Community for Responsible Growth

Re: Letters on behalf of the citizen group, Community for Responsible Growth - Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification

**RECEIVED FOR INFORMATION**

**13. MAYOR'S REMARKS**

Mayor Bylsma advised that he attended the opening ceremony of the Niagara Games, which he thoroughly enjoyed. Mayor Bylsma stated that last evening he had the opportunity to speak to the Premier of Ontario, Doug Ford, who was in Niagara with Minister of Heritage, Sport, Tourism and Culture Industries, being newly appointed Minister Neil Lumsden, for an announcement in the Niagara Falls and Niagara-on-the-Lake area. Mayor Bylsma thanked Premier Ford for the hard work with respect to the construction of the new West Lincoln Memorial Hospital. Mayor Bylsma also stated that he looked forward to the upcoming AMO Conference and working along side other area local municipalities to address joint issues of concern such as the Invasive European Water Chestnut, Joint and Several Liability and Cemeteries.

**14. REPORT OF COMMITTEE**

There were no Reports of Committee.

**15. RECONSIDERATION**

15.1 Councillor Cheryl Ganann

Re: Reconsideration - Item 18.4 of the July 18, 2022 Council Minutes - Legal, Solicitor-Client and Property Matter - West Lincoln Community Centre

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor William Reilly

That, the motion adopted at the July 18, 2022 Council Meeting (All Committees) with respect to Item 18.4 (Confidential Matters) relating to a Legal, Solicitor-Client and Property Matter relating to the West Lincoln Community Centre, be reconsidered; and,

That, this matter be referred to the confidential matters section of the agenda for discussion at the end of the meeting.

**Carried**

**16. NOTICE OF MOTION TO RESCIND**

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

**17. OTHER BUSINESS**

17.1 CONSENT AGENDA

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Cheryl Ganann

That, the Council hereby approves the following Consent Agenda item(s):

1. Items 1, 2, 3, 4 and 5 be and are hereby received for information.

**Carried**

**SUMMARY OF CONSENT AGENDA ITEMS:**

1. West Lincoln Santa Claus Parade Committee Minutes - October 14, 2021, November 11, 2021, November 18, 2021, November 25, 2021 & December 2, 2021
2. Information Report No. WLFD-10-2022 - Monthly Update July 2022
3. Information Report No. PD-74-2022 - Withdrawal of Temporary Use By-law Application – Stephenson & Givens (File No. 1601-01-22)
4. Information Report No. PD-75-2022 – Update Relating to the Residential Lot Inventory for the Smithville Settlement Area and Compliance Analysis with the A Place to Grow (P2G) Plan.

5. Technical Report No. PD-73-2022 - Zoning Bylaw Amendment – Leonard and Lynne Snippe – 5444 Concession 4 Road (File No: 1601-010-22)
- 17.2 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)
- 17.3 CAO (Bev Hendry)  
Re: Employee Professional Accomplishments
  1. Brian Treble, Director of Planning & Building  
Re: Ontario Professional Planners Institute - Recognition and appreciation of 25 years of support as a valued Full Member of the Ontario Professional Planners Institute  
  
The CAO recognized the accomplishment of the Director of Planning & Building for his 25 years of support as a valued full member of the Ontario Professional Planners Institute.  
  
All Members of Council in attendance commended the Director of Planning & Building with respect to his recognition as well as complimenting his knowledge, hard work, dedication and leadership of the Township's Planning & Building Department.
- 17.4 Treasurer/Director of Finance (Donna DeFilippis)  
Re: Recommendation Report No. T-23-2022 - CIBC Wood Gundy Account  
  
**Moved By** Councillor Cheryl Ganann  
**Seconded By** Councillor Shelley Bradaric
  1. That Recommendation Report T-23-2022 regarding the "CIBC Wood Gundy Account", dated August 11, 2022, be received; and,
  2. That, Council authorize staff to open and operate a CIBC Wood Gundy Investment Account; and,
  3. That, Council authorize the following signing authorities on the CIBC Wood Gundy Investment Account: D. DeFilippis, Director of Finance and Treasurer and K. Hall, Manager of Finance and Deputy Treasurer; and,

4. That, Council authorize the Mayor and Clerk to sign the CIBC Wood Gundy Corporate Resolution as presented as Appendix A to this report.

**Carried**

- 17.5 Director of Public Works & Recreation (Mike DiPaola)  
Re: Recommendation Report REC-06-2022 - Niagara Tourism Relief Fund – LeisurePlex Pavilion Project

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

1. THAT, Recommendation Report REC-06-2022, re: “Niagara Tourism Relief Fund – LeisurePlex Pavilion Project”, dated August 11, 2022, be received; and,
2. THAT, the Township CAO execute the Project Contribution Agreement between Niagara Tourism Relief Fund and The Township of West Lincoln upon review and acceptance of Legal Counsel; and,
3. THAT, Council approves a budget amendment BA2022-07 to increase the LeisurePlex Pavilion budget by \$100,000, for a total project budget of \$220,000, with the additional cost financed through funding from the Niagara Tourism Relief Fund; and,
4. THAT, Council grants Delegated Authority to the CAO or Clerk to award the Design/Build RFP and execute the contractual agreement with the successful bidder.

**Carried**

- 17.6 Director of Planning & Building (Brian Treble)  
Re: Recommendation Report No. PD-77-2022 – Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

1. That, Recommendation Report PD-77-2022, regarding “Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification”, dated August 11th, 2022, be RECEIVED; and,
2. That, Official Plan Amendment No. 63 be adopted and corresponding implementation by-laws 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. 63 to the required agencies and the public and to submit a copy of Official Plan Amendment No. 63 to the Region for approval, along with the required information record, with full force and effect occurring once Official Plan Amendment No. 63 has been approved by the Region of Niagara, without appeal.

**Carried as Amended (see below)**

**AMENDMENT:**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

That, Official Plan Amendment 63 to the Official Plan of the Township of West Lincoln, attached as Attachment No. 1 to Planning Staff Recommendation Report No. PD-077-2022, be amended by removing Natural Heritage System – Core Areas – Policy Nos. 6.11.7.3.5 e), f) and g) and replacing these sections with the following:

- e) Notwithstanding Policy Nos. 6.11.7.3.5.b), c) and d) above, the following uses are not considered as development and may be permitted as follows:
  - i. forest management, fisheries management, and wildlife management, subject to the approval of the Township in consultation with Niagara Region and the NPCA;
  - ii. conservation projects, flood control projects, and erosion control projects, as approved by the Township in consultation with the Region and the NPCA, provided that it has been demonstrated that the project is necessary to maintain the public interest and all alternatives have been considered;
  - iii. activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act; and
  - iv. small-scale structures for passive recreational uses, such as boardwalks, footbridges, and picnic facilities, provided that the Township, in consultation with the Region and the NPCA, is satisfied that the number of such structures will be minimized

and that there will be no negative impacts on Core Area features or their functions.

- f) Where development or site alteration is permitted in accordance with Policy No. 6.11.7.3.5.c) or No. 6.11.7.3.5.d), then the permitted uses shall be those permitted by the land use designation (or designations) in which adjoining the feature is located.
- g) The determination of the applicable land use designation(s) that are permitted under Policy No. 6.11.7.3.5.f) will be made at the Block Plan stage, where applicable, and the specific uses permitted will be established in the implementing Zoning By-law.

**Carried**

- 17.7 Director of Planning & Building (Brian Treble)  
Re: Recommendation Report No. PD-76-2022 - Preliminary Staff  
Resourcing Adjustments in Planning and Public Works - Staffing Levels to  
Prepare for Extra Development Applications

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

- 1. That, Recommendation Report PD-76-2022, regarding “Preliminary Staff Resourcing Adjustments in Planning and Public Works - Staffing Levels to Prepare for Extra Development Applications”, dated August 11<sup>th</sup>, 2022, be RECEIVED; and,
- 2. That, Council approve an additional Full Time Equivalent (FTE) in the Planning and Building Department and that a Manager of Planning position be created and the Planner I and Planner II positions be renamed Planner and Senior Planner respectively; and,
- 3. That, one of the Planner II positions be funded by the Land Owners Group for up to the next four years to help accommodate for planning approval pressures; and,
- 4. That, in addition, one Engineering Technologist will also be funded by the Land Owners Group for up to the next 4 years; and,
- 5. That, a by-law be passed to authorize the Mayor and Clerk to sign the Land Owners Staffing Offset Agreement once drafted by the Township Legal Counsel.

**Carried**

- 17.8 Director of Planning & Building (Brian Treble)  
Re: Ontario Land Tribunal (OLT) - Peter Budd - Update

The Director of Planning & Building advised that Housekeeping Amendment No. 5 that was appealed by Peter Budd of Budd Developments has been settled at the Ontario Land Tribunal (OLT).

- 17.9 Members of Council  
Re: Council Remarks

(1) Councillor William Reilly  
Re: Various Matters

(i) West Lincoln Santa Claus Parade are meeting in preparation of this year's parade and events and he expected to see normalcy return to this holiday season.

(ii) On August 2, 2022, the Niagara Transit Committee met at which Carla Stout was appointed as General Manager.

(2) Councillor Shelley Bradaric  
Re: Various Matters

(i) Wished to celebrate the 100th Anniversary of the Smithville Garden Club which will be celebrated tonight at Centennial Park and commended this wonderful organization.

(ii) The last Music in the Park will be held this Friday which will be a great end of the season.

(3) Councillor Cheryl Ganann  
Re: Various Matters

(i) The last Movie in the Park is coming up next Saturday.

(ii) Extended thanks to the Kiwanis, who provided snacks at Movie in the Park as well as their fundraising initiatives which recently included a bottle drive. These fundraising events helped Kiwanis to donate \$1,000 to 4-H, \$1,000 to Gillian's Place, and \$4,000 to the Smithville Christian High School's pickle ball courts, which will be open for public use outside of the school's use.

## 18. NEW ITEMS OF BUSINESS

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

**19. BY-LAWS**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

1. That, leave be granted to introduce By-laws # 2022-71, 2022-72, 2022-73 and 2022-74, 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**

**19.1 BY-LAW 2022-71**

A By-law to confirm the proceeding of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 18th day of July, 2022.

**19.2 BY-LAW 2022-72**

A By-law to appoint a Secretary-Treasurer and an assistant Secretary-Treasurer to the Committee of Adjustment for the Corporation of the Township of West Lincoln.

**19.3 BY-LAW 2022-73**

Being a By-law to adopt amendment No. 63 (Land Use Policy for Development of Smithville Urban Boundary Expansion Lands plus Infill and Intensification) to the Official Plan for the Township of West Lincoln and forward to the Regional Municipality of Niagara for approval.

**19.4 BY-LAW 2022-74**

A By-law to authorize the Township of West Lincoln to sign an agreement with the Land Owner's Group and Trustee to fund one Planner II (Senior Planner) position and one Engineering Technologist position within the Township of West Lincoln.

**20. CONFIDENTIAL MATTERS**

**20.1 Councillor Cheryl Ganann**

Re: Reconsideration - Item 18.4 of the July 18, 2022 Council Meeting - Legal, Solicitor-Client and Property Matter - West Lincoln Community Centre

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Cheryl Ganann

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:

Councillor Cheryl Ganann

Re: Reconsideration of Item 18.4 of the July 18, 2022 Council Minutes - Legal, Solicitor-Client and Property 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
- The security of the property of the municipality or local board
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

**Carried**

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor William Reilly

That, this Council (All Committee) meeting does now resume in open session at the hour of 9:03 p.m.

**Carried**

NOTE: See below for resolution after rising from closed session deliberations.

**21. RECONSIDERATION (CONTINUED)**

21.1 Councillor Cheryl Ganann

Re: Reconsideration - Item 18.4 of the July 18, 2022 Council Minutes - Legal, Solicitor-Client, and Property Matter - West Lincoln Community Centre

Following closed session deliberations with respect to reconsideration of a resolution adopted at the July 18, 2022 Council Meeting (refer to Section 15 above), the following motion was put forward for consideration:

**Moved By** Councillor William Reilly

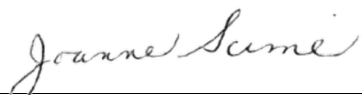
**Seconded By** Councillor Shelley Bradaric

That, the CAO be and is hereby authorized to proceed as directed in closed session with respect to "Reconsideration of Item 18.4 of the July 18, 2022 Council Meeting - Legal, Solicitor-Client and property matter - West Lincoln Community Centre".

**Carried**

**22. ADJOURNMENT**

The Mayor declared this meeting adjourned at the hour of 9:05 p.m.



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

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**MAYOR DAVE BYLSMA**

## SCHEDULE "A" TO THE AUGUST 11, 2022 COUNCIL MINUTES

Scott Antonides

August 8<sup>th</sup>, 2022

To the members of West Lincoln Town Council and Planning Dept.

Thank you for all that you do to help make West Lincoln an excellent place to live. I am writing on behalf of the citizen group, **Community for Responsible Growth** with respect to OPA 63 and the upcoming vote in Council on August 11. I would like to reiterate my support for the inclusion of natural heritage systems (NHS) as noted in the current version of OPA 63. The town's plan to reserve 30% of the land for self-sustaining ecosystems is a note-worthy goal for which future generations will be thankful.

Forests and other ecosystems should be seen as part of the town's infrastructure as they are known to generate and stabilize soil, filter air and water, sequester carbon, regulate the climate and maintain biodiversity. Any short-term financial gain made from decreasing the percentage of NHS will be paid by future generations.

It is important to note that landowners to the west of Harvest Gate have intentionally been degrading the remaining forest prior to doing their own environmental assessment. Such tactics undermine the integrity of the planning process and should not be rewarded.

*Land Care Niagara* stands ready to work with the town to restore the trapezoidal forest west of Harvest Gate or any other areas in need. The horseshoe-shaped border that was left standing in 2007 is filled with mature, native trees including Elm, Hickory, Beech, Sugar Maple, Sumac, Black Cherry, Ironwood and others. These trees and understory plants support a host of other species and provide essential services that would be lost if the forest is removed. With its proximity to schools, residential areas and our sports complex it is imperative that this forest be protected and restored. A trail system through the forest connecting the residential/school areas with the Leisureplex would be an excellent addition to our town. I would be happy to facilitate the restoration process when necessary.

Sincerely,

Scott Antonides

*The world's forests—which today cover 30% of the earth's land surface—are an incredibly valuable resource, storing massive amounts of carbon, helping to purify water and air, ensuring natural biodiversity. Despite the vital importance of forests, they are under worldwide assault, with the equivalent of 30 soccer fields disappearing every minute.<sup>1</sup>*

1. <https://www.bcg.com/publications/2020/the-staggering-value-of-forests-and-how-to-save-them>



**SMITHVILLE MASTER COMMUNITY PLAN**  
OFFICIAL PLAN AMENDMENT NO. 63

**August 11, 2022**

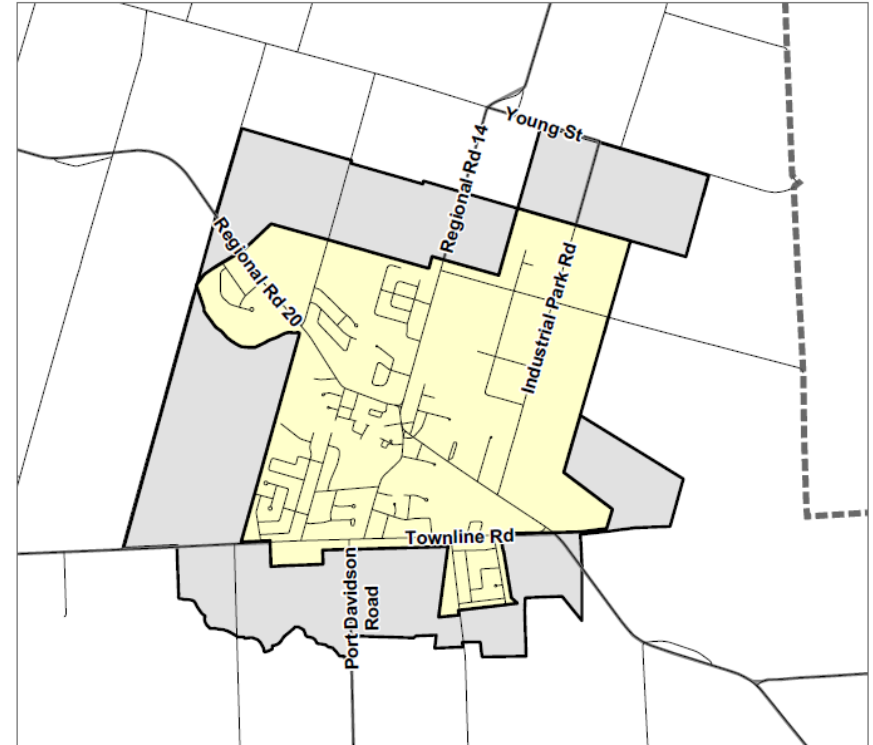
# AGENDA

- 1. OPA 63 Policy Updates**
- 2. OPA 63 Map Updates**
- 3. Discussion/Questions & Next Steps**

## OPA 63 POLICY UPDATES

- Location & Land Subject to Amendment
  - Simplified location description and directed the reader to the location map
  - Total land area within MCP study area: ~685 Ha
  - Total land area within the MCP Secondary Plan: ~540 Ha
  - Included description of the effect of this amendment to the Smithville Urban Area as a whole including the Natural Heritage system mapping and policies.

Location Map



## **OPA 63 POLICY UPDATES**

- 6.11.7.1.1 Area Context & Integrated Planning Approach
  - Clarified the intent of this section to act as a preamble and to assist with the interpretation and application of the Secondary Plan.
- 6.11.7.1.2 Vision
  - Added a paragraph describing the intent of this section to act as a preamble to assist with the interpretation and application of the Vision.
  - Added that Smithville accommodates a growing population and employment.
- 6.11.7.2 Land Use Plan
  - Added a paragraph describing the intent of this section to act as a preamble to assist with the interpretation of the Secondary Plan and to be read in the conjunction with the policies described in the section 6.11.7.2.1.a-h.
- 6.11.7.2.1.e) Policy
  - Removed the description of height in meters and directs to the definition established in the implementing zoning bylaw.

## OPA 63 POLICY UPDATES

- 6.11.7.2.2.f) Residential Policy
  - Revised “overall density” to overall “gross density”.
  - Clarified that density shall be measured across the designated area in each Block Plan.
- 6.11.7.2.3 Medium Density Policy
  - Policy a): the number of units in other forms of multi-residential development is up to six unless otherwise approved by the Township through the implementing Zoning By-law.
  - Policy g): clarified gross density to be measured across the designated area in each Block Plan.
- 6.11.7.2.4 Commercial Policy
  - Policy d): added provision for a place of worship and commercial use with shared parking arrangements to be established in the implementing Zoning By-law and appropriate development agreements.

## OPA 63 POLICY UPDATES

- 6.11.7.2.5 Mixed Use Node Policy
  - Policy e): revised policy so that the meaning of “small-scale” commercial uses shall be determined as part of the implementing Zoning By-law instead of Block Plan.
  - Policy h): added provisions to allow separate commercial and residential buildings on the same site provided:
    - the ground floor area of residential building(s) shall not exceed the lesser of the commercial ground floor area or 15% of the total net developable.
    - the residential building(s) shall be for one or more uses permitted by Policy No. 6.11.7.2.5.f); and
    - if shared parking provisions are proposed these requirements shall be established in the implementing Zoning By-law
  - Policy u) ii.: clarified that that stand alone commercial uses shall not exceed 15% of the net developable land area of the site.

## OPA 63 POLICY UPDATES

- 6.11.7.2.5 Mixed Use Node Policy
  - Policy k): clarified “gross density” measured across the designated area in each Block Plan
  - Policy n): added provision for shared parking arrangements through the implementing Zoning By-law and appropriate development agreements.
- 6.11.7.2.6 Open Space Policy
  - Policy d): Added new policy describing the conceptual locations and rationale for a total of eight (8) future Neighbourhood Parks as shown on the Land Use Plan. Also added clarification that the final number and location of the parks shall be determined through Block Plan process, which may refine the Land Use Plan, subject to certain conditions as described in the policy section d)i-iii.
  - Policy e): Added new policy describing the intent of the existing Leisureplex Township Park to continue to function as the primary recreation location and that adjoining lands shall be developed in a manner that maintains and contributes to the functioning of the park.

## OPA 63 POLICY UPDATES

- 6.11.7.2.7 Community Facility
  - Policy c): Added a new policy that the Township will work with the School Boards to determine the need for new schools, their number, location and other aspects. The Township will encourage the Board(s) to locate the school sites within the “Community Facility” designation.
- 6.11.7.2.10 Potential Restoration Areas Policy
  - Relocated this policy with similar policies for Recommended Restoration Areas.
- 6.11.7.3 Natural Heritage Systems
  - 1. Natural Heritage System Context & Subwatershed Study: Added preamble context to state that the Natural Heritage system policies are meant to work in harmony with other sections of the Official Plan, particularly the policies contained in Section 10 (natural Environment) and Section 11 (Watershed Planning). Added the intent and objectives specifically, the SWS and the NHS for Smithville including the policies of this section.

## OPA 63 POLICY UPDATES

- 6.11.7.3.2 Principles/Objectives
  - Policy a): Added core areas and buffers in the list of objectives for NHS. Added objective for achieving the natural cover target.
  - Policy f): Revised policy from “Provide” to “Identify and plan” areas to be restored while providing flexibility in their location and extent.
- 6.11.7.3.3 Interpretation
  - Policy e): Added policy describing the definition and meaning of “natural cover target”.
- 6.11.7.3.4 General Policies
  - Policy d): Revised policy that the extent of refinement that may be permitted shall be determined based on EIS and in a manner that contributes towards achieving natural cover target.
  - Policy k).ii.: Added flexibility in the policy of maximizing the span of crossings over watercourses by adding “where appropriate and financially feasible”.

## **OPA 63 POLICY UPDATES**

- 6.11.7.3.5 Core Areas
  - Policy e): clarified list of limited uses/activities (e.g. passive recreation) not considered as development and may be permitted subject to the conditions set in this policy.
  - Policy f): Removed text “in a feature that is located outside the Smithville NHS”.
- 6.11.7.3.6 Wetlands
  - Policy b): Added text “Where possible, wetland water balance assessments should be completed at the Block Plan stage through the MESP”.
- 6.11.7.3.7 Wetlands for Further Review
  - Policy f): Added text stating the determination of whether linkages are required shall be based on a comprehensive EIS report.
  - Policy g): Added requirement for wetland compensation as determined in accordance with NPCA and may be regulated by NPCA.

## OPA 63 POLICY UPDATES

- 6.11.7.3.8 Woodlands
  - Policy f): clarified that Tree Preservation Plans shall be used in conjunction with an EIS and other supporting information to demonstrate the development will contribute and not conflict with the achievement of natural cover target.
- 6.11.7.3.14 Conceptual Buffers
  - Policy b): Revised text from “The ecologically appropriate” to “The ecologically and hydrologically appropriate”.
  - Policy c): Changed text from “overall coverage target of 30%” to “achievement of the natural cover target in combination with the other feature areas identified in Policy No. 6.11.7.3.3.e)”.
  - Policy e): Removed text “provided that the Buffer in question maintains the same general shape and configuration”.

## OPA 63 POLICY UPDATES

- 6.11.7.3.15 Linkages
  - Clarified that the identification, type and width of Linkages shall be based on the SWS.
  - Policy a): Added text to allow refinement of Linkages where appropriate as determined through an EIS based upon the SWS and provided the roles and functions are maintained.
  - Policy c)iii.: Added Stormwater management facilities to the list of permitted uses.
  - Policy e): Existing agricultural uses are recognized with associated minor construction.
- 6.11.7.3.16 Recommended Restoration Areas and Potential Restoration Areas
  - Added text that recommended potential restoration areas may also be considered to be part of Smithville NHS as determined through an EIS.
  - Policy iv-v): Clarified that and EIS shall take into consideration and support the achievement of the natural cover target.
  - Policy k): Allows Township to consider accepting all or a portion of a Restoration Area as part of the required conveyance of land for park or other recreation purposes, subject to criteria/conditions.

## OPA 63 POLICY UPDATES

- 6.11.7.3.16 Natural Hazards
  - Policy c): karst features and buffer may be considered towards the achievement of natural cover target, where connected with the NHS.
  - Policy i): karst features and buffers to be maintained as a single block or where this is not possible the fragmentation of the karst feature shall be minimized.
- 6.11.7.4.2 Infrastructure & Transportation Systems
  - Added intent of preamble to assist with the interpretation of the Secondary Plan and to be read in conjunction with applying the subsequent policies of this section.
  - Policy b): Added “where appropriate and financially feasible” related to extension of full municipal services to existing uses.

## OPA 63 POLICY UPDATES

- 6.11.7.4.4 Transportation Network
  - Policy d): clarified that the network of roads shall be based on the conceptual Arterial and Collector Road alignments and the general pattern of Local Roads shown on Sch. "E-13".
  - Policy f): clarified that changes will be made to the Local Roads network shown on Sch. "E-13" in reference to related criteria.
  - Policy h): provides that the Township can reduce minimum ROW of any road without requiring an amendment to this Plan.
  - Policy o): provides for sidewalks on both sides of the street unless otherwise approved by the Township, where appropriate.
  - Policy p): direction for determining the appropriate orientation of future developments along Street "A" based on Urban Design Guidelines and discourages reverse-lotting.
  - Policy u): added description and rationale for the extension of the Spring Creek Road and permitting additional rail crossings, supported by appropriate studies, without an amendment to this plan.

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## OPA 63 POLICY UPDATES

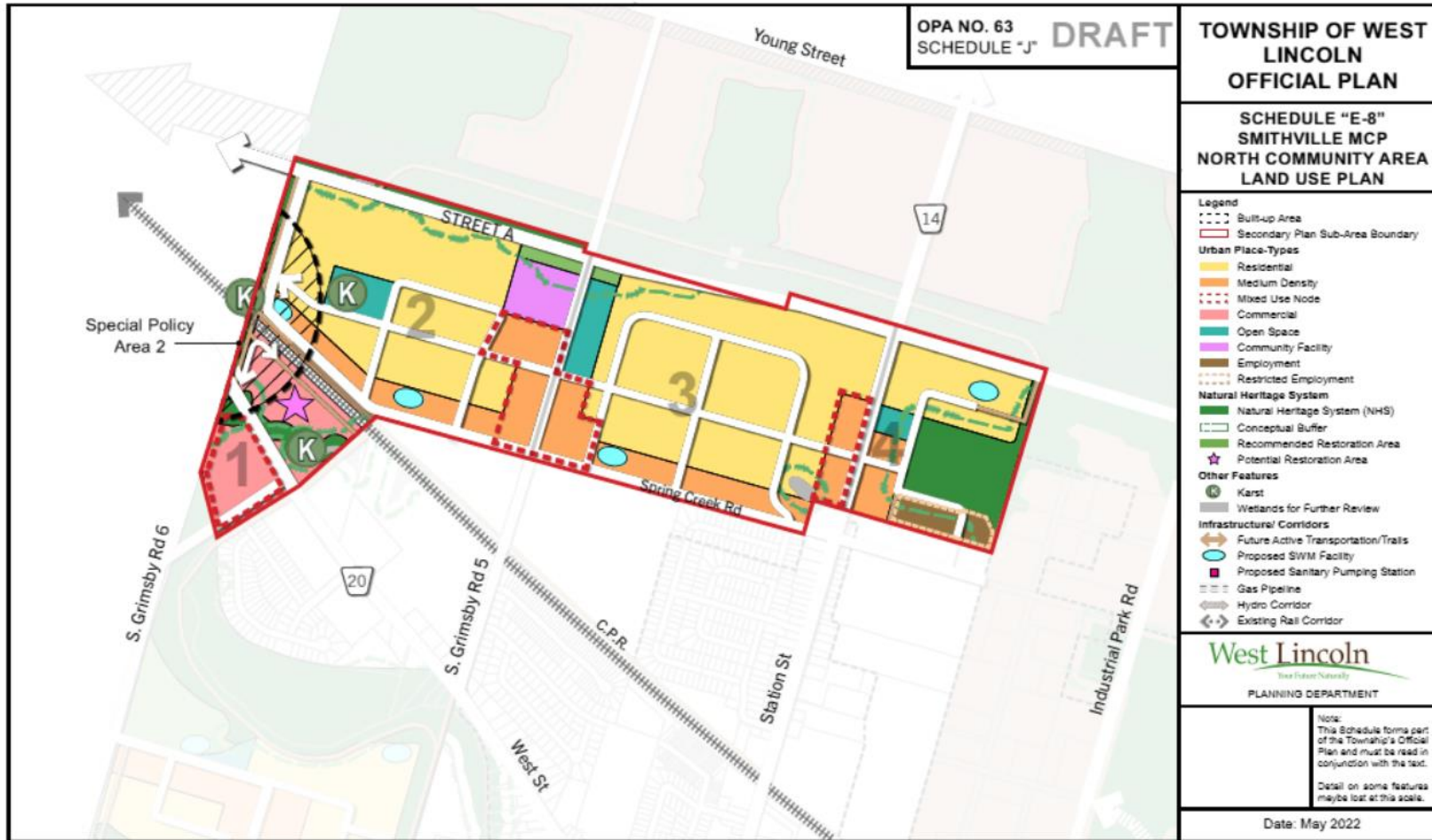
- 6.11.7.5.3 Commercial Areas
  - Policy b)iv.: Added text “ Located near the front lot line”.
- 6.11.7.6.4 Complete Applications
  - Policy b): Added text “which may in some cases be scoped based upon or limited to confirmation of certain studies completed at the Block Plan stage”.
- 6.11.7.6.5 Parks Master Plan/Greening Plan
  - Policy a): Added policy giving direction that the Township may undertake and adopt a Parks Master Plan / Greening Plan or similar initiative to recommend policies and address the community recreational needs.

## OPA 63 ADDITIONAL MINOR TEXT CHANGES PROPOSED

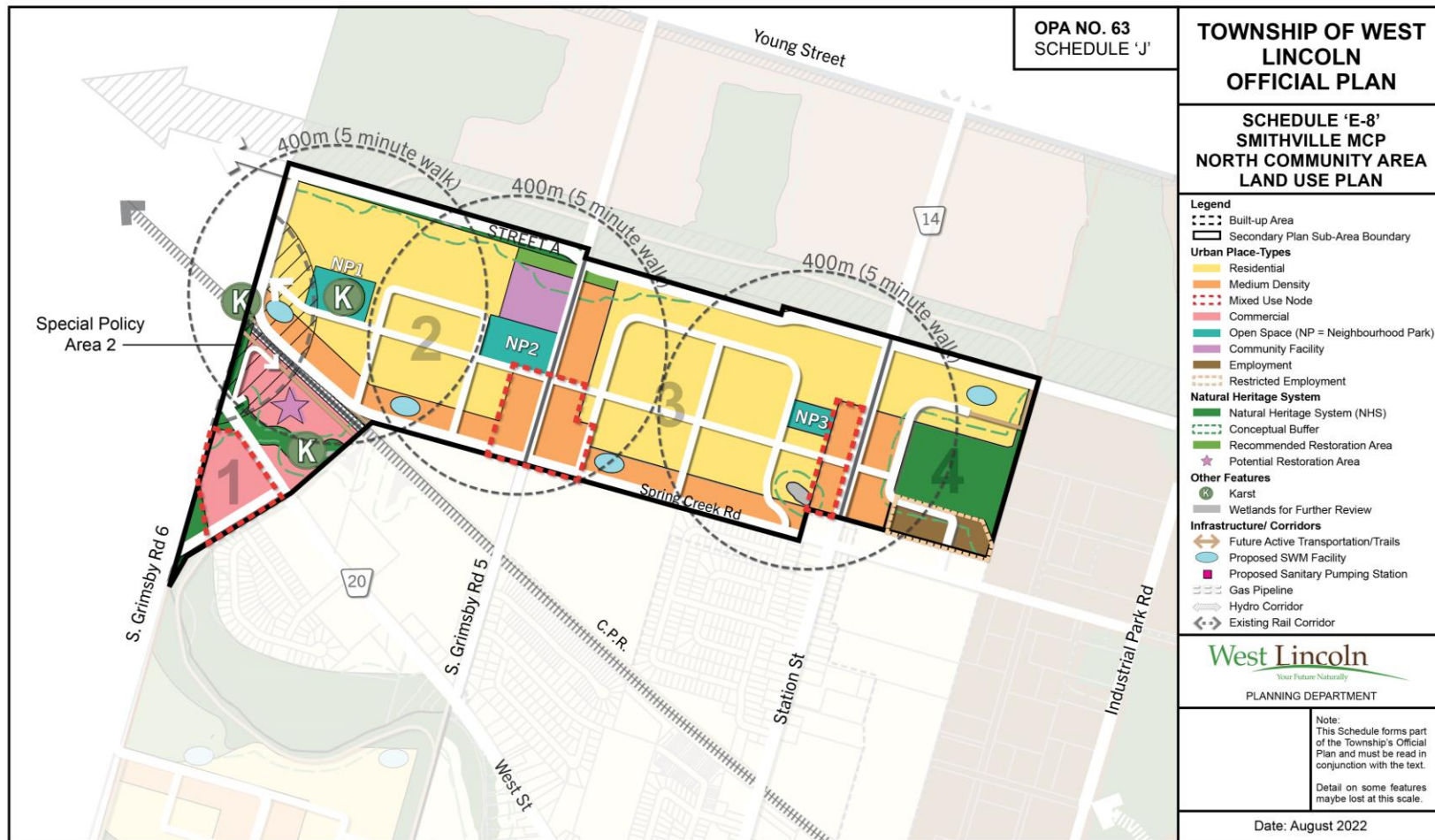
### ■ Natural Heritage System – Core Areas – Policy Nos. 6.11.7.3.5 e), f) and g):

- e) Notwithstanding Policy Nos. 6.11.7.3.5.b), c) and d) above, the following uses are not considered as development and may be permitted as follows:
- i. forest management, fisheries management, and wildlife management, subject to the approval of the Township in consultation with Niagara Region and the NPCA;
  - ii. conservation projects, flood control projects, and erosion control projects, as approved by the Township in consultation with the Region and the NPCA, provided that it has been demonstrated that the project is necessary to maintain the public interest and all alternatives have been considered;
  - iii. activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the *Environmental Assessment Act*; and
  - iv. small-scale structures for passive recreational uses, such as boardwalks, footbridges, and picnic facilities, provided that the Township, in consultation with the Region and the NPCA, is satisfied that the number of such structures will be minimized and that there will be no negative impacts on Core Area features or their functions.
- f) Where development or site alteration is permitted in accordance with Policy No. 6.11.7.3.5.c) or No. 6.11.7.3.5.d), then the permitted uses shall be those permitted by the land use designation (or designations) in which adjoining the feature is located.
- g) The determination of the applicable land use designation(s) that are permitted under Policy No. 6.11.7.3.5.f) will be made at the Block Plan stage, where applicable, and the specific uses permitted will be established in the implementing Zoning By-law.

# OPA 63 MAP SCHEDULE E-8 (DRAFT)



# OPA 63 MAP SCHEDULE E-8 (UPDATED)



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## **NEXT STEPS**

- Township Council adoption of OPA 63
- Submission of OPA 63 to Region for Approval
  - Subject to Provincial approval of Region OP
- Finalize SWS and Master Plans
- Regional approval of OPA 63 (with modifications, if needed)

# **DISCUSSION / QUESTIONS**



**West Lincoln**  
Your Future Naturally

**SMITHVILLE MASTER COMMUNITY PLAN**

**COUNCIL MEETING, August 11, 2022**

## **SCHEDULE "C" TO THE AUGUST 11, 2022 COUNCIL MINUTES**

Regional Councillors Report August 11, 2022

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

This evening I have a few items to report on, first the Niagara Regional staff have formalized a policy around excess soil generated by construction activities. It will be in compliance with the requirements of O.Reg.406/19- On site and excess soil management (The Regulation) made under the Environmental Protection Act, R.S.O, 1990, c. E.19. Niagara Region will develop, maintain, and update a corresponding procedure outlining Niagara Regions approach for the implementation of the Regulation. An Excess Soils Committee will be created, and shall comprise of representatives from the construction Energy & Facilities Management, Legal Services, Public Works.

At the Public Works committee on August the 9th another roads tender was completed and in this tender the completion of RR#20 from Caistor Center Rd to Regional Rd #12. Earlier in the year work was completed from Westbrook rd to Caistor Center. This shows the commitment from the Niagara Region to maintain key pieces of infrastructure in West Lincoln. If this project come within budget or under budget a provisional location is RR#27 ( Wellandport Rd) from Vaughan Rd to Elco Rd.

## **SCHEDULE "C" TO THE AUGUST 11, 2022 COUNCIL MINUTES**

I have been preparing with Regional Staff and West Lincoln staff on our delegations at the AMO conference coming up on August 14-17. I look forward to this in person conference this year and to meet ministers on important issues on and for our community.

Thank-you for allowing me to present and if there are any questions I will always answer them or further inquire.

Regional Councillor Witteveen



**TOWNSHIP OF WEST LINCOLN**  
**PUBLIC MEETING UNDER THE PLANNING ACT MINUTES**  
**AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW**

**MEETING NO. TEN**

**August 11, 2022, 6:30 p.m.**

Township Administration Building  
318 Canborough Street, Smithville, Ontario

**Council:** Mayor Dave Bylsma  
Councillor Shelley Bradaric  
Councillor Cheryl Ganann  
Councillor William Reilly

**Absent:** Councillor Harold Jonker (notification provided – with regrets)  
Councillor Mike Rehner (notification provided – with regrets)  
Councillor Jason Trombetta (notification provided – with regrets)

**Staff:** Joanne Scime, Director of Legislative Services/Clerk  
Bev Hendry, CAO  
Donna DeFilippis, Treasurer/Director of Finance  
Dennis Fisher, Fire Chief  
Mike DiPaola, Director of Public Works & Recreation  
Brian Treble, Director of Planning & Building  
Gerrit Boerema, Planner II  
Kevin Geoghegan, IT Help Desk Analyst  
Stephanie Pouliot, Planner I

**Others:** Regional Councillor Albert Wittevee  
Karl Grueneis  
Aaron Farrell  
Paul Lowes  
Bryon Tan  
Gary Scandlan  
Steve Wever  
Richard Vandezande  
Scott Antonides

Ron Budenas  
Sylvie Budenas  
Bruce Harris, WeeStroom

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**1. Application for Zoning By-law Amendment  
Leonard and Lynne Snippe, Property – 5444 Concession 4 Road, File No.  
1601-010-22**

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34(12) of the Planning Act as submitted under File No. and Name of Leonard and Lynne Snippe, Property – 5444 Concession 4 Road, File No. 1601-010-22.

**EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:**

An application for a Zoning By-law Amendment has been made to rezone the property legally described as Concession 4, Part of Lot 12, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5444 Concession 4 Road. The intent of this rezoning application is to fulfill a condition of consent for severance file B04/2021WL. This consent application is for a surplus farm dwelling severance. The application retained Parcel 2 – 9.136 hectares (22.5 acres) and merged this land on title with the applicants other agricultural parcel located at 1725 Regional Road 20 and severed Parcel 1 – 0.611 hectares (1.5 acres) as a rural residential parcel. This application proposes to rezone the severed portion (Parcel 1) from an Agricultural Zone 'A' to a Rural Residential Zone 'RuR'.

**2. Purpose of the Public Meeting Being Held This Evening**

The Planning Act requires in Section 34(12) that before passing a Zoning By-law Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed zoning by-law amendment.

The Chair stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the Zoning By-law Amendment submitted under File No. and Name: 1601-010-22 – Leonard & Lynne Snippe.

The Chair stressed that, at this point, no decision has been made on the proposed amendments and any comments received will be taken into account by Council in their consideration. The Chair advised that the Planning Act requires in Section 34(14) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public

body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Ontario Land Tribunal (OLT).

### **3. Public Meeting**

The Chair requested that the Director of Legislative Services/Clerk advise of the method and dates by which notice of the public meeting was given.

The Director of Legislative Services/Clerk advised that proper notice was given by way of mail distribution to property owners within 120 metres of the subject property and email circulation to departments and agencies on July 21st 2022, as well as a yellow sign was posted on the property and a notice of hearing was posted to the website on July 21st 2022.

The Chair advised that this public meeting was being held to consider the Township of West Lincoln's Zoning By-law under Section 34(12) of the Planning Act as submitted under File No. and Name: 1601-010-22 – Leonard and Lynne Snippe.

The Chair asked the Senior Planner, Gerrit Boerema, to explain the purpose and reason for the proposed land severance.

The Senior Planner, Gerrit Boerema, provided an overview of Planning Staff Technical Report No. PD-73-2022 - Zoning By-law Amendment - Leonard and Lynne Snippe - 5444 Concession 4 Road, File No. 1601-010-22.

The Chair asked if there were any oral or written submissions from any members of the public present as part of the Zoom meeting that wished to provide comments at this time with respect to the Zoning By-law Amendment. The Chair suggested that if there were any Members of the Public present that wished to provide comments that they should state them now, as the OLT may not consider comments made during any other Council and/or Committee meetings.

There were no oral comments or written submissions from any members of the public.

The Chair asked if any Members of the Council had any oral or written submissions on the proposed Zoning By-law Amendment. The Chair advised that this may be the only Public Meeting being held with respect to this application; therefore, he noted that if any Members of the Committee has any comments they should state them now as the Ontario Land Tribunal (OLT) may not consider comments made during any other Council and/or Committee meetings.

There were no oral comments or written submissions from any Members of Council present.

The Chair advised that a Technical Report was being considered by the Committee this evening and that a recommendation report will be forthcoming to a future Committee and/or Council Meeting. Please be advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. If you wish to be notified of Council's decision, please ensure that you email the Township Clerk, Joanne Scime at [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca).

Anyone who is interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend applicable meetings. It is suggested that you watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The agendas for meetings are posted on the Township's website after 4 p.m. on the Friday prior to the meeting. Additionally, meeting schedules are also noted on the Township's website for the public to view. If you wish to receive notices by email, it is suggested that you contact the Township Clerk to advise of your request and include your email address along with your mailing address and phone number.

#### **4. Adjournment**

The Chair advised that this public meeting with respect to the proposed By-law amendment is concluded at the hour of 6:41 p.m.

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

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**COUNCILLOR WILLIAM REILLY,  
CHAIR**

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

### **PUBLIC MEETING - DEVELOPMENT CHARGES BACKGROUND STUDY MINUTES**

**MEETING HELD:** Thursday, August 11, 2022, Township Administration Building, 318 Canborough Street, Smithville – 6:42 p.m.

**Council:** Mayor Dave Bylsma  
Councillor Shelley Bradaric  
Councillor Cheryl Ganann  
Councillor William Reilly

**Absent:** Councillor Harold Jonker (notification provided – with regrets)  
Councillor Mike Rehner (notification provided – with regrets)  
Councillor Jason Trombetta (notification provided – with regrets)

**Staff:** Joanne Scime, Director of Legislative Services/Clerk  
Bev Hendry, CAO  
Donna DeFilippis, Treasurer/Director of Finance\*  
Dennis Fisher, Fire Chief  
Mike DiPaola, Director of Public Works & Recreation  
Brian Treble, Director of Planning & Building  
Gerrit Boerema, Planner II  
Kevin Geoghegan, IT Help Desk Analyst  
Stephanie Pouliot, Planner I

**Others:** Regional Councillor Albert Witteveen  
Karl Grueneis  
Aaron Farrell  
Paul Lowes  
Bryon Tan, Watson & Economists Ltd.  
Gary Scandlan, Watson & Economists Ltd.  
Subrina Goolsarran, Watson & Economists Ltd.  
Steve Wever  
Richard Vandezande  
Scott Antonides  
Ron Budenas  
Sylvie Budenas  
Bruce Harris, WeeStream

1. **CHAIR:** Mayor Dave Bylsma

2. **PURPOSE OF THE MEETING:**

The Chair advised that this is a public meeting being held under Section 12 of the *Development Charges Act, 1997*. The purpose of the meeting is to give the public an opportunity to ask questions, provide comments, and make representations on the Development Charge Background Study dated August 11<sup>th</sup>, 2022 and proposed By-law.

The Chair advised that Council will be considering the approval of the final By-Law at the September 26<sup>th</sup>, 2022 Council Meeting.

The Chair stressed that, at this point, no decision has been made on the proposed report or by-law and any comments received will be taken into account by Council in their consideration.

The Chair stated that prior to receiving the public comments, he would ask the consultant, Watson & Associates Economists Ltd., to do a brief presentation on the findings of the study.

3. **PRESENTATION:**

- (a) Subrina Goolsarran, Bryon Tan & Gary Scandlan, Watson & Economists Ltd,  
Re: 2022 Development Charges Background Study – Township of West Lincoln

The consultants of Watson & Economists Ltd. reviewed their PowerPoint presentation which is attached as **Schedule “A”** to these minutes.

4. **COMMENTS FROM PUBLIC & COUNCIL:**

The Chair asked if there were any Members of Council who wished to ask any questions or provide any comments with respect to the 2022 Development Charge Background Study and proposed by-law.

There were no Members of Council who wished to ask any questions or provide any comments with respect to the 2022 Development Charge Background Study and proposed by-law.

The Chair asked if there were any Members of the Public present who wished to ask any questions or provide any comments with respect to the Development Charge Background Study and proposed by-law.

Regional Councillor Witteveen inquired when the Township’s Development Charges By-law would be reviewed again.

In response to Regional Councillor Witteveen’s inquiry, Mr. Scandlan stated that the Township’s Development Charges By-law was adopted in 2019 and the maximum life of a Development Charges By-law was five-years. Mr. Scandlan advised that unless the Township wanted to review it Development Charge By-law again, this by-law would need to be renewed in 2024 in order to allow the Township to continue with its charges.

The Director of Planning & Building stated that because the Urban Boundary Expansion project was progressing, the Development Charges By-law may be revisited as early as next year due to the fact that the Master Plan work will identify some significant infrastructure that should be in the Background Study.

Mayor Bylsma inquired into the process of a challenge to the Development Charges By-law.

In response to Mayor Bylsma's inquiry, Mr. Scandlan explained that once the Development Charge By-law has been considered and subsequently adopted by Council, the by-law would be advertised with an appeal period of 40 days. Mr. Scandlan advised that if no appeals are made then the updated rates would stay in effect. Mr. Scandlan advised that only the adjustments that have been made to the by-law could be appealed. Mr. Scandlan stated that if there was a challenge it could go to the board or can be settled outside of having to go to the board.

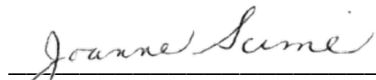
The Chair stated having heard all comments, this public meeting was now closed.

Council would urge the public to submit their comments in writing prior to September 26th, 2022.

Council consideration of the Development Charges By-law has been scheduled to occur at the September 26th, 2022 Council Meeting.

**8. ADJOURNMENT:**

The Chair declared this Development Charges Background Study Public Meeting adjourned at the hour of 7:03 p.m.



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

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**MAYOR DAVE BYLSMA, CHAIR**



## Township of West Lincoln

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2022 Development Charges Update Study

Public Meeting

# Format for Public Meeting



- D.C.A Public Meeting
  - Opening Remarks
  - Overview of the Study Process
  - Presentation of the Revisions and Proposed Charges
  - Presentations by the Public
  - Questions from Council
  - Conclude Public Meeting

# Public Meeting Purpose



- The public meeting is to provide for an update to the existing D.C. by-law to:
  - Remove the mandatory 10% deduction for certain services; and
  - Incorporate additional mandatory exemptions and refined definitions in the by-law to reflect recent changes to the Development Charges Act (D.C.A.).
- The meeting is a mandatory requirement under the D.C.A.
- Prior to Council's consideration of a by-law, a background study must be prepared and available to the public a minimum 60 days prior to the D.C. by-law passage.

# Study Process & Timelines



1

**April to June 2022**

Meetings with Township Staff & Revisions to Calculations

2

**July 22, 2022**

Release of Background Study and Draft Amending By-law

3

**August 11, 2022**

Public Meeting of Council

4

**September 26, 2022**

Council Consideration of the Amending by-law

# Development Charges (D.C.)



## Purpose:

- To recover the capital costs associated with residential and non-residential growth within a municipality
- The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.)

# Recent Changes to the D.C. Legislation



There were a number of changes to the D.C.A. These changes were provided through:

- Bill 108: More Homes, More Choice Act, 2019
  - Provided timing of payment provisions (for Rental Housing, Institutional development, and non-profit housing), D.C. rate freeze for site plan and zoning by-law amendments, and allows for interest to be applied.
- Bill 138: Plan to Build Ontario Together Act, 2019
  - Removed installment payments for commercial and industrial developments (identified in Bill 108)
- Bill 197: COVID-19 Economic Recovery Act, 2020
  - Provides a list of D.C. eligible services, classes of services, and removal of the 10% mandatory deduction and 10-year planning horizon.
- Bill 213: Better for People, Smart for Business Act, 2020
  - Provides for a mandatory exemption for development of land intended for use by a university that receives operating funds from the Government

# 2022 D.C. Update – 10% Deduction Removal



- The legislation has removed the mandatory deduction for all services that remain eligible in the D.C. For the Township, the 10% deduction has been removed for the following services:
  - Indoor and Outdoor Recreation Services (Now “Parks and Recreation Services”);
  - Library Services; and
  - Administration Studies (Now a Class of Service: “Growth Studies”).

# 2022 D.C. Update - Growth Studies



- The Township currently has an “Administration” category which contains several D.C. eligible studies. Due to the changes from Bill 197, this category will need to be considered a “Class of Services”. With this change, the “Administration” service is being renamed to “Growth Studies”.
- In addition to the removal of the mandatory 10% deduction, planning related studies (e.g., official plan updates, municipal comprehensive reviews, etc.) have been allocated a 10% deduction to recognize the extent to which some studies relate to non-D.C.-eligible services.

# Updated D.C. Calculations – Wind Turbines



- With respect to Wind Turbines, the Township currently imposes a D.C. equal to a single detached dwelling for services related to a highway, fire protection, and administration (growth studies).
- The revisions to the growth studies provided in this D.C. update will modify the studies portion of the Wind Turbines charge.

# 2022 D.C. Update – Other By-law Revisions



The following provisions are being included in the Township's D.C. By-law:

- Timing of Payment Provisions:
  - Rental housing and institutional developments (six equal annual payments)
  - Non-profit housing (21 equal annual payments)
- D.C. Rate Freeze:
  - Site plan or Zoning by-law amendment application (D.C. rates frozen for 2 years)
- Interest Rates for the above
- The Addition of Policies and Definitions as described in O.Reg. 454/19

# Current Development Charges – By-law 2019-51 (2019\$)



Service/Class of Service	Residential				Wind Turbines	Non-Residential
	Single and Semi Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		per sq.ft.
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	5,534	3,689	3,522	2,180	5,534	2.06
Fire Protection Services	373	249	237	147	373	0.15
Outdoor Recreation Services	858	572	546	338	-	0.06
Indoor Recreation Services	2,548	1,698	1,621	1,004	-	0.20
Library Services	604	403	384	238	-	0.05
Administration	317	211	202	125	317	0.13
<b>Total Municipal-Wide Services</b>	<b>10,234</b>	<b>6,822</b>	<b>6,512</b>	<b>4,032</b>	<b>6,224</b>	<b>2.66</b>
<b>Urban Services</b>						
Stormwater Drainage and Control Services	69	46	44	27	-	0.02
Wastewater Services	429	286	273	169	-	0.15
Water Services	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,030</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.55</b>
<b>Grand Total Municipal + Urban</b>	<b>11,778</b>	<b>7,852</b>	<b>7,495</b>	<b>4,640</b>	<b>6,224</b>	<b>3.21</b>

# SCHEDULE "A" TO THE AUGUST 11, 2022 PUBLIC MEETING MINUTES

## Calculated D.C. Rates (2019\$)



Service/Class of Service	RESIDENTIAL				Wind Turbines	NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		(per sq.ft. of Gross Floor Area)
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	5,534	3,689	3,522	2,180	5,534	2.06
Fire Protection Services	373	249	237	147	373	0.15
Parks and Recreation Services <sup>1</sup>	4,399	2,933	2,799	1,733	-	0.32
Library Services	791	527	503	312	-	0.06
Growth Studies <sup>2</sup>	324	216	206	128	324	0.13
<b>Total Municipal Wide Services/Class of Services</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>Urban Services</b>						
Stormwater Drainage and Control Services	69	46	44	27	-	0.02
Wastewater Services	429	286	273	169	-	0.15
Water Services	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,029</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.54</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>12,965</b>	<b>8,643</b>	<b>8,250</b>	<b>5,108</b>	<b>6,231</b>	<b>3.26</b>

<sup>1</sup> Previously presented as two separate charges for Indoor and Outdoor Recreation Services

<sup>2</sup> Previously presented as Administration

*Note: the above figures will need to be indexed to 2022\$ at 17.9%*

# Rate Comparison – Residential (Single-detached Units)



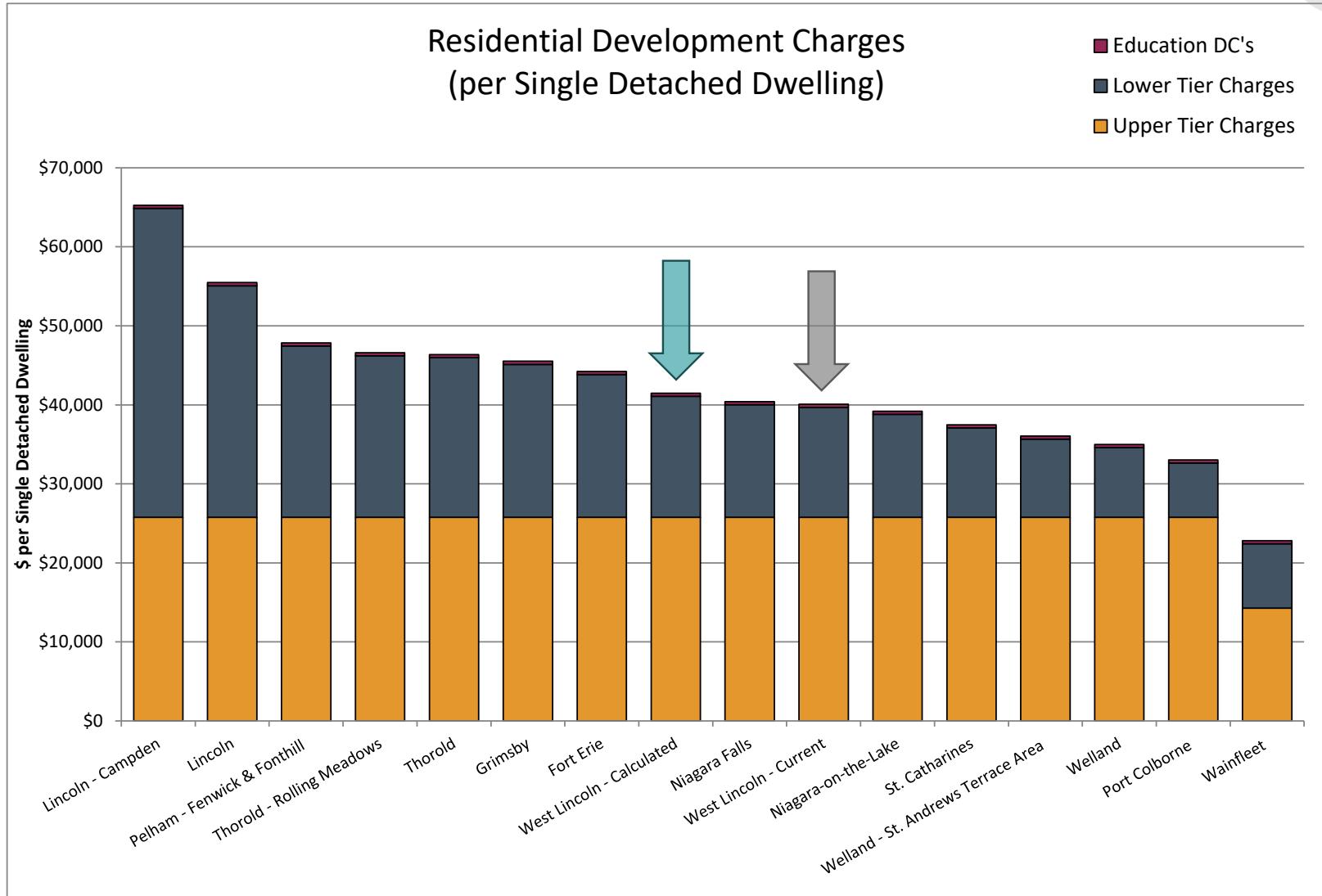
Service/Class of Service	By-law 2019-51 (2019\$)	D.C. Update Calculations (2019\$)
<b>Municipal Wide Services/Classes:</b>		
Services Related to a Highway	5,534	5,534
Fire Protection Services	373	373
Parks and Recreation Services <sup>1</sup>	3,406	4,399
Library Services	604	791
Growth Studies <sup>2</sup>	317	324
<b>Total Municipal Wide Services/Classes</b>	<b>10,234</b>	<b>11,421</b>
<b>Area Specific Services:</b>		
Stormwater Drainage and Control Services	69	69
Wastewater Services	429	429
Water Services	1,046	1,046
<b>Total Area Specific Services</b>	<b>1,544</b>	<b>1,544</b>
<b>Grand Total - Urban Area</b>	<b>11,778</b>	<b>12,965</b>



# Rate Comparison – Non- Residential (per sq.ft. of gross floor area)

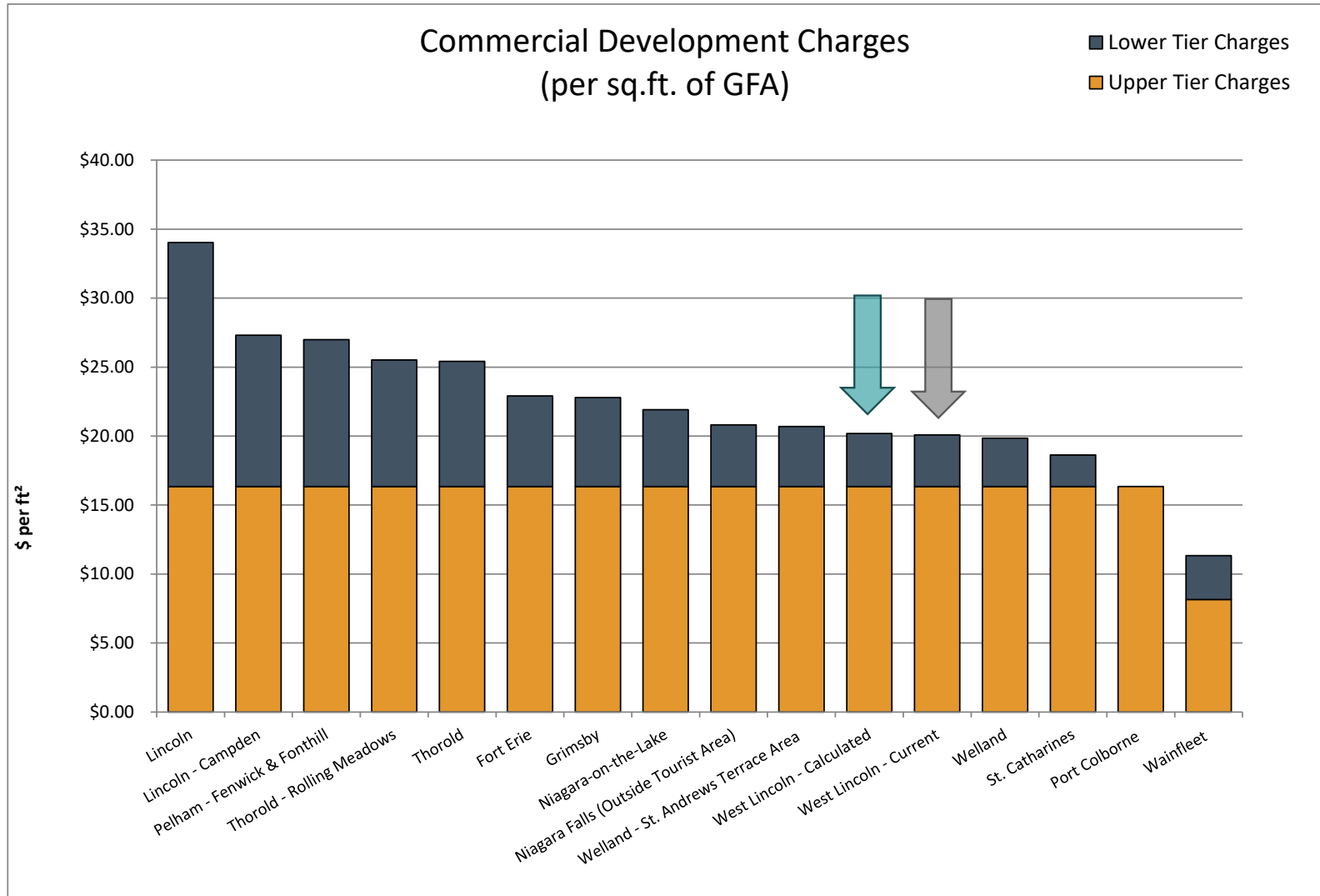
Service/Class of Service	By-law 2019-51 (2019\$)	D.C. Update Calculations (2019\$)
<b>Municipal Wide Services/Classes:</b>		
Services Related to a Highway	2.06	2.06
Fire Protection Services	0.15	0.15
Parks and Recreation Services <sup>1</sup>	0.26	0.32
Library Services	0.05	0.06
Growth Studies <sup>2</sup>	0.13	0.13
<b>Total Municipal Wide Services/Classes</b>	<b>2.65</b>	<b>2.72</b>
<b>Area Specific Services:</b>		
Stormwater Drainage and Control Services	0.02	0.02
Wastewater Services	0.15	0.15
Water Services	0.37	0.37
<b>Total Area Specific Services</b>	<b>0.54</b>	<b>0.54</b>
<b>Grand Total - Urban Area</b>	<b>3.19</b>	<b>3.26</b>

# Survey of D.C. Rates – Residential



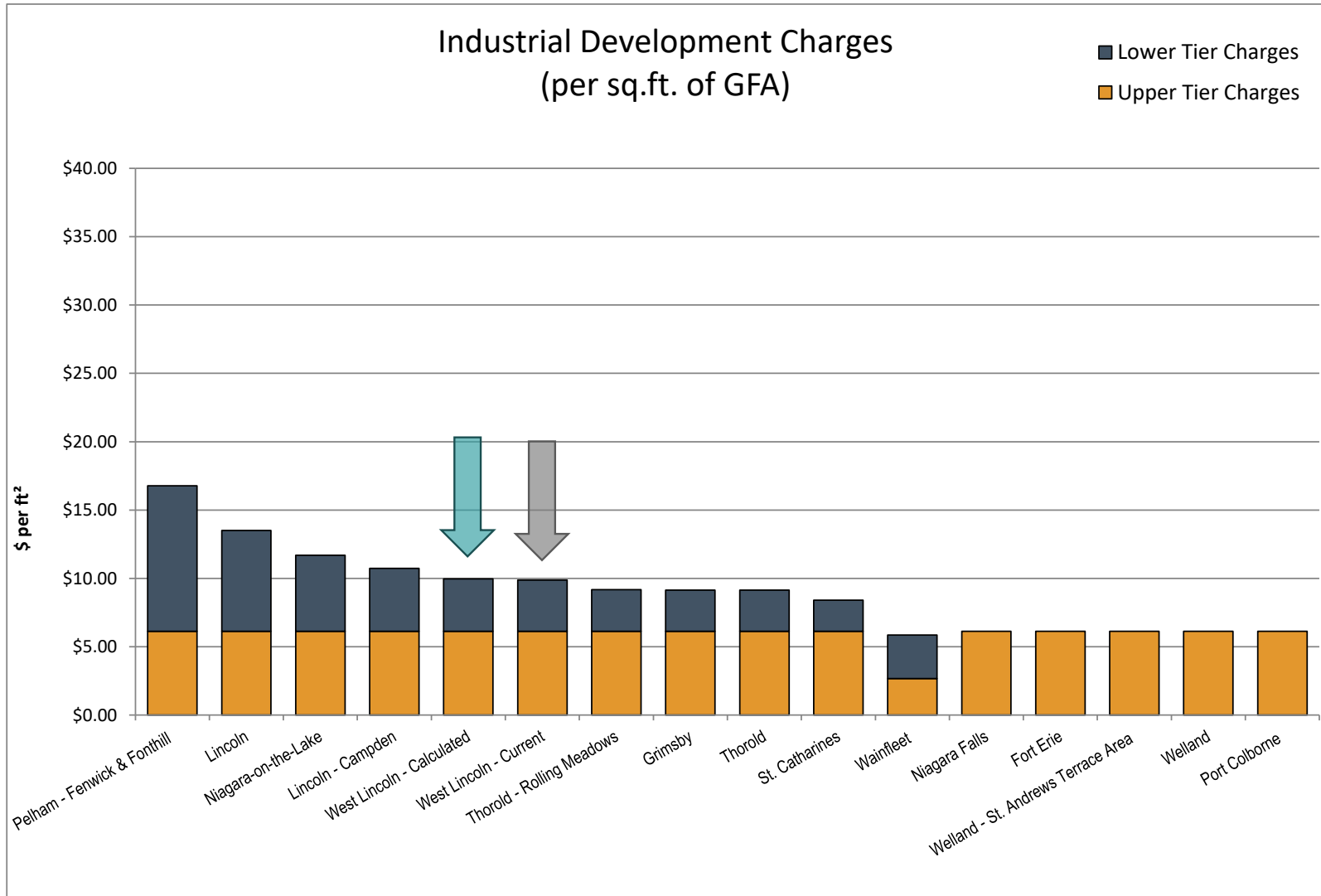
Note: Niagara Region's D.C. By-law comes into effect September 1, 2022 (Upper Tier Charges)

# Survey of D.C. Rates – Commercial



Note: Niagara Region's D.C. By-law comes into effect September 1, 2022 (Upper Tier Charges)

# Survey of D.C. Rates – Industrial



Note: Niagara Region's D.C. By-law comes into effect September 1, 2022 (Upper Tier Charges)

# Next Steps



Council  
Consideration  
of the By-law  
(September 26,  
2022)

**TOWNSHIP OF WEST LINCOLN  
PUBLIC MEETING UNDER THE PLANNING ACT MINUTES  
AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW**

**September 12, 2022, 6:30 p.m.  
Township Administration Building  
318 Canborough Street, Smithville, Ontario**

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

**Absent:** Councillor Harold Jonker (notice provided)

**Staff:** Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Gerrit Boerema, Senior Planner  
Kevin Geoghegan, IT Help Desk Analyst  
WeeStreem

**Other Members:** Regional Councillor Witteveen  
Craig Rohe  
Fred Vrugteveen

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**4981 Regional Road 20 (Vrugteveen & Niagara Pallets) - Zoning By-law  
Amendment**

**1. Application for Temporary Use By-law**

The Chair advised that this public meeting was being held to consider an Extension to the Township of West Lincoln's Temporary Use By-law under Section 34(12) of the Planning Act as submitted by Upper Canada Consultants on behalf of Fred and Rebecca Vrugteveen and Niagara Pallets for the property located at 4981 Regional Road 20 (File No. 1601-011-22).

**EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:**

An application to extend a temporary use bylaw has been submitted for lands legally described as Concession 4, Part of Lot 16, in the Township of West Lincoln. The property is municipally known as 4981 Regional Road 20. The property is located on the north side of Regional Road 20, east of Silverdale Road.

An application has been submitted to allow for a one (1) year extension to a temporary use bylaw for an ongoing commercial operation which includes the storage of pallets and wood chips operated by Niagara Pallet. A temporary use by-law was passed by Council in February of 2019, which permitted the commercial use for a period of 2 years.

**2. Purpose of the Public Meeting**

The Planning Act requires in Section 34(12) that before passing a Zoning By-law Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed zoning by-law amendment.

The Chair stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the Zoning By-law Amendment submitted by Upper Canada Consultants on behalf of Fred and Rebecca Vrugteveen and Niagara Pallets for the property located at 4981 Regional Road 20 (File No. 1601-011-22).

The Chair stressed that, at this point, no decision has been made on the proposed amendments and any comments received will be taken into account by Council in their consideration. The Chair advised that the Planning Act requires in Section 34(14) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Ontario Land Tribunal (OLT).

**3. Public Meeting**

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

The Deputy Clerk advised that Proper notice was given by way of mail distribution to property owners within 120 metres of the subject property and email circulation to departments and agencies on August 17, 2022 and posted on the Township's website.

The Chair advised that this public meeting was being held to consider an Extension to the Township of West Lincoln's Temporary Use By-law under Section 34(12) of the Planning Act as submitted by Upper Canada Consultants on behalf of Fred and Rebecca Vrugteveen and Niagara Pallets for the property located at 4981 Regional Road 20 (File No. 1601-011-22).

The Chair asked the Senior Planner, Gerrit Boerema, to explain the purpose and reason for the proposed extension of the Temporary Use By-law.

The Senior Planner, Gerrit Boerema, provided an overview of the application and Technical Report PD-79-2022.

The representative from Upper Canada Consultants (Authorized Agent) provided a detailed timeline of events from the first Temporary Use application in 2020. The representative noted that due to the shutdowns from COVID-19, their clients could not efficiently make use of the Temporary Use By-law. The representative stressed that the 1-year extension to the Temporary Use By-law would allow their clients more than enough time to finish the project, and successfully migrate their business away from the property in question. The representative stated that they were able to answer questions from council and the public.

The Chair asked if there were any oral or written submissions from any members of the public present as part of the Zoom meeting that wished to provide comments at this time with respect to the Zoning By-law Amendment. The Chair suggested that if there were any Members of the Public present that wished to provide comments that they should state them now, as the OLT may not consider comments made during any other Council and/or Committee meetings.

There were no oral comments or written submissions from any members of the public.

The Chair asked if any Members of the Committee had any oral or written submissions on the proposed Zoning By-law Amendment. The Chair advised that this may be the only Public Meeting being held with respect to this application; therefore, he noted that if any Members of the Committee has any comments they should state them now as the Ontario Land Tribunal (OLT) may not consider comments made during any other Council and/or Committee meetings.

Councillor Rehner inquired to Senior Planner, Gerrit Boerema, regarding the Township's position on this application considering that the Niagara Region opposed the application. In response to Councillor Rehner's inquiry, the Senior Planner stated that Township staff are still reviewing the application and hoped to bring a recommendation report forward at the next meeting. The Senior Planner noted that the concern of the Township is that a Temporary Use By-law was

approved for this property 2 years ago, which the Niagara Region opposed as well, and worried that adding another year to the By-law would not ensure the completion of the project. The Senior Planner stated that the Township would require proof that the business could be properly moved in this one year extension period, so the Township will not need to revisit this issue.

The Director of Planning & Building, Brian Treble noted that it is a delicate balancing act between the proper planning procedures and ending up in litigation if the proper precautions are not taken.

Councillor Rehner stated that while he appreciated the circumstances that held up the relocation of the business in the past 2 years, he would like to see a plan that would ensure this matter is resolved in the new 1-year extension.

Councillor Trombetta stated that he has visited the site and spoke with the owner owner noting that he has no issue providing the extension to relocate the business.

Councillor Bradaric requested that the applicant provide an overview of the issues and delays they faced during the initial 2-year Temporary Use By-law, to provide the public with a better understanding of the reasoning behind the extension. In response to Councillor Bradaric's inquiry, the representative from Upper Canada Consultants provided insight into the impact that the COVID-19 shutdowns had on the relocation process at the property.

Mayor Bylsma inquired to the Senior Planner, Gerrit Boerema, on the specifics of what a "cleaned up" site looked like, and what would qualify that the pallet storage business had been relocated successfully. In response to Mayor Bylsma's inquiry, the Senior Planner stated that staff would like to see compliance with the agricultural zoning By-law problems that the operation of this commercial business violates. The Senior Planner stated that while pallets may be on the property, it is clearly in operation as a commercial business.

Mayor Bylsma inquired to Mr. Vrugteveen, the owner of the property, whether or not there was any commercial operation of the business on the property in question. In response to Mayor Bylsma's inquiry, Mr. Vrugteveen stated that much of the use of the property has been to utilize the indoor storage space.

Councillor Ganann stated that this file has been ongoing for quite some time, and would like confirmation from Mr. Vrugteveen that there is sufficient capacity at the new site to relocate. Councillor Ganann echoed comments made by Councillor's earlier, wishing for this matter to be finally resolved. In response to Councillor Ganann's inquiry, Mr. Vrugteveen stated that the pallets on the property in question would be successfully relocated within the year extension.

The Chair advised that a Technical Report is being considered by the Committee this evening and that a recommendation report will be forthcoming to a future Committee and/or Council Meeting. Please be advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of the passing will be circulated with an appeal period. If you wish to be notified of Council's decision, please ensure that you email the Township Clerk, Joanne Scime at [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca).

Anyone who is interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend applicable meetings. It is suggested that you watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The agendas for meetings are posted on the Township's website after 4 p.m. on the Friday prior to the meeting. Additionally, meeting schedules are also noted on the Township's website for the public to view. If you wish to receive notices by email, it is suggested that you contact the Township Clerk to advise of your request and include your email address along with your mailing address and your phone number.

#### **4. Adjournment**

The Chair advised that this public meeting with respect to the proposed By-law amendment is concluded at the hour of 7:04 p.m.

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JESSICA DYSON,  
DEPUTY CLERK

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COUNCILLOR WILLIAM REILLY,  
CHAIR

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

**MEETING NO. SEVEN**

**September 12, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

Council: Councillor William Reilly - Chair  
Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann  
Councillor Jason Trombetta  
Councillor Mike Rehner

Absent: Councillor Harold Jonker (notice provided)

Staff: Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Gerrit Boerema, Senior Planner  
Kevin Geoghegan, IT Help Desk Analyst  
WeeStream

Other Members: Regional Councillor Witteveen  
Craig Rohe\*  
Fred Vrugteveen\*

**\*IN ATTENDANCE PART-TIME**

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**1. CHAIR - Councillor William Reilly**

Prior to commencing with the Planning/Building/Environmental Committee meeting agenda, Chair Reilly 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 [jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca) before 4:30 pm on the day of the meeting.

Comments submitted will be considered as public information and will be read into the public record.

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

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

Chair Reilly read the following Land Acknowledgement Statement:

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

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

There were no disclosure of pecuniary interest and/or conflict of interest declared.

## **4. PUBLIC MEETING(S)**

### **4.1 Zoning By-law Amendment - 4981 Regional Road 20 (Fred & Rebecca Vrugteveen)**

Re: An application for an extension to a Temporary Use Bylaw has been submitted by Upper Canada Consultants on behalf of the property owners of 4981 Regional Road 20, Fred and Rebecca Vrugteveen, and Niagara Pallets (File No. 1601-011-22).

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

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

## **6. APPOINTMENTS**

There were no appointments.

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

There were no requests to address items that were on the agenda.

## **8. CONSENT AGENDA ITEMS**

There were no consent agenda items.

## **9. COMMUNICATIONS**

### **9.1 ITEM P67-22**

Grant Bivol, Clerk, Niagara Peninsula Conservation Authority (NPCA)  
Re: Draft Land Securement Strategy 2022-2023

Councillor Ganann suggested that when Township staff reach out to the Niagara Peninsula Conservation Authority (NPCA) regarding the securing of more land, that Township staff request the NPCA to communicate with the Niagara Region regarding the Lagoon property. Councillor Ganann noted if the NPCA were looking for smaller portions of lands that the Lagoon Property in West Lincoln may be a good property for a conservation area.

The Director of Planning & Building, Brian Treble, stated that over the next month Township staff will review the report and then create their own recommendation report for council in regards to the Land Securement Strategy from the NPCA.

Mayor Bylsma stated that the NPCA has prepared this report to hear from their various stakeholders, which includes the municipal governments in the region, and it is okay to ask for an extension on the comment period of the report. Mayor Bylsma stated that it would be very important to give these comments a lot of thought, as they have direct impacts into the environments of our municipalities.

**Moved By** Councillor Cheryl Ganann

**Seconded By** Mayor Dave Bylsma

1. That, the correspondence received from Grant Bivol, Clerk, Niagara Peninsula Conservation Authority (NPCA), regarding the Draft Land Securement Strategy 2022-2023, dated September 2nd, 2022, be received; and,
2. That, the correspondence referenced above be referred to staff to request an extension of comment submission to the NPCA for the first quarter (Q1) of 2023, due to the upcoming 2022 Municipal Election and new term of Council.

**Carried**

## **10. STAFF REPORTS**

### **10.1 ITEM P68-22**

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

Re: Technical Report No. PD-79-2022 - 4981 Regional Road 20 – Fred and Rebecca Vrugteveen Temporary Use Bylaw Extension (File No. 1601-011-22)

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Shelley Bradaric

1. That, Technical Report PD-79-2022, regarding “4981 Regional Road 20 – Fred and Rebecca Vrugteveen – Temporary Use Bylaw (File No. 1601-011-22)”, dated September 12<sup>th</sup>, 2022, be RECEIVED; and,
2. That a recommendation report be submitted to a future Planning/Building/Environmental Committee or Council meeting once a full staff and agency review has been completed.

**Carried**

### **10.2 ITEM P69-22**

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

Re: Recommendation Report No. PD-78-2022 – Zoning Bylaw Amendment – Leonard Snippe – 5444 Concession 4 Road (File No: 1601-010-22)

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Jason Trombetta

1. That, Recommendation Report PD-78-2022, regarding “Zoning Bylaw Amendment – Leonard Snippe – 5444 Concession 4 Road, File No. 1601-010-22” dated September 12, 2022, be RECEIVED; and,
2. That, an application for Zoning By-law Amendment 1601-0010-22 submitted by Leonard Snippe, and a corresponding Zoning By-law be APPROVED and passed; and,
3. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period.

**Carried**

**10.3 ITEM P70-22**

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-80-2022 – Bill 109 – Establish Developmental Control

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

1. That, Recommendation Report PD-80-2022, regarding “Bill 109 – Establish Developmental Control”, dated September 12, 2022, be RECEIVED; and,
2. That, a by-law be passed to establish Development Control, to delegate approval authority and establish criteria within the Township of West Lincoln.

**Carried**

**11. OTHER BUSINESS**

**11.1 ITEM P71-22**

Members of Committee

Re: Other Business Matters of an Informative Nature

1. Councillor Ganann  
Re: Community Events

Councillor Ganann stated that the West Niagara fair was a great success, and a fantastic weekend for the community. Councillor Ganann noted that the Chili Soup and Corn Roast at Silverdale Hall is occurring this Friday, September 16th.

2. Councillor Reilly  
Re: Santa Clause Parade

Councillor Reilly provided an update regarding the Santa Clause Parade in West Lincoln, noting that the parade this year will be West Lincoln's first night parade.

**12. NEW BUSINESS**

There were no new business items.

**13. CONFIDENTIAL MATTERS**

There were no confidential matters.

**14. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 7:18pm.

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JESSICA DYSON,  
DEPUTY CLERK

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COUNCILLOR WILLIAM REILLY,  
CHAIR

**TOWNSHIP OF WEST LINCOLN**  
**ADMINISTRATION/FINANCE/FIRE COMMITTEE**  
**MINUTES**

**MEETING NO.**

**September 19, 2022, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Absent:** Councillor Harold Jonker (notification provided – with regrets)

**Staff:** Bev Hendry, CAO  
Joanne Scime, Clerk  
Mike DiPaola, Director of Public Works and Recreation  
Tim Hofsink, Deputy Fire Chief  
Kevin Geoghegan, IT Help Desk Analyst  
Donna DeFilippis, Director of Finance/Treasurer

**Others:** Regional Councillor Albert Witteveen  
Bruce Harris, WeeStreem

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**1. CHAIR - Councillor Jason Trombetta**

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

Prior to commencing with the Administration/Finance/Fire Committee meeting agenda, Chair Trombetta made the following announcements:

1. Councillor Harold Jonker has sent regrets as he will not be in attendance for this evening's meeting.
2. 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.

3. The public had the opportunity to submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) prior to 4:30 pm on the day of the meeting, being today September 19, 2022. Any comments submitted are considered as public information and will be read into public record at a later point in the agenda.

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

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

Chair Trombetta read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen- DA-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. CHANGE IN ORDER OF ITEMS ON AGENDA**

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

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

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

## **5. APPOINTMENTS**

There were no appointments.

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

There were no members of the public present who wished to address any items on the Administration/Finance/Fire Committee agenda.

## **7. CONSENT AGENDA ITEMS**

### **7.1 ITEM A54-22**

#### **CONSENT AGENDA ITEMS**

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Shelley Bradaric

That the Administration/Finance/Fire Committee hereby approves the following Consent Agenda Items:

1. Items 1, 2 & 3 be and are hereby received and the recommendations contained therein be adopted.

**Carried**

**SUMMARY OF CONSENT AGENDA ITEMS:**

1. Recommendation Report C-04-2022 - Joint Niagara Compliance Audit Committee – Updated Terms of Reference 2022-2026
2. Recommendation Report C-06-2022 - Approval of the Multi-Year Accessibility Plan
3. Recommendation Report CAO-04-2022 - Christmas Break Holiday Hours 2022

**8. COMMUNICATIONS**

There were no communications.

**9. STAFF REPORTS**

**9.1 ITEM A55-22**

Acting Fire Chief/CEMC (Tim Hofsink)

Re: Information Report WLFD-11-22 - Monthly Update - August 2022

**Moved By** Councillor William Reilly

**Seconded By** Councillor Shelley Bradaric

That, Information Report WLFD-11-2022 regarding “Monthly Update – August 2022”, dated September 19, 2022, be received for information purposes.

**Carried**

**9.2 ITEM A56-22**

Director of Finance/Treasurer (Donna DeFilippis)

Re: Information Report T-24-2022 - Financial Update as of August 31, 2022

Mayor Dave Bylsma advised that he wanted to highlight from the Director of Finance/Treasurer's Financial Update Report, the financial impacts to the Township's 2022 Budget as it relates to the increase of fuel and corporate insurance premiums over the actual amounts in 2021 and that

Council could expect that these two operating expenditures will have impact on next year's budget as well.

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Cheryl Ganann

That, Information Report T-24-2022, regarding the "Financial Update as of August 31, 2022", be received for information.

**Carried**

**9.3 ITEM A57-22**

Director of Finance/Treasurer (Donna DeFilippis)

Re: Information Report T-25-2022 - MyWESTLINCOLN Financial Portal

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

That, Information Report T-25-2022, regarding the "MyWESTLINCOLN Financial Portal", dated September 19, 2022, be received for information.

**Carried**

**9.4 ITEM A58-22**

Deputy Clerk (Jessica Dyson) & Director of Legislative Services/Clerk (Joanne Scime)

Re: Recommendation Report C-05-2022 – Township of West Lincoln Citizen Recognition Program

Councillor Reilly thanked Master Dylan Pilot for his presentation in April 2022 and suggesting that the Township have a Citizen of the Year Program and advised that he would like to have Dylan to be included as part of this initiative/program when it begins in 2023.

In response to Mayor Bylsma's inquiry regarding who would be responsible for this program, the Director of Legislative Services/Clerk stated that the Clerk's Department would take the lead with respect to bringing this matter before the new Council for consideration of the appointment of two Council Members to sit on the Citizen Recognition Subcommittee. The Clerk's Department would also be responsible, with the assistance of the Executive Assistant, to promote/advertise the Citizen of the Year and Youth Citizen of the Year program, provide the nomination criteria and forms on the Township's website (posted year round), collect the applications (in August or September) and submitting them to the Citizen Recognition Subcommittee for review and recommendation which will then be forwarded to Township Council for consideration, in closed

session, and with a subsequent award announcement and presentation at the September or October Council Meeting each year depending if it is a municipal election year.

In response to Councillor Ganann's suggestion that information and advertising of the Citizen of the Year Award and Youth Citizen of the Year program be provided to the community early in the year, the Director of Legislative Services/Clerk advised that, as outlined in the Citizen Recognition Program Policy, specifically the Nomination Process, the Clerk's Department will ensure that the program and the nomination criteria are promoted/advertised on social media leading up to the nomination period as well as being posted on the Township's website year round.

Councillor Reilly asked that the Citizen Recognition Program be easily accessible on the Township's website and suggested that a tile be created and posted on the front page of the Township's website that would be similar to the Municipal Election tile that currently existed, so residents can easily find the policy, terms of reference and application form.

**Moved By** Councillor William Reilly

**Seconded By** Mayor Dave Bylsma

1. That, Recommendation Report C-05-2022 regarding "Township of West Lincoln Citizen Recognition Program", dated September 19, 2022, be received; and,
2. That, the Citizen Recognition Program Policy as attached as Schedule A to this report, as well as the Terms of Reference as attached as Schedule B to this report be approved; and,
3. That, a subcommittee of Council consisting of three (3) members including the Mayor, be created at the start of the new Term of Council to assemble a Citizen Recognition Program Committee; and,
4. That, the Citizen Recognition Program commence in 2023 with an award presentation programmed during a regular scheduled Council meeting in October with the exception of those years when a regular Municipal Election is being held with the award presentation being held at the September Council Meeting.

	<b>For</b>	<b>Against</b>	<b>Conflict</b>
Councillor Jason Trombetta	X		
Councillor Shelley Bradaric	X		
Mayor Dave Bylsma	X		
Councillor Cheryl Ganann	X		
Councillor Mike Rehner	X		
Councillor William Reilly	X		
<b>Results</b>	<b>6</b>	<b>0</b>	<b>0</b>
			<b>Carried (6 to 0)</b>

## **10. OTHER BUSINESS**

### **10.1 ITEM A59-22**

Members of Committee

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

There were no verbal updates from Members of Boards and Committees.

### **10.2 ITEM A60-22**

Members of Council

Re: Other Business Items of an Informative Nature

(1) Councillor Jason Trombetta

Re: Deputy Fire Chief Tim Hofsink Appointment as Acting Fire Chief & Fire Department Open House

Councillor Trombetta stated that the Deputy Fire Chief, Tim Hofsink, will be Acting Fire Chief during Fire Chief Fisher's absence.

The Acting Fire Chief advised that an Open House will be held on Saturday, September 24, 2022 from 11 am to 2 pm (rain or shine) with a number of family and children events being planned including display of fire department equipment as well as a barbeque. The Acting Fire Chief stated that this will be the first Open House that the Fire Department has held over the last couple of years and they were hoping for good weather as well as a great community turnout.

(2) Mayor Dave Bylsma

Re: Silverdale Community Hall Corn Roast

Mayor Bylsma stated that Silverdale Community Hall held their annual Corn Roast this past Friday evening which was well attended.

(3) Councillor William Reilly

Re: Tim Horton's Smile Cookie Campaign

Councillor Reilly reminded Members of Council and the community about Tim Horton's Smile Cookie campaign which started this morning and runs all week with all proceeds from the Smithville Tim Horton's Smile Cookie Campaign going to West Lincoln Community Care.

(4) Councillor Cheryl Ganann

Re: Silverdale Hall Community Corn Roast and Tim Horton's Smile Cookie Campaign

Councillor Ganann stated that she attended and volunteered at the Silverdale Community Hall Corn Roast as well as taking a couple of shifts to decorate Smile Cookies at the Smithville Tim Hortons. Councillor Ganann advised that Tim Hortons was looking for more volunteers to help decorate Smile Cookies and invited Members of Council that may have some time this week to volunteer by decorating cookies.

(5) Councillor Shelley Bradaric

Re: Harvest Routes

Councillor Bradaric advised that the Township of West Lincoln will be having their annual Harvest Routes celebration of arts and culture which will be held on Friday, September 30 and Saturday October 1, 2022 with workshops being held throughout the Township as well as an Artists' Marketplace, which will run on Saturday, October 1, 2022 from 10 am to 4 pm at the West Lincoln Community Centre. Councillor Bradaric advised that more information regarding this exciting event could be found on social media as well as on the Township's website.

(6) Councillor Mike Rehner

Re: Status Update on the New Station 2 Fire Hall

At the request of Councillor Rehner, the Acting Fire Chief provided an update on the construction of the new Station 2 Fire Hall and advised that although there have been a few delays due to rain, there was progress being made with respect to the construction of the new fire station. The Acting Fire Chief confirmed that the footings and foundation work have been completed and on Friday the piping of the water line and septic across the parking lot was completed. The Acting Fire Chief advised the

foundation will be waterproofed shortly as well as the installation of a new culvert in order to realign the new driveway. The Acting Fire Chief advised that the next steps of construction will also include the first coat of asphalt being installed, arrangements for the masons to do the block work and the framing of the office portion of the fire hall, which will be wood frame construction. The Acting Fire Chief noted that, to date, the contractor hasn't experienced any significant delays with respect to supplies and labour. The Acting Fire Chief noted that the slowest portion of construction was the in ground work but both the architects and construction company were both pleased with the progress of the project to date and that it was their hope to have the building enclosed prior to the cold weather/winter.

In response to Councillor Rehner's inquiry regarding the impact of the existing septic system will have on the new building and whether it will need to be updated to today's standards, the Acting Fire Chief advised that because the current fire hall needs to continue to operate while the new fire station was being constructed, there will be some accommodation being made between the existing and new septic system. The Acting Fire Chief advised that the contractor was working with Township's Septic Inspector to ensure that what was being done will allow for what was needed for the current fire hall as well as addressing the future needs for the new fire station.

**11. NEW BUSINESS**

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

**12. CONFIDENTIAL MATTERS**

There were no confidential matters.

**13. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 7:00 p.m.



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

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**COUNCILLOR JASON TROMBETTA,  
CHAIR**



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

**MEETING NO. SEVEN**

**September 19, 2022, 7:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Absent:** Councillor Harold Jonker (notification provided – with regrets)

**Staff:** Bev Hendry, CAO  
Joanne Scime, Director of Legislative Services/Clerk  
Mike DiPaola, Director of Public Works and Recreation  
Kevin Geoghegan, IT Help Desk Analyst  
Donna DeFilippis, Director of Finance/Treasurer

**Others:** Bruce Harris, WeeStreem  
Regional Councillor Albert Witteveen

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**1. ACTING CHAIR - Councillor Jason Trombetta**

Prior to commencing with the Public Works/Recreation/Arena Committee meeting agenda, Acting Chair Trombetta noted the following:

1. Councillor Harold Jonker has sent regrets as he will not be in attendance for this evening's meeting.
2. 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.
3. The public had the opportunity to submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) prior to 4:30 pm on the day of the meeting,

Page

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being today September 19, 2022. Any comments submitted are considered as public information and will be read into public record at a later point in the agenda.

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

**2. LAND ACKNOWLEDGEMENT STATEMENT**

Acting Chair Trombetta read the following Land Acknowledgement Statement: The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen- DA-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. CHANGE IN ORDER OF ITEMS ON AGENDA**

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

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

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

**5. APPOINTMENTS**

There were no appointments/presentations.

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

There were no members of the public present who wished to address any items on the Public Works/Recreation/Arena Committee agenda.

**7. CONSENT AGENDA ITEMS**

**7.1 ITEM PW28-22**

**CONSENT AGENDA ITEMS**

**Moved By** Councillor William Reilly

**Seconded By** Mayor Dave Bylsma

That the Public Works/Recreation/Arena Committee hereby approves the

following Consent Agenda Items:

1. Items 1 and 2 be and are hereby received for information.

**Carried**

**SUMMARY OF CONSENT AGENDA ITEMS:**

1. West Lincoln Santa Claus Parade Committee - Minutes of January 25, 2022, June 15, 2022 and August 10, 2022
2. West Lincoln Public Library Board - Minutes of June 10, 2022 and July 29, 2022

**8. COMMUNICATIONS**

There were no communications.

**9. STAFF REPORTS**

**9.1 ITEM PW29-22**

Coordinator of Engineering Services (Jennifer Bernard) & Director of Public Works and Recreation (Mike DiPaola)  
Re: Information Report PW-14-2022 - Port Davidson Rd and Sixteen Rd Intersection Review

Acting Chair Trombetta stated that another intersection of concern that had been brought to his attention, due to a high volume of car accidents, was the intersection of Grassie Road and Young Street and he questioned how this intersection could be added for review of possible enhancement features (flashing light on top of the stop sign) and/or the installation of a 4-way stop.

In response to Councillor Trombetta above noted inquiry, the Director of Public Works & Recreation stated that when complaints are made by residents and/or Council with respect to high collision intersections, staff will undertake a review of the intersection using the criteria from the Ontario Traffic Manual: Book 5 as it relates to all-way stop warrants and/or additional features such as signage or beacons on top of stop sign. The Director of Public Works & Recreation advised that as provided in the report staff will also be addressing the intersection of Concession 3 Road and Caistor Centre Road and will take the direction of the Committee for staff to also review the intersection of Grassie Road and Young Street and report back to Council with any recommendations for improvements at these three intersections.

**Moved By** Councillor William Reilly

**Seconded By** Councillor Cheryl Ganann

That, Information Report PW-14-2022, re: "Port Davidson Rd and Sixteen Rd Intersection Review", dated September 19, 2022, be received for information.

**Carried**

**9.2 ITEM PW30-22**

Manager of Operations (Steve McGean) & Director of Public Works and Recreation (Mike DiPaola)

Re: Recommendation Report PW-13-2022 - 2022 Hot Mix Spot Repair Tender Authorization

**Moved By** Councillor Mike Rehner

**Seconded By** Mayor Dave Bylsma

1. That, Recommendation Report PW-13-2022, re: 2022 Hot Mix Spot Repair Tender Authorization, dated September 19<sup>th</sup>, 2022, be received; and,
2. That, Council accept the tender submission by Circle P Paving Inc. for the paving of spot repairs, in the amount of \$163,600 (plus HST); and,
3. That, Council approve the project budget in the total amount of \$197,000; and,
4. That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Circle P Paving Inc.

**Carried**

**10. OTHER BUSINESS**

**10.1 ITEM PW31-22**

Members of Council

Re: Other Business Items of an Informative Nature

There were no other business items of an informative nature brought forward by any Member of Committee.

**11. NEW BUSINESS**

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

**12. CONFIDENTIAL MATTERS**

There were no confidential matters.

**13. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 7:10 p.m.



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

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**COUNCILLOR JASON TROMBETTA,  
ACTING CHAIR**

**DATE:** September 26, 2022  
**REPORT NO:** T-26-2022  
**SUBJECT:** **Adoption of 2022 Development Charges By-Law**  
**CONTACT:** Donna DeFilippis, Director of Finance/Treasurer

**OVERVIEW:**

- The purpose of this report and by-law is to update the current Development Charges by-law to meet the requirements of the Development Charges Act (D.C.A.), as amended by Bill 108 (More Homes, More Choice Act, 2019), Bill 138 (Plan to Build Ontario Act, 2019), Bill 197 (COVID-19 Economic Recovery Act, 2020), and Bill 213 (Better for People, Smarter for Business Act, 2020).

**RECOMMENDATION:**

1. That, Recommendation Report T-26-2022 Adoption of 2022 Development Charges By-Law dated September 26, 2022, be received for information; and
2. That, Council approve the Development Charges Update Study dated July 22, 2022 and attached as Appendix A to this report; and,
3. That, Council approve the capital projects and calculations set out in Chapter 4 of the Development Charges Update Study dated July 22, 2022; and,
4. That, Council has determined that no further public meeting is required; and,
5. That, Council approve the Amending Development Charge By-Law 2022-77, as set out in Appendix B to this report.

**ALIGNMENT TO STRATEGIC PLAN:**

**Theme #3 and #6**

- Strategic, Responsible Growth – Welcoming new residents and businesses and respecting the heritage and rural identity that people value.
- Efficient, Fiscally Responsible Operations – Maintaining a lean organization with innovative approaches and strong asset management.

**BACKGROUND:**

Development charges (DCs) are fees collected from builders and developers at the building permit stage to help pay for the cost of infrastructure required to provide municipal services to new development. The Township of West Lincoln imposes DC charges for the following services: services related to a Highway, fire protection, parks and recreation, library, growth studies, water services, wastewater services and stormwater drainage services. The Township DCs came into effect on June 24, 2019 and are imposed through by-law 2019-51.

The Township has undertaken an amendment to the 2019 Development Charges Background Report and the Town's 2019 Development Charges By-law No. 2019-51(as amended) in order to comply with changes legislated through Bill 108, More Homes, More Choices Act, 2019, Bill 138 (Plan to Build Ontario Act, 2019), Bill 197 (COVID-19 Economic Recovery Act, 2020), and Bill 213 (Better for People, Smarter for Business Act, 2020). A background study and draft amending by-law were released on July 22, 2022 and posted on the Township website. The Development Charges Update Study is attached as **Appendix A** to this report.

A public meeting was convened at the August 11, 2022 Council Meeting. Representatives of Watson and Associates Economists Ltd. attended the meeting and provided a summary of the legislative changes, the purpose of the DC Update, the proposed changes to the DC By-law and the proposed new DC rates. This is an interim update as required by changes in provincial legislation. A thorough DC Background Study and new DC By-law, including updates to the Township's growth forecast, will be completed in 2023 in accordance with the Development Charges Act (DCA).

### **CURRENT SITUATION:**

The list of changes to the DC By-law include:

- Adding new definitions;
- Removing the mandatory 10% deduction for indoor and outdoor recreation services (parks and recreation services), library services and administration (growth studies);
- Changing the administration category to growth studies, which includes aligning the growth studies to the category of services;
- The amended regulations provide for mandatory DC exemptions for additional dwelling units in new residential buildings, an additional dwelling unit in a residential building that is ancillary to a new residential building,
- Adding the mandatory exemption to the DC By-law for universities that receive government funding from the requirement to pay DCs;
- Amending the timing of DC payments for rental housing, institutional and non-profit housing to provide for annual payments to be made at occupancy to reflect the changes to the DCA which came into effect on Jan. 1, 2020. Rental housing and institutional developments qualify for six equal annual payments. Non-profit housing qualifies for 21 equal annual payments.
- The DC amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval, shall be determined based on the DC in effect as of the date of receipt of a complete application for Site Plan or Zoning By-law Amendment. If the development is not proceeding via these planning approvals, then the amount is determined as the earlier of the date of issuance of a building permit or occupancy.

The amending DC By-law 2022-77 is included as **Appendix B** to this report.

## FINANCIAL IMPLICATIONS:

DCs are collected at the building permit stage or occupancy depending on the class of development. The purpose of DCs is to pay for growth related infrastructure costs required to service that growth. Those infrastructure services include roads and related services, fire protection, parks and recreation services, library services, water services, wastewater services and stormwater drainage services. DCs are also collected to pay for growth related studies. The Town's DCs established under By-law 2019-51(as amended) are indexed annually on Jan. 1 each year based on the previous year's Statistics Canada Building Construction Price Index. Indexing for the current DC By-law began in 2020 and the current DCs are 17.9% higher than the rates implemented when the DC By-law was approved in 2019.

The first chart below is a summary of the Development Charges in effect prior to the approval of **By-Law 2022-77**.

SERVICE	RESIDENTIAL (per unit)				NON-RESIDENTIAL (per ft <sup>2</sup> of Gross Floor Area)	
	Single & Semi Detached	Apartments 2 Bedrooms or more	Apartments Bachelor or 1 Bedroom	Multiple Dwellings	Wind Turbine per Unit	(per ft <sup>2</sup> of Gross Floor Area)
<b>Township Wide Services</b>						
Roads and Related	6,528	4,154	2,572	4,351	6,528	2.43
Fire Protection Services	440	280	173	294	440	0.17
Outdoor Recreation Services	1,011	644	398	675		0.07
Indoor Recreation Services	3,005	1,912	1,184	2,002		0.23
Library Services	712	453	281	476		0.06
Administration	373	239	147	249	373	0.15
<b>Total Township Wide Services</b>	12,069	7,682	4,755	8,047	7,341	3.11
<b>Urban Service Area</b>						
Storm Sewer Services	81	51	32	55		0.02
Sanitary Sewer Services	506	321	200	337		0.17
Water Services	1,235	786	487	822		0.44
<b>Total Urban Serviced Area</b>	1,822	1,158	719	1,214		0.63
<b>Grand Total Rural Area</b>	12,069	7,682	4,755	8,047	7,341	3.11
<b>Grand Total Urban Serviced Area</b>	13,891	8,840	5,474	9,261	7,341	3.74

The Chart below represents the Development Charges that will be in affect with the Passing of **By-Law 2022-77**:

SERVICE	RESIDENTIAL (per unit)				NON-RESIDENTIAL (per ft <sup>2</sup> of Gross Floor Area)	
	Single & Semi Detached	Apartments 2 Bedrooms or more	Apartments Bachelor or 1 Bedroom	Multiple Dwellings	Wind Turbine per Unit	(per ft <sup>2</sup> of Gross Floor Area)
<b>Township Wide Services</b>						
Roads and Related	6,528	4,154	2,572	4,351	6,528	2.43
Fire Protection Services	440	280	173	294	440	0.17
<b>Parks and Recreation Services</b>	<b>5,189</b>	<b>3,302</b>	<b>2,044</b>	<b>3,459</b>		<b>0.38</b>
<b>Library Services</b>	<b>933</b>	<b>594</b>	<b>367</b>	<b>621</b>		<b>0.06</b>
<b>Growth Studies</b>	<b>383</b>	<b>243</b>	<b>151</b>	<b>254</b>	<b>383</b>	<b>0.15</b>
<b>Total Township Wide Services</b>	<b>13,473</b>	<b>8,573</b>	<b>5,307</b>	<b>8,979</b>	<b>7,351</b>	<b>3.19</b>
<b>Urban Service Area</b>						
Storm Sewer Services	81	51	32	55		0.02
Sanitary Sewer Services	506	321	200	337		0.17
Water Services	1,235	786	487	822		0.44
<b>Total Urban Serviced Area</b>	<b>1,822</b>	<b>1,158</b>	<b>719</b>	<b>1,214</b>		<b>0.63</b>
<b>Grand Total Rural Area</b>	<b>13,473</b>	<b>8,573</b>	<b>5,307</b>	<b>8,979</b>	<b>7,351</b>	<b>3.19</b>
<b>Grand Total Urban Serviced Area</b>	<b>15,295</b>	<b>9,731</b>	<b>6,026</b>	<b>10,193</b>	<b>7,351</b>	<b>3.82</b>

The removal of the 10% reduction for indoor and outdoor recreation services (parks and recreation services), library services and administration (growth studies) has resulted in an increase in the overall charge. For example, the municipal wide charge for a single detached residential dwelling is now \$15,295 as opposed to \$13,891, an increase of \$1,404. Development charges collected are only recognized as revenue when they are used to finance the capital costs incurred as outlined in the background study.

#### INTER-DEPARTMENTAL COMMENTS:

The Development Charge Update Study was shared with the Director of Planning and Building and the Director of Public Works and Recreation. The capital projects outlined in the study have not changed since the 2019-51 (as amended) was approved. The CAO has reviewed this report.

#### CONCLUSION:

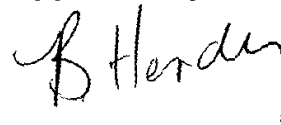
The approval of this report and By-Law will ensure that the Township complies with all relevant and current DC legislation.

Prepared & Submitted by:



**Donna DeFilippis,**  
Director of Finance/Treasurer

Approved by:



**Bev Hendry,**  
CAO



# Development Charges Update Study

Township of West Lincoln

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July 22, 2022

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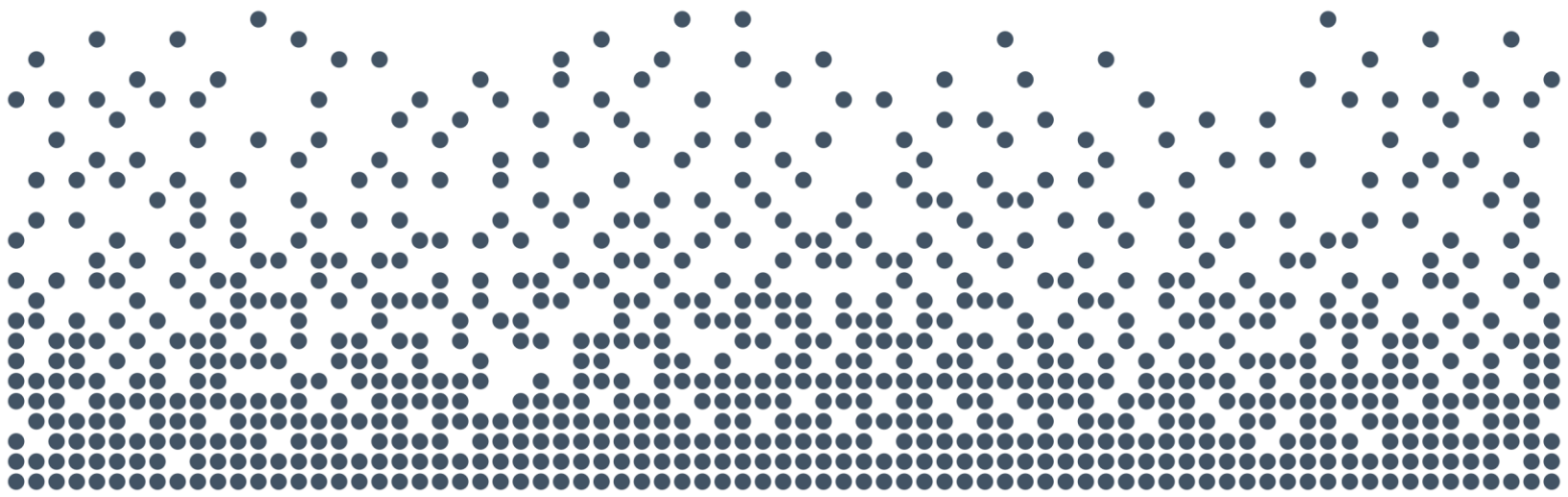
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# Report



# Chapter 1

## Introduction



# 1. Introduction

## 1.1 Background

---

The Township of West Lincoln imposes development charges (D.C.) to recover capital costs arising from the increase in needs for service related to growth. The Township's D.C. by-law imposes charges for the following services:

- Municipal-Wide Services:
  - Services Related to a Highway;
  - Fire Protection;
  - Parks and Recreation (formerly Indoor and Outdoor Recreation Services);
  - Library; and
  - Growth Studies (formerly Administration).
- Urban Area Services:
  - Water Services;
  - Wastewater Services; and
  - Stormwater Services.

The D.C.s came into effect on June 24, 2019 and are imposed through by-law 2019-51. The following documents provide the details to the calculations and policies:

- “Township of West Lincoln Draft Development Charges Background Study” – April 15, 2019; and
- “Addendum to Development Charges Background Study dated April 15<sup>th</sup> 2019 – Township of West Lincoln” – December 1, 2020.

The Township's D.C.s have been indexed (in accordance with section 10 of the by-law) annually on January 1<sup>st</sup>, beginning in 2020, and are currently 17.9% higher than the rates implemented under By-law 2019-51. The 2019 D.C.s (unindexed), as amended, are shown in Figure 1-1.

The purpose of this report is to update the current D.C. by-law to reflect cost changes to a select number of existing projects and to meet the requirements of the Development Charges Act (D.C.A.), as amended by Bill 108 (*More Homes, More Choice Act, 2019*), Bill 138 (*Plan to Build Ontario Act, 2019*), Bill 197 (*COVID-19 Economic Recovery Act*,



2020), and Bill 213 (*Better for People, Smarter for Business Act, 2020*). A full discussion on the amending legislation is provided in Chapter 2.

A summary of the changes contained in this D.C. Update are provided below:

- The legislation has removed the mandatory deduction for all services that remain eligible in the D.C. For the Township, the 10% deduction may be removed for the following services:
  - Indoor and Outdoor Recreation Services (Parks and Recreation Services);
  - Library Services; and
  - Administration (Growth Studies).
- An additional change brought forth through Bill 197 is related to establishing classes of services. A class of service may be composed of any number or combination of services and may include parts or portions of each D.C.-eligible service. As a result of these changes to the D.C.A., this update report provides for Growth Studies (formerly Administration) as a class of service. Further discussion on classes of services is provided in Chapter 2.
- The amended regulations provide for mandatory D.C. exemptions for additional dwelling units in new residential buildings, an additional dwelling unit in a residential building that is ancillary to a new residential building, and for universities receiving government funding. These exemptions are to be added to the Township's amending D.C. by-law.
- Further changes related to the timing of payments for rental housing, institutional, and non-profit development were proclaimed through Bill 108. Additionally, the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval, shall be determined based on the D.C. in effect as of the date of receipt of a complete application for Site Plan or Zoning By-law Amendment. If the development is not proceeding via these planning approvals, then the amount is determined as the earlier of the date of issuance of a building permit or occupancy. These changes will be addressed in the amending by-law, discussed in Chapter 5, and provided in Appendix C.



Figure 1-1  
Township of West Lincoln  
Development Charges (unindexed)  
As per By-law 2019-51, as amended

Service/Class of Service	Residential				Wind Turbines	Non-Residential
	Single and Semi Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		per sq.ft.
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	5,534	3,689	3,522	2,180	5,534	2.06
Fire Protection Services	373	249	237	147	373	0.15
Outdoor Recreation Services	858	572	546	338	-	0.06
Indoor Recreation Services	2,548	1,698	1,621	1,004	-	0.20
Library Services	604	403	384	238	-	0.05
Administration	317	211	202	125	317	0.13
<b>Total Municipal-Wide Services</b>	<b>10,234</b>	<b>6,822</b>	<b>6,512</b>	<b>4,032</b>	<b>6,224</b>	<b>2.66</b>
<b>Urban Services</b>						
Stormwater Drainage and Control Services	69	46	44	27	-	0.02
Wastewater Services	429	286	273	169	-	0.15
Water Services	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,030</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.55</b>
<b>Grand Total Municipal + Urban</b>	<b>11,778</b>	<b>7,852</b>	<b>7,495</b>	<b>4,640</b>	<b>6,224</b>	<b>3.21</b>



## 1.2 Existing Policies (Rules)

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Appendix A of this report sets out the rules governing the calculation, payment, and collection of D.C.s as provided in By-law 2019-51.

## 1.3 Basis for the D.C. By-law Update

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This D.C. update study provides for an amendment to the Township's current D.C. by-law (By-law 2019-51) based on the legislative changes to the D.C.A. These include:

- Updating the D.C. analysis to remove the 10% mandatory deduction;
- Updating the service standards for the related services;
- Creating a class of service for Growth Studies;
- Removing ineligible items from Growth Studies; and
- Updating the D.C. policies in the by-law with respect to:
  - D.C. instalment payments;
  - D.C. rate freeze;
  - Mandatory exemption for new additional units and universities; and
  - Updated definitions (which have been established as part of Bills 108, 138, 197, and 213).

Details of the changes to the calculations and by-law are presented in Chapter 4 and Chapter 5 of this report, respectively. The draft amending by-law is presented in Appendix C to this report.

## 1.4 Summary of the Process

---

The public meeting required under section 12 of the D.C.A. has been scheduled for August 11, 2022. Its purpose is to present the update study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed modifications to the Township's D.C. by-law.

The process to be followed in finalizing the report and recommendations includes:



- consideration of responses received prior to, at, or immediately following the Public Meeting; and
- Council consideration of the amending by-law on September 26, 2022.

Figure 1-2 outlines the proposed schedule to be followed with respect to the D.C. by-law adoption process.

Figure 1-2  
Schedule of Key D.C. Process Dates for the Township of West Lincoln

Schedule of Study Milestone	Dates
1. Data collection, staff review, D.C. calculations and policy work	April to June, 2022
2. Background study and proposed by-law available to public	July 22, 2022
3. Public meeting advertisement placed in newspaper(s)	No later than July 23, 2022
4. Public meeting of Council	August 11, 2022
5. Council considers adoption of background study and passage of amending by-law	September 26, 2022
6. Newspaper notice given of by-law passage	By 20 days after passage
7. Last day for by-law appeal	40 days after passage
8. Township makes pamphlet available (where by-law no appealed)	By 60 days after in force date

## 1.5 Policy Recommendations

It is recommended that the Township's current D.C. policies, as identified in Appendix A of this report, be continued.

Additionally, the new policies as stated in Bill 108, Bill 138, Bill 197, Bill 213 and O.Reg. 82/98 as amended by O.Reg. 454/19 are recommended to be included. This is discussed in more detail in Chapter 2 of this report.



# Chapter 2

## Changes to the D.C.A. Legislation



## 2. Changes to the D.C.A. Legislation

### 2.1 Bill 108 – *More Homes, More Choice Act, 2019*

---

On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A. The Bill has been introduced as part of the Province's "*More Homes, More Choice: Ontario's Housing Supply Action Plan*." The Bill received Royal Assent on June 6, 2019.

While having received royal assent, many of the amendments to the D.C.A. would not come into effect until they are proclaimed by the Lieutenant Governor (many of these changes were revised through Bill 197). The following provisions have been proclaimed:

- Effective January 1, 2020, rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments. Interest may be charged on the instalments, and any unpaid amounts may be added to the property and collected as taxes.
- Effective January 1, 2020 the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval (for application submitted after this section is proclaimed), shall be determined based on the D.C. in effect on the day of Site Plan or Zoning By-law Amendment application. If the development is not proceeding via these planning approvals, then the amount is determined the earlier of the date of issuance of a building permit or occupancy.

On February 28, 2020, the Province released updated draft regulations related to the D.C.A. and the Planning Act. A summary of these changes is provided below:

**Changes to Eligible Services** – Prior to Bill 108, the D.C.A. provided a list of ineligible services whereby municipalities could include growth related costs for any service that was not listed. With Bill 108, the changes to the D.C.A. would now specifically list the services that are eligible for inclusion in the by-law. Further, the initial list of eligible services under Bill 108 was limited to "hard services," with the "soft services" being removed from the D.C.A. These services would be considered as part of a new



community benefits charge (discussed below) imposed under the Planning Act. As noted in the next section this list of services has been amended through Bill 197.

**Mandatory 10% deduction** – The amending legislation would have removed the mandatory 10% deduction for all services that remain eligible under the D.C.A.

**Remaining Services to be Included in a New Community Benefits Charge (C.B.C.) Under the Planning Act** – It was proposed that a municipality may, by by-law, impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. The C.B.C. was proposed to include formerly eligible D.C. services (as noted below), in addition to parkland dedication and other types of cost formerly recovered under Section 37 of the Planning Act.

## **2.2 Bill 138 - *Plan to Build Ontario Together Act, 2019***

---

On November 6, 2019, the Province release Bill 138 which provided further amendments to the D.C.A. and Planning Act. This Bill received Royal Assent on December 10, 2019 and was proclaimed which resulted in sections related to the D.C.A. (schedule 10) becoming effective on January 1, 2020. The amendments to the D.C.A. included removal of instalment payments for commercial and industrial developments that were originally included in Bill 108.

## **2.3 Bill 197 - *COVID-19 Economic Recovery Act, 2020***

---

In response to the global pandemic that began affecting Ontario in early 2020, the Province released Bill 197 which provided amendments to a number of Acts, including the D.C.A. and Planning Act. This Bill also revised some of the proposed changes identified in Bill 108. Bill 197 was tabled on July 8, 2020, received Royal Assent on July 21, 2020, and was proclaimed on September 18, 2020. The following provides a summary of the changes:



### **2.3.1 D.C. Related Changes**

#### List of D.C. Eligible Services

As noted above, under Bill 108 some services were to be included under the D.C.A. and some would be included under the C.B.C. authority. However, Bill 197 revised this proposed change and has included all services (with some exceptions) under the D.C.A. These services are as follows:

- Water supply services, including distribution and treatment services.
- Wastewater services, including sewers and treatment services.
- Storm water drainage and control services.
- Services related to a highway.
- Electrical power services.
- Toronto-York subway extension.
- Transit services.
- Waste diversion services.
- Policing services.
- Fire protection services.
- Ambulance services.
- Library services
- Long-term Care services
- Parks and Recreation services, but not the acquisition of land for parks.
- Public Health services
- Childcare and early years services.
- Housing services.
- Provincial Offences Act services.
- Services related to emergency preparedness.
- Services related to airports, but only in the Regional Municipality of Waterloo.
- Additional services as prescribed.

#### Classes of Services – D.C.

Pre-Bill 108/197 legislation (i.e. D.C.A., 1997) allows for categories of services to be grouped together into a minimum of two categories (90% and 100% services).



The amending legislation repealed and replaced the above with the four following subsections:

- A D.C. by-law may provide for any eligible service or capital cost related to any eligible service to be included in a class, set out in the by-law.
- A class may be composed of any number or combination of services and may include parts or portions of the eligible services or parts or portions of the capital costs in respect of those services.
- A D.C. by-law may provide for a class consisting of studies in respect of any eligible service whose capital costs are described in paragraphs 5 and 6 of s. 5 of the D.C.A.
- A class of service set out in the D.C. by-law is deemed to be a single service with respect to reserve funds, use of monies, and credits.

Note: An initial consideration of “class” appears to mean any group of services.

#### 10% Mandatory Deduction

The removal of 10% deduction for soft services under Bill 108 has been maintained.

#### 10-Year Planning Horizon

The “maximum” 10-year planning horizon has been removed for all services except transit.

### **2.3.2 Community Benefit Charges (C.B.C.)**

While a Community Benefit Charge is not being considered within this report, a summary of the legislated changes is provided herein for information purposes.

#### C.B.C. Eligibility

The C.B.C. is limited to lower-tier and single tier municipalities, whereas upper-tier municipalities will not be allowed to impose this charge. O.Reg. 509/20 was filed on September 18, 2020 and provides for the following:

- A maximum rate will be set as a percentage of the market value of the land the day before building permit issuance. The maximum rate is set at 4%. The C.B.C



may only be imposed on developing or redeveloping buildings which have a minimum height of five stories and contain no less than 10 residential units.

- Bill 197 states that before passing a C.B.C. by-law, the municipality shall prepare a C.B.C. strategy that (a) identifies the facilities, services, and matters that will be funded with C.B.C.s; and (b) complies with any prescribed requirements.
- Only one C.B.C. by-law may be in effect in a local municipality at a time.

### **2.3.3 Combined D.C. and C.B.C. Impacts**

#### D.C. vs. C.B.C. Capital Cost

A C.B.C. may be imposed with respect to the services listed in s. 2 (4) of the D.C.A. (eligible services), "provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law."

#### Transition – D.C. and C.B.C.

The specified date for municipalities to transition to the D.C. and C.B.C. is two years after Schedules 3 and 17 of the COVID-19 Economic Recovery Act comes into force (i.e. September 18, 2022).

- Generally, for existing reserve funds (related to D.C. services that will be ineligible):
  - If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;
  - If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose.
  - If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.
- For reserve funds established under s. 37 of the Planning Act (e.g. bonus zoning)
  - If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;
  - If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose;
  - If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.



If a municipality passes a C.B.C. by-law, any existing D.C. credits a landowner retains may be used towards payment of that landowner's C.B.C.

## **2.4 Bill 213 – *Better for People, Smarter for Business Act*, 2020**

---

On December 8, 2020, Bill 213 received Royal Assent. One of the changes of the Bill that took effect upon Royal Assent included amending the Ministry of Training, Colleges and Universities Act by introducing a new section that would exempt the payment of D.C.s for developments of land intended for use by a university that receives operating funds from the Government.

Due to this, a revision to the exemptions section will be made in the proposed amending D.C. by-law.



# Chapter 3

## Anticipated Development



### 3. Anticipated Development

#### 3.1 Growth Forecast in the 2019 D.C. Study

---

The 2019 D.C. study provided for the anticipated residential and non-residential growth within the Township of West Lincoln. The growth forecast associated with services included in the background study is provided in Figure 3-1 below:

Figure 3-1  
Township of West Lincoln  
2019 D.C. Background Study – Growth Forecast Summary

Measure	10 Year 2019 to 2029
(Net) Population Increase	4,812
Residential Unit Increase	1,784
Non-Residential Gross Floor Area Increase (sq.ft.)	1,031,400

For the purposes of this D.C. update, the 2019 D.C. Study growth forecast remains unchanged as the incremental growth is anticipated to remain the same.



# Chapter 4

## Updates to the Township's D.C. Study



## 4. Updates to the Township's D.C. Study

As noted earlier, the Township's D.C. By-law 2019-51 came into effect on June 24 2019, being a by-law for the purposes of establishing and collecting a D.C. in accordance with the provisions of the D.C.A. The 2019 D.C. Study, as amended, identified anticipated capital needs for recovery through D.C.s for municipal-wide and area-specific services. The capital and service standard information contained in that study have been utilized in this D.C. update analysis.

This chapter of the report discusses the removal of the 10% mandatory deduction for parks and recreation services, library services, and growth studies. A discussion is also provided on the classification of Growth Studies as a class of service.

As part of a D.C. amendment, consideration must be given to the historical service level calculation to ensure that the service level ceiling has not been exceeded in the updated calculations. These calculations have been undertaken and are included in Appendix B to this report. No service levels have been exceeded by the calculations provided herein.

As the Township's D.C. by-law was passed in 2019, the analysis contained herein is presented in 2019 dollars to reflect the valuation year of the by-law.

### 4.1 Parks and Recreation Services

---

The Township currently collects for capital costs for Parks and Recreation services under two categories, Indoor and Outdoor Recreation Services. With the changes to the D.C. Act, these charges continue to be eligible as a combined Parks and Recreation Services.

As discussed earlier, the capital costs included for Parks and Recreation services have been modified to remove the mandatory 10% deduction. Figure 4-1 provides the updated capital project listings with the removal of the 10% deduction.

The updated service standard calculations for Parks and Recreation services provides a total D.C. eligible amount for recovery of \$8,591,682. Given that the growth-related capital costs are \$6,751,551, the D.C.-eligible capital amounts are within the service standard ceiling.



Based on the Township's 2019 D.C. Study, as the predominant users of parks and recreation tend to be residents of the Township, the forecasted growth-related costs have been allocated 95% to residential and 5% to non-residential.



**Figure 4-1**  
**Township of West Lincoln**  
**Parks and Recreation Capital – Update**

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 95%	Non-Residential Share 5%
	2019-2029										
1	North Creek Trail - Streamside Park to MURS	2021	300,000	-		300,000	205,798		94,202	89,492	4,710
2	Smithville Square Parkette	2019	295,000	-		295,000	202,368		92,632	88,000	4,632
3	Streamside Playground - New playground equipment	2019	32,000	-		32,000	21,952		10,048	9,546	502
4	Alma Acres Park Trail - New trail	2019	49,500	-		49,500	33,957		15,543	14,766	777
5	College Street Trail - New trail	2019	36,400	-		36,400	24,970		11,430	10,859	572
6	Leisureplex Trail - Oakland to Leisureplex	2020	294,000	-		294,000	201,682		92,318	87,702	4,616
7	Rock Street Trail - New trail	2021	98,200	-		98,200	67,365		30,835	29,293	1,542
8	Leisureplex Trail - Extend to South Creek Trail	2022	168,000	-		168,000	115,247		52,753	50,115	2,638
9	Station Meadows Playground - Playground Equipment	2022	80,000	-		80,000	54,879		25,121	23,865	1,256
10	Leisureplex - New soccer field - no lighting / irrigation	2023	60,000	-		60,000	41,160		18,840	17,898	942
11	Townline Road-St. Catherine St. Connection - New trail	2023	111,300	-		111,300	76,351		34,949	33,202	1,747
12	Spring Creek Nature Trail - New trail	2024	33,600	-		33,600	23,049		10,551	10,023	528
13	North Loop Trail - New trail	2025	313,500	-		313,500	215,059		98,441	93,519	4,922
14	Leisureplex - New baseball diamond	2026	655,000	-		655,000	449,325		205,675	195,391	10,284
15	Skate Park - MURS	2019	468,200	-		468,200	321,182		147,018	139,667	7,351
16	Splash Pad - MURS	2019	233,300	-		233,300	160,042		73,258	69,595	3,663
17	Playground - MURS	2019	106,600	-		106,600	73,127		33,473	31,799	1,674
18	New Playground Equipment-Caistorville	2021	60,000	-		60,000	41,160		18,840	17,898	942
19	New Playground Equipment - Smithville Station Park	2019	140,000	-		140,000	-		140,000	133,000	7,000



Figure 4-1 Continued  
Township of West Lincoln  
Parks and Recreation Capital – Update

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 95%	Non-Residential Share 5%
	2019-2029										
20	New Playground Equipment - Station Meadows West	2021	150,000	-		150,000	-		150,000	142,500	7,500
21	New Playground Equipment - South Community Park	2021	150,000	-		150,000	-		150,000	142,500	7,500
22	Leisureplex-New Pavillion	2020	52,000	-		52,000	35,672		16,328	15,512	816
23	Tractor	2021	85,000	-		85,000	-		85,000	80,750	4,250
24	Multi-Use Recreation Site	2019	20,061,600	2,350,582		17,711,018	10,432,032		7,278,986	6,915,037	363,949
25	Wellandport Community Centre	2025	952,000	-		952,000	856,800		95,200	90,440	4,760
26	Reserve Fund Adjustment	Reserve	-			-	2,229,890		(2,229,890)	(2,118,396)	(111,495)
	<b>Total</b>		<b>24,985,200</b>	<b>2,350,582</b>	<b>-</b>	<b>22,634,618</b>	<b>15,883,067</b>	<b>-</b>	<b>6,751,551</b>	<b>6,413,973</b>	<b>337,578</b>



## 4.2 Library Services

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With respect to library services, adjustments have been made to reflect the removal of the mandatory 10% deduction. Figure 4-2 provides the capital project listing with the removal of the mandatory deduction.

The details regarding the updated library service standards are provided in Appendix B. The updated service standard calculations for library services provides a total D.C. eligible amount for recovery of \$1,429,020. Given that the growth-related capital costs are \$1,213,560, the D.C.-eligible capital amounts are within the service standard ceiling.

Based on the Township's 2019 D.C. study, the growth-related capital costs have been allocated 95% residential and 5% non-residential. This is to acknowledge that although library usage is predominantly residential based, there is some use of the facilities by non-residential users.



Figure 4-2  
Township of West Lincoln  
Library Services – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share  95%	Non- Residential Share  5%
	2019-2029										
1	Library - Wellandport - Addition of 2,000 sqft to building	2019	1,338,000	-		1,338,000	616,022	440,000	281,978	267,879	14,099
2	Smithville	2019	3,176,300	762,174		2,414,126	1,588,150		825,976	784,677	41,299
3	Library-Smithville - Addition to printed collection	2019-2028	144,000			144,000	-		144,000	136,800	7,200
4	Library-Caistorville - Addition to printed collection	2019-2028	76,500			76,500	-		76,500	72,675	3,825
5	Library-Wellandport - Addition to printed collection	2019-2028	91,500			91,500	-		91,500	86,925	4,575
							-		-	-	-
6	Reserve Fund Adjustment	Reserve	-			-	206,394		(206,394)	(196,074)	(10,320)
	<b>Total</b>		<b>4,826,300</b>	<b>762,174</b>	<b>-</b>	<b>4,064,126</b>	<b>2,410,566</b>	<b>440,000</b>	<b>1,213,560</b>	<b>1,152,882</b>	<b>60,678</b>



## 4.3 Growth Studies

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Bill 197 introduced an amendment to the D.C.A. regarding the creation of classes of services . A class of service may be composed of any number or combination of services and may include parts or portions of each D.C.-eligible service. Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C.-eligible service or the capital costs with respect to those services. These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds.

In addition, Section 7(3) of the D.C.A. states that:

“For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3).”

As a result of these changes to the D.C.A., this update study provides for the former “Administration” to be categorized as a class of service entitled “Growth Studies.” Growth Studies provide for studies comprised of the following services:

- Services Related to a Highway;
- Fire Protection Services;
- Parks and Recreation Services;
- Library Services;
- Water Services;
- Wastewater Services; and
- Stormwater Services.

Figure 4-3 depicts how the costs of capital projects are allocated across the services. For planning related studies, a deduction of 10% has been applied to recognize the extent to which some studies relate to non-D.C.-eligible services. All planning studies have been allocated to the class of services in the following manner:

- Services Related to a Highway – 20%
- Fire Protection Services – 15%
- Parks and Recreation Services – 15%
- Library Services – 5%



- Water Services – 15%
- Wastewater Services – 15%
- Stormwater Services – 15%

With respect to the capital cost of D.C. background studies, they have been allocated across the different services based on the proportion of the total net growth-related capital costs. The following provides a breakdown of the allocation of D.C. background studies to each service:

- Services Related to a Highway – 49.1%
- Fire Protection Services – 3.3%
- Parks and Recreation Services – 30.2%
- Library Services – 5.4%
- Water Services – 8.1%
- Wastewater Services – 3.4%
- Stormwater Services – 0.5%

In addition to the changes noted above, the mandatory 10% deduction has been removed. Furthermore, the zoning by-law updates have been removed from the capital listing as they would not be considered D.C. eligible due to the recent changes to the D.C.A. Therefore, the total revised growth-related capital costs included in the updated D.C. calculations equal \$599,054.

The capital costs have been allocated 79% to residential development and 21% to non-residential development based on the incremental growth in population to employment for the 10-year forecast period. This is consistent with the 2019 D.C. Background Study.



Figure 4-3  
Township of West Lincoln  
Growth Studies – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 79%	Non-Residential Share 21%
<b>1</b>	<b>Development Charges Study:</b>											
1a	Development Charges Study	2023	Services Related to a Highway	24,528	-		24,528	-		24,528	19,377	5,151
1b	Development Charges Study	2023	Fire Protection Services	1,649	-		1,649	-		1,649	1,303	346
1c	Development Charges Study	2023	Parks and Recreation Services	15,090	-		15,090	-		15,090	11,921	3,169
1d	Development Charges Study	2023	Library Services	2,712	-		2,712	-		2,712	2,143	570
1e	Development Charges Study	2023	Stormwater Drainage and Control Services	268	-		268	-		268	211	56
1f	Development Charges Study	2023	Wastewater Services	1,677	-		1,677	-		1,677	1,325	352
1g	Development Charges Study	2023	Water Supply Services	4,075	-		4,075	-		4,075	3,219	856
	<b>Sub-total Development Charges Study</b>			<b>50,000</b>	-	-	<b>50,000</b>	-	-	<b>50,000</b>	<b>39,500</b>	<b>10,500</b>
<b>2</b>	<b>Development Charges Study:</b>											
2a	Development Charges Study	2028	Services Related to a Highway	29,434	-		29,434	-		29,434	23,253	6,181
2b	Development Charges Study	2028	Fire Protection Services	1,979	-		1,979	-		1,979	1,564	416
2c	Development Charges Study	2028	Parks and Recreation Services	18,109	-		18,109	-		18,109	14,306	3,803
2d	Development Charges Study	2028	Library Services	3,255	-		3,255	-		3,255	2,571	684
2e	Development Charges Study	2028	Stormwater Drainage and Control Services	321	-		321	-		321	254	67
2f	Development Charges Study	2028	Wastewater Services	2,013	-		2,013	-		2,013	1,590	423
2g	Development Charges Study	2028	Water Supply Services	4,890	-		4,890	-		4,890	3,863	1,027
	<b>Sub-total Development Charges Study</b>			<b>60,000</b>	-	-	<b>60,000</b>	-	-	<b>60,000</b>	<b>47,400</b>	<b>12,600</b>



Figure 4-3 Continued  
Township of West Lincoln  
Growth Studies – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 79%	Non-Residential Share 21%
	2019-2029											
3	Fire Protection Plan	2026	Fire Protection Services	50,000	-		50,000	12,500		37,500	29,625	7,875
4	Traffic Master Plan	2019	Services Related to a Highway	65,000	-		65,000	16,250		48,750	38,513	10,238
5	Traffic Master Plan	2027	Services Related to a Highway	80,000	-		80,000	20,000		60,000	47,400	12,600
6	Bike Trails Master Plan	2019	Parks and Recreation Services	25,000	-		25,000	17,150		7,850	6,202	1,649
7	Railroad Crossing Justification Study	2019	Services Related to a Highway	30,000	-		30,000	-		30,000	23,700	6,300
8	Urban Boundary Expansion											
8a	Urban Boundary Expansion	2019	Services Related to a Highway	200,000	-	2,000	198,000	-	180,000	18,000	14,220	3,780
8b	Urban Boundary Expansion	2019	Fire Protection Services	150,000	-	1,500	148,500	-	135,000	13,500	10,665	2,835
8c	Urban Boundary Expansion	2019	Parks and Recreation Services	150,000	-	1,500	148,500	-	135,000	13,500	10,665	2,835
8d	Urban Boundary Expansion	2019	Library Services	50,000	-	500	49,500	-	45,000	4,500	3,555	945
8e	Urban Boundary Expansion	2019	Stormwater Drainage and Control Services	150,000	-	1,500	148,500	-	135,000	13,500	10,665	2,835
8f	Urban Boundary Expansion	2019	Wastewater Services	150,000	-	1,500	148,500	-	135,000	13,500	10,665	2,835
8g	Urban Boundary Expansion	2019	Water Supply Services	150,000	-	1,500	148,500	-	135,000	13,500	10,665	2,835
	Sub-total Urban Boundary Expansion			1,000,000	-	10,000	990,000	-	900,000	90,000	71,100	18,900



Figure 4-3 Continued  
Township of West Lincoln  
Growth Studies – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 79%	Non-Residential Share 21%
<b>9</b>	<b>Corporate Strategic Plan</b>											
9a	Corporate Strategic Plan	2019	Services Related to a Highway	9,000	-	900	8,100	5,557		2,543	2,009	534
9b	Corporate Strategic Plan	2019	Fire Protection Services	6,750	-	675	6,075	4,167		1,908	1,507	401
9c	Corporate Strategic Plan	2019	Parks and Recreation Services	6,750	-	675	6,075	4,167		1,908	1,507	401
9d	Corporate Strategic Plan	2019	Library Services	2,250	-	225	2,025	1,389		636	502	134
9e	Corporate Strategic Plan	2019	Stormwater Drainage and Control Services	6,750	-	675	6,075	4,167		1,908	1,507	401
9f	Corporate Strategic Plan	2019	Wastewater Services	6,750	-	675	6,075	4,167		1,908	1,507	401
9g	Corporate Strategic Plan	2019	Water Supply Services	6,750	-	675	6,075	4,167		1,908	1,507	401
	<b>Sub-total Corporate Strategic Plan</b>			<b>45,000</b>	<b>-</b>	<b>4,500</b>	<b>40,500</b>	<b>27,781</b>	<b>-</b>	<b>12,719</b>	<b>10,048</b>	<b>2,671</b>
10	Wellandport Streetscape Master Plan	2019	Services Related to a Highway	60,000	-		60,000	41,160		18,840	14,884	3,956
<b>11</b>	<b>Economic Development Master Plan - Industrial Park</b>											
11a	Economic Development Master Plan - Industrial Park	2020	Services Related to a Highway	12,000	-	1,200	10,800	5,400		5,400	4,266	1,134
11b	Economic Development Master Plan - Industrial Park	2020	Fire Protection Services	9,000	-	900	8,100	4,050		4,050	3,200	851
11c	Economic Development Master Plan - Industrial Park	2020	Parks and Recreation Services	9,000	-	900	8,100	4,050		4,050	3,200	851
11d	Economic Development Master Plan - Industrial Park	2020	Library Services	3,000	-	300	2,700	1,350		1,350	1,067	284
11e	Economic Development Master Plan - Industrial Park	2020	Stormwater Drainage and Control Services	9,000	-	900	8,100	4,050		4,050	3,200	851
11f	Economic Development Master Plan - Industrial Park	2020	Wastewater Services	9,000	-	900	8,100	4,050		4,050	3,200	851
11g	Economic Development Master Plan - Industrial Park	2020	Water Supply Services	9,000	-	900	8,100	4,050		4,050	3,200	851
	<b>Sub-total Economic Development Master Plan - Industrial Park</b>			<b>60,000</b>	<b>-</b>	<b>6,000</b>	<b>54,000</b>	<b>27,000</b>	<b>-</b>	<b>27,000</b>	<b>21,330</b>	<b>5,670</b>



Figure 4-3 Continued  
Township of West Lincoln  
Growth Studies – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 79%	Non-Residential Share 21%
	2019-2029											
12	Township Trails and Corridors Master Plan	2020	Parks and Recreation Services	100,000	-		100,000	68,599		31,401	24,807	6,594
13	Smithville Parks and Recreation Master Plan	2025	Parks and Recreation Services	70,000	-		70,000	17,500		52,500	41,475	11,025
14	<b>Municipal Comprehensive Review</b>											
14a	Municipal Comprehensive Review	2023	Services Related to a Highway	10,000	-	1,000	9,000	2,250		6,750	5,333	1,418
14b	Municipal Comprehensive Review	2023	Fire Protection Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
14c	Municipal Comprehensive Review	2023	Parks and Recreation Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
14d	Municipal Comprehensive Review	2023	Library Services	2,500	-	250	2,250	563		1,687	1,333	354
14e	Municipal Comprehensive Review	2023	Stormwater Drainage and Control Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
14f	Municipal Comprehensive Review	2023	Wastewater Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
14g	Municipal Comprehensive Review	2023	Water Supply Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
	<b>Sub-total Municipal Comprehensive Review</b>			<b>50,000</b>	<b>-</b>	<b>5,000</b>	<b>45,000</b>	<b>11,253</b>	<b>-</b>	<b>33,747</b>	<b>26,660</b>	<b>7,087</b>
15	Smithville Parks and Recreation Master Plan	2020	Parks and Recreation Services	70,000	-		70,000	17,500		52,500	41,475	11,025
16	Smithville Trails and Corridors Master Plan (Update)	2026	Parks and Recreation Services	40,000	-		40,000	27,440		12,560	9,922	2,638
17	<b>Official Plan Update</b>											
17a	Official Plan Update	2020	Services Related to a Highway	10,000	-	1,000	9,000	2,250		6,750	5,333	1,418
17b	Official Plan Update	2020	Fire Protection Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
17c	Official Plan Update	2020	Parks and Recreation Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
17d	Official Plan Update	2020	Library Services	2,500	-	250	2,250	563		1,687	1,333	354
17e	Official Plan Update	2020	Stormwater Drainage and Control Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
17f	Official Plan Update	2020	Wastewater Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
17g	Official Plan Update	2020	Water Supply Services	7,500	-	750	6,750	1,688		5,062	3,999	1,063
	<b>Sub-total Official Plan</b>			<b>50,000</b>	<b>-</b>	<b>5,000</b>	<b>45,000</b>	<b>11,253</b>	<b>-</b>	<b>33,747</b>	<b>26,660</b>	<b>7,087</b>



Figure 4-3 Continued  
Township of West Lincoln  
Growth Studies – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 79%	Non-Residential Share 21%
	2019-2029											
18	Mandatory Parks Study	2019	Parks and Recreation Services	30,000	-		30,000	20,580		9,420	7,442	1,978
<b>19</b>	<b>Municipal Comprehensive Review</b>											
19a	Municipal Comprehensive Review	2025	Services Related to a Highway	12,000	-	1,200	10,800	2,700		8,100	6,399	1,701
19b	Municipal Comprehensive Review	2025	Fire Protection Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
19c	Municipal Comprehensive Review	2025	Parks and Recreation Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
19d	Municipal Comprehensive Review	2025	Library Services	3,000	-	300	2,700	675		2,025	1,600	425
19e	Municipal Comprehensive Review	2025	Stormwater Drainage and Control Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
19f	Municipal Comprehensive Review	2025	Wastewater Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
19g	Municipal Comprehensive Review	2025	Water Supply Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
	<b>Sub-total Municipal Comprehensive Review</b>			<b>60,000</b>	<b>-</b>	<b>6,000</b>	<b>54,000</b>	<b>13,500</b>	<b>-</b>	<b>40,500</b>	<b>31,995</b>	<b>8,505</b>
<b>20</b>	<b>Official Plan Update</b>											
20a	Official Plan Update	2026	Services Related to a Highway	12,000	-	1,200	10,800	2,700		8,100	6,399	1,701
20b	Official Plan Update	2026	Fire Protection Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
20c	Official Plan Update	2026	Parks and Recreation Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
20d	Official Plan Update	2026	Library Services	3,000	-	300	2,700	675		2,025	1,600	425
20e	Official Plan Update	2026	Stormwater Drainage and Control Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
20f	Official Plan Update	2026	Wastewater Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
20g	Official Plan Update	2026	Water Supply Services	9,000	-	900	8,100	2,025		6,075	4,799	1,276
	<b>Sub-total Official Plan</b>			<b>60,000</b>	<b>-</b>	<b>6,000</b>	<b>54,000</b>	<b>13,500</b>	<b>-</b>	<b>40,500</b>	<b>31,995</b>	<b>8,505</b>



Figure 4-3 Continued  
Township of West Lincoln  
Growth Studies – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 79%	Non-Residential Share 21%
<b>21</b>	<b>Secondary Plan-South Smithville</b>											
21a	Secondary Plan-South Smithville	2021	Services Related to a Highway	10,000	-	1,000	9,000	-		9,000	7,110	1,890
21b	Secondary Plan-South Smithville	2021	Fire Protection Services	7,500	-	750	6,750	-		6,750	5,333	1,418
21c	Secondary Plan-South Smithville	2021	Parks and Recreation Services	7,500	-	750	6,750	-		6,750	5,333	1,418
21d	Secondary Plan-South Smithville	2021	Library Services	2,500	-	250	2,250	-		2,250	1,778	473
21e	Secondary Plan-South Smithville	2021	Stormwater Drainage and Control Services	7,500	-	750	6,750	-		6,750	5,333	1,418
21f	Secondary Plan-South Smithville	2021	Wastewater Services	7,500	-	750	6,750	-		6,750	5,333	1,418
21g	Secondary Plan-South Smithville		Water Supply Services	7,500		750	6,750	-		6,750	5,333	1,418
	<b>Sub-total Secondary Plan-South Smithville</b>			<b>50,000</b>	<b>-</b>	<b>5,000</b>	<b>45,000</b>	<b>-</b>	<b>-</b>	<b>45,000</b>	<b>35,550</b>	<b>9,450</b>
<b>22</b>	<b>Agricultural CIP</b>									-	-	-
22a	Agricultural CIP	2019	Services Related to a Highway	16,000	-	1,600	14,400	9,900		4,500	3,555	945
22b	Agricultural CIP	2019	Fire Protection Services	12,000	-	1,200	10,800	7,400		3,400	2,686	714
22c	Agricultural CIP	2019	Parks and Recreation Services	12,000	-	1,200	10,800	7,400		3,400	2,686	714
22d	Agricultural CIP	2019	Library Services	4,000	-	400	3,600	2,500		1,100	869	231
22e	Agricultural CIP	2019	Stormwater Drainage and Control Services	12,000	-	1,200	10,800	7,400		3,400	2,686	714
22f	Agricultural CIP	2019	Wastewater Services	12,000	-	1,200	10,800	7,400		3,400	2,686	714
22g	Agricultural CIP	2019	Water Supply Services	12,000	-	1,200	10,800	7,400		3,400	2,686	714
	<b>Sub-total Agricultural CIP</b>			<b>80,000</b>	<b>-</b>	<b>8,000</b>	<b>72,000</b>	<b>49,400</b>	<b>-</b>	<b>22,600</b>	<b>17,854</b>	<b>4,746</b>
23	Reserve Fund Adjustment	Reserve		-	-			218,080		(218,080)	(172,283)	(45,797)
	<b>Total</b>			<b>2,185,000</b>	<b>-</b>	<b>55,500</b>	<b>2,129,500</b>	<b>630,446</b>	<b>900,000</b>	<b>599,054</b>	<b>473,253</b>	<b>125,801</b>



## 4.4 D.C. By-law Revised Schedule of Charges

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### 4.4.1 *Updated D.C. Calculations*

Figures 4-4 provides the calculations for the proposed D.C. to be imposed on anticipated development in the Township for services over the various forecast periods. These calculations are based on the changes described earlier in this chapter.

The approach to the calculations provided herein is the same as was provided for in the 2019 D.C. Study. For the residential calculations, the total cost is divided by the new population to determine the per capita amount. The eligible D.C. cost calculations set out in Figures 4-1 to 4-3 are based on the anticipated population increase. The cost per capita is then multiplied by the average occupancy of the new units to calculate the charge. With respect to non-residential development, the total costs allocated to non-residential development (based on need for service) have been divided by the anticipated gross floor area of development over the planning periods to calculate costs per sq.ft. of gross floor area for each service/class of service.

With respect to Wind Turbines, the Township currently imposes a D.C. equal to a single detached dwelling for services related to a highway, fire protection, and administration (studies). The revisions to the growth studies provided in this D.C. update will modify the studies portion of the Wind Turbines charge.



Figure 4-4  
Township of West Lincoln  
Municipal-wide D.C. Calculations  
10-Year

SERVICE/CLASS		2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
		Residential	Non-Residential	S.D.U.	per sq.ft.
		\$	\$	\$	\$
1. <u>Parks and Recreation Services</u>					
1.1	Park development, amenities, trails, recreation facilities, and vehicles and equipment	6,413,973	337,578	4,399	0.32
		6,413,973	337,578	4,399	0.32
2. <u>Library Services</u>					
2.1	Library facilities and materials	1,152,882	60,678	791	0.06
		1,152,882	60,678	791	0.06
3. <u>Growth Studies</u>					
3.1	Water Services	35,240	9,368	24	0.01
3.2	Wastewater Services	32,185	8,556	22	0.01
3.3	Stormwater Services	30,389	8,078	21	0.01
3.4	Services Related to a Highway	162,568	43,214	111	0.05
3.5	Fire Protection Services	53,868	14,319	37	0.01
3.6	Library Services	13,452	3,576	9	-
3.7	Parks and Recreation Services	145,550	38,691	100	0.04
		473,253	125,801	324	0.13
<b>TOTAL</b>		<b>\$8,040,108</b>	<b>\$524,057</b>	<b>\$5,514</b>	<b>\$0.51</b>
D.C.-Eligible Capital Cost		\$8,040,108	\$524,057		
10-Year Population/GFA Growth (sq.ft.)		4,812	1,031,400		
<b>Cost Per Capita/Non-Residential GFA (sq.ft.)</b>		<b>\$1,671</b>	<b>\$0.51</b>		
<b><u>By Residential Unit Type</u></b>					
	<b><u>P.P.U.</u></b>				
	Single and Semi-Detached Dwelling	3.300	\$5,514		
	Multiples	2.200	\$3,676		
	Apartments - 2 Bedrooms +	2.100	\$3,509		
	Apartments - Bachelor and 1 Bedroom	1.300	\$2,172		
	Special Care/Special Dwelling Units	1.100	\$1,838		



Figure 4-5 compares the existing and calculated single detached dwelling unit charges. Figure 4-6 compares the existing and calculated non-residential charges per square foot. Both these figures are presented in 2019 values.

Figure 4-5  
Township of West Lincoln  
Comparison of Existing and Calculated  
Residential Single Detached Development Charges

Service/Class of Service	By-law 2019-51 (2019\$)	D.C. Update Calculations (2019\$)
<b>Municipal Wide Services/Classes:</b>		
Services Related to a Highway	5,534	5,534
Fire Protection Services	373	373
Parks and Recreation Services <sup>1</sup>	3,406	4,399
Library Services	604	791
Growth Studies <sup>2</sup>	317	324
<b>Total Municipal Wide Services/Classes</b>	<b>10,234</b>	<b>11,421</b>
<b>Area Specific Services:</b>		
Stormwater Drainage and Control Services	69	69
Wastewater Services	429	429
Water Services	1,046	1,046
<b>Total Area Specific Services</b>	<b>1,544</b>	<b>1,544</b>
<b>Grand Total - Urban Area</b>	<b>11,778</b>	<b>12,965</b>

<sup>1</sup> Previously presented as two separate charges for Indoor and Outdoor Recreation Services

<sup>2</sup> Previously presented as Administration



Figure 4-6  
Township of West Lincoln  
Comparison of Existing and Calculated  
Non-Residential Development Charges per Square Foot

Service/Class of Service	By-law 2019-51 (2019\$)	D.C. Update Calculations (2019\$)
<b>Municipal Wide Services/Classes:</b>		
Services Related to a Highway	2.06	2.06
Fire Protection Services	0.15	0.15
Parks and Recreation Services <sup>1</sup>	0.26	0.32
Library Services	0.05	0.06
Growth Studies <sup>2</sup>	0.13	0.13
<b>Total Municipal Wide Services/Classes</b>	<b>2.65</b>	<b>2.72</b>
<b>Area Specific Services:</b>		
Stormwater Drainage and Control Services	0.02	0.02
Wastewater Services	0.15	0.15
Water Services	0.37	0.37
<b>Total Area Specific Services</b>	<b>0.54</b>	<b>0.54</b>
<b>Grand Total - Urban Area</b>	<b>3.19</b>	<b>3.26</b>

<sup>1</sup> Previously presented as two separate charges for Indoor and Outdoor Recreation Services

<sup>2</sup> Previously presented as Administration

Based on the information provided in Figures 4-5 and 4-6, the Township's D.C. rates (2019\$) are summarized below:

- Municipal-wide D.C.s (including the urban services):
  - Single Detached D.C.s to increase from \$11,778 to \$12,965 per unit
  - Non-residential D.C.s to increase from \$3.19 to \$3.26 per sq.ft. of building area.

#### **4.4.2 Revised D.C. Rates (2019\$ and 2022\$)**

Figure 4-7 provides for the updated Municipal-wide D.C.s in 2019 values to reflect the updates to the 2019 D.C. by-law. This figure would be included as the amending schedule to the D.C. by-law. Figure 4-8 provides for the indexed 2022 values as the Township's current D.C.s have been indexed by 17.9% from the amounts presented in "Schedule B" to By-law 2019-51.



Figure 4-7  
Township of West Lincoln  
Updated Development Charge Schedule (2019\$)

Service/Class of Service	RESIDENTIAL				Wind Turbines	NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	5,534	3,689	3,522	2,180	5,534	2.06
Fire Protection Services	373	249	237	147	373	0.15
Parks and Recreation Services <sup>1</sup>	4,399	2,933	2,799	1,733	-	0.32
Library Services	791	527	503	312	-	0.06
Growth Studies <sup>2</sup>	324	216	206	128	324	0.13
<b>Total Municipal Wide Services/Class of Services</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>Urban Services</b>						
Stormwater Drainage and Control Services	69	46	44	27	-	0.02
Wastewater Services	429	286	273	169	-	0.15
Water Services	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,029</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.54</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>12,965</b>	<b>8,643</b>	<b>8,250</b>	<b>5,108</b>	<b>6,231</b>	<b>3.26</b>

<sup>1</sup> Previously presented as two separate charges for Indoor and Outdoor Recreation Services

<sup>2</sup> Previously presented as Administration



Figure 4-8  
Township of West Lincoln  
Updated Development Charge Schedule (2022\$)

Service/Class of Service	RESIDENTIAL				Wind Turbines	NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		(per sq.ft. of Gross Floor Area)
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	6,528	4,351	4,154	2,572	6,528	2.43
Fire Protection Services	440	294	280	173	440	0.17
Parks and Recreation Services <sup>1</sup>	5,188	3,459	3,301	2,044	-	0.38
Library Services	933	622	593	368	-	0.07
Growth Studies <sup>2</sup>	382	255	243	151	382	0.15
<b>Total Municipal Wide Services/Class of Services</b>	<b>13,471</b>	<b>8,981</b>	<b>8,571</b>	<b>5,308</b>	<b>7,350</b>	<b>3.20</b>
<b>Urban Services</b>						
Stormwater Drainage and Control Services	81	55	51	32	-	0.02
Wastewater Services	506	337	321	200	-	0.17
Water Services	1,235	822	786	487	-	0.44
<b>Total Urban Services</b>	<b>1,822</b>	<b>1,214</b>	<b>1,158</b>	<b>719</b>	<b>-</b>	<b>0.63</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>13,471</b>	<b>8,981</b>	<b>8,571</b>	<b>5,308</b>	<b>7,350</b>	<b>3.20</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>15,293</b>	<b>10,195</b>	<b>9,729</b>	<b>6,027</b>	<b>7,350</b>	<b>3.83</b>

<sup>1</sup> Previously presented as two separate charges for Indoor and Outdoor Recreation Services

<sup>2</sup> Previously presented as Administration



# Chapter 5

## Updates to the D.C. By-law



## 5. Updates to the D.C. By-law

As summarized in Chapter 2, the D.C. by-law will require several updates to conform with the D.C.A., as amended.

With respect to the “Time of Payment of Development Charges” section of the by-law, the following refinements are to be included:

- Six equal annual D.C. payments commencing at occupancy for Rental Housing and Institutional Developments;
- Non-profit Housing Developments will be allowed to pay their D.C.s in 21 equal annual payments; and
- The D.C. amount for all developments occurring within 2 years of a site plan or zoning by-law amendment planning approval (for applications submitted after January 1, 2020) shall be determined based on the D.C. in effect on the day of the site plan or zoning by-law amendment application.

Instalment payments and payments determined at the time of site plan or zoning by-law amendment application are subject to annual interest charges. The interest rate will be based on the Township’s Development Charges Interest Policy (POL-T-01-2022). This policy may be amended from time to time.

For the purposes of administering the by-law, the following definitions are provided as per O.Reg. 454/19:

“Rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.

“Institutional development” means development of a building or structure intended for use,

- a) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- b) as a retirement home within the meaning of Subsection 2 (1) of the *Retirement Homes Act, 2010*;
- c) by any of the following post-secondary institutions for the objects of the institution:



- i. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
  - ii. a college or university federated or affiliated with a university described in subclause (i), or
  - iii. an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*;
- d) as a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- e) as a hospice to provide end of life care.

“Non-profit Housing Development” means development of a building or structure intended for use as residential premises by,

- a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
- b) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
- c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or any successor legislation.

In addition to the changes provided above, the following definition for “Class” will be provided:

“Class” means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the *Development Charges Act*.

With respect to exemptions, the following will be included as per O.Reg. 454/19 and Bill 213.

**Ontario Regulation 454/19:**

No development charge shall be payable where the development:



- is limited to the creation of an additional dwelling unit as prescribed, in prescribed classes of new residential buildings as set out in the Regulations to the *Development Charges Act, 1997*; and
- is limited to the creation of an additional dwelling unit ancillary to a new dwelling unit in prescribed classes of new residential buildings as set out in the Regulations to the *Development Charges Act, 1997*.

**Bill 213:**

Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the *Development Charges Act, 1997* if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.



# Chapter 6

## Recommendations



## 6. Recommendations

It is recommended that Council:

“Approve the Development Charges Update Study dated July 22, 2022, as amended (if applicable)”;

“Approve the updated capital projects set out in Chapter 4 of the Development Charges Update Study dated July 22, 2022”;

“Determine that no further public meeting is required”; and

“Approve the Amending Development Charge By-law as set out in Appendix C”.



# Appendix A

## Existing Policies under By-law 2019-51



## A-1: Existing Policies under By-law 2019-51

The following subsections set out the rules governing the calculation, payment and collection of D.C.s as provided in By-law 2019-51 as amended, in accordance with the D.C.A.

### Development Charges Imposed

Subject to subsection (2), development charges shall be calculated and collected in accordance with the provisions of the by-law and be imposed on land to be developed for residential and non-residential uses, where, the development requires:

- a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
- b) the approval of a minor variance under section 45 of the *Planning Act*;
- c) a conveyance of land to which a by-law passed under section 50 (7) of the *Planning Act* applies;
- d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- e) a consent under section 53 of the *Planning Act*;
- f) the approval of a description under section 50 of the *Condominium Act*;
- g) the issuing of a building permit under the *Building Code Act* in relation to a building or structure.

### Calculation of Development Charges

The development charge with respect to the uses of any land, building or structure shall be calculated as follows:

- a) The development charges described in the by-law shall be imposed on all residential development, including a dwelling unit accessory to a non-residential development and the residential component of a mixed-use building, including the residential component of a live/work unit, according to the number and type



of dwelling unit and calculated with respect to each of the services according to the type of residential use;

- b) The development charges described in the by-law shall be imposed on all non-residential development and, in the case of a mixed-use building, on the non-residential component of the mixed-use building, including the non-residential component of a live/work unit, according to the type and gross floor area of the non-residential component.

### **Rules with Respect to Redevelopment**

Despite any other provisions of the by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 5 years prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- a) In the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge in place at the time the development charge is payable by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- b) In the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge in place at the time the development charge is payable by the gross floor area that has been or will be demolished or converted to another principal use.

### **Exemptions (full or partial)**

The following are exempted from D.C.s:

- Statutory exemptions
  - a) Industrial building additions of up to and including 50% of the existing gross floor area (defined in O. Reg. 82/98, s. 1) of the building; for



industrial building additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to D.C.s (s. 4 (3)) of the D.C.A;

- b) buildings or structures owned by and used for the purposes of any municipality, local board or Board of Education (s. 3); and
  - c) residential development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O. Reg. 82/98).
- Non-statutory exemptions
    - lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act R.S.O. 1990, c.A.31, as amended;
    - that portion of the place of worship which is used exclusively as a place of worship for religious services and any reception and meeting areas used in connection with, or integral to the place of worship space;
    - agricultural uses;
    - granny flats;
    - canopies including gas station canopies and those intended for the parking and loading or unloading of vehicles;
    - lands and buildings used or intended to be used for municipal housing project facilities, as set out in section 110 of the Municipal Act, 2001, S.O. 2001 c25, O.Reg. 603/06 under the Municipal Act 2001, and the Region's Municipal Housing Facility By-law, all as may be amended;
    - lands and buildings used for affordable housing projects that receive funding through an agreement with Niagara Regional Housing or a department or designated agency of the Niagara Region, provided that
      - (i) this exemption shall only apply to that proportion or number of units in a development which are designated or identified as affordable housing and;
      - (ii) the owner of the lands continues to use the lands and buildings for affordable housing. If the owner ceases to use the proportionate share of the lands and buildings for affordable housing, the development charges exempted under this section shall become due and payable. The owner shall be required to enter into an agreement with the Town under section 27 of the Act respecting the



timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands;

## **Indexing**

Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, commencing on January 1, 2020 and on January 1 of each year thereafter, in accordance with the Statistics Canada Quarterly Construction Price Statistics.

## **Timing of Calculation and Payment**

Development charges shall be calculated using the rate effective on the calculation date with respect to such development and shall be payable on the issuance of the first building permit with respect to the structure.



# Appendix B

## Service Standards



**TABLE B-1**  
**SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED FOR**  
**SERVICES REVISED IN THE 2022 UPDATE**

SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED							
Service Category	Sub-Component	10 Year Average Service Standard					Maximum Ceiling LOS
		Cost (per capita)	Quantity (per capita)		Quality (per capita)		
Parks & Recreation	Parkland Development	\$606.54	0.0125	Acres of Parkland	48,523	per acre	2,918,670
	Parkland Trails	\$9.55	0.1119	Linear Metres	85	per linear m	45,955
	Recreation Facilities	\$1,117.76	4.4967	sq.ft. of building area	249	per sq.ft.	5,378,661
	Parks & Recreation Vehicles and Equipment	\$51.62	0.0018	No. of vehicles and equipment	28,678	per item	248,395
Library	Library Services - Facilities	\$186.20	0.4923	sq.ft. of building area	378	per sq.ft.	895,994
	Library Services - Collection Materials	\$110.77	3.1137	No. of library collection items	36	per collection item	533,025



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Parkland Development  
Unit Measure: Acres of Parkland

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Value (\$/Acre)
<b>Community Parks</b>											
Wellandport Community Park	18.74	18.74	18.74	18.74	18.74	18.74	18.74	18.74	18.74	18.74	\$47,400
Caistor Community Park	9.12	9.12	9.12	9.12	9.12	9.12	9.12	9.12	9.12	9.12	\$90,200
West Lincoln Community Park	15.16	15.16	15.16	15.16	15.16	15.16	15.16	15.16	15.16	15.16	\$231,800
Silverdale Community Park	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	0.78	\$124,700
<b>Urban Parks</b>											
Rock Street	10.27	10.27	10.27	10.27	10.27	10.27	10.27	10.27	10.27	10.27	\$22,700
Station Meadows Park	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	\$19,400
Hank MacDonald Park	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	\$155,400
Alma Park	3.03	3.03	3.03	3.03	3.03	3.03	3.03	3.03	3.03	3.03	\$74,900
Anastasio Park	1.73	1.73	1.73	1.73	1.73	1.73	1.73	1.73	1.73	1.73	\$143,500
Streamside Park	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51	\$380,400
Harvest Gate Park	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	\$113,200
<b>Township Parks</b>											
Leisureplex	116.71	116.71	116.71	116.71	116.71	116.71	116.71	116.71	116.71	116.71	\$19,600
<b>Roadside</b>											
St. Anne's Park	2.94	2.94	2.94	2.94	2.94	2.94	2.94	2.94	2.94	2.94	\$37,700
Old Bridge Park	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.11	\$4,700
Smithville Square Parkette	-	-	-	-	-	-	-	0.16	0.16	0.16	\$73,300
Parkette -Murgatord	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07	\$73,300
<b>Park Amenities</b>											
WLCC - Skatepark	-	-	-	-	-	-	0.33	0.33	0.33	0.33	\$403,000
WLCC - Splashpad	-	-	-	-	-	-	0.45	0.45	0.45	0.45	\$200,900
<b>Total</b>	<b>185.67</b>	<b>185.67</b>	<b>185.67</b>	<b>185.67</b>	<b>185.67</b>	<b>185.67</b>	<b>186.45</b>	<b>186.61</b>	<b>186.61</b>	<b>186.61</b>	

Population	14,086	14,228	14,337	14,446	14,665	14,994	15,324	15,475	15,630	15,846
Per Capita Standard	0.0132	0.0130	0.0130	0.0129	0.0127	0.0124	0.0122	0.0121	0.0119	0.0118

10 Year Average	2012-2021
Quantity Standard	0.0125
Quality Standard	\$48,523
Service Standard	\$607

D.C. Amount (before deductions)	10 Year
Forecast Population	4,812
\$ per Capita	\$607
Eligible Amount	\$2,918,670



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Parkland Trails  
Unit Measure: Linear Metres

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Value (\$/ Linear Metre)
South Creek Trail	-	-	765	765	765	765	765	765	765	765	\$188
Leisureplex Trail	1,060	1,060	1,060	1,060	1,060	1,060	1,060	1,060	1,060	1,060	\$27
<b>Total</b>	<b>1,060</b>	<b>1,060</b>	<b>1,825</b>	<b>1,825</b>	<b>1,825</b>	<b>1,825</b>	<b>1,825</b>	<b>1,825</b>	<b>1,825</b>	<b>1,825</b>	

Population	14,086	14,228	14,337	14,446	14,665	14,994	15,324	15,475	15,630	15,846
Per Capita Standard	0.08	0.07	0.13	0.13	0.12	0.12	0.12	0.12	0.12	0.12

10 Year Average	2012-2021
Quantity Standard	0.1119
Quality Standard	\$85
Service Standard	\$10

D.C. Amount (before deductions)	10 Year
Forecast Population	4,812
\$ per Capita	\$10
Eligible Amount	\$45,955



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Recreation Facilities  
Unit Measure: sq.ft. of building area

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Bld'g Value (\$/sq.ft.)
Smithville Arena & Community Centre	31,635	31,635	31,635	31,635	31,635	31,635	-	-	-	-	\$255
Leisureplex	12,800	12,800	12,800	12,800	12,800	12,800	12,800	12,800	12,800	12,800	\$90
Silverdale Community Centre	1,653	1,653	1,653	1,653	1,653	1,653	1,653	1,653	1,653	1,653	\$390
Caistor Community Centre - Abingdon Hall	4,592	4,592	4,592	4,592	4,592	4,592	4,592	4,592	4,592	4,592	\$279
Wellandport Community Centre (Excluding Library)	6,106	6,106	6,106	6,106	6,106	6,106	6,106	6,106	6,106	6,106	\$200
West Lincoln Community Center- exclude library	-	-	-	-	-	-	57,951	57,951	57,951	57,951	\$242
West Lincoln Community Center- Bandshell	-	-	-	-	-	-	-	-	-	517	\$243
Greenhouse - Hank MacDonald Park	-	-	-	-	-	-	-	-	-	100	\$125
<b>Total</b>	<b>56,786</b>	<b>56,786</b>	<b>56,786</b>	<b>56,786</b>	<b>56,786</b>	<b>56,786</b>	<b>83,102</b>	<b>83,102</b>	<b>83,102</b>	<b>83,719</b>	

Population	14,086	14,228	14,337	14,446	14,665	14,994	15,324	15,475	15,630	15,846
Per Capita Standard	4.0314	3.9911	3.9608	3.9309	3.8722	3.7872	5.4230	5.3701	5.3168	5.2833

10 Year Average	2012-2021
Quantity Standard	4.4967
Quality Standard	\$249
Service Standard	\$1,118

D.C. Amount (before deductions)	10 Year
Forecast Population	4,812
\$ per Capita	\$1,118
Eligible Amount	\$5,378,661



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Parks & Recreation Vehicles and Equipment  
Unit Measure: No. of vehicles and equipment

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Value (\$/Item)
Front Mount Riding Mower John Deere (AR-40019)	1	1	1	1	1	1	1	-	-	-	\$17,900
GMC Sierra Pickup - RD-10012	1	1	1	1	1	1	-	-	-	-	\$35,100
Ford F150 Pickup (RD-10013)	1	1	1	1	1	1	1	-	-	-	\$35,100
2015 GMC Sierra - 1GTR1TEC5FZ146780	-	-	1	1	1	1	1	1	1	1	\$35,200
2015 GMC Sierra - 1GTR1TEC5FZ146603	-	-	1	1	1	1	1	1	1	1	\$35,200
2015 Top Dresser	-	-	-	1	1	1	1	1	1	1	\$21,700
2016 John Deere Tractor 5045E	-	-	-	-	1	1	1	1	1	1	\$46,500
Kubota Riding Lawn Mower (AR-40017)	1	1	1	1	1	1	1	-	-	-	\$22,700
John Deere Farm Tractor (AR-40004)	1	1	1	1	1	1	1	-	-	-	\$36,600
Chevrolet Silverado ( RD 10015)	1	1	1	1	1	1	1	1	1	-	\$35,100
Kubota Farm Tractor (RD-40101) PLUS ATTACHM	1	1	1	1	1	1	1	-	-	-	\$84,200
Ford Truck One Ton (RD-25015)	1	1	1	-	-	-	-	-	-	-	\$54,300
Sound Equipment	1	1	1	1	1	1	1	1	1	1	\$7,000
Split Seeder Unit	1	1	1	1	1	1	1	1	1	1	\$7,700
Infr. Red Ice Temp Controller	-	1	1	1	1	1	1	1	1	1	\$8,300
Ice Edger	-	-	-	-	1	1	1	1	1	1	\$4,500
Bannerman Baseball Groomer	-	-	-	-	-	1	1	1	1	1	\$6,000
Arena Condensor	-	-	-	1	1	1	1	1	1	1	\$12,400
Arena Scoreboard	1	1	1	1	1	1	1	-	-	-	\$103,300
Zamboni Ice Resurfacer	1	1	1	1	1	-	-	-	-	-	\$7,300
Floor Cleaning Machine ( AR-70011)	1	1	1	1	1	1	1	-	-	-	\$6,900
Floor Sweeper AR71001	1	1	1	1	1	1	1	1	1	1	\$86,200
Olympia Ice Resurfacer	-	-	-	-	1	1	1	1	1	1	\$15,800
John Deere Riding Mower 60" AR 40020	1	1	1	1	1	1	1	1	1	1	\$2,500



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Parks & Recreation Vehicles and Equipment  
Unit Measure: No. of vehicles and equipment

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Value (\$/Item)
Turf Edger	1	1	1	1	1	1	1	1	1	1	\$56,200
2012 Kubota Gator Vehicle	1	1	1	1	1	1	1	1	1	1	\$15,500
2012 John Deere 1600 Lawnmower	1	1	1	1	1	1	1	1	1	1	\$71,600
2013 Kubota Zero Turn Mower	-	1	1	1	1	1	1	1	1	1	\$13,200
2005 Nando Landscape Trailer	1	1	1	1	1	1	1	1	1	1	\$5,400
Floor Cleaning Machine	1	1	1	1	1	1	1	1	1	1	\$5,800
Arena Scoreboard	-	-	-	-	-	-	-	1	1	1	\$9,600
John Deere X758 Signature Series Tractor w/ Mowing Deck	-	-	-	-	-	-	-	-	-	1	\$16,000
2020 John Deere 4044M	-	-	-	-	-	-	-	-	1	1	\$45,700
2020 GMC Sierra 1500 Pickup Truck	-	-	-	-	-	-	-	-	1	1	\$35,200
2019 GMC Sierra 1500 Pickup Truck	-	-	-	-	-	-	-	1	1	1	\$35,200
2018 Landscape Trailer	-	-	-	-	-	-	1	1	1	1	\$5,400
2017 Kubota ZD331 Zero Turn Mower	-	-	-	-	-	1	1	1	1	1	\$19,900
Farm Tractor -14' Mower	1	1	1	1	1	1	1	1	1	1	\$25,000
2018 John Deere Z997R - Zero Turn Mower	-	-	-	-	-	-	1	1	1	1	\$26,800
<b>Total</b>	<b>21</b>	<b>23</b>	<b>25</b>	<b>26</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>26</b>	<b>28</b>	<b>28</b>	

Population	14,086	14,228	14,337	14,446	14,665	14,994	15,324	15,475	15,630	15,846
Per Capita Standard	0.0015	0.0016	0.0017	0.0018	0.0020	0.0020	0.0020	0.0017	0.0018	0.0018

10 Year Average	2012-2021
Quantity Standard	0.0018
Quality Standard	\$28,678
Service Standard	\$52

D.C. Amount (before deductions)	10 Year
Forecast Population	4,812
\$ per Capita	\$52
Eligible Amount	\$248,395



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Library Services - Facilities  
Unit Measure: sq.ft. of building area

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Smithville Branch	2,600	2,600	2,600	2,600	2,600	2,600	2,600	2,600	2,600	2,600	\$304	\$374
Caistor New Library Building	3,154	3,154	3,154	3,154	3,154	3,154	3,154	3,154	3,154	3,154	\$281	\$346
Wellandport - Library Only	1,000	1,000	1,000	1,000	1,000	1,000	1,000	3,000	3,000	3,000	\$369	\$450
<b>Total</b>	<b>6,754</b>	<b>6,754</b>	<b>6,754</b>	<b>6,754</b>	<b>6,754</b>	<b>6,754</b>	<b>6,754</b>	<b>8,754</b>	<b>8,754</b>	<b>8,754</b>		

Population	14,086	14,228	14,337	14,446	14,665	14,994	15,324	15,475	15,630	15,846
Per Capita Standard	0.4795	0.4747	0.4711	0.4675	0.4606	0.4504	0.4407	0.5657	0.5601	0.5524

10 Year Average	2012-2021
Quantity Standard	0.4923
Quality Standard	\$378
Service Standard	\$186

D.C. Amount (before deductions)	10 Year
Forecast Population	4,812
\$ per Capita	\$186
Eligible Amount	\$895,994



**Township of West Lincoln  
Service Standard Calculation Sheet**

Service: Library Services - Collection Materials  
Unit Measure: No. of library collection items

Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Value (\$/item)
Books	50,558	52,000	44,088	45,780	41,389	38,612	38,612	33,701	35,154	38,612	\$36
References	125	130	314	398	260	260	260	-	-	-	\$36
Periodicals	102	103	68	74	68	64	64	48	42	59	\$41
Electronic Media	2,010	2,400	3,939	4,301	4,180	4,368	4,368	4,465	4,769	5,744	\$31
<b>Total</b>	<b>52,795</b>	<b>54,633</b>	<b>48,409</b>	<b>50,553</b>	<b>45,897</b>	<b>43,304</b>	<b>43,304</b>	<b>38,214</b>	<b>39,965</b>	<b>44,415</b>	

Population	14,086	14,228	14,337	14,446	14,665	14,994	15,324	15,475	15,630	15,846
Per Capita Standard	3.75	3.84	3.38	3.50	3.13	2.89	2.83	2.47	2.56	2.80

10 Year Average	2012-2021
Quantity Standard	3.1137
Quality Standard	\$36
Service Standard	\$111

D.C. Amount (before deductions)	10 Year
Forecast Population	4,812
\$ per Capita	\$111
Eligible Amount	\$533,025



# Appendix C

## Draft Amending Development Charge By-law



## Township of West Lincoln

By-law Number \_\_\_\_\_

### Being a By-law of the Township of West Lincoln to Amend By-law 2019-51 Respecting Development Charges

**Whereas** the Township of West Lincoln (the “Township”) enacted By-law 2019-51 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass By-laws for the imposition of development charges against land;

**And Whereas** the Township has undertaken a study pursuant to the Act which has provided updated Schedules to By-law 2019-51;

**And Whereas** the Council of the Township of West Lincoln (“Council”) has before it a report entitled “Township of West Lincoln 2022 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated July 22, 2022 (the “update study”);

**And Whereas** the update study and proposed amending By-law were made available to the public on July 22, 2022 and Council gave notice to the public pursuant to Section 12 of the Act.

**And Whereas** Council, on August 11, 2022 held a meeting open to the public, pursuant to Section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

**NOW THEREFORE** Council hereby enacts as follows:

1. By-law 2019-51 is hereby amended as follows:

A. Addition of Class to the definitions in Section 1 as follows:

“Class” means a grouping of services combined to create a single service for the purposes of this By-law and as provided in Section 7 of the Development Charges Act.

B. Addition of Institutional Development to definitions in Section 1 as follows:



“Institutional Development” means development of a building or structure intended for use:

- (i) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act*, 2007;
- (ii) as a retirement home within the meaning of Subsection 2 (1) of the *Retirement Homes Act*, 2010;
- (iii) by any of the following post-secondary institutions for the objects of the institution:
  - 1. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
  - 2. a college or university federated or affiliated with a university described in subclause (1), or
  - 3. an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act*, 2017;

C. Addition of Interest Rate to the definitions in Section 1 as follows:

“Interest Rate” means the annual rate of interest calculated as per the Township’s Development Charges Interest Policy (POL-T-01-2022) as may be revised from time to time.

D. Addition of Non-profit Housing Development to the definitions in Section 1 as follows:

“Non-profit Housing Development” means development of a building or structure intended for use as residential premises by,

- (i) a corporation to which the *Not-for-Profit Corporations Act*, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing;
- (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or



- (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or any successor legislation.

E. Addition of Rental Housing to the definitions in Section 1 as follows:

“Rental Housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

F. Replace Section 2 titled “Designation of Services,” with the following:

**Designation of Services/Classes of Services**

G. Replace Section 2.1 to read as follows:

The categories of services/class of services for which development charges are imposed under this by-law are as follows:

- (a) Services related to a highway;
- (b) Fire protection services;
- (c) Parks and recreation services;
- (d) Library services;
- (e) Growth studies;
- (f) Stormwater drainage and control services (urban serviced area);
- (g) Wastewater services (urban serviced area); and
- (h) Water services (urban service area).

H. Replace Section 2.2 with the following:

The components of the services/classes of services designated in section 2.1 are described in Schedule A to this By-law.

I. Addition to the following university exemption to Section 3.3:

New bullet (d) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of



post-secondary education is exempt from development charges imposed under the *Development Charges Act, 1997* if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

J. Addition to the following exemptions with respect to new residential buildings to Section 3.5:

New bullet (d) Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to the issuance of a building permit in accordance with Section 2(3) of the Act if the only effect of the action is to permit the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including residential dwelling structures ancillary to dwellings, subject to the restrictions set out in Table :

Table 1

Maximum Number of Additional Dwelling Units in New Residential Buildings

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new detached dwelling must only contain two dwelling units.  The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.  The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.  The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.

K. Addition of policies related to the timing of development charges payments.  
These will be included after Section 4.3 of the development charges by-law:



New Sections:

- (4.4) Notwithstanding sections 4.1 and 4.2, Development Charges for Rental Housing and Institutional Developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Township's Development Charges Interest Policy, payable on the anniversary date each year thereafter.
- (4.5) Notwithstanding Sections 4.1 and 4.2, Development Charges for Non-profit Housing Developments are due and payable in 21 equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Township's Development Charges Interest policy, payable on the anniversary date each year thereafter.
- (4.6) Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under sections 3.9.1, 3.9.2, and 3.9.3 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under sections 3.9.1, 3.9.2, and 3.9.3 shall be calculated on the rates payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest as provided in the Township's Development Charges Interest Rate Policy.

- L. Replace Section 11.1 Schedule "A" description as follows:

*Schedule "A"* Components of Services/Classes of Services Designated in section 2.1

- M. Schedule "A" is deleted, and the attached Schedule "A" is substituted, therefore.
- N. Schedule "B" is deleted, and the attached Schedule "B" is substituted, therefore.



2. This By-law shall come into force and effect at 12:01AM on September 26, 2022.
3. Except as amended by this By-law, all provisions of By-law 2019-51 are and shall remain in full force and effect.

By-law read a first and second time this 26<sup>th</sup> day of September, 2022.

By-law read a third time and finally passed this 26<sup>th</sup> day of September, 2022.

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_



**SCHEDULE “A”  
TO BY-LAW NO. 2019-51  
DESIGNATED MUNICIPAL SERVICES/CLASSES OF SERVICES UNDER THIS  
BY-LAW**

Township-Wide Services/Classes of Services

- Services Related to a Highway
  - Roads and Related
  - Public Works Facilities, Vehicles and Equipment
- Fire Protection Services
  - Fire Facilities
  - Fire Vehicles
  - Fire Small Equipment & Gear
- Parks and Recreation Services
  - Parkland Development, Amenities, and Trails
  - Recreation Facilities
  - Parks and Recreation Vehicles and Equipment
- Library Services
  - Library Facilities
  - Collection Materials
- Growth Studies

Urban Area Services

- Water Services
  - Distribution Systems
- Wastewater Services
  - Collection Systems
- Stormwater Drainage and Control Services
  - Storm Sewers



**SCHEDULE “B”  
TO BY-LAW NO. 2019-51  
RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL				Wind Turbines	NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	5,534	3,689	3,522	2,180	5,534	2.06
Fire Protection Services	373	249	237	147	373	0.15
Parks and Recreation Services	4,399	2,933	2,799	1,733	-	0.32
Library Services	791	527	503	312	-	0.06
Growth Studies	324	216	206	128	324	0.13
<b>Total Municipal Wide Services/Class of Services</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>Urban Services</b>						
Stormwater Drainage and Control Services	69	46	44	27	-	0.02
Wastewater Services	429	286	273	169	-	0.15
Water Services	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,029</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.54</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>12,965</b>	<b>8,643</b>	<b>8,250</b>	<b>5,108</b>	<b>6,231</b>	<b>3.26</b>

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW 2022-77

### A BYLAW TO AMEND BYLAW 2019-51 RESPECTING DEVELOPMENT CHARGES FOR THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

**Whereas** the Township of West Lincoln (the “Township”) enacted By-law 2019-51 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass By-laws for the imposition of development charges against land;

**And Whereas** the Township has undertaken a study pursuant to the Act which has provided updated Schedules to By-law 2019-51;

**And Whereas** the Council of the Township of West Lincoln (“Council”) has before it a report entitled “Township of West Lincoln 2022 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated July 22, 2022 (the “update study”);

**And Whereas** the update study and proposed amending By-law were made available to the public on July 22, 2022 and Council gave notice to the public pursuant to Section 12 of the Act.

**And Whereas** Council, on August 11, 2022 held a meeting open to the public, pursuant to Section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

**NOW THEREFORE** Council hereby enacts as follows:

1. By-law 2019-51 is hereby amended as follows:

A. Addition of Class to the definitions in Section 1 as follows:

“Class” means a grouping of services combined to create a single service for the purposes of this By-law and as provided in Section 7 of the *Development Charges Act*.

B. Addition of Institutional Development to definitions in Section 1 as follows:

“Institutional Development” means development of a building or structure intended for use:

- (i) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- (ii) as a retirement home within the meaning of Subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (iii) by any of the following post-secondary institutions for the objects of the institution:
  - 1. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
  - 2. a college or university federated or affiliated with a university described in subclause (1), or
  - 3. an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*;

C. Addition of Interest Rate to the definitions in Section 1 as follows:

“Interest Rate” means the annual rate of interest calculated as per the Township’s Development Charges Interest Policy (POL-T-01-2022) as may be revised from time to time.

D. Addition of Non-profit Housing Development to the definitions in Section 1 as follows:

“Non-profit Housing Development” means development of a building or structure intended for use as residential premises by,

- (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
- (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
- (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or any successor legislation.

E. Addition of Rental Housing to the definitions in Section 1 as follows:

“Rental Housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

F. Replace Section 2 titled “Designation of Services,” with the following:

**Designation of Services/Classes of Services**

G. Replace Section 2.1 to read as follows:

The categories of services/class of services for which development charges are imposed under this by-law are as follows:

- (a) Services related to a highway;
- (b) Fire protection services;
- (c) Parks and recreation services;
- (d) Library services;
- (e) Growth studies;
- (f) Stormwater drainage and control services (urban serviced area);
- (g) Wastewater services (urban serviced area); and
- (h) Water services (urban service area).

H. Replace Section 2.2 with the following:

The components of the services/classes of services designated in section 2.1 are described in Schedule A to this By-law.

I. Addition to the following university exemption to Section 3.3:

New bullet (d) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the *Development Charges Act, 1997* if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

J. Addition to the following exemptions with respect to new residential buildings to Section 3.5:

New bullet (d) Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to the issuance of a building permit in accordance with Section 2(3) of the Act if the only effect of the action is to permit the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including residential dwelling structures ancillary to dwellings, subject to the restrictions set out in Table :

Table 1  
Maximum Number of Additional Dwelling Units in New Residential Buildings

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new detached dwelling must only contain two dwelling units.  The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.  The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.  The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.

K. Addition of policies related to the timing of development charges payments.  
These will be included after Section 4.3 of the development charges by-law:

New Sections:

- (4.4) Notwithstanding sections 4.1 and 4.2, Development Charges for Rental Housing and Institutional Developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Township's Development Charges Interest Policy, payable on the anniversary date each year thereafter.
- (4.5) Notwithstanding Sections 4.1 and 4.2, Development Charges for Non- profit Housing Developments are due and payable in 21 equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Township's Development Charges Interest policy, payable on the anniversary date each year thereafter.

(4.6) Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under sections 3.9.1, 3.9.2, and 3.9.3 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under sections 3.9.1, 3.9.2, and 3.9.3 shall be calculated on the rates payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest as provided in the Township's Development Charges Interest Rate Policy.

L. Replace Section 11.1 Schedule "A" description as follows:

*Schedule "A"* Components of Services/Classes of Services Designated in section 2.1

M. Schedule "A" is deleted, and the attached Schedule "A" is substituted, therefore.

N. Schedule "B" is deleted, and the attached Schedule "B" is substituted, therefore.

2. This By-law shall come into force and effect at 12:01AM on September 27, 2022.

3. Except as amended by this By-law, all provisions of By-law 2019-51 are and shall remain in full force and effect.

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

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

## **SCHEDULE “A”**

### **TO BY-LAW NO. 2019-51 DESIGNATED MUNICIPAL SERVICES/CLASSES OF SERVICES UNDER THIS BY- LAW**

#### **Township-Wide Services/Classes of Services**

- Services Related to a Highway
  - Roads and Related
  - Public Works Facilities, Vehicles and Equipment
- Fire Protection Services
  - Fire Facilities
  - Fire Vehicles
  - Fire Small Equipment & Gear
- Parks and Recreation Services
  - Parkland Development, Amenities, and Trails
  - Recreation Facilities
  - Parks and Recreation Vehicles and Equipment
- Library Services
  - Library Facilities
  - Collection Materials
- Growth Studies

#### **Urban Area Services**

- Water Services
  - Distribution Systems
- Wastewater Services
  - Collection Systems
- Stormwater Drainage and Control Services
  - Storm Sewers

## SCHEDULE "B"

### TO BY-LAW NO. 2019-51 RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES

Service/Class of Service	RESIDENTIAL				Wind Turbines	NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartment s - 2 Bedroom s +	Apartments - Bachelor and 1 Bedroom		(per sq.ft. of Gross Floor Area)
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	5,534	3,689	3,522	2,180	5,534	2.06
Fire Protection Services	373	249	237	147	373	0.15
Parks and Recreation Services	4,399	2,933	2,799	1,733	-	0.32
Library Services	791	527	503	312	-	0.06
Growth Studies	324	216	206	128	324	0.13
<b>Total Municipal Wide Services/Class of Services</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>Urban Services</b>						
Stormwater Drainage and Wastewater Services	69	46	44	27	-	0.02
	429	286	273	169	-	0.15
Water Services	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,029</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.54</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>12,965</b>	<b>8,643</b>	<b>8,250</b>	<b>5,108</b>	<b>6,231</b>	<b>3.26</b>

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

**BY-LAW NO. 2022-75**

**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 11<sup>th</sup> DAY OF AUGUST, 2022.**

**WHEREAS** the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, Section 5(1), provides that the powers of a municipal corporation shall be exercised by its Council;

**AND WHEREAS** the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, Section 5(3) provides that except where otherwise provided, the powers of any Council shall be exercised by by-law;

**AND WHEREAS** in many cases, action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

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

1. That, the minutes of the tenth meeting, regular, held on the 11<sup>th</sup> day of August 2022, of the Municipal Council of the Corporation of the Township of West Lincoln, be and the same are hereby adopted.
2. That, where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned minutes or with respect to the exercise of any powers by the Council in the above mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by the Council.
3. That, the Mayor and the proper officers of the Corporation of the Township of West Lincoln are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and, except where otherwise provided, the Mayor, Clerk, and/or the Administrator are hereby directed to execute all documents necessary on behalf of the Corporation of the Township of West Lincoln and to affix thereto the corporate seal of the Corporation of the Township of West Lincoln.

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

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

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

**BY-LAW 2022-76**

**A BY-LAW TO AMEND BY-LAW 2010-57 WHICH  
ESTABLISHED THE JOINT NIAGARA COMPLIANCE  
AUDIT COMMITTEE FOR THE TOWNSHIP OF WEST  
LINCOLN**

**WHEREAS** By-law 2010-57, as amended, established the Niagara Compliance Audit Committee and provided for the approval of the Terms of Reference;

**AND WHEREAS** it is deemed expedient to amend By-law 2010-57 to provide for new/revised Terms of Reference for the Niagara Compliance Audit Committee;

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

1. THAT, By-law 2010-57 be and is hereby amended by deleting Schedule A and replacing it with the following new/revised Schedule A attached hereto; and,
2. THAT, By-law 2018-62 be and is hereby repealed.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
26, DAY OF SEPTEMBER, 2022.**

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

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

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW 2022-77

### A BYLAW TO AMEND BYLAW 2019-51 RESPECTING DEVELOPMENT CHARGES FOR THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

**Whereas** the Township of West Lincoln (the “Township”) enacted By-law 2019-51 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass By-laws for the imposition of development charges against land;

**And Whereas** the Township has undertaken a study pursuant to the Act which has provided updated Schedules to By-law 2019-51;

**And Whereas** the Council of the Township of West Lincoln (“Council”) has before it a report entitled “Township of West Lincoln 2022 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated July 22, 2022 (the “update study”);

**And Whereas** the update study and proposed amending By-law were made available to the public on July 22, 2022 and Council gave notice to the public pursuant to Section 12 of the Act.

**And Whereas** Council, on August 11, 2022 held a meeting open to the public, pursuant to Section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

**NOW THEREFORE** Council hereby enacts as follows:

1. By-law 2019-51 is hereby amended as follows:

A. Addition of Class to the definitions in Section 1 as follows:

“Class” means a grouping of services combined to create a single service for the purposes of this By-law and as provided in Section 7 of the *Development Charges Act*.

B. Addition of Institutional Development to definitions in Section 1 as follows:

“Institutional Development” means development of a building or structure intended for use:

- (i) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- (ii) as a retirement home within the meaning of Subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (iii) by any of the following post-secondary institutions for the objects of the institution:
  - 1. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
  - 2. a college or university federated or affiliated with a university described in subclause (1), or
  - 3. an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*;

C. Addition of Interest Rate to the definitions in Section 1 as follows:

“Interest Rate” means the annual rate of interest calculated as per the Township’s Development Charges Interest Policy (POL-T-01-2022) as may be revised from time to time.

D. Addition of Non-profit Housing Development to the definitions in Section 1 as follows:

“Non-profit Housing Development” means development of a building or structure intended for use as residential premises by,

- (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
- (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
- (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or any successor legislation.

E. Addition of Rental Housing to the definitions in Section 1 as follows:

“Rental Housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

F. Replace Section 2 titled “Designation of Services,” with the following:

**Designation of Services/Classes of Services**

G. Replace Section 2.1 to read as follows:

The categories of services/class of services for which development charges are imposed under this by-law are as follows:

- (a) Services related to a highway;
- (b) Fire protection services;
- (c) Parks and recreation services;
- (d) Library services;
- (e) Growth studies;
- (f) Stormwater drainage and control services (urban serviced area);
- (g) Wastewater services (urban serviced area); and
- (h) Water services (urban service area).

H. Replace Section 2.2 with the following:

The components of the services/classes of services designated in section 2.1 are described in Schedule A to this By-law.

I. Addition to the following university exemption to Section 3.3:

New bullet (d) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the *Development Charges Act, 1997* if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

J. Addition to the following exemptions with respect to new residential buildings to Section 3.5:

New bullet (d) Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to the issuance of a building permit in accordance with Section 2(3) of the Act if the only effect of the action is to permit the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including residential dwelling structures ancillary to dwellings, subject to the restrictions set out in Table :

Table 1  
Maximum Number of Additional Dwelling Units in New Residential Buildings

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new detached dwelling must only contain two dwelling units.  The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.  The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.  The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.

K. Addition of policies related to the timing of development charges payments.  
These will be included after Section 4.3 of the development charges by-law:

New Sections:

- (4.4) Notwithstanding sections 4.1 and 4.2, Development Charges for Rental Housing and Institutional Developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Township's Development Charges Interest Policy, payable on the anniversary date each year thereafter.
- (4.5) Notwithstanding Sections 4.1 and 4.2, Development Charges for Non- profit Housing Developments are due and payable in 21 equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Township's Development Charges Interest policy, payable on the anniversary date each year thereafter.

(4.6) Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under sections 3.9.1, 3.9.2, and 3.9.3 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under sections 3.9.1, 3.9.2, and 3.9.3 shall be calculated on the rates payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest as provided in the Township's Development Charges Interest Rate Policy.

L. Replace Section 11.1 Schedule "A" description as follows:

*Schedule "A"* Components of Services/Classes of Services Designated in section 2.1

M. Schedule "A" is deleted, and the attached Schedule "A" is substituted, therefore.

N. Schedule "B" is deleted, and the attached Schedule "B" is substituted, therefore.

2. This By-law shall come into force and effect at 12:01AM on September 27, 2022.

3. Except as amended by this By-law, all provisions of By-law 2019-51 are and shall remain in full force and effect.

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

---

**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

## **SCHEDULE “A”**

### **TO BY-LAW NO. 2019-51**

### **DESIGNATED MUNICIPAL SERVICES/CLASSES OF SERVICES UNDER THIS BY-LAW**

#### **Township-Wide Services/Classes of Services**

- Services Related to a Highway
  - Roads and Related
  - Public Works Facilities, Vehicles and Equipment
- Fire Protection Services
  - Fire Facilities
  - Fire Vehicles
  - Fire Small Equipment & Gear
- Parks and Recreation Services
  - Parkland Development, Amenities, and Trails
  - Recreation Facilities
  - Parks and Recreation Vehicles and Equipment
- Library Services
  - Library Facilities
  - Collection Materials
- Growth Studies

#### **Urban Area Services**

- Water Services
  - Distribution Systems
- Wastewater Services
  - Collection Systems
- Stormwater Drainage and Control Services
  - Storm Sewers

## SCHEDULE "B"

### TO BY-LAW NO. 2019-51 RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES

Service/Class of Service	RESIDENTIAL				Wind Turbines	NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartment s - 2 Bedroom s +	Apartments - Bachelor and 1 Bedroom		(per sq.ft. of Gross Floor Area)
<b>Municipal Wide Services/Class of Service:</b>						
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Growth Studies	324	216	206	128	324	0.13
<b>Total Municipal Wide Services/Class of Services</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>Urban Services</b>						
Stormwater Drainage and Wastewater Services	69	46	44	27	-	0.02
Water Services	429	286	273	169	-	0.15
	1,046	697	666	412	-	0.37
<b>Total Urban Services</b>	<b>1,544</b>	<b>1,029</b>	<b>983</b>	<b>608</b>	<b>-</b>	<b>0.54</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>11,421</b>	<b>7,614</b>	<b>7,267</b>	<b>4,500</b>	<b>6,231</b>	<b>2.72</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>12,965</b>	<b>8,643</b>	<b>8,250</b>	<b>5,108</b>	<b>6,231</b>	<b>3.26</b>

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**  
**BY-LAW NO. 2022- 78**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017- 70, AS  
AMENDED, OF THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS THE TOWNSHIP OF WEST LINCOLN COUNCIL IS EMPOWERED TO  
ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF  
THE PLANNING ACT, 1990;**

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP  
OF WEST LINCOLN HEREBY enacts as follows:**

1. THAT Schedule 'A' Map 'D7' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 4, Part Lot 12 in the former Township of Gainsborough, now in the Township of West Lincoln, municipally known as 5444 Concession 4 Road, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'D7' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural zone 'A' to a Rural Residential 'RuR' zone.
3. THAT all other provisions of By-law 2017-70 continue to apply.
4. AND THAT this By-law shall become effective from and after the date of passing thereof.

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

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2022-78**

### **Location:**

This By-law involves a parcel of land located on the south side of Concession 4 Road, east of Regional Road 20, legally described as Concession 4, Part Lot 12, in the former Township of Gainsborough, municipally described as 5444 Concession 4 Road.

### **Purpose & Effect:**

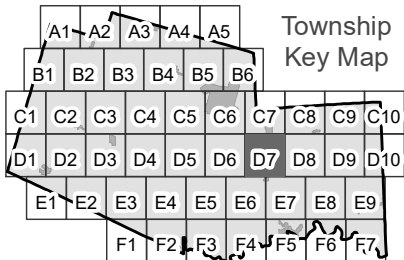
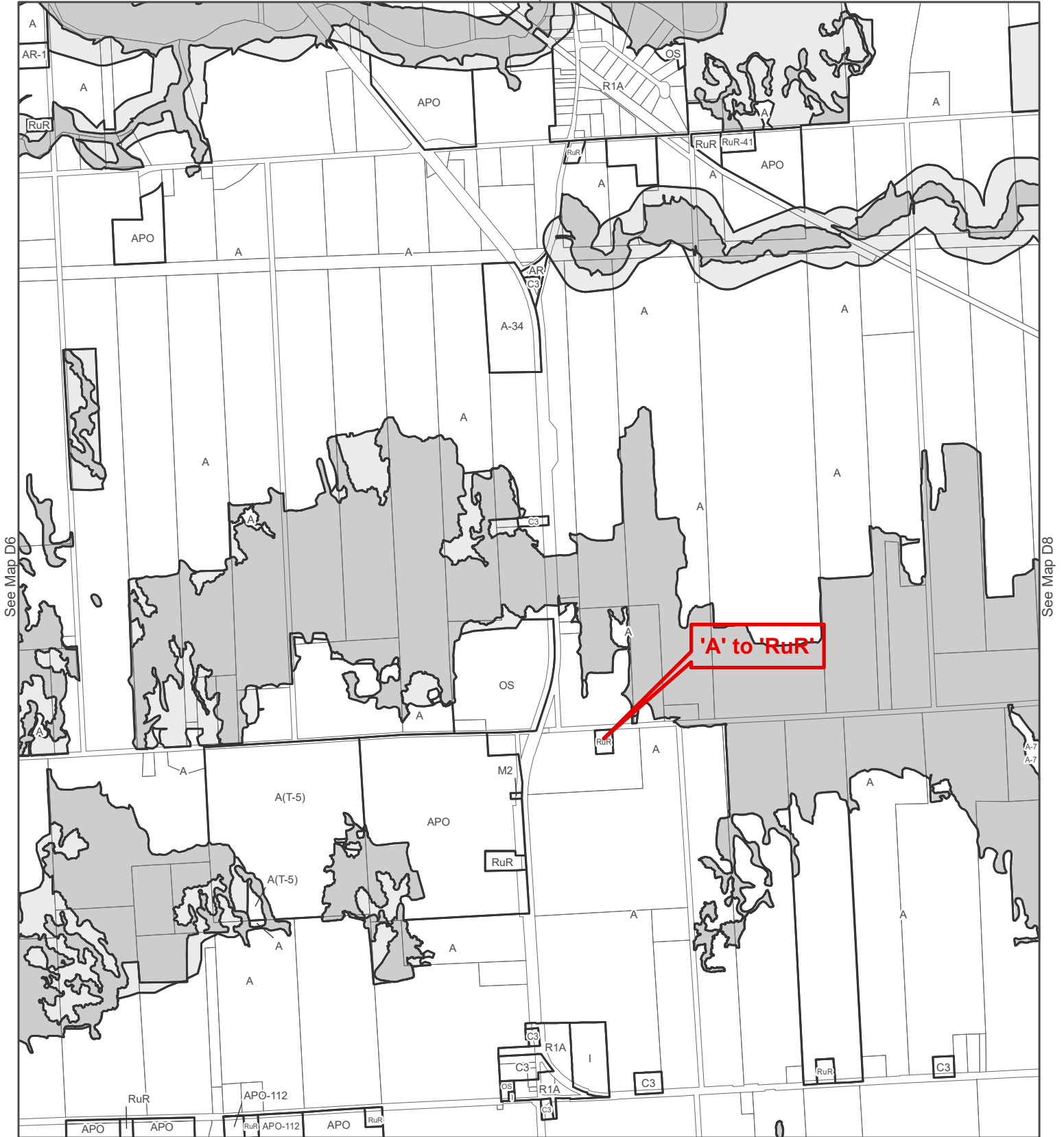
The subject lands were subject to a surplus farm dwelling severance application B4/2022WL which proposed to sever a 1.5 acre residential lot with an existing house from an agricultural farm parcel. The severance was conditionally approved by the Committee of Adjustment subject to a number of conditions, one being a zoning amendment to change the zoning from agricultural 'A' to Rural Residential 'RuR' for the severed residential lot. This zoning application rezones the residential lot from agricultural 'A' to Rural Residential 'RuR'.

### **Public Consultation:**

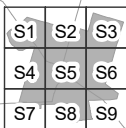
The Public Meeting was held on August 11, 2022. The Township did not receive any verbal or written comments regarding this application.

File: 1601-010-22

Applicants: Snippe



**Smithville Key Map**



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

# Township of West Lincoln

## Schedule A

### Zoning By-law No. 2017-70

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Last Updated: January 2021

Map  
**D7**

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

**BY-LAW NO. 2022-79**

**A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND CIRCLE P PAVING INC. FOR THE 2022 HOT MIX SPOT REPAIR AT VARIOUS LOCATIONS**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln deems it expedient to enter into an agreement with Circle P Paving Inc. for the 2022 Hot Mix Spot Repair at various locations.

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

1. That, the Council of the Corporation of the Township of West Lincoln enter into an agreement with Circle P Paving Inc. for the 2022 Hot Mix Spot Repair at various locations; and,
2. That, the Mayor and Clerk be authorized to sign the above mentioned agreement, and any other related documents, and to affix the Corporate Seal thereto.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26<sup>th</sup> DAY OF SEPTEMBER, 2022.**

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

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