



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

**MEETING NO. EIGHTEEN**

**December 12, 2022, 5:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

**Council:** Mayor Cheryl Ganann  
Councillor Shelley Bradaric  
Councillor Joann Chechalk  
Councillor Mike Rehner  
Councillor William Reilly  
Councillor Jason Trombetta

**Absent:** Councillor Terry Bell (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\*  
Tim Hofsink, Deputy Fire Chief\*  
Gerrit Boerema, Senior Planner\*  
Katelyn Hall, Deputy Treasurer\*  
Jessica Dyson, Deputy Clerk\*  
Kevin Geoghegan, IT Help Desk Analyst\*

**Others:** Andrea Mannell, Sullivan Mahoney\*  
Regional Councillor Witteveen\*  
Bruce Harris, WeeStreem\*  
Max Smith\*  
Linda Smith\*  
Anthony Chiarella, Marz Homes\*  
James Enos, A J Clarke & Associates\*  
Domenic Amatangelo\*

**1. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST - FOR CONFIDENTIAL MATTERS ONLY**

There were no Members of Council that declared a pecuniary interest and/or conflict of interest with respect to the confidential matters.

**2. CONFIDENTIAL MATTERS**

All Members of Council, with the exception of Councillor Bell who had advised he could not attend this evening's meeting, the Township's Solicitor, Andrea Mannell of Sullivan Mahoney, the CAO and the Director of Legislative Services/Clerk were in attendance for the closed session discussions.

Ms. Mannell left the meeting at approximately 6:30 p.m. following discussion of Item 2.1 and the Director of Planning & Building joined the closed session discussion at that time to provide a verbal update relating to Item 2.2.

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Joann Chechalk

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:

2.1 Township Solicitor (Andrea Mannell), Director of Legislative Services/Clerk (Joanne Scime) and CAO (Bev Hendry)

Re: Legal/Solicitor-Client Privilege - Notice of Application for Judicial Review

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

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- Advice that is subject to Solicitor-client including communications necessary for that purpose

2.2 Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege/Property Matter - By-law Enforcement Matter

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

- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose;
- Personal matters about an identifiable individual, including municipal employees. (5:34 pm)

**Carried**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

That, this Council (All Committees) meeting does now resume in open session at the hour of 6:49 p.m.

**Carried**

- 2.1 Township Solicitor (Andrea Mannell), Director of Legislative Services/Clerk (Joanne Scime) and CAO (Bev Hendry)  
Re: Legal/Solicitor-Client Privilege - Notice of Application for Judicial Review)

Council rose without reporting.

- 2.2 Director of Planning & Building (Brian Treble)  
Re: Legal/Solicitor-Client Privilege/Property Matter - By-law Enforcement Matter

Council rose without reporting.

### **3. SINGING OF "O CANADA" - Smithville Christian High School**

Prior to commencing with the Council meeting and a pre-recording of the singing of O' Canada by the Smithville Christian High School, Mayor Ganann provided the following announcements:

1. Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber are not open to the public to attend Standing Committee and Council meetings until further notice.
2. Councillor Terry Bell had provided prior notice that he will be unable to attend this evening's meeting.
3. The public could submit comments for matters that are on the agenda to [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 p.m. on the day of the meeting (December 12, 2022). Any comments submitted are considered public information and will be read into public record.
4. This evening's meeting was being livestreamed with the link to watch the meeting live being found on the Township's website. Additionally, the meeting was being recorded and will be available on the Township's website following the meeting.

### **4. LAND ACKNOWLEDGEMENT STATEMENT**

Mayor Ganann read the following Land Acknowledgement Statement:

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

**5. OPENING PETITION - Councillor Terry Bell**

Councillor William Reilly read the Opening Petition in place of Councillor Terry Bell, who was unable to attend this evening's meeting.

**6. PUBLIC MEETING FOR PLANNING MATTERS**

Chair - Councillor William Reilly

The Site Alteration Public Meeting commenced at approximately 6:52 p.m.

The Public Meeting adjourned at the hour of 7:11 p.m. and Mayor Ganann continued as Chair for the remainder of the agenda.

**6.1 Site Alteration Application - Marz Homes (Smithville West) Inc. - File No.: 3000-003-22**

Re: An application for site alteration has been made by A.J. Clarke and Associates Ltd. on behalf of Marz Homes (Smithville West) Inc. to import 42,500m<sup>3</sup> (roughly 4,250 truckloads) of fill to the property legally described as Plan M98, Lot 9 (parcel at the corner of Highway 20 (Regional Road 20) and South Grimsby 5 Road) in Smithville.

Refer to the Public Meeting Minutes under separate cover.

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

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

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

There were no Members of Council that declared a pecuniary interest and/or conflict of interest.

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

The Mayor inquired if the IT Help Desk Analyst was aware if there were any members of the public in attendance virtually on the Zoom meeting call that wished to address a specific item on tonight's agenda as permitted under Section 6.7 of the Procedural By-law, for which the IT Help Desk Analyst confirmed there were not.

Additionally, the Mayor asked the Director of Legislative Services/Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today to read into the record, for which the Director of Legislative Services/Clerk confirmed she had not.

**10. APPOINTMENTS/PRESENTATIONS**

There were no appointments/presentations

**11. REGIONAL COUNCILLOR'S REMARKS**

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

Councillor Reilly expressed his intention for advocating for additional policing in the community and inquired to Regional Councillor Witteveen if he had been in contact with the Region to make sure our municipality was getting our fair share of police representation.

Regional Councillor Witteveen stated that he had not yet been in contact with the Niagara Regional Police about this issue, as the Region's proceedings were just beginning, but he would be in contact with the area Staff Sergeant to discuss this issue. Regional Councillor Witteveen requested that Members of Council contact him to provide some specific concerns that they would like him to bring to the attention of the Niagara Regional Police Staff Sergeant in order to make specific requests, as he knew speeding was one concern but he would like to provide a fulsome list.

Councillor Witteveen pointed out that the 4-way stop at Thirty Road (Regional Road 14) and Young Street was a small victory on the speeding issue going north from outside of Smithville, which slow motorists down when travelling around the S-bend that was located as part of this intersection.

Councillor Chechalk requested consideration of a 4-way stop at Silver Street (Regional Road 65) and Port Davidson Road, which has a lot of vehicular

accidents. Councillor Chechalk stated that residents around this area would like to have the speeding in this area also addressed.

Regional Councillor Witteveen stated that he had farmers ask for assistance with mitigating speeding along Silver Street (Regional Road 65) and asked for farm equipment signs to be placed along this road and that he will continue to advocate for more policing to address speeding, etc. along this stretch of road.

Mayor Ganann confirmed that the Staff Sergeant would be attending a meeting in April, at which time Members of Council will have an opportunity to bring forward their concerns.

## **12. CONFIRMATION OF MINUTES**

- 12.1 Council Minutes – Regular  
Re: September 26, 2022

**Moved By** Councillor Shelley Bradaric  
**Seconded By** Councillor William Reilly

That, the minutes of the September 26, 2022 regular Council meeting be accepted.

**Carried**

- 12.2 Special Council  
Re: Minutes - October 17, 2022

**Moved By** Councillor William Reilly  
**Seconded By** Councillor Shelley Bradaric

That, the minutes of the October 17, 2022 Special Council meeting, be accepted, and the recommendations contained therein, be approved.

**Carried**

- 12.3 Public Meeting - Site Alteration By-law - Marz Homes (Smithville West)  
Re: Minutes - October 17, 2022

**Moved By** Councillor Jason Trombetta  
**Seconded By** Councillor William Reilly

That, the minutes of the public meeting held on October 17, 2022 with respect to an application for site alteration made by A.J. Clarke and Associates Ltd. on behalf of Marz Homes (Smithville West) Inc.; be accepted.

**Carried**

- 12.4 Special Council - Training (Meet and Greet)  
Re: Minutes - November 15, 2022

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Jason Trombetta

That, the minutes of the November 15, 2022 Special Council meeting (Training - Meeting & Greet), be accepted.

**Carried**

- 12.5 Special Council - Inaugural Meeting of Council  
Re: Minutes - November 21, 2022

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

That, the minutes of the November 21, 2022 Special Council meeting (Inaugural Meeting of Council), be accepted.

**Carried**

- 12.6 Special Council - Training (eSCRIBE - Agenda Management Program)  
Re: Minutes - November 28, 2022

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Joann Chechalk

1. That, the minutes of the November 28, 2022 Special Council meeting (Training - eSCRIBE Agenda Management Program), be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the November 28, 2022 Special 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**

- 12.7 Special Council – Caucus  
Re: Minutes - December 5, 2022

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Shelley Bradaric

1. That, the minutes of the December 5, 2022 Special Council meeting (Caucus), be accepted.

2. That, the confidential minutes relating to the closed session portion of the December 5, 2022 Special 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**

- 12.8 Special Council - Training (Township Solicitors)  
Re: Minutes - December 7, 2022

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

1. That, the minutes of the December 7, 2022 Special Council meeting (Training - Township Solicitor), be accepted.
2. That, the confidential minutes relating to the closed session portion of the December 7, 2022 Special 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**

### 13. COMMUNICATIONS

- 13.1 Ann-Marie Norio, Regional Clerk  
Re: 2023 Budget and Requisition - Niagara Transit Commission

**Moved By** Councillor William Reilly

**Seconded By** Councillor Jason Trombetta

That, the correspondence received from Ann-Marie Norio, Regional Clerk regarding the "2023 Budget and Requisition - Niagara Transit Commission" dated November 11, 2022, be received for information.

**Carried**

- 13.2 Ann-Marie Norio, Regional Clerk  
Re: Appointments to Niagara Transit Commission Board

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Shelley Bradaric

1. That, the correspondence received from Ann-Marie Norio, Regional Clerk regarding "Appointments to Niagara Transit Commission Board", dated November 11, 2022, be received; and,



2. That, Councillor William Reilly be nominated as the Township of West Lincoln's representative on the Niagara Transit Commission Board for the Niagara Region for the 2022-2026 term of Council.

**Carried**

13.3 The City of Niagara Falls

Re: Support of Resolution re: Bill 23, The More Homes for Everyone Act, 2022 - **NOTE:** Request to support received from Councillor William Reilly

**Moved By** Councillor William Reilly

**Seconded By** Councillor Mike Rehner

**WHEREAS** the Council of the Township of West Lincoln receive and support the correspondence, dated November 22, 2022, from the City of Niagara Falls regarding "Bill 23, The More Homes for Everyone Act, 2022";

**AND WHEREAS** Council appreciates and understands that the lack of attainable and affordable housing is an important issue facing the entire Province;

**AND WHEREAS** Bill 23 will have economic, social, and environmental implications that will affect several acts including but not limited to the Conservation Authorities Act, Development Charges Act, 1997, Municipal Act, 2001, Ontario Heritage Act, Ontario Land Tribunal Act, 2021, Planning Act and may make changes to the Ontario Building Code along with the financial burden that this legislation will have on municipalities and existing homeowners;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Township of West Lincoln concurs with City of Niagara Falls Council and many others that the legislative program under the umbrella of the Ontario Housing Supply Action Plan must be paused in order to have a more in-depth consultation with municipalities and other stakeholders;

**AND THAT** this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable David Piccini, Minister of the Environment, Conservation and Parks, the Honourable Graydon Smith, Minister of Natural Resources and Forestry, the Honourable Ernie Hardeman, Minister of Agriculture, Food & Rural Affairs, the Honourable Peter Tabuns, Leader of the Opposition and Interim Leader of the Ontario New Democratic Party, the Honourable John Fraser Interim Leader of the Ontario Liberal Party, the Honourable Mike Schreiner, Leader of the Green Party of Ontario, the Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

**Carried**

**14. MAYOR'S REMARKS**

Mayor Cheryl Ganann read from a prepared statement, which is attached as **Schedule B** to the minutes.

**15. REPORT OF COMMITTEE**

There were no reports of Committee.

**16. RECONSIDERATION**

There were no items put forward for reconsideration.

**17. NOTICE OF MOTION TO RESCIND**

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

**18. OTHER BUSINESS**

**18.1 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)

**18.2 Councillor Jason Trombetta**

Re: Grimsby Regional Airport & Smithville Flying Club (20 Road Airport) - Public Concerns

Councillor Trombetta advised that he has been receiving phone calls with respect to Smithville Flying Club (20 Road Airport) and (2) the Grimsby Regional Airport which had airplanes flying in and out all day and night. Councillor Trombetta stated that he was speaking to a resident, who advised him he had dropped off a USB thumb drive and paperwork to the former Mayor regarding the Grimsby Regional Airport, and Councillor Trombetta inquired into whether or not this information was known to the other Members of Council. Those Members of Council who were in attendance confirmed that they were not aware of any such USB drive and/or paperwork.

The Director of Building & Planning suggested this matter be referred to staff for further investigation and noted that this matter may need to be further discussed as a confidential matter. The Director of Planning & Building confirmed he did not have a file on matter but he was in communication with the former Mayor on this issue. The Director of

Building & Planning stated that the Township By-Law Enforcement Officer has been in contact with the Township of Grimsby, which the Grimsby Regional Airport resides in along Mud Street (Regional Road 73), but was located directly adjacent to the West Lincoln Township border.

Councillor Rehner stated that while the Grimsby Regional Airport does deserve attention, he noted that there needs to be attention to the 20 Road Airport, which was negatively impacting the surrounding residents and the enjoyment of their properties.

The Director of Building & Planning stated that while these concerns are recognized, registered airports are Federally regulated and thus limits the Township's ability to act. The Director of Building & Planning stated that he would attempt to connect with a person with Transportation Canada to provide some insight into airport and aviation processes, etc..

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Mike Rehner

That, the Director of Planning & Building be directed to investigate concerns relating to the Grimsby Regional Airport and the Smithville Flying Club (20 Road Airport) and report back to a future Standing Committee or Council Meeting.

**Carried**

### 18.3 CONSENT AGENDA

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Jason Trombetta

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

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

**Carried**

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

1. West Lincoln Public Library Board - Minutes of August 2022, September 2022 and October 2022
2. Memorandum - Director of Planning and Building (Brian Treble) - Federal Health Canada, Cannabis Review 2022
3. Information Report No. WLFD-12-2022 - Monthly Update November 2022

- 18.4 Deputy Treasurer/Manager of Finance (Katelyn Hall) and  
Treasurer/Director of Finance (Donna DeFilippis)  
Re: Recommendation Report T-27-2022 - Consolidated User Fees and  
Charges By-Law and 2023 User Fees and Charges

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Joann Chechalk

1. That, Recommendation Report T-27-2022, regarding "Consolidated User Fees and Charges By-Law and 2023 User Fees and Charges", dated December 12, 2022, be received; and
2. That, Appendix A, outlining the Consolidated Schedule of Fees and Charges, attached to this Report be approved with an effective date of January 1, 2023 (unless otherwise indicated); and,
3. That, Appendix B, outlining the Consolidated User Fees and Charges By-Law 2022-84, be approved with an effective date of January 1, 2023. This By-Law will also serve to amend and repeal several existing user fees and charges by-laws.

**Carried**

- 18.5 Treasurer/Director of Finance (Donna DeFilippis)  
Re: Recommendation Report T-28-2022 - Financial Update as of  
November 30, 2022

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

1. That, Recommendation Report T-28-2022, regarding the "Financial Update as of November 30, 2022", be received for information; and,
2. That, Council authorizes staff to transfer any 2022 underspending within the Fire Operating Budget to the Fire reserve; and,
3. That, Council authorizes staff to transfer any 2022 underspending within the Bridge Operating Budget to the Bridge reserve.

**Carried**

- 18.6 Treasurer/Director of Finance (Donna DeFilippis)  
Re: Information Report T-29-2022 - 2023 Budget Process and Schedule

Councillor Bradaric inquired into the enrolment changes of OMERS eligibility as it relates to "Other Than Full Time" employees which could result in a \$45,000 increase to the Township budget and questioned if the enrolment change was mandatory resulting in the Township having to

make these additional contributions for those other than full employees that opt into the pension plan.

The Treasurer/Director of Finance stated that if other than full time staff choose to join OMERS, the Township will be obligated to match the contributions and cannot opt out from this new enrolment change.

**Moved By** Councillor William Reilly

**Seconded By** Councillor Jason Trombetta

That, Information Report T-29-2022, regarding the “2023 Budget Process and Schedule”, dated December 12, 2022, be received for information.

**Carried**

18.7 Fire Chief (Dennis Fisher)

Re: Recommendation Report WLFD-12-2022 - Computer-Aided Dispatch Agreement with the City of St Catharines

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor William Reilly

1. That, report WLFD-13-22 dated December 12, 20022, Computer-Aided Dispatch Agreement with the City of St. Catharines, be received; and,
2. That, By-law 2017-130 be repealed; and,
3. That, a By-Law be adopted authorizing the Mayor and Clerk to sign an updated fifteen (15) year agreement from January 1, 2023 to December 31, 2037 with the City of St. Catharines for Computer-Aided Dispatch Services.

**Carried**

18.8 Deputy Fire Chief (Tim Hofsink)

Re: Appointment of an Acting Fire Chief & Acting Deputy Fire Chief

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Mike Rehner

1. That, in the absence of the Fire Chief, Deputy Fire Chief Mr. Hendrick (Tim) Hofsink be appointed as Acting Fire Chief and shall assume all of the powers, responsibilities and authority of the Fire Chief; and,
2. That, in the absence of the Deputy Fire Chief, the Fire Chief may appoint two Captains as Acting Deputy Fire Chief whom shall

assume all of the the powers and duties as may be prescribed of the Deputy Fire Chief, this being Firefighters Zoli Rakonjak and Wayne Bos.

**Carried**

- 18.9 Deputy Clerk (Jessica Dyson) and Director of Legislative Services/Clerk (Joanne Scime)

Re: Recommendation Report C-07-2022 - Non-Resident Hunting Licences for Ring-Necked Pheasants, Cottontails and European Hares within the Township of West Lincoln

Councillor Rehner expressed his concern with the removal of licencing program which requires non-residents to purchase a small game hunting licence each year in order to hunt for Ring-Necked Pheasants, Cottontails and European Hares within the boundaries of West Lincoln. Councillor Rehner concerns ranged from the population of these animals, the cost of the program, and the risk of opening up hunting to anyone, which would result in an influx of non-resident hunters in West Lincoln. Councillor Rehner stressed that his concern was not about the money involved with the licencing program but the protection of wildlife and protection against the overhunting of these animals.

The Director of Legislative Services/Clerk stated West Lincoln Township was only one of four municipalities in Ontario who has a small game hunting licence system for non-resident, which was not used very much. The Director of Legislative Services/Clerk advised that, in her opinion, the cost of staff administering and producing the hunting licences outweighed the funds that were derived from the program. The Director of Legislative Services/Clerk advised that she had been in contact with the Ministry of Natural Resources and Forestry to confirm the proper process to rescind the non-resident small game hunting licence by-law and Township Council would first need to endorse a resolution to support the by-law to be repealed and that this resolution would be forwarded to the Ministry for support. Once the Ministry provides their decision and if supported, a by-law to repeal By-law 2010-37 would be put forward to conclude the repeal of the licensing by-Law.

Following further discussion, a referral motion was put forward for staff to provide further information and details with respect to the number of licences issued each year, the cost of the Township administering the non-resident small game licencing by-law and a suggested fee/charge should the Township wish to continue the program.

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Mike Rehner

1. That, Recommendation Report C-07-2022 regarding “Regulation of Small Game Hunting By-law (Pheasant and Rabbit Hunting) in the Township of West Lincoln” dated December 12, 2022, be received; and,
2. That, the Ministry of Natural Resources and Forestry be advised of the Township of West Lincoln request to repeal By-law 2010-37; and,
3. Upon written confirmation from the Ministry of Natural Resources and Forestry, that By-law 2010-37 be repealed.

**Referred (see below)**

**REFERRAL MOTION:**

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor William Reilly

That, Report No. C-07-2022 regarding “Regulation of Small Game Hunting By-law (Pheasant and Rabbit Hunting) in the Township of West Lincoln” be referred back to staff to report back to a future Committee or Council Meeting regarding the number of non-resident small game hunting licence in previous years prior to COVID-19 and a suggested licence fee for non-residents to purchase small game licences.

**Carried**

18.10 Director of Public Works and Recreation (Mike DiPaola)

Re: Recommendation Report PW-15-2022 - Sanitary Sewer Lining  
Tender Authorization

In response to Councillor Bradaric's inquiry regarding the longevity of the sanitary sewer lining, the Director of Public Works & Engineering stated that the technology has improved greatly and would suggest to expect a minimum of 50 years of life for the sanitary sewer lining.

The Director of Public Works & Recreation stated that notices will be sent to residents 2 weeks prior to the work commencing, and the contractor will advise residents as to what they are doing. The Director of Public Works & Recreation estimated it will take approximately 6 hours to complete the work and residents will be advised not to use showers and other things of that nature.

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor William Reilly

1. That, Recommendation Report RFD PW-15-2022, re: "Sanitary Sewer Lining Tender Authorization", dated December 12, 2022, be received; and
2. That, Council accept the tender submission by Sewer Technologies Inc., with the Township's share being \$330,366.90 (excluding HST); and
3. That, Council approve the project budget of \$355,000.00; and
4. That, Council approve Budget Amendment BA2022-11 to increase the budget on account 1-08-08110-415301 by \$60,000, which is funded through a grant from the Niagara Region.

**Carried**

- 18.11 Coordinator of Engineering Services (Jennifer Bernard) and Director of Public Works and Recreation (Mike DiPaola)  
Re: Recommendation Report PW-16-2022 - Dennis Drive and Brandon Lane On-Street Parking Review

Councillor Trombetta inquired if there will be notice provided to the residents of Dennis Drive and Brandon Lane with respect to on-street parking.

The Director of Building & Planning stated that By-law Enforcement had been placing notices on vehicles, and notice was posted on the Township's website, and has also been advertised in the local newspaper. The Director of Building & Planning stated that the Township's Traffic Control By-law states no parking on any roads between the hours of 2 am and 6 am year round, and that allowing overnight parking on Dennis Drive and Brandon Lane specifically may provide a useful test pilot for further considerations relating to parking restrictions within other areas with the exception of winter weather events.

Councillor Reilly stated that he hoped this test pilot for parking will work as there was a deficiency of off street parking in other areas of the municipality. Councillor Reilly requested that the Township make it very clear for residents to understand the exact locations where overnight parking will be permitted and that all other areas in the municipality will need to continue to abide by the overnight parking restrictions.

**Moved By** Councillor Joann Chechalk  
**Seconded By** Councillor William Reilly



1. That, Recommendation Report PW-16-2022, re: “Dennis Drive and Brandon Lane On-Street Parking Review”, dated December 12, 2022, be received; and,
2. That, Council pass a By-law to amend Schedule C (Prohibited Parking) and Schedule C1 (Parking Prohibitions – 2:00 a.m. to 6:00 a.m.) of By-law 89-2000 as outlined in this report.

**Carried**

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

Re: Information Report PW-17-2022 - Request to Review Three Rural Intersections

In response to Councillor Bradaric's inquiry regarding the intersection of Sixteen Road and Port Davidson Road and if there were any traffic calming measures that could be installed such as warning grooves in the road, the Director of Public Works & Recreation stated that installing warning groove on a surface treated road could not be done.

In response to Councillor Bradaric's inquiry regarding the Director's report and that there have been three accidents over three years, which did not meet the OTM Book 5 criteria for the installation of an all-way stop sign and she questioned if there were any special consideration for rural roads, the Director of Public Works & Recreation that Book 5 provides criteria for different types of roads based on collision data. The Director of Public Works & Recreation confirmed that the criteria for a Collector Road/Rural Arterial Road was 3 collisions per year over a three-year period. The Director of Public Works & Recreation stated that a report was provided to Council in September 2022 (PW-24-2022) outlining the criteria in Book 5 for an all-way stop.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Joann Chechalk

That, Information Report PW-17-2022, re: “Request to Review Three Rural Intersections”, dated December 12, 2022, be received for information.

**Carried**

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

Re: Recommendation Report PD-82-2022 – More Homes Built Faster Act – Bill 23 and Update to Bill 109 – More Homes for Everyone Act

The Director of Building & Planning briefly reviewed Report No. PD-82-2022 and advised that he and the CAO have been meeting with other Niagara Local Area Municipalities (LAMs) and the Region to address the changes, the impacts and strategies on how to improve planning act timelines for application to be compliant.

The CAO stated that the Region has taken the lead on behalf of the LAMs and NPCA, who have sought a consultant to address the changes and provide improvements/strategies to improve planning process to address the Planning Act timelines. The CAO stated that the group will be meeting again tomorrow with the goal of working together to streamline processes that need to be met by Bill 109 as well as on strategies to deal with the changes being implemented by Bill 23.

**Moved By** Councillor William Reilly

**Seconded By** Councillor Shelley Bradaric

1. That, Recommendation Report PD-82-2022, regarding “More Homes Built Faster Act – Bill 23 and Update to Bill 109 – More Homes for Everyone Act”, dated December 12, 2022, be RECEIVED; and,
2. That, Planning Staff be authorized to commence an Official Plan Amendment to propose amendments to the Township’s Official Plan in response to Bill 109 and Bill 23. A draft of this amendment will be prepared and provided to Committee in advance of Public Notice.

**Carried**

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

Re: Recommendation Report PD-83-2022 – Extension of Draft Plan of Subdivision Approval Formerly Dunloe Developments Inc. now Marz Homes (Smithville West) Inc. (File No. 2000-87-18)

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Joann Chechalk

1. That, Recommendation Report PD-83-2022, regarding “Extension of Draft Plan of Subdivision Approval, Formerly Dunloe Developments Inc. now Marz Homes (Smithville West) Inc. (File No. 2000-87-18)”, dated December 12, 2022 be received; and,
2. That, the Draft Plan Approval for Marz Homes (Smithville West) Inc. (Lot 7, Plan M98) be Extended for a period of two years, to expire on

December 13, 2024, subject to conditions as included in Attachment 2 to this report; and,

3. That Council deem the changes to the conditions of approval found in Attachment 2 to be minor; and,
4. That a notice of extension be circulated to relevant agencies and departments.

**Carried**

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

Re: Recommendation Report PD-84-2022 – Crossings on the Twenty Extension of Draft Plan Approval (File No. 2100-072-09CDM) (North)

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Joann Chechalk

1. That, Recommendation Report PD-84-2022, regarding “Crossings on the Twenty Plan of Condominium Request for Extension to Draft Plan Approval; File No 2100-072-09 CDM (North)”, dated December 12<sup>th</sup>, 2022 be received; and,
2. That, the Draft Plan Approval for Crossings on the Twenty Plan of Condominium (North) BE EXTENDED FOR A PERIOD OF TWO YEARS, to expire on December 13, 2024, subject to conditions as included in Attachment No. 2 to this report; and,
3. That Council deem the changes to the conditions as found in Attachment 2 to be minor; and,
4. That a notice of extension be circulated to relevant agencies and departments.

**Carried**

18.16 Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD-85-2022 - No. 2 – Marz Homes (Smithville West) Inc. Site Alteration Application for “Thrive” Development, File No. 3000-003-22B

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

1. That, Recommendation Report PD-85-2022, regarding “Recommendation Report No. 2 - Marz Homes (Smithville West) Inc.

Site Alteration Application for “Thrive” Development, File No. 3000-003-22B, dated December 12, 2022 be RECEIVED; and,

2. That, an authorizing By-law, as found at **Attachment 2** to this report, be passed to permit the Mayor and Clerk to sign a site alteration agreement, in draft form as found at **Attachment 3**, ensuring compliance with their draft approved plan of subdivision, as well as the conditions as set out in this report and draft site alteration permit; and,
3. That, in conformance with Part 8 of By-Law 2016-41 “Being a Site Alteration By-law to Regulate the Placing or Dumping of Fill in the Township of West Lincoln”, a Site Alteration permit, in a form similar to that found at **Attachment 1** to this report, be issued by staff once all required agreements, securities, plans and drawings are satisfactorily submitted, subject to the conditions as noted in the permit; and,
4. That, all efforts be taken by the owner to acknowledge and protect neighbouring residents, including but not limited to: dust control, noise control, obedience of the *Highway Traffic Act*, etc. Failure to do so will provide Enforcement staff and Police with authority to address any infractions.

**Carried**

18.17 Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD-86-2022 - 2023 Tree Planting – Leisureplex Complex, 2543 South Grimsby 6 Road

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

1. That, Recommendation Report PD-86-2022, regarding “Recommendation Report - 2023 Tree Planting – Leisureplex”, dated December 12<sup>th</sup>, 2022 be received; and,
2. That, Council endorse a Stewardship Agreement with Land Care Niagara to obtain eligible funding and that the estimated \$4,000 Township paid portion of the cost be charged to the Leisureplex operating budget, account 1-16-16101-520320; and,
3. That a by-law be passed to authorize the Mayor and Clerk to sign the *Rural Tree Planting Program 2023 - In Partnership with Forest Ontario* Stewardship Agreement with Land Care Niagara to plant

0.73 hectares (1.8 acres) of a variety of trees and shrubs on Township owned property known as the Leisureplex Complex, municipally known as 2543 South Grimsby Road 6 and as shown on Attachment 1 to this report.

**Carried**

18.18 Councillor William Reilly

Re: ROMA Zone 3 Representative for the 2023 – 2027 Rural Ontario Municipal Association (ROMA) Board of Directors

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Shelley Bradaric

1. That the correspondence from Councillor William Reilly, dated November 24, 2022, regarding the ROMA Board of Directors elections for Zone 3, be received; and,
2. That the Council for the Township of West Lincoln endorses Councillor William Reilly for the position of ROMA Zone 3 Representative for the 2023 – 2027 Rural Ontario Municipal Association (ROMA) Board of Directors.

**Carried**

18.19 Members of Council

Re: Council Remarks

(1) Councillor Mike Rehner

Re: Station 2 Fire Hall

Councillor Rehner noted the progress of the Station 2 Fire Hall, which was currently under construction and that this facility will be a great asset for the community.

(2) Councillor Jason Trombetta

Re: Request for Update on Fire Station 2 and Happy Holiday Wishes

In response to Councillor Trombetta's request for an update on the new Station 2 Fire Hall, the Acting Fire Chief provided an update and noted the contractor was hoping for some decent weather so they could get the roofing membrane installed. The Acting Fire Chief advised that electrical work should be completed soon, the framing was nearly done including installation of spray foam which meets to all building standards. The Acting Fire Chief advised that he was very pleased with the progress to date and that next steps in the build will include the installation of a fresh water cistern, the outside finishing and the finishing of the office area.

Councillor Trombetta wished Members of Council, staff and the community a happy holiday and new year.

(3) Councillor Joann Chechalk  
Re: Bill 23 and Bill 109

Councillor Chechalk stated she was troubled by the implications of Bill 23 and Bill 109 and that she hoped staff will find ways to remedy the impacts including the reduction of parkland requirements and the densities will only intensify the impacts on our municipality as having open space areas was one of the reason why people have moved to West Lincoln. Councillor Chechalk noted that the implications of Bill 23 and Bill 109 will impact on-street parking as well on the use of our recreation facilities as there will be more people living in West Lincoln but this will also be impactful due to being limited by lack of the reduction of development charges, and there will be need to be very careful as it relates to our plans for the future.

(5) Councillor Shelley Bradaric  
Re: Christmas Parade and the future

Councillor Bradaric commented on the success of the West Lincoln Santa Claus parade which was a wonderful event and well attended. Councillor Bradaric noted that there were also a lot of people that had decorated their homes and properties for the holiday season, which was nice to see. Councillor Bradaric wished everyone a happy holiday and a great and prosperous 2023.

(6) Councillor William Reilly  
Re: Santa Claus Parade and Updates

Councillor Reilly stated that the Santa Claus Parade was a huge success even though there were a few cancellations due to unexpected illnesses. In response to Councillor Bradaric's comments regarding the home decorating contest that was initiated two years ago by the Parade Committee in light of the parade having to be cancelled due to the pandemic and the health protocols that were in place, Councillor Reilly stated that he hoped that another community group/partner would take over the home decorating contest as it was nice to see the community embrace this event by decorating their homes and properties as this too was a big event to plan and undertake and that members of the Parade Committee, which was a fairly small group of community volunteers, had a lot to undertake with the planning and organization of the parade.

Councillor Reilly updated Members of Council with respect to he, Regional Councillor Witteveen and Mayor Ganann attending Smithville Public School, specifically to speak to the Grade 5 class regarding the different layers of government and was impressed with how engaged the students were.

In closing Councillor Reilly wished the residents of West Lincoln a happy holiday season and that he looked to serving on West Lincoln Council for another four-year term.

**19. NEW ITEMS OF BUSINESS**

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

**20. BY-LAWS**

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Joann Chechalk

1. That, leave be granted to introduce By-law #s 2022-83, 2022-84, 2022-85, 2022-86, 2022-87 and 2022-88 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:**

**20.1 BY-LAW 2022-83**

A By-law to confirm the proceedings of the Council of the Corporation of its regular meeting held on the 26th day of September, 2022 and its special meeting held on October 17, 2022.

**20.2 BY-LAW 2022-84**

A By-law to Consolidate Fees and Charges for the Corporation of the Township of West Lincoln

**20.3 BY-LAW 2022-85**

A By-law to amend By-law 89-2000 which regulates Traffic and Parking on Township Roads

**20.4 BY-LAW 2022-86**

A By-law to authorize a Site Alteration Agreement between the

Corporation of the Township of West Lincoln and Marz Homes (Smithville West) Inc. (Agent - A.J. Clarke & Associates Ltd.), for lands described as Plan M98 Lot 9, in the former Township of South Grimsby, now in the Township of West Lincoln.

20.5 BY-LAW 2022-87

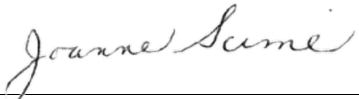
A By-law to authorize a Stewardship agreement between the Corporation of the Township of West Lincoln and Land Care Niagara for lands described as Plan M97, Lot 4, in the Township of South Grimsby, now in the, now in the Township of West Lincoln (Leisureplex Complex, Municipally known as 2543 South Grimsby Road 6).

20.6 BY-LAW 2022-88

A By-law to authorize an agreement between the Corporation of the City of St. Catharines and the Corporation of the Township of West Lincoln for Computer Aided-Fire Dispatch Services for a period of fifteen years effective January 1, 2023 to December 31, 2037.

**21. ADJOURNMENT**

The Mayor to declare this meeting adjourned at the hour of 9:42 pm.



---

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

---

**MAYOR CHERYL GANANN**



## Regional Councillors Report December 12, 2022

Good evening Mayor, council, staff and members of the public. I would like to start by saying that I'm excited to be back as your Regional Councillor and fellow cohort in representing the citizens of West Lincoln for the next 4 years.

At the Niagara Region we have all been sworn in to the council and have selected the standing committees that we will be involved in for our term. Council has approved the names, I will be sitting on Planning and Economic Development, Public Works, Public Health and Social services, Agriculture Policy Action Committee, Waste Management Steering Committee and the Golden Horseshoe Food and Farming Alliance.

I have also put my name forward to seek a second term as a Commissioner on the Niagara Escarpment. This is very similar to what my involvement was last term.

We will be starting the budget process in the month of January with early March it being ratified. I attended a workshop on December the 8th to prepare for the process.

In our weekly correspondence there was a letter from the Director of Community services explaining the Licence Home Child Care Marketing Communications Campaign. Brief overview was that on August 2021 the

Federal Government and the Province of Ontario signed the Ontario Early Childhood Workforce agreement that provided one-time funding to promote the retention + recruitment of high quality child care and early years workforce.

Niagara Region's Children Services received approx \$2.9 million for 2022 to support the goals ~~of the goals~~ of child care and early years workforce recruitment + retention goal.

Children's services in collaboration with Corporate Communications, is undertaking a campaign with licensed home child providers for Niagara's Region's Home Child Care Agency to inform families of the licensed home care as a viable option for child care. This campaign will run from December through into January, it will include ads in Newspapers, radio stations, movie theatres, local malls, billboards and buses. This campaign is fully funded through Provincial funding not from the funds received to recruit staff.

Quick update on Canada's new dental program for children under 11.

Eligible families can receive up to \$650.00 per year, per child for two years for dental care services.

And lastly I want to thank Councillor ~~Mr~~ Reilly for arranging the visit with the grade 5-6 class at ~~South Lincoln~~ <sup>Central</sup> grade school. I thoroughly enjoyed it.

Councillors, staff and members, i would like to wish you all a wonderful  
Christmas season with friends and family.

Warmest Regards,

Albert Witteveen

## Mayor's Remarks - December 12, 2022

My Mayor's comments will be a little different tonight than they will likely be in the future. Although this is our **first** council meeting where I have this opportunity for comments, it is also the last council meeting of 2022!

This agenda this evening is long, starting with the minutes of the September 26th meeting, so I will try to keep this as short as possible.

- On behalf of all members of Council, I want to say that we are all pleased to have been elected and are ready to work on behalf of the residents of all 3 wards.
- I would like to express my appreciation to staff for running such a smooth and efficient election process and especially thank all staff who carefully attended to the many details for our Inaugural meeting and social time afterwards.
- I would like to say just how great it has been to see residents out and about and taking part in all of the various opportunities for our community to gather since the election, including the Chamber of Commerce Business Awards, the John Calvin Christmas Bazaar, the Smithville Christian High School & Cairn Elementary School Christmas Event, the Chamber of Commerce Holiday and Gift Show, the Winter Market, the Kiwanis Community Tree-Lighting "West Lincoln Shines" and of course the Christmas Parade "Merry and Bright". Even the return of hockey tournaments such as the Adam Keunen Memorial Tournament this past weekend that has served to draw residents together. Thank you to the organizers of each of these wonderful events for stepping up to take charge - We know just how much work is involved to make these successful. With each added event, our community spirit has been allowed to gain momentum!
- I also want to comment on the generosity and goodwill that our community has recently shown and in fact, still is showing to our neighbours who may be struggling financially at this time of year.. The Silverdale Dinner, the Hipkiss family Holiday House Tour on Farewell Crescent, the Chamber of Commerce Toonie Drive, the Kerr Church Coat collection, the Under-11 Hockey Team Toy Drive and the various Food Drives to name only a few, have all been extremely well supported with proceeds and donations going to West Lincoln Community Care, who in turn oversee the support for those in need. Once again this year the spirit of caring for others is alive and well in West Lincoln!
- I would like to wish staff, my fellow council members and all West Lincoln residents a safe and peaceful holiday season spent with family and friends. I will add that we need to be mindful that Christmas is not always a joyful time for everyone. Some residents are dealing with or battling serious illness, recovering from or anticipating a surgery, remembering a past loss or even mourning the recent loss, of a loved one at this time of year. Special thoughts go out to former Mayor Joan Packham on the loss of her husband, Murray and the DeBoer family on the very recent loss of their beloved son, Evan.
- Finally, I wish each and every one of you - "All the Best" for a safe, happy and healthy 2023!