

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

MEETING NO. ONE

January 16, 2023, 5:45 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council:	Councillor William Reilly (Chair) Councillor Joann Chechalk Mayor Cheryl Ganann Councillor Jason Trombetta Councillor Mike Rehner
Absent:	Councillor Terry Bell (with regrets) Councillor Shelley Bradaric (with regrets)
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
Other Members:	Regional Councillor Witteveen Jeremy Tran, NPG Planning Solutions* Steven Rivers, South Coast Consulting* Oz Kemal, MHBC Planning* Paul Hecimovic, Odan Detech* Matt Wichmann* Andrea Wichmann* WeeStreem

***IN ATTENDANCE PART-TIME**

1. CHAIR - Councillor William Reilly

Prior to commencing with the Planning/Building/Environmental Committee meeting agenda, Chair Reilly provided the following announcements:

1. The public may submit comments for matters that are on the agenda to 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.
2. This meeting will be livestreamed as well as recorded and available on the Township's website.

2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

(For confidential matters)

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

3. CONFIDENTIAL MATTERS

Moved By Councillor Joann Chechalk

Seconded By Mayor 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:

3.1 Director of Planning & Building (Brian Treble)

Re: Legal/By-law Enforcement Matter - Confidential Recommendation Report PD-07-2023 - Natural Severance

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 privilege, including communications necessary for that purpose

3.2 Director of Planning & Building (Brian Treble)

Re: Property Matter/By-law Enforcement Matter - Smithville Road & Grimsby Mountain Road - Cannabis Enforcement Matter

VERBAL UPDATE

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees

3.3 Director of Planning & Building (Brian Treble)

Re: Property Matter/By-law Enforcement Matter - South Grimsby Road Property Matter

VERBAL UPDATE

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees

3.4 Deputy Clerk (Jessica Dyson)

Re: Citizen Appointments on Boards & Committees

Applicable closed session exemption(s):

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

Carried

Moved By Councillor Joann Chechalk

Seconded By Councillor Mike Rehner

That, this Committee meeting now resume in open session at the hour of 6:47p.m.

Carried

3.1 ITEM P01-23

Director of Planning & Building (Brian Treble)

Re: Legal/By-law Enforcement Matter - Confidential Recommendation Report PD-07-2023 - Natural Severance

Moved By Councillor Joann Chechalk

Seconded By Councillor Mike Rehner

1. That, Report PD-07-2023 regarding Confidential Recommendation Report PD-07-2023 – Natural Severance Application, dated January 16, 2023, be RECEIVED; and,
2. That, such a Township position only relates to North Creek and not to any tributary as found/identified on the subject lands; and,
3. That, staff be authorized to proceed as directed in closed session.

Carried

3.2 ITEM P02-23

Director of Planning & Building (Brian Treble)

Re: Property Matter/By-law Enforcement Matter - Smithville Road &
Grimsby Mountain Road - Cannabis Enforcement Matter

VERBAL UPDATE

Committee rose without reporting.

3.3 ITEM P03-23

Director of Planning & Building (Brian Treble)

Re: Property Matter/By-law Enforcement Matter - South Grimsby Road
Property Matter

VERBAL UPDATE

Committee rose without reporting.

3.4 ITEM P04-23

Deputy Clerk (Jessica Dyson)

Re: Citizen Appointments on Boards and Committees

1. West Lincoln Library Board

Moved By Councillor Mike Rehner

Seconded By Councillor Joann Chechalk

That, the following person(s) be and are hereby appointed to serve
on West Lincoln Library Board until their successors are appointed:

1. Judi Kelly
2. Julie Adams

Carried

2. Age Friendly Advisory Committee

Moved By Councillor Mike Rehner

Seconded By Councillor Joann Chechalk

That, the following persons be and are hereby appointed to serve
on the West Lincoln Age Friendly Advisory Committee (WLAFAAC)
until their successors are appointed:

Judi Kelly

Carried

3. Committee of Adjustment (Includes Land Division and Property
Standards)

Moved By Councillor Mike Rehner

Seconded By Councillor Joann Chechalk

That, the following person(s) be and are hereby appointed to serve on the Committee of Adjustment (Includes Land Division and Property Standards) until their successors are appointed:

Peter Forsberg

Carried

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

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

5. LAND ACKNOWLEDGEMENT STATEMENT

Councillor Reilly read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), 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.

6. PUBLIC MEETING(S)

6.1 Zoning By-law Amendment - 197 Griffin Street

Re: An application has been submitted to address a number of zoning deficiencies generated as part of a redevelopment of the site which would result in office space and four accessory dwelling units with a number of zoning deficiencies. (File No.: 1601-005-22)

6.2 Zoning By-law Amendment - 8535 Twenty Road (Bruinsma)

Re: An application for a Zoning Bylaw Amendment has been submitted to rezone the property located at 8535 Twenty Road, to permit an agri-tourism use on subject property, specifically a country market. (File No.: 1601-012-22)

6.3 Zoning By-law Amendment & Official Plan Amendment - Mill Street (Oyegbami)

Re: An application for an Official Plan and Zoning Bylaw Amendment has been submitted to re-designate and rezone a vacant property located at Lot 34, Plan M98, in the Town of Smithville located on the north side of Mill Street. The intent of this official plan and zoning bylaw amendment application is to permit a three dwelling unit townhouse. The purpose of the official plan amendment is to permit three units on the subject property. (File No. 1601-013-22 ZBA & 1701-003-22 OPA)

7. CHANGE IN ORDER OF ITEMS ON AGENDA

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

8. APPOINTMENTS

There were no appointments.

9. REQUEST TO ADDRESS ITEMS ON THE AGENDA

1. Oz Kemal, MHBC Planning & Paul Hecimovic, Odan Detech
Re: Item P06-23 – Staff Reports – Recommendation Report PD-04-2023 – P Budd Developments – Station Meadows West Redline Revision to Draft Plan of Subdivision (File No. 2000-89-19)

Oz Kemal spoke about recommendation two (2) in the staff report regarding the revisions to conditions with respect to road widening on Spring Creek Road. Oz Kemal shared that the recommendation in the report is that the owner gratuitously dedicates a road widening across the frontage of South Grimsby Road 5 and Spring Creek Road of 0.5 metres to achieve a total right-of-way width of 21 metres free and clear of any mortgages, liens, and encumbrances. Oz stated that their client is requesting the opportunity to provide additional flexibility in the language of the condition that still speaks to a widening that may be required, but not be specific to how much is being required given that the Master Transportation Study work is ongoing and future widening may not actually be needed. Oz shared that their suggested language includes that a future road widening of Spring Creek Road may be required subject to finalizing the Transportation Master Plan.

10. CONSENT AGENDA ITEMS

All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be

removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

10.1 ITEM P05-23

CONSENT AGENDA ITEMS

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

That the Planning/Building/Environmental Committee hereby approve the following Consent Agenda items:

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

Carried

1. Multi-Municipal Wind Turbine Working Group (MMWTWG) Minutes – September 8, 2022
2. Technical Report PD-01-2023 - No. 2 - 197 Griffin Street Application for Zoning Amendment - Christoph Arnold (Owner) and NPG Planning Solutions (Agent) (File No. 1601-005-22)
3. Technical Report PD-02-2023 – Application for Zoning Bylaw Amendment 8535 Twenty Road Bruinsma (File No. 1601-012-22)
4. Technical Report PD-03-2023 - Application for Official Plan Amendment and Zoning Bylaw Amendment Lot 34, Plan M89 Mill Street File No. 1601-013-22 (ZBA) 1701-003-22 (OPA)
5. Recommendation Report PD-06-2023 – Domaine Queylus – 3651 Sixteen Road, Need for Municipal Approval of Temporary Patio for 'By the Glass' Operators

11. COMMUNICATIONS

There were no items of communication.

12. STAFF REPORTS

12.1 ITEM P06-23

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

Re: Recommendation Report PD-04-2023 - P Budd Developments - Station Meadows West Redline Revision to Draft Plan of Subdivision (File NO. 2000-89-19)

Moved By Mayor Cheryl Ganann

Seconded By Councillor Joann Chechalk

1. That, Recommendation Report PD-04-2023 regarding “P Budd Developments- Station Meadows West Redline Revision to Draft Plan of Subdivision – File NO. 2000-89-19”, dated January 16,2023, BE RECEIVED, and,
2. That the Draft Plan of subdivision, File No. 2000-89-19, as revised in Attachment 1, BE REDLINE APPROVED, in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P. 13 and revisions thereunder, subject to the revised conditions contained in Attachment 2 to this report (PD-04-2023),
3. That, the change to conditions be deemed as minor and that written notice of the change to conditions is not required under Section 51 (47) of the Planning Act R.S.O. 1990, Chapter P. 13; and,
4. That, the Draft Plan of Subdivision approval be extended by a period of two years following the lapsing of the current three year approval, subject to the conditions as found in Attachment 2 to this report.

Carried

12.2 ITEM P07-23

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

Re: Recommendation Report PD-05-2023 – Delegation of Approval to Sign Agreements Under the Planning Act

Moved By Mayor Cheryl Ganann

Seconded By Councillor Joann Chechalk

1. That, Recommendation Report PD-05-2023, regarding “Delegation of Approval to Sign Agreements Under the Planning Act”, dated January 16, 2023, be RECEIVED; and,
2. That, a bylaw be passed to delegate approval authority for the of approval of agreements under the Planning Act and the delegation of staff to enter into such agreements, as found in Attachment 1.

Carried

13. OTHER BUSINESS

13.1 ITEM P08-23

CAO (Bev Hendry)

Re: Appointment of an additional Acting Deputy Fire Chief

Moved By Councillor Jason Trombetta

Seconded By Mayor Cheryl Ganann

WHEREAS, the Ontario Fire Marshall's Office (OFM), has suggested that it would be best practice to have a resolution of Council to officially name appointment(s) of Acting Deputy Fire Chief;

AND WHEREAS, at the December 12, 2022 Council (All Committees) meeting, a resolution was carried to appoint two Captains Zoli Rakonjak and Wayne Bos as Acting Deputy Fire Chief in the absence of the Deputy Fire Chief;

AND WHEREAS, in the absence of the two appointed Captains Zoli Rakonjak and Wayne Bos, a third appointment of Acting Deputy Fire Chief be added to whom shall assume all of the powers and duties as may be prescribed of the Deputy Fire Chief

AND WHEREAS, there are no financial impacts to this action as only one person at a time can be the Acting Deputy Fire Chief and the others would carry on in their role as Captains;

NOW THEREFORE BE IT RESOLVED, that the Captain Phil Clarke be appointed as a third Acting Deputy Fire Chief whom shall assume all of the powers and duties as may be prescribed of the Deputy Fire Chief;

AND THAT, due to the time sensitivity of this matter, this appointment take immediate effect prior to ratification of Council.

Carried

13.2 ITEM P09-23

Members of Committee

Re: Other Business Matters of an Informative Nature

There were no business matters of an informative nature brought forward from Members of Council.

14. NEW BUSINESS

There were no new business items.

15. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 9:11pm.

JESSICA DYSON, DEPUTY
CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR

