



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

**MEETING NO. TWO**

**February 13, 2023, 5:45 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

Council: Councillor William Reilly (Chair)  
Councillor Shelley Bradaric  
Mayor Cheryl Ganann  
Councillor Jason Trombetta  
Councillor Mike Rehner  
Councillor Terry Bell  
Councillor Joann Chechalk

Staff: Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Dave Heyworth, Manager of Planning  
Stephanie Pouliot, Planner  
Gerrit Boerema, Senior Planner  
Shradha Arun, Senior Planner  
Kevin Geoghegan, IT Help Desk Analyst

Other Members: WeeStreem  
Jason Brouwer, Brouwer Architecture\*  
James Thomas, A.J. Clarke & Associates Ltd.\*  
Liam Doherty, A.J. Clarke & Associates Ltd.\*  
William Ravensbergen\* John Ganann\*  
Rob MacDougall\* Jeff & AJ MacDougall\*  
Werner Michenberger\* Bill Fletcher\*  
Ed & Cornelia Redekop\* Suzanne Blaskivich\*  
Jon & Loreen Kelly\* Chris Turner\*  
Brian Rosenberger\*

**\*IN ATTENDANCE PART-TIME**

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

For confidential matters

- i. Councillor Joann Chechalk Re: Item 2.2(1) – Stockvaluer

Councillor Chechalk declared a conflict of interest/pecuniary interest with respect to Item 2.2(1) - Stockvaluer Appointment(s) as she has a relative that had applied to be appointed as a Township Stockvaluer.

**2. CONFIDENTIAL MATTERS**

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

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

2.1 By-Law Enforcement Officer (Jesse Paul) & Director of Planning and Building (Brian Treble)

Re: Legal/Enforcement Matters - Quarterly By-Law 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

2.2 Jessica Dyson (Deputy Clerk)

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 Terry Bell

**Seconded By** Councillor Shelley Bradaric

That, this Committee meeting now resume in open session at the hour of 6:30 p.m.

**Carried**

**2.1 ITEM P10-23**

By- law Enforcement Officer (Jesse Paul) & Director of Planning and Building (Brian Treble)

Re: Legal/Enforcement Matters - Quarterly By-Law Update

Committee rose without reporting.

**2.2 ITEM P11-23**

Deputy Clerk (Jessica Dyson)

Re: Citizen Appointments on Boards & Committees

1. Stockvaluers

NOTE: Councillor Chechalk declared a conflict of interest/pecuniary interest with respect to this item of business as her family member is the applicant. Councillor Chechalk did not take part in discussion nor voting with respect to this matter.

Under the Livestock, Poultry & Honey Bee Protection Act (LPHBPA) Council appoints at least one or more persons as valuers of livestock and poultry, to assess damage to livestock caused by animal attacks. The livestock valuers are responsible for assessing values and determining if the loss of livestock and poultry was attributable to attacks by wolves, coyotes or stray dogs. In most cases there are three (3) persons appointed by Council for the 4 Year Term of Council (2022 – 2026).

**Required number of appointments** - Traditionally, three (3) persons have been appointed by Council for the term of Council and individuals appointed as Stockvaluers.

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Terry Bell

That, the following person(s) be and are hereby appointed to serve as the Township of West Lincoln's Stockvaluer until their successor(s) are appointed:

Mike Chechalk

**Carried**

2. West Lincoln Heritage Committee

The West Lincoln Heritage Committee is an Advisory Committee to Council constituted to make recommendations on matters relating to the Ontario Heritage Act, including the identification, preservation, conservation and restoration of buildings in the Township of West Lincoln that are historically, culturally or architecturally significant to the community. The Heritage Committee consists of not fewer than five (5) members appointed by Council, for the 4 Year Term of Council (2022-2026).

**Required Number of Committee Members** – Not fewer than 5 per Section 28 of Ontario Heritage Act and By-law 98-15 (as amended). (Traditionally chose 4 Members of the public plus one Councillor = 5 Members)

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Cheryl Ganann

That, the following persons be and are hereby appointed to serve as members on the West Lincoln Heritage Committee until their successors are appointed:

Naomi Brusse

**Carried**

**3. 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](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.
2. This meeting will be livestreamed as well as recorded and available on the Township's website.

**4. LAND ACKNOWLEDGEMENT STATEMENT**

Chair Reilly read the following land acknowledgment 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.

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

There were no additional disclosure of pecuniary interest and/or conflict of interest from Members of Committee.

**6. PUBLIC MEETING(S)**

**6.1 Zoning By-law Amendment - 9275 Concession 5 Road (Kelly & Redekop)**

Re: An application for a Temporary Use Bylaw has been made by Ed and Cornelia Redekop and Jonathan and Loreen Kelly to add a temporary use to the property legally described as Concession 6, Part Lot 16, formerly in the Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 9275 Concession 5 Road (File No. 1601-015-22)

**6.2 Zoning By-Law Amendment - 9629 Regional Road 20 (Brian VanHengstum)**

Re: An application for a Zoning Bylaw Amendment has been submitted by Mr. Jason Brouwer (Agent) on behalf of Mr. Brian VanHengstum, the property owner, to rezone the property located at 9629 Regional Road 20, being legally described as Concession 8, Part Lot 40, South of Hydro Land, formerly in the Township of South Grimsby, now in the Township of West Lincoln (File No. 1601-014-22)

**6.3 Zoning By-Law Amendment and Draft Plan of Condominium - Abingdon Rd. Concession 5, Part Lot 16 (2854604 Ontario Inc.)**

Re: An application for a Zoning Bylaw Amendment and Draft Plan of Condominium approval has been submitted by AJ Clarke and Associates (Agent) on behalf of 2854604 Ontario Inc., the property owner, to rezone and obtain draft plan of vacant land condominium approval for the property located at the north west corner of Abingdon Road and Regional Road 65, being legally described as Concession 5, Part Lot 16, formerly in the Township of Caistor, now in the Township of West Lincoln. As the property is vacant, it has no municipal address (File No. and Name: 1601-016-22 (ZBA) and 2000-91-22 (DPC))

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

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

**8. APPOINTMENTS**

There were no appointments.

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

1. William Ravensbergen South Grimsby Road 10 Re: Item P14-23  
Recommendation Report No. PD-13-2023 – Independent Electrical System Operator (IESO) Request for Municipal Support Resolution – P.  
Ravensbergen & Sons Ltd. (William Ravensbergen)

William stated that the purpose of the report being presented to Members of Committee this evening is to obtain municipal support, per requirements of the Independent Electrical System Operator (IESO), for an additional 2.7 megawatt co-generation facility to generate electric and thermal energy.

**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 P12-23**

**CONSENT AGENDA ITEMS**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Cheryl Ganann

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

1. Items 1, 2 and 3 be and are hereby received for information with the exception of Item no.(s)\_\_\_\_\_.

**Carried**

1. Technical Report PD-12-2023 - Zoning By-Law Amendment (Temporary Use By-Law) - Kelly/Redekop Garden Suite Application (File No. 1601-015-22)
2. Technical Report No. PD-09-2023 - Application for Zoning Bylaw Amendment - 9629 Regional Road 20 (File No. 1601-014-22)
3. Technical Report No. PD-08-2023 - Applications for Draft Plan of Condominium and Zoning Bylaw Amendment – Abingdon Road and Regional Road 65 (ZBA File No: 1601-016-22) (CDM File No: 2000-91-22)

**11. COMMUNICATIONS**

There were no communications.

**12. STAFF REPORTS**

**12.1 ITEM P13-23**

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

Re: Recommendation Report PD-10-2023 - Application for Official Plan Amendment and Zoning Bylaw Amendment Lot 34, Plan M89 Mill Street File No(s): 1601-013-22 (ZBA) & 1701-003-22 (OPA)

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Terry Bell

1. That Recommendation Report PD-10-2023, regarding “Application for Official Plan and Zoning Bylaw Amendment, Lot 34, Plan M89, Mill Street, File No. 1601-013-22 (ZBA) 1701-003-22 (OPA)”, dated February 13, 2023, be RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required, and;
3. That, Official Plan Amendment No. 64, as found in Attachment 3, BE APPROVED and that an approval bylaw BE PASSED, and that staff circulate Notice of Approval in accordance with the Planning Act, and;
4. That, the application for Zoning Bylaw Amendment 1601-013-22, BE APPROVED and that staff circulate Notice of Decision in accordance with the Planning Act.

**Carried**

**12.2 ITEM P14-23**

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-13-2023 – Independent Electrical System Operator (IESO) Request for Municipal Support Resolution – P. Ravensbergen & Sons Ltd. (William Ravensbergen)

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Terry Bell

1. That, Recommendation Report PD-13-2023, regarding “Recommendation Report – Independent Electrical System Operator’s (IESO) Request for Municipal Support Resolution” dated February 13, 2023 be RECEIVED; and,

2. That, Township of West Lincoln Council hereby endorses an application by P. Ravensbergen & Sons Ltd and provide Municipal Support (similar to attachment 3 to this report), prior to Council ratification, for a 2.7 megawatt co-generation facility to be situated at 2873 South Grimsby Road 10; and,
3. That, such facility expansion/renovation be properly addressed through an application for amendment to the existing site plan control plan and agreement.

**Carried**

### **13. OTHER BUSINESS**

#### **13.1 ITEM P15-23**

Director of Planning & Building (Brian Treble)

Re: Ontario Land Tribunal (OLT) Appeal - Mothers Against Wind Turbines Inc. v. Ontario (Environment, Conservation and Parks)

#### **VERBAL UPDATE**

The Director of Planning & Building provided an update to Members of Committee regarding the Mothers Against Wind Turbines Inc. vs. Ontario Environment, Conservation and Parks, Ontario Land Tribunal (OLT) Appeal, stating that on February 7th there was a case management conference that the Director attended to observe the hearing. The Director of Planning & Building stated that an issue that was raised at the hearing was improper circulation of public notice, noting that it was not deemed to be proper notice by the board and due to this, the hearing has been thrown out and will need to start over again. The Director of Planning & Building shared that no dates and times have been scheduled as of tonight's update to Committee adding that new notification and process has to be completed based on information provided at the case management conference.

In response to Councillor Trombetta's inquiry regarding what to tell residents when they call asking about the public notice that was received, the Director of Planning & Building stated that at this time there is nothing to advise members of the public about until further notice due to the case having to start over.

The CAO stated that mid-January, Boralex Renewable Energy Company, contacted the Township through the office of the CAO, to advise that the company had been making some repairs to Turbine number eight (8) which was operating at a higher level and required adjustments. The CAO stated that due to these changes, notice was sent to the Ministry of



Environment who include this information on the Environmental Bill of Rights (EBR) website, noting that when it was posted on the site the Mothers Against Turbines had raised concerns regarding this turbine issue.

**13.2 ITEM P16-23**

Director of Planning & Building (Brian Treble)

Re: Ontario Land Tribunal (OLT) Appeal - Kszan v. West Lincoln (Township)

**VERBAL UPDATE**

The Director of Planning & Building provided an update to Members of Committee regarding Kszan. vs. West Lincoln (Township) (OLT) Appeal, stating that there had been a two-day hearing held on February 9th and February 10th, noting that the appeal has not progressed. The Director of Planning & Building stated that two additional days have been scheduled May 10th and 11th and noted that the Chair has suggested the parties set up a meeting to have a case management conference and discussions amongst professionals March 3<sup>rd</sup>, that normally only happens in larger files; however, this case has become a bigger file than it should be.

**13.3 ITEM P17-23**

Members of Committee

Re: Other Business Matters of an Informative Nature

1. Councillor Joann Chechalk

Re: Recognition of Mississauga Mayor Hazel McCallion

Councillor Chechalk wished to acknowledge the loss of Mississauga Mayor Hazel McCallion and recognized her dedication to municipal government, thanking her for her service that she brought to the Province and to the communities.

2. Mayor Ganann

Re: Various Events

Mayor Ganann shared that on February 11th, she attended Wellandport Library for CD Saturday, noting that it was a great event with a wonderful turnout and are going to be looking for a bigger venue for next year. Also on February 11th, Mayor Ganann attended the McNally House Fundraiser, which was also well supported.

Mayor Ganann discussed an upcoming event that is happening on Saturday February 25th, which is the Coldest Night of the Year walk that supports all of Niagara Second Stage Housing. Mayor Ganann shared that this event starts at 5:00 p.m. and will start at Mountain View Church in Grimsby.

Mayor Ganann shared that there is a group putting forward an exhibition at the West Lincoln Library that's called Explore Islam, noting that this would be a great opportunity to improve our understanding of others who are living in our community.

**14. NEW BUSINESS**

There were no new business items brought forward from Members of Committee.

**15. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 8:55 p.m.

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JESSICA DYSON, DEPUTY  
CLERK

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COUNCILLOR WILLIAM REILLY,  
CHAIR