



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

### MEETING NO. SIX

Monday, March 27, 2023, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

**NOTE TO MEMBERS OF THE PUBLIC:** All Cell Phones, Pagers and/or PDAs to be turned off. Members of the public who are attending and participating virtually are reminded to keep their microphones muted until they are acknowledged to speak. Additionally, for your information, please be advised that this meeting will be livestreamed as well as recorded and will be available on the Township's website.

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### Pages

#### 1. SINGING OF "O CANADA" - Cairn Christian School

1. Prior to commencing with the Council agenda, Mayor Ganann will read the following announcements:

Comments from the public for a matter that is on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.

2. For those individuals that are unable to attend the meeting in person, you may submit comments for matters that are on the agenda by either (1) emailing [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 OR (2) by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
3. This meeting will be livestreamed. The link to watch the meeting live can be found on the Township's website by selecting the "Township Office" tab at the top of the website, then clicking the Council or Standing Committee meetings tab and scroll down the meeting list to find the link.
4. This meeting will be recorded and will be available to view by clicking the meeting video link found on the Township's website within 48 hours after the meeting unless otherwise noted.

#### 2. LAND ACKNOWLEDGEMENT STATEMENT

Mayor Ganann will read the following 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.

**3. OPENING PETITION - Councillor Joann Chechalk**

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

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

5.1 March 20, 2023 - Administration/Finance/Fire Committee - Item A19-23 Recommendation Report No. T-08-2023 Operating and Capital Budget Final Report

Councillor Reilly declared a perceived conflict of interest/pecuniary interest with respect to Item A19-23 Staff Report T-08-2023 Operating and Capital Budget Final Report, specifically with respect to the following:

1. The West Lincoln Public Library Board - his wife is a member of the West Lincoln Public Library Board; and,
2. McNally House Hospice Fundraising Request - Councillor Reilly was being considered for the appointment on their Board of Directors; and,
3. Paving of Vaughan Road from Caistor Gainsborough Townline Road to Wellandport Road - Councillor Reilly has a colleague that lives on this road.

**6. APPOINTMENTS/PRESENTATIONS**

6.1 Township Consultants - Master Community Plan

1. Aaron Farrell, Senior Associate – Water Resources - Subwatershed and Stormwater Management Project Manager, WSP Environment & Infrastructure Canada Limited

Re: Subwatershed Study and Stormwater Master Plan for Infilling and Intensification in existing Smithville

2. Edward Stubbing, Department Manager ITS Emerging Technologies, Canada, AECOM

Re: Transportation Master Plan

3. Benny Wan, Senior Technical Director Hydraulics, AECOM

Re: Water/Wastewater Master Plan

4. Karl Grueneis, Senior Environmental Planner, AECOM

Re: Integrated Master Plan Report

## 7. 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. The Mayor to inquire if the IT Help Desk Analyst was aware if there were any members of the public who were in attendance virtually on the Zoom meeting call who wished to address a specific item on tonight's Council agenda, as permitted under Section 6.7 of the Procedural By-law.

2. The Mayor to inquire if the Director of Legislative Services/Clerk had received any emails or correspondence from a member of the public prior to 4:30 p.m. today who wished to address a specific item on tonight's Council agenda, as permitted under Section 6.7 of the Procedural By-law.

## 8. OTHER BUSINESS

- 8.1 Coordinator of Engineering Services (Jennifer Bernard) and Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report No. PW-10-2023 - Transportation, Water and Wastewater, Subwatershed and Stormwater Master Plans for Endorsement, prepared as part of the Master Community Plan

Moved By Councillor Terry Bell

1. That, Recommendation Report PW-10-2023, regarding “Transportation, Water and Wastewater, Subwatershed and Stormwater Master Plans for Endorsement, prepared as part of the Master Community Plan” dated March 27, 2023 be received; and,
2. That, the Township Council endorse the Transportation Master Plan, Water and Wastewater Master Servicing Plan, Subwatershed Study and Stormwater Master Plan for Infill and Intensification Areas, prepared as part of the Master Community Plan; and,

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3. That, subject to Niagara Region Council Notice of Approval of Official Plan Amendment 62 and 63, the Township Council endorse the issuance of the MCEA Notice of Completion.

**9. REGIONAL COUNCILLOR'S REMARKS**

**10. CONFIRMATION OF MINUTES**

- 10.1 Council Minutes - Regular 132  
Re: February 27, 2023  
**NOTE: Confidential Minutes Under Separate Cover**

Moved By Councillor Shelley Bradaric

1. That, the minutes of the open session portion of the February 27, 2023 regular Council meeting be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the February 27, 2023 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.

- 10.2 Council Minutes - Special 145  
Re: March 1, 2023  
**Confidential Minutes Under Separate Cover**

Moved By Councillor Joann Chechalk

1. That, the minutes of the open session portion of the March 1, 2023 special Council meeting be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the March 1, 2023 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.

**11. COMMUNICATIONS**

There are no communications.

**12. MAYOR'S REMARKS**

**13. REPORT OF COMMITTEE**

- 13.1 Planning/Building/Environmental Committee 148  
Re: Minutes - March 6, 2023  
**NOTE: Confidential Minutes Under Separate Cover**

Moved By Councillor William Reilly

1. That, the minutes of the open session portion of the March 6, 2023 Planning/Building/ Environmental Committee meeting, be



accepted, and the recommendations contained therein, be approved;

with the exception of Item#(s)\_\_\_\_\_; and,

2. That, the confidential minutes relating to the closed session portion of the March 6, 2023 Planning/Building/Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

13.2 Administration/Finance/Fire Committee

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Re: Minutes - March 20, 2023

**NOTE: Confidential Minutes Under Separate Cover**

**NOTE: ITEM A19-23 - Recommendation Report T-08-2023 Operating and Capital Budget Final Report - Councillor Reilly Perceived Conflict Item**

Councillor William Reilly declared a conflict on this item. (Councillor Reilly declared a perceived conflict of interest/pecuniary interest with respect to Item A19-23 Staff Report T-08-2023 Operating and Capital Budget Final Report, specifically with respect to the following:

The West Lincoln Public Library Board - his wife is a member of the West Lincoln Public Library Board; and,  
McNally House Hospice Fundraising Request - Councillor Reilly was being considered for the appointment on their Board of Directors; and,  
Paving of Vaughan Road from Caistor Gainsborough Townline Road to Wellandport Road - Councillor Reilly has a colleague that lives on this road.

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Moved By Councillor Jason Trombetta

1. That, the minutes of the March 20, 2023 Administration/Finance/Fire Committee meeting, be accepted, and the recommendations contained therein, be approved; with the exception of Item #s A19-23(B) and A19-23(C) (Re: Councillor Reilly's Perceived Conflicts), \_\_\_\_\_; and,
2. That, the confidential minutes relating to the closed session portion of the March 20, 2023 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

Moved By Councillor Terry Bell

That, Item A19-23(B) and Item A19-23(C) from the March 20, 2023 Administration/Finance/Fire Committee meeting be approved

**ITEM A19-23(B):**

That, due to the perceived conflict of interest declared by Councillor Reilly that Recommendation 8 be extracted from Report No. RFD-T-08-2023 (2023 Budget) and voted separately, which reads as follows:

8. That, Council approve debenture financing of \$1,200,000 in 2023 in

order to finance Capital Project 1024 - Paving of Vaughan Road

from Caistor Gainsborough Townline Road to Wellandport Road.

**ITEM A19-23(C):**

That the following identified items/projects be extracted from the proposed 2023 Budget and voted on separately due to a declared perceived conflict interest (Councillor Reilly):

1. West Lincoln Public Library Budget
2. McNally House Hospice Financial Request

- 13.3 Public Works & Recreation Committee  
Re: Minutes - March 20, 2023

186

Moved By Councillor Mike Rehner

That, the minutes of the open session portion of the March 20, 2023 Public Works & Recreation Committee meeting, be accepted, and the recommendations contained therein, be approved;  
with the exception of Item#(s)\_\_\_\_\_.

**14. 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.

**15. 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.

**16. OTHER BUSINESS (CONTINUED)**

- 16.1 Senior Planner (Gerrit Boerema) and Manager of Planning (Dave Heyworth)  
Re: Recommendation Report No. PD-15-2023 – Application for Zoning Bylaw Amendment 8535 Twenty Road Bruinsma (File No. 1601-012-22)

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Moved By Councillor Shelley Bradaric

1. That Recommendation Report PD-15-2023, regarding  
“Application for Zoning Bylaw Amendment, 8535 Twenty Road,  
File No. 1601-012-22”, dated March 27th, 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, the application for Zoning Bylaw Amendment 1601-012-  
22, BE APPROVED, as shown in Attachment 4 and as modified  
by Staff, and that staff circulate Notice of Decision in  
accordance with the Planning Act.

16.2 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)

16.3 Members of Council  
Re: Council Remarks

**17. 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.

**18. BY-LAWS**

Moved By Councillor Joann Chechalk

1. That, leave be granted to introduce By-law #s 2023-18, 2023-19, 2023-  
20, 2023-21, 2023-22, 2023-23, 2023-24, 2023-25, 2023-26, 2023-27,  
2023-28 and 2023-29 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.

- |      |  |     |
|------|--|-----|
| 18.1 | BY-LAW 2023-18   | 251 |
|      | A By-law to confirm the proceedings of the Council of the Corporation of<br>the Township of West Lincoln at its regular meeting held on the 27th day<br>of February, 2023 and its special meeting held on the 1st day of March,<br>2023, 2023. |     |
| 18.2 | BY-LAW 2023-19   | 252 |
|      | A By-law to provide for paying remuneration and expense allowances to<br>the Members of Council (Repeals By-law 2022-49)   |     |
| 18.3 | BY-LAW 2023-20   | 254 |
|      | To appoint Atrayu (Tray) Benish and Dave Lane as Weed Inspectors for   |     |

the Township of West Lincoln (Repeals By-law 2018-110)

- |       |   |     |
|-------|---|-----|
| 18.4  | BY-LAW 2023-21<br>Being a By-law to appoint Atrayu (Tray) Benish as “Overall Responsible Operator” and Bob Denison as alternate “Overall Responsible Operators” for the Corporation of the Township of West Lincoln (Water and Wastewater) (Repeals By-law 2017-131)                | 255 |
| 18.5  | BY-LAW 2023-22<br>A By-law to amend Zoning By-law 2017-70, as amended, of the Township of West Lincoln (197 Griffin Street)   | 256 |
| 18.6  | BY-LAW 2023-23<br>A By-law to amend Zoning By-law 2017-70, as amended, of the Township of West Lincoln (9275 Concession 5 Road)   | 259 |
| 18.7  | BY-LAW 2023-24<br>A By-law to regulate the delivery of graphic images in the Township of West Lincoln.  | 262 |
| 18.8  | BY-LAW 2023-25<br>Being a By-law to amend By-law No. 2020-54, as amended, A By-law to Regulate Size, Use, Location and Maintenance of Signs in the Township of West Lincoln (i.e. Violates any Government of Canada, Provincial, Regional or Township Statue, Regulation or By-law) | 266 |
| 18.9  | BY-LAW 2023-26<br>A By-law to authorize the Mayor and Clerk to sign a Lease Agreement between Ken Brunaccioni (Dog Got It – Hot Dog Cart) and the Corporation of the Township of West Lincoln for 2023 and 2024.  | 267 |
| 18.10 | BY-LAW 2023-27<br>A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Safetek of the supply of a 2023/2024 Tanker Apparatus  | 268 |
| 18.11 | BY-LAW 2023-28<br>Being a By-law to amend 2021-84, as amended, a system of Administrative Penalties for Non-Parking Offences within the Township of West Lincoln  | 269 |
| 18.12 | BY-LAW 2023-29<br>A By-law to amend Zoning By-law 2017-70, as amended, of the Township of West Lincoln. (8535 Twenty Road).   | 272 |

**19. CONFIDENTIAL MATTERS**

There are no confidential matters.

**20. ADJOURNMENT**

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

March 27, 2023

# Smithville Subwatershed Study and Stormwater Master Plan

## Subwatershed Study Purpose

- The Subwatershed Study is the component of the planning process which investigates the existing natural environment within the area, and the impacts from future development.
- A Subwatershed Study involves several environmental specialists, and investigates that natural features, natural hazards, and movement of water within and surrounding the existing and future development areas.
- Key outcomes from a Subwatershed Study are recommendations for the protection and management of the natural environment following development, and includes planning input and criteria for:
  - Land Use Planning (Defining the Natural Heritage System)
  - Watercourse Management
  - Stormwater Management

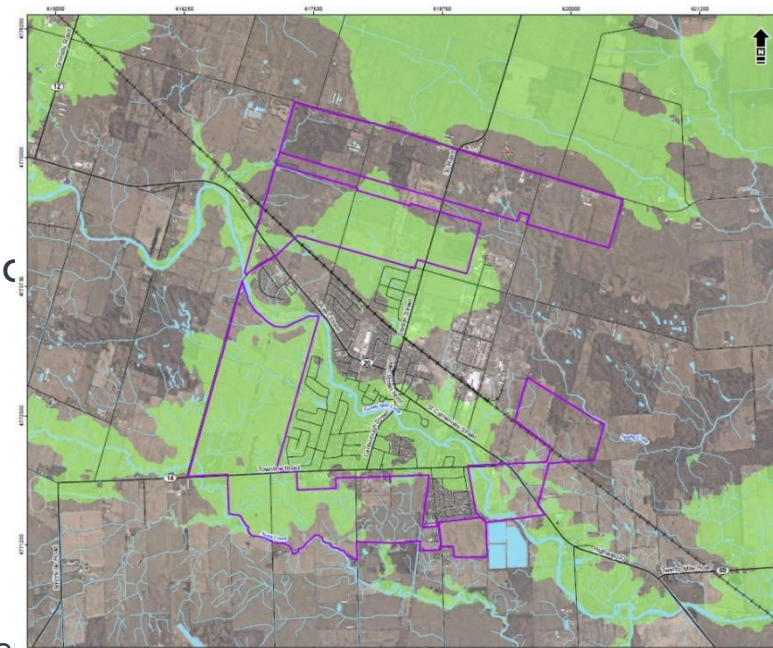
## Subwatershed Study Process

- The Subwatershed Study was completed under the following phased approach, in parallel with the overall land use and infrastructure planning process:
  - Phase 1: Subwatershed Characterization and Integration
  - Phase 2: Impact Assessment
  - Phase 3: Management, Implementation and Monitoring Plan

# Subwatershed Study Key Findings and Recommendations

## Groundwater

- Impacts to groundwater resulting from future development include reduced infiltration and groundwater recharge, interception of shallow groundwater from shallow infrastructure and leakage into storm and sanitary sewers, interception of deep groundwater from deep infrastructure and need for dewatering.
- Management alternatives include:
  - Employing Low Impact Development infiltration techniques to maintain groundwater recharge
  - Compliance with guidelines provided by the MECP for dewatering activities
  - Use of anti-seepage collars or clay plugs to manage redirection of groundwater flow along the permeable backfill of utility trenches

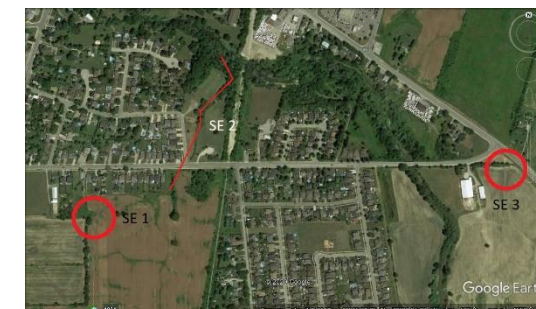
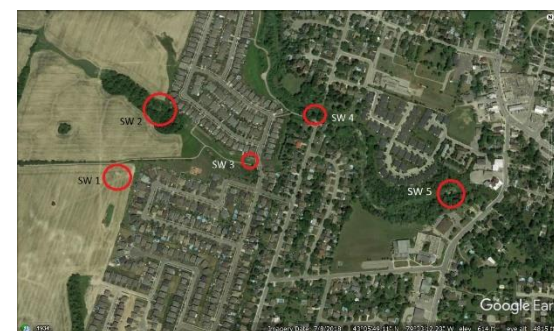




# Subwatershed Study Key Findings and Recommendations

## Karst

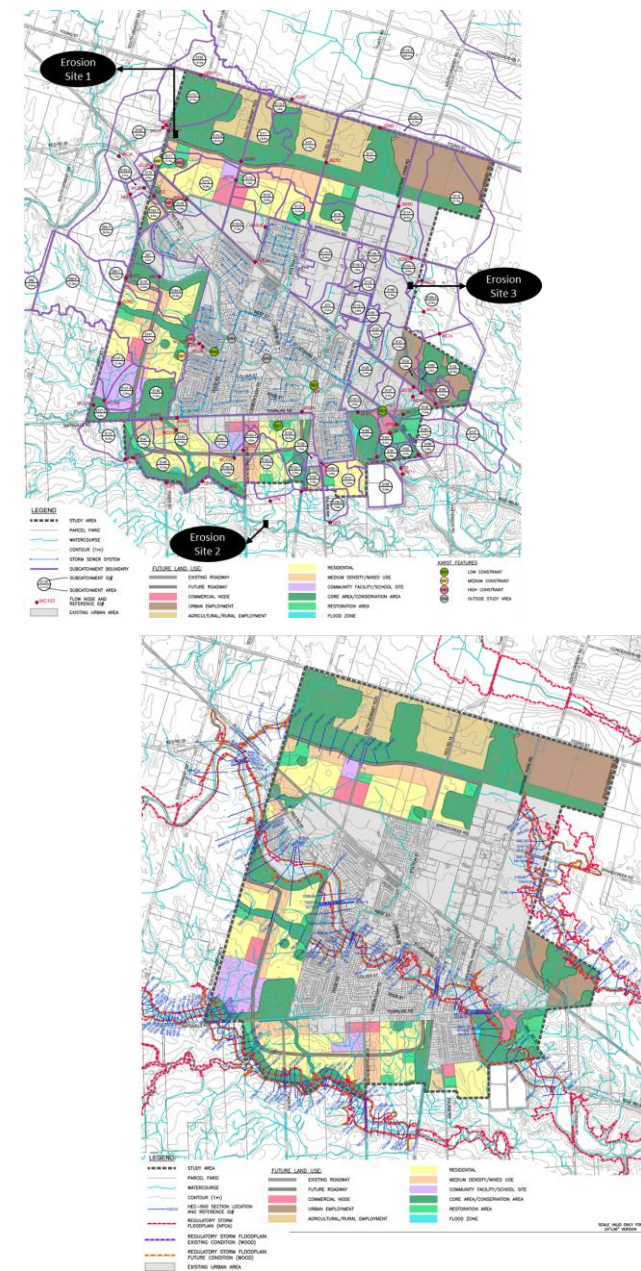
- Future development in the vicinity of some karst features may increase the runoff volume and peak flow toward the feature thus creating a flood hazard, additional hazards in the vicinity of features identified as a Karst Hazardous Site.
- Management alternatives have been recommended specific to identified karst features, which include:
  - Filling and grouting of karst feature
  - Local improvements for conveyance (i.e. replacement of culverts)
  - Buffering, particularly for designated Karst Hazardous Sites



# Subwatershed Study Key Findings and Recommendations

## Surface Water and Stormwater Management

- Future development would increase peak flows locally, increasing local and offsite flood potential, increasing erosion within receiving watercourses, and increasing pollutant loadings to receiving watercourses supporting aquatic and terrestrial habitat.
- Management alternatives include:
  - Planning and sizing stormwater management facilities to provide erosion control for watercourses and mitigate flood potential
  - Designing stormwater management facilities to provide stormwater quality control and reduce pollutant loadings to receiving watercourses
  - Incorporating Low Impact Development Best Management Practices (LID BMPs) into stormwater management plan to promote infiltration and groundwater recharge, and provide further enhancements to erosion and stormwater quality control

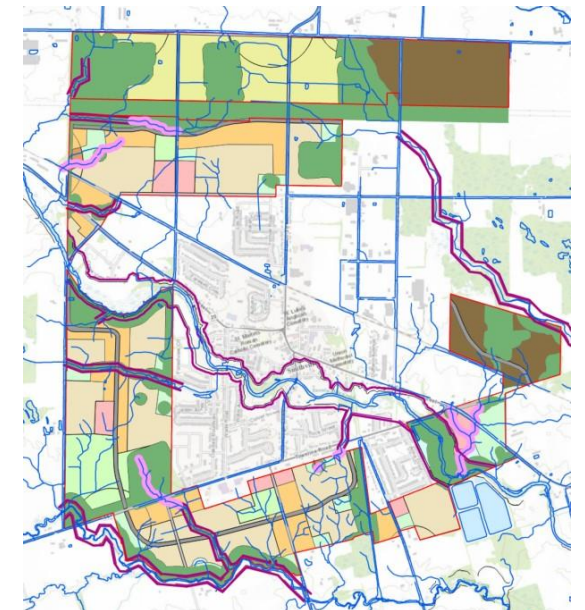
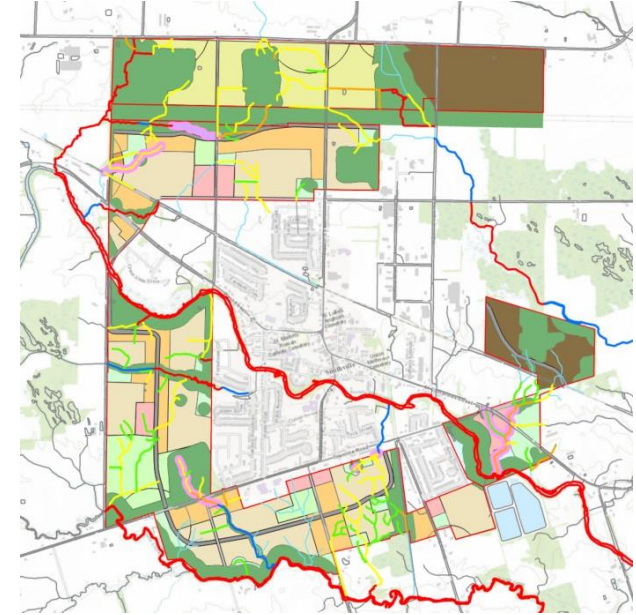




# Subwatershed Study Key Findings and Recommendations

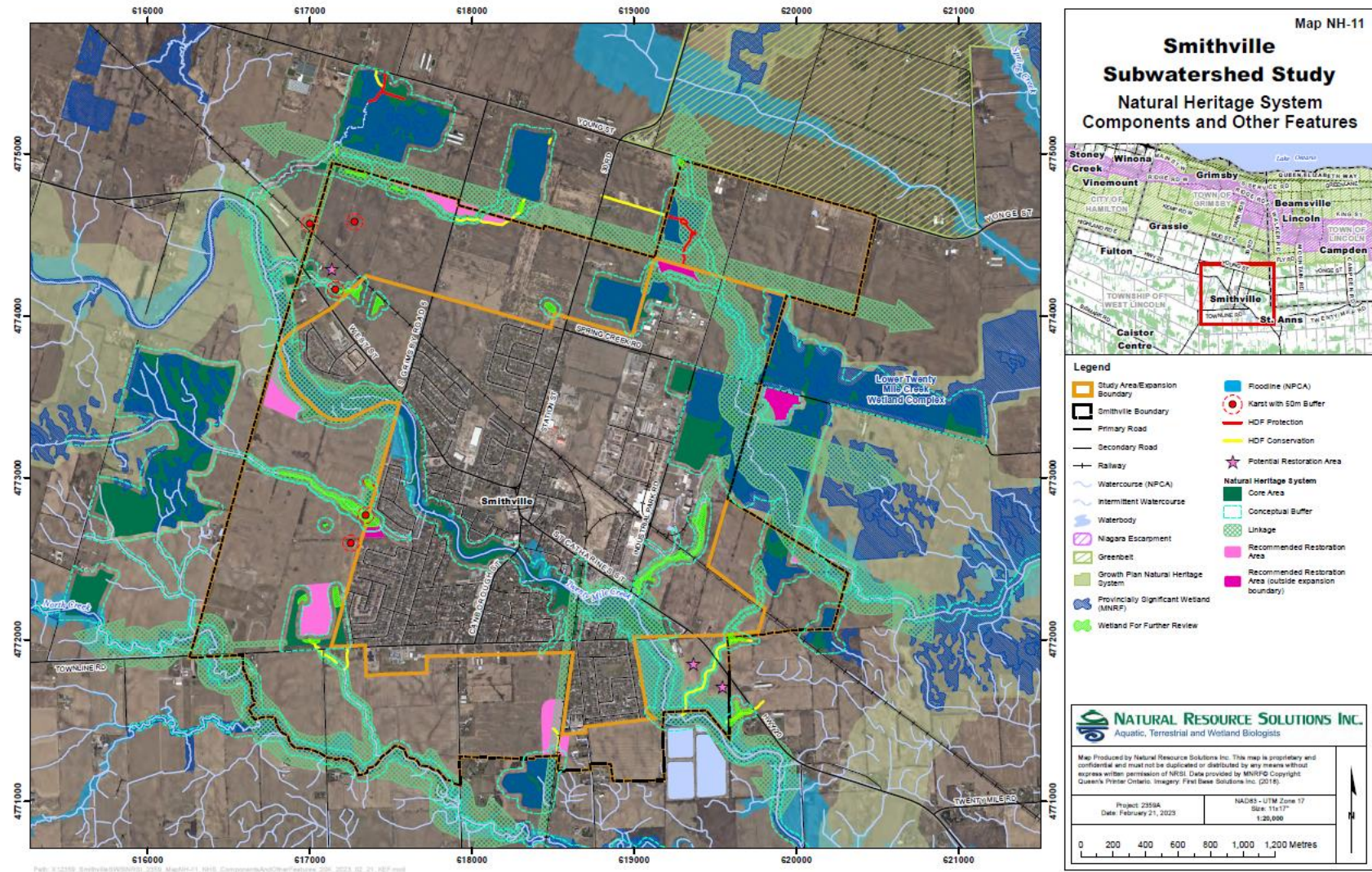
## Watercourses and Drainage Features

- Future development and watercourse crossings may reduce natural cover to watercourses, accelerate watercourse erosion, and degrade aquatic habitat
- Management alternatives have been recommended which include:
  - Reach specific recommendations for management (i.e. protect in-situ, realign with enhancements within regulated corridor, integrate into NHS, maintain specific function of feature)
  - Guidance for siting of watercourse crossings to minimize the number of crossings, and design crossings in accordance with current guidance
  - Incorporation of stormwater management recommendations for flooding and erosion control









## Subwatershed Study Key Findings and Recommendations

- The Subwatershed Study along with the Region's Niagara Official Plan informed OPA 63 and delineation of natural features.
- The Subwatershed Study and the Region's Niagara Official Plan provided the framework and basis for developing policies for OPA 63 that protect certain features (e.g. PSWs) and policy thresholds to be met (e.g. no negative impact to other features).
- Policies were also established regarding identification and establishment of buffers and linkages, and the approach to address cover targets identified in the Township's OP, all of which contribute toward the preservation and management of the Natural Heritage System.

## Subwatershed Study Key Findings and Recommendations

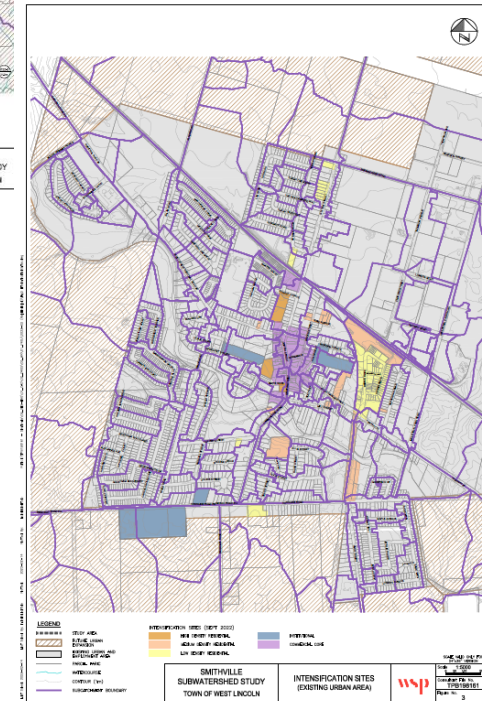
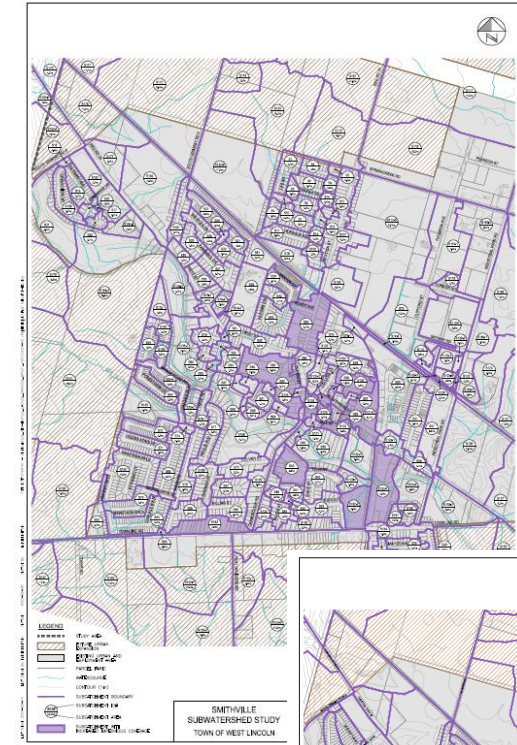
### Recommendations for Future Studies

- Guidance is provided for future studies to verify and refine as appropriate the conclusions and recommendations from the Subwatershed Study and will be implemented through the Block Plan / Master Environmental Servicing Plan process
- Recommendations are provided for future monitoring programs to verify performance of stormwater and environmental management plans, and inform adaptive management



## Stormwater Master Plan

- A Stormwater Master Plan was undertaken to establish stormwater management requirements for future infill, intensification, and redevelopment within the existing urban centre of Smithville
- The future development and increased densities within the urban centre are anticipated to have limited effect on the existing drainage system due to the extent of existing development within the urban centre and limited change in impervious coverage from future development
- Stormwater management requirements for all future infill and redevelopment are to be determined on a case-by-case basis and in consultation with the Township
- For the St. Catherine Street sewershed, opportunity exists to replace two sections of pipe to provide greater capacity and accommodate the increased flow from the future infill and intensification within this sewershed; the ultimate acceptance of this alternative is subject to approval from the Township and Region and supported by further study and analysis.







# Thank you



[wsp.com](http://wsp.com)



# West Lincoln

Your Future Naturally

**Presentation to Council**

March 27, 2023

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## AGENDA

1. TMP Overview
2. W WW MP Overview
3. Integrated EA Overview
4. Next Steps

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## AGENDA

### 1.TMP Overview

### 2.W WW MP Overview

### 3.Integrated EA Overview

### 4.Next Steps

# TMP Overview

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## AIMS AND OBJECTIVES:

The primary goals of the TMP were to:

- Determine the impacts to the existing transportation network of the proposed land use changes, and provide mitigations
- Establish Streetscape design standards
- Using the EA process develop alternatives and identify preferred options
- Promote modal shift to sustainable transportation modes
- Develop implementation phasing to support the Block Plan approach in OPA 63

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## TRAFFIC ASSESSMENT:

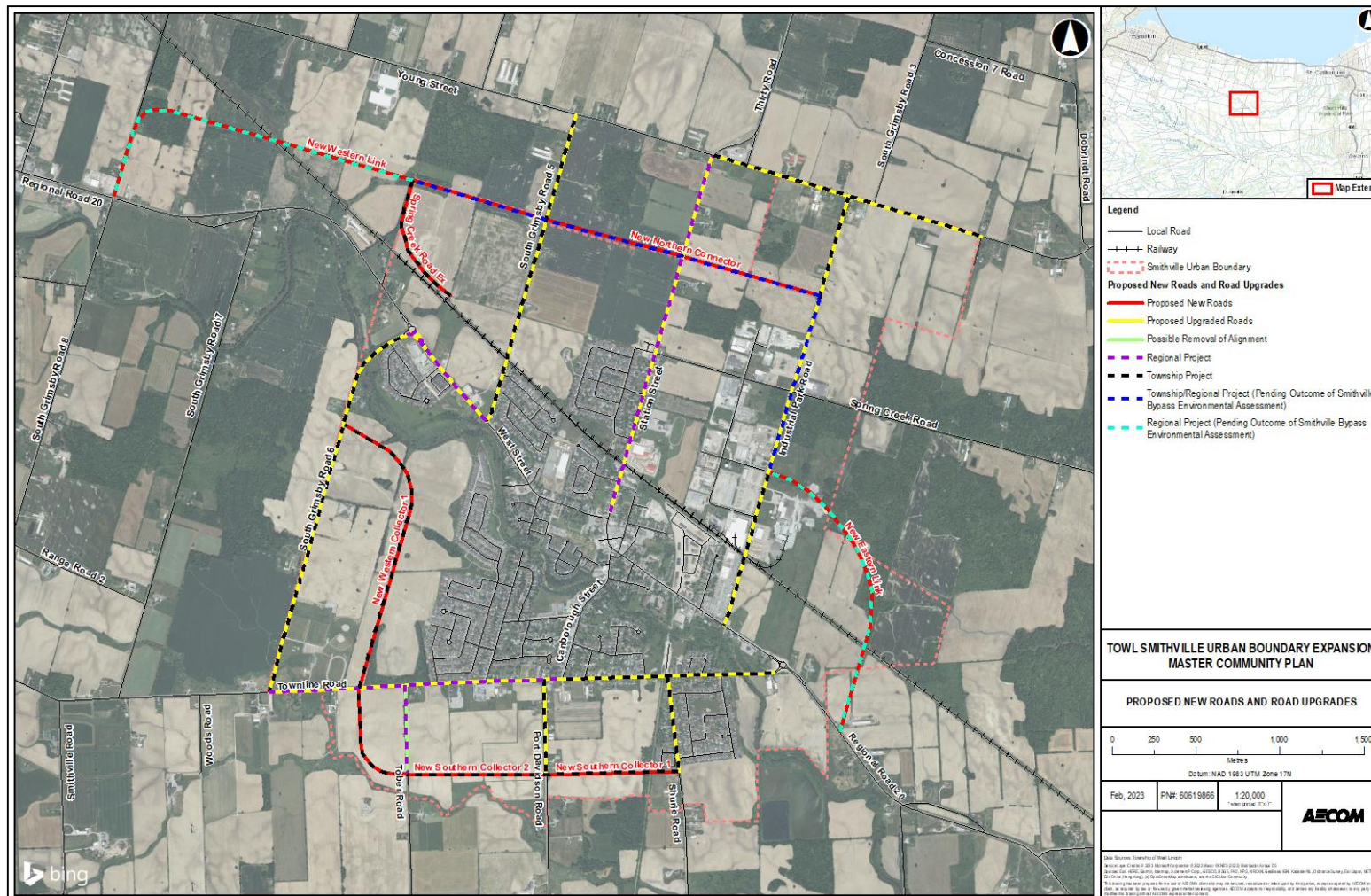
- The transportation assessment consisted of two main components:
  - A traffic analysis and forecasting exercise
  - A review of existing and future multi-modal needs

The Traffic Analysis has included the development of a traffic model that simulates existing traffic infrastructure and volumes to allow for testing of future scenarios. It has been conducted in three stages:

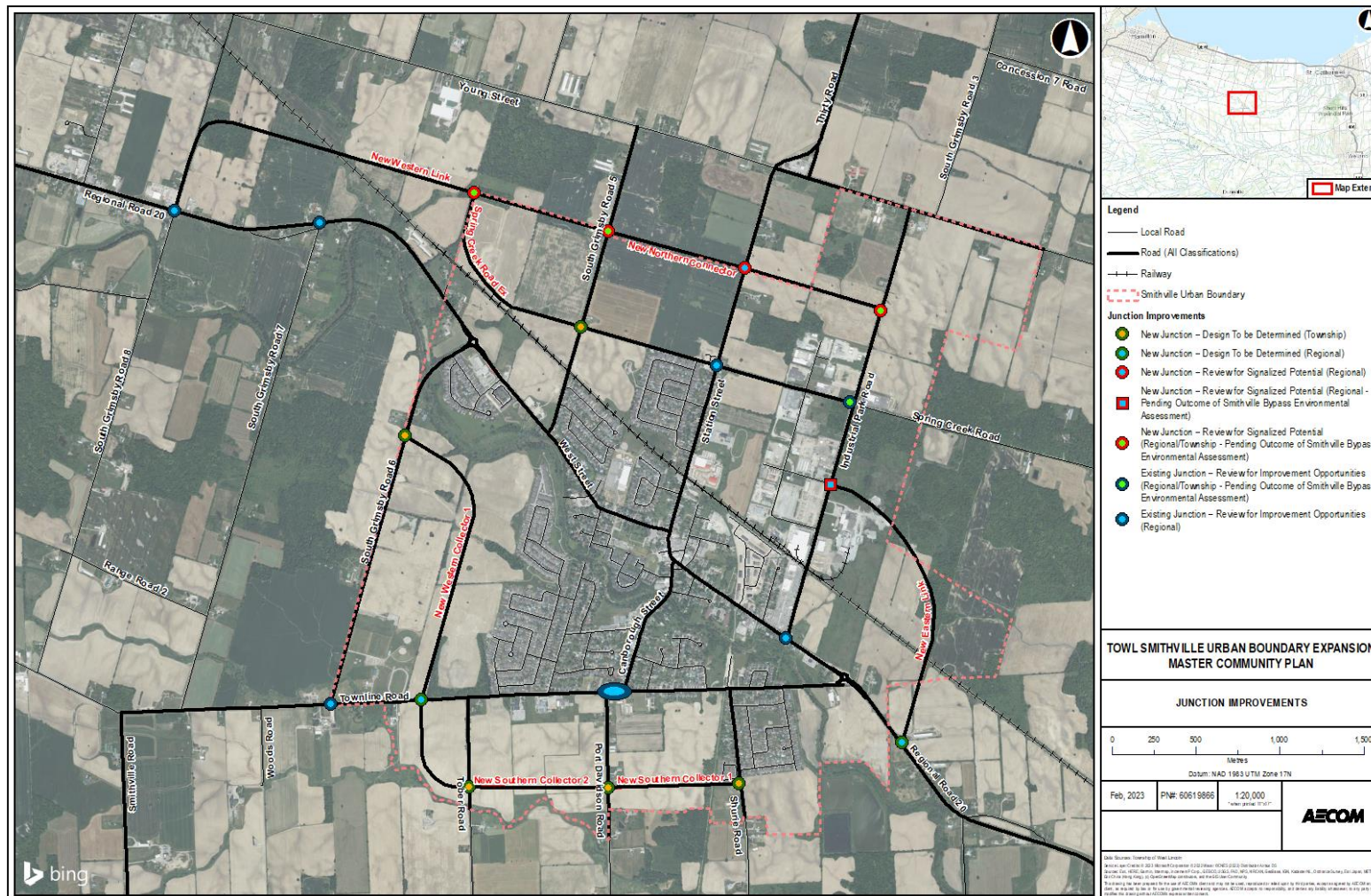
- Model Development: development of model, input of traffic volumes and trip origin and destinations
- Phase I: Future scenario testing and major infrastructure
- Phase II: Refinement of preferred concept network and scenario testing



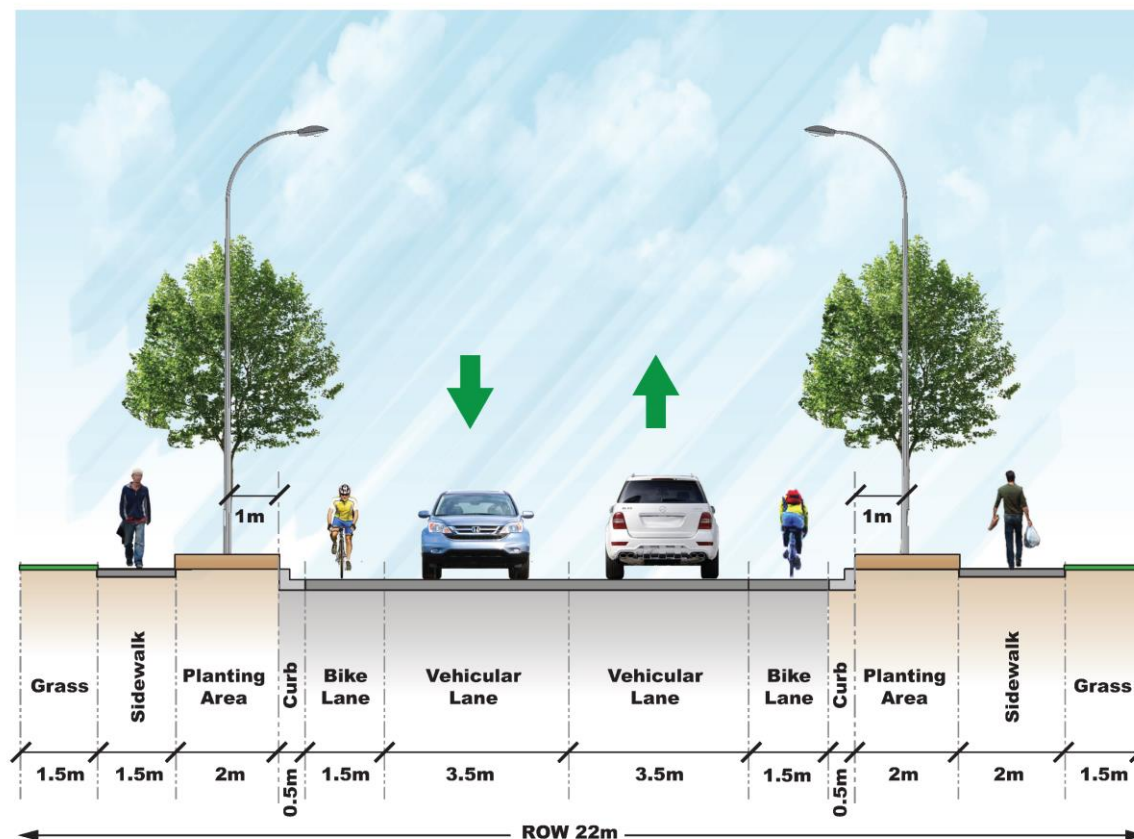








## Collector Road



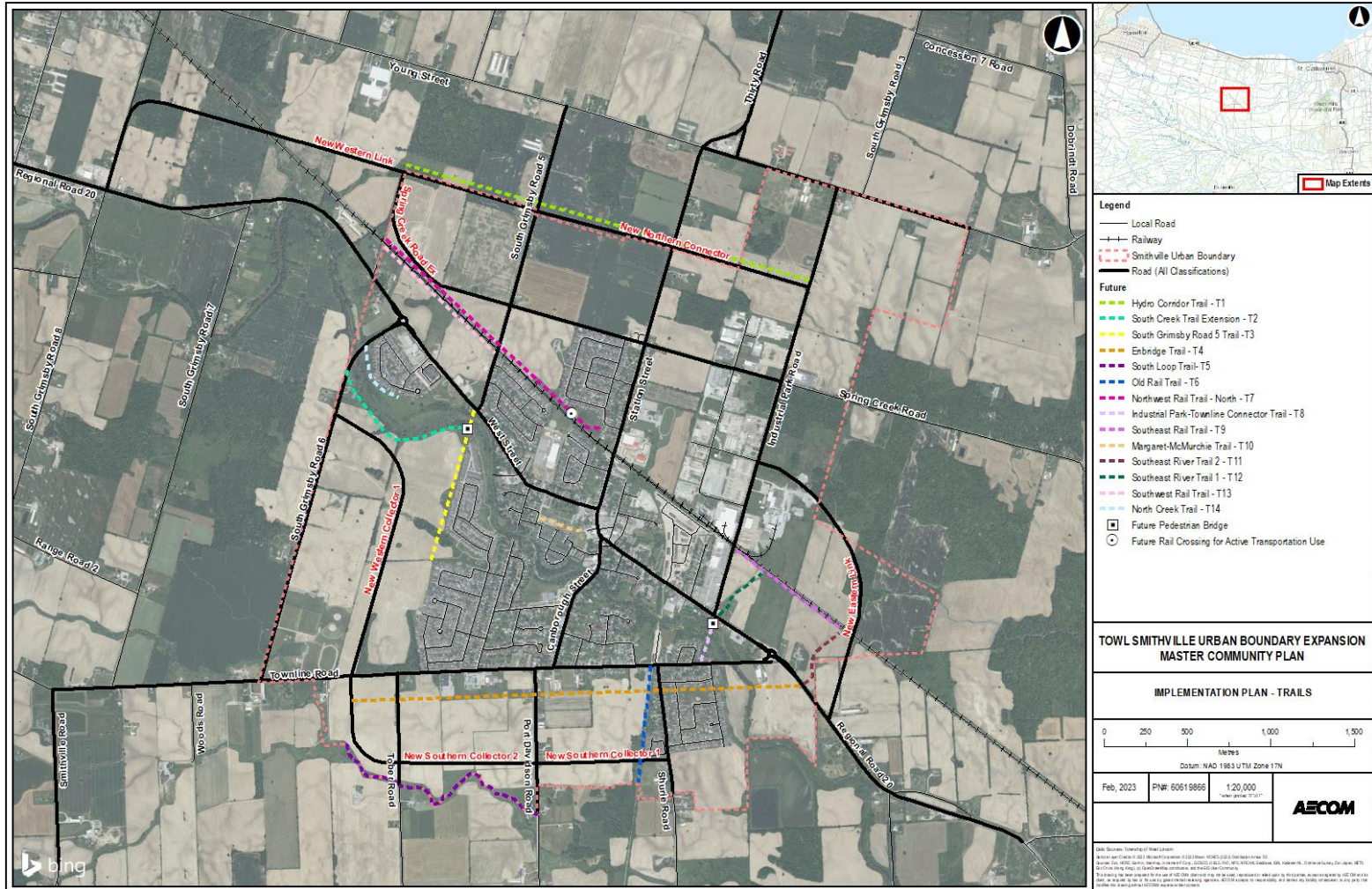
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## OTHER MEASURES:

In addition to road infrastructure, other recommendations include:

- Providing infrastructure and policies to support the uptake of active transportation modes
- Develop programs and engagement to promote Vision Zero
- Include measures to support the economic viability and place-making for the downtown core
- Provide public mobility options for residents that offer connections to other urban locations





## – PHASING AND COST ESTIMATES

### – Estimates Capital Costs for Recommendations (Niagara Region Projects)

Phasing Timeframe	Roads & On-Street Cycling Facilities	Non-Infrastructure Measures
Within the next 10 years	\$74.2M - \$87.7	\$40,000
10 – 20 years	\$14.3M	\$40,000
Greater than 20 years	\$5.4M	\$40,000
<b>Total</b>	<b>\$93.9M - \$107.4M</b>	<b>\$120,000</b>

### – Estimated Capital Costs for Recommendations (Township Projects)

Phasing Timeframe	Roads & On-Street Cycling Facilities	Trails	Non-Infrastructure Measures
Within the next 10 years	\$79.8M - \$105.3M	\$8.875M - \$11.175M	\$320,000 - \$465,000
10 – 20 years	\$45.5M - \$49M	\$8.775M - \$10.575M	\$245,000 - \$265,000
Greater than 20 years	\$27.2M - \$48.7M	\$4M - \$5.3M	\$245,000 - \$265,000
<b>Total</b>	<b>\$152.5M - \$203M</b>	<b>\$21.65M - \$27.05M</b>	<b>\$810,000 - \$995,000</b>

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## POSSIBLE FUNDING MECHANISMS

- Direct Developer costs (e.g., trails, intersection improvements)
- Developer front end or cost sharing agreements
- Niagara Region development charges
- Township development charges
- Tax Base
- Potential provincial subsidies/grants and Regional Programs

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## AGENDA

1.TMP Overview

**2.W WW MP Overview**

3.Integrated EA Overview

4.Next Steps



# W WW MP Overview

## WATER AND WASTEWATER ASSESSMENTS:

The primary goals of the assessments completed were to:

- Determine the impacts on the water and wastewater systems due to growth
- Review system upgrades to provide sustainable services
- Develop servicing options
- Identify prefer alternatives via integrated EA process
- Use of hydraulic models to replicates system conditions

## WATER AND WASTEWATER ASSESSMENTS BASIS

The assessment criteria was created using:

- Region of Niagara future infrastructures as per DC Study
- Block plan process proposed under OPA 63
- Urban boundary expansion concept
- Considered the following:
  - Transportation MP,
  - Subwatershed Study,
  - WWTP PPCP Study
  - RON Water and Wastewater MP
  - Official Plan, etc.

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## WATER AND WASTEWATER SYSTEM ASSESSMENTS:

The assessments completed involved:

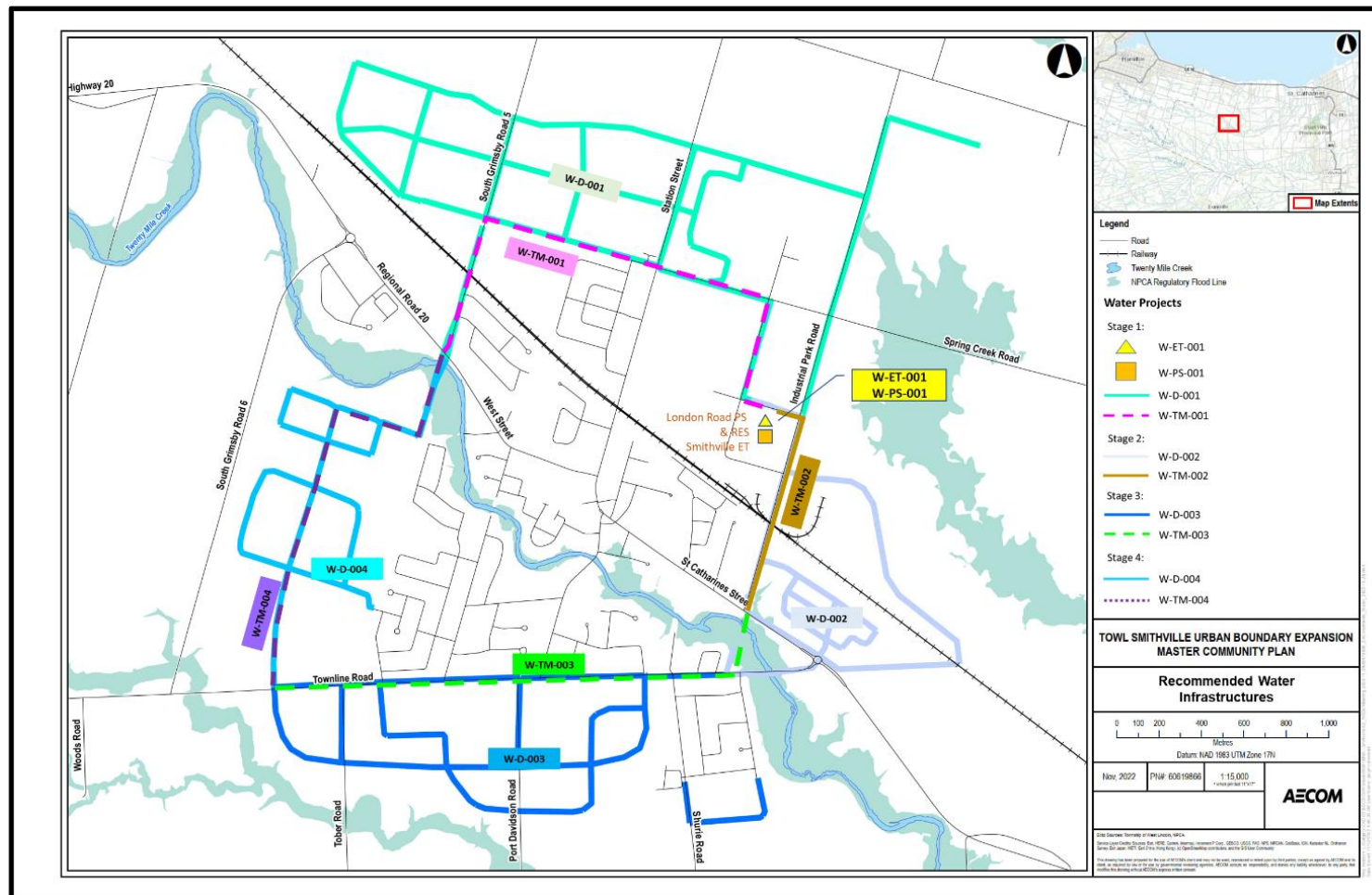
- Treatment capacity review
- Storage capacity review (Water only)
- Pumping capacity review
- Conveyance system capacity review

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## WATER SYSTEM ASSESSMENT RESULTS

- Confirmed the requirement of new storage facility as per RON DC study
- Require additional pump capacity at London Road pumping station to address fire flow requirement
- Confirmed the need of RON Ring System Concept

## WATER SYSTEM ASSESSMENT RESULTS

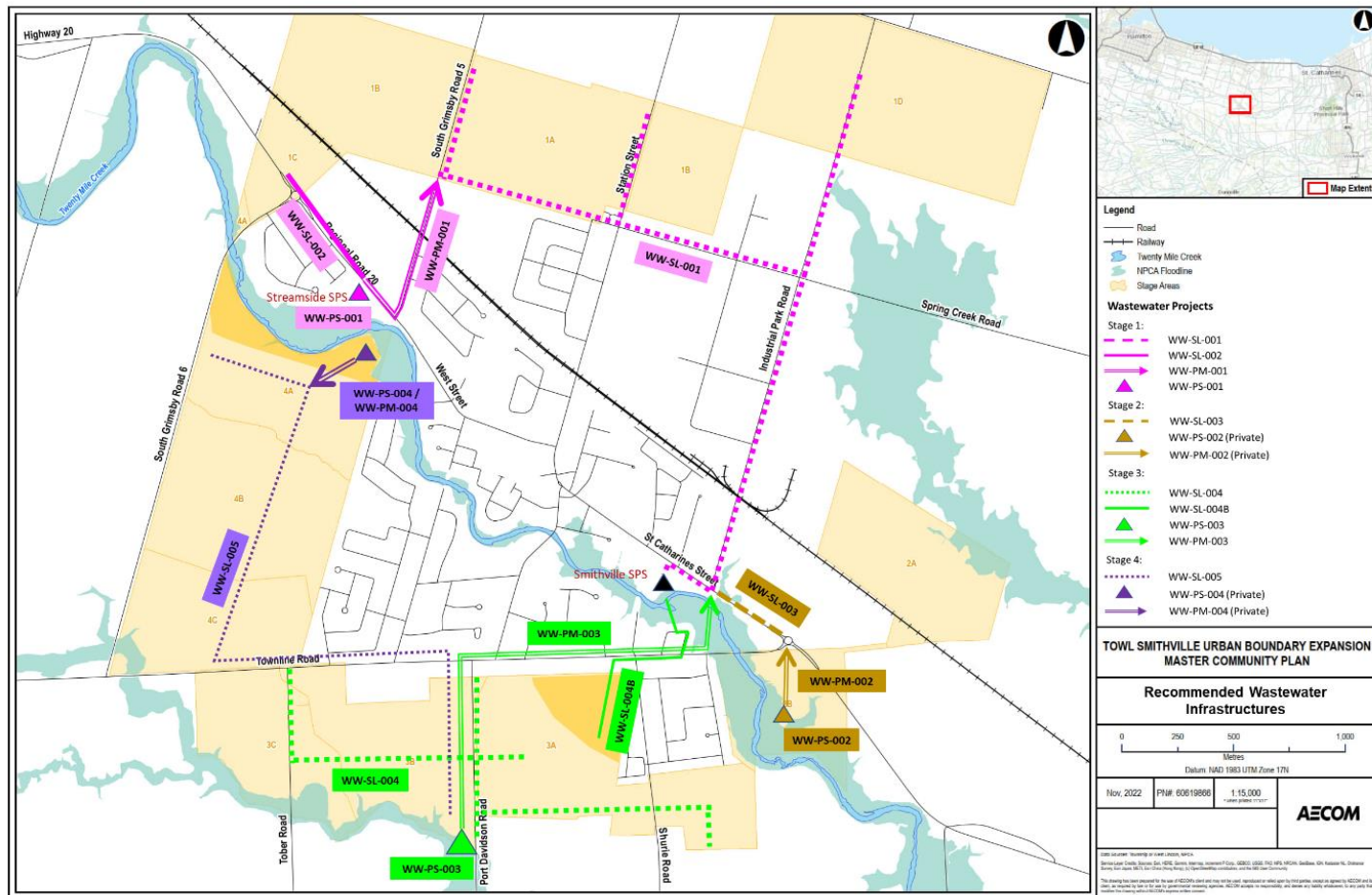


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## WASTEWATER SYSTEM ASSESSMENT RESULTS

- Confirmed the requirement of Streamside and Smithville Sewer Pumping Stations upgrades as per RON DC study
- Identified the additional pumping facility and conveyance system requirement to accommodate the urban boundary expansion growth

## WASTEWATER SYSTEM ASSESSMENT RESULTS





The Water and Wastewater Master Plan report including water and wastewater project listing was finalized, to support future development charges studies for Township and Niagara Region.

## PROJECT LISTING TABLE EXAMPLE

Capital Project ID	Stage	Descriptions	Size	Costs (2022\$)	Class EA Project Schedule	Anticipated Schedule
<b>W-D-001</b>	1	Local distribution mains for Stage 1	300mm	\$13,579,650	A	Next 10 years
<b>W-D-002</b>	2	Local distribution mains for Stage 2	300mm	\$5,308,538	A	Next 10 years
<b>W-D-003</b>	3	Local distribution mains for Stage 3	300mm	\$7,763,648	A	10 – 20 years
<b>W-D-004</b>	4	Local distribution mains for Stage 4	300mm	\$4,235,490	A	> 20 years

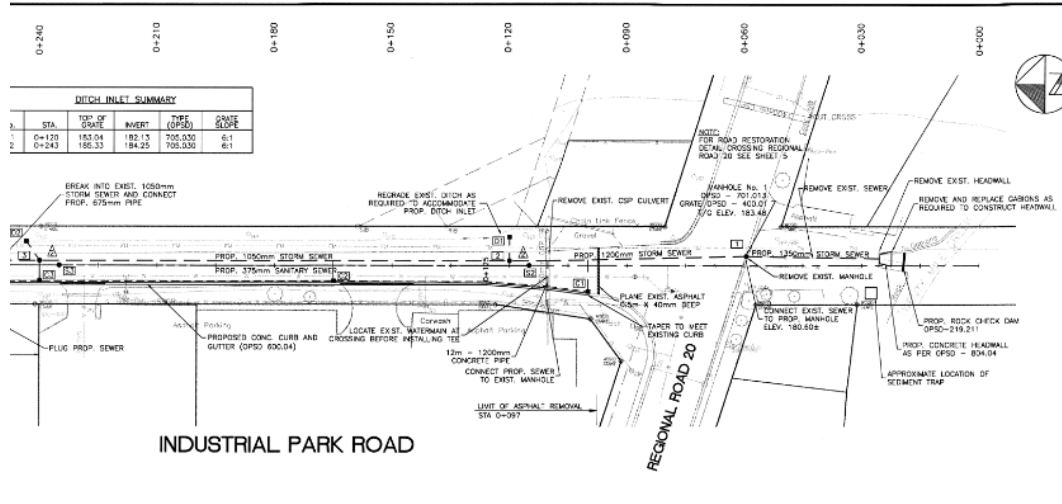
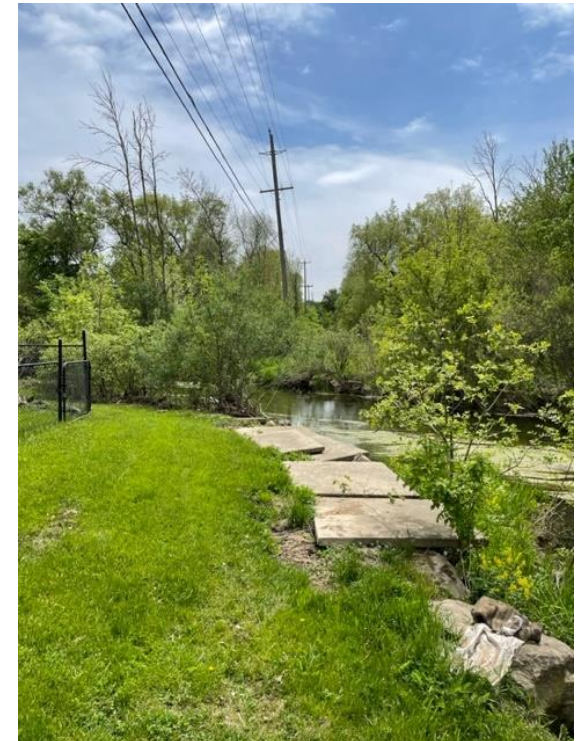
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## POSSIBLE FUNDING MECHANISMS

- Direct Developer costs (e.g., local watermain and sewer system)
- Developer front end or cost sharing agreements
- User and Connection fees
- Niagara Region development charges
- Township development charges
- Tax Base
- Potential provincial subsidies/grants and Regional Programs

## OTHER WORK

- Stage 3 and 4 Twenty Mile Creek watermain crossing existing utilities review to support future preliminary design projects and permanent and temporary easements.



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## AGENDA

1.TMP Overview

2.W WW MP Overview

**3.Integrated EA Overview**

4.Next Steps

# Integrated EA Overview

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## INTEGRATION WITH SMITHVILLE MCP AND MCEA

- Municipal infrastructure EA planning was completed in collaboration with the Smithville MCP planning process
- Followed the Municipal Class EA Integrated Planning Act process.
- Defined a list of Transportation and Water and Wastewater infrastructure projects that will be implemented as development is phased
- MCEA documentation includes Water and Wastewater pumping/linear infrastructure and SWMF location figures in context of the preferred development concept

An Integrated Planning Act / Municipal Class EA must fulfill the procedural requirements including completion of MCEA Phases 1 and 2 (Problem / Opportunity, and Alternatives Evaluation).

**Phase 1:** PIC 2 summarized infrastructure servicing problems based on the preliminary preferred Master Community Concept Plan. Constraints and opportunities were also presented and explored with the TAC through the entire planning process. The final Problem and Opportunity Statement was posted on the PlanSmithville.ca website.

**Phase 2:** Background studies documented existing conditions including the Subwatershed Study baseline and characterization, agricultural impact assessment, and archaeological / cultural heritage assessments. Alternative solutions were then identified and evaluated for each Municipal infrastructure component (ex. Transportation, Water and Wastewater, and Subwatershed / Stormwater) where applicable.



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## Transportation

- High level evaluation of Smithville North and South By-pass options (within the study area)
- Quantitative analysis of various off-road trail routes
- Confirmed recommended road cross-sections for road improvements

## Water and Wastewater

- Identified and evaluated water and wastewater servicing strategies for each stage of development.
- Sewage pumping station locations were determined based upon study area topography and within MCP park - open space blocks in conjunction with Stormwater Management Facilities

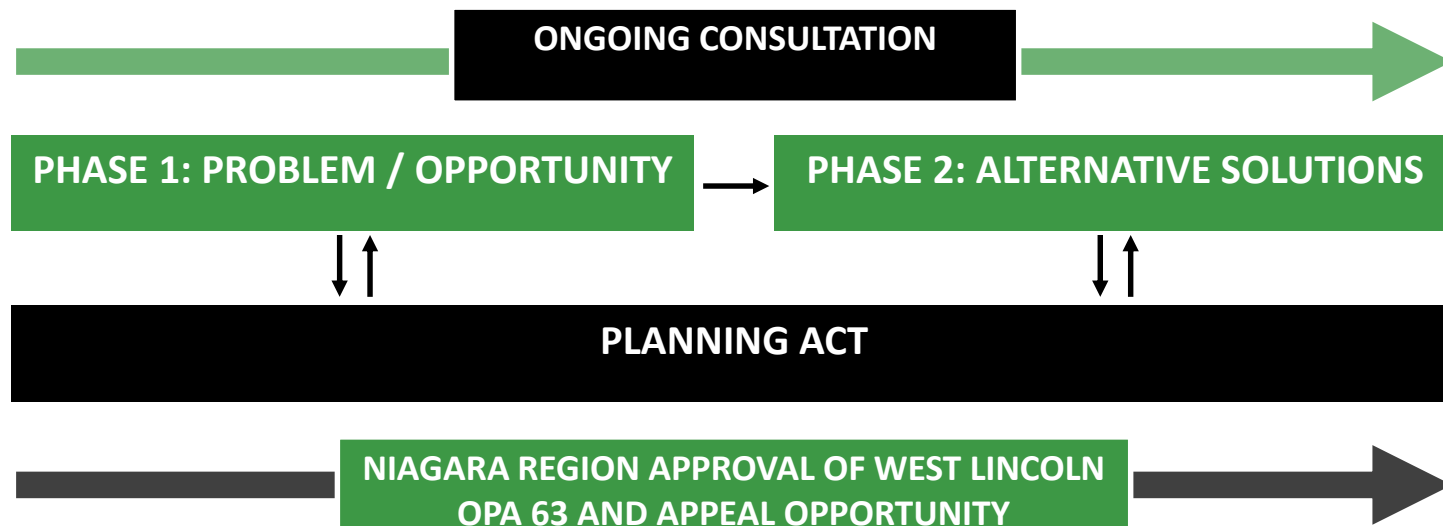
## Stormwater Management

- Identified and evaluated various approaches for managing stormwater (e.g., LID, stormwater management pond)

## INTEGRATION WITH THE PLANNING ACT

The Master Plan must address at least the first two phases (i.e., Phase 1 and Phase 2) of the Municipal Class Environmental Assessment process as shown below.

We have integrated this process with the planning act to achieve the following streamlined approach



Integrated approach reduces duplication by simultaneously complying with the Planning Act and MCEA processes including:

- Public Notifications
  - Combine notices, clear statement integrated approach is being used and opportunity to appeal under the Planning Act
  - Notifications sent to all abutting landowners within 120m of the urban boundary expansion study area
  - Mandatory point of consultation under the MCEA and Planning Act

## COMMUNICATIONS AND CONSULTATION

- **Notice of Commencement and Visioning PIC (January 30, 2020)**
  - Provided an overview of the Smithville Master Community Plan goals and process, included breakout table discussions with the public to establish a vision on how the Smithville Community should grow
- **PIC 1 (February 11, 2021)**
  - Documented the various studies including existing conditions and engagement opportunities that will be completed prior to the evaluation of alternative concepts



## COMMUNICATIONS AND CONSULTATION

- **PlanSmithville.ca** virtual engagement platform
  - Available: February 3rd, 2021
  - Designed to share information and received feedback throughout the planning process
  - **3004 users**
  - **4651 sessions** with majority of users directly accessing the site
  - **12293 page views** → 2.64 pages per user





## COMMUNICATIONS AND CONSULTATION

- **PIC 2 (October 6, 2021)**
  - Provided an overview of the Preferred Concept Plan and the results of preliminary impact assessments that were used to develop the Problem and Opportunity statement
- **PIC 3 and Presentation to Council (OPA 62) (April 27, 2022)**
  - This Public Meeting presented an updated project timeline along with the findings of the impact assessment and recommendations for managing growth including recommended transportation and water and wastewater servicing strategies
- **Presentation to Council (OPA 63) (June 27, 2022)**
  - This Public Meeting focused on policy and mapping for the development of the new urban lands

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Following the completion of the Infrastructure Master Plan Studies, an Integrated Planning Act, and MCEA Report was prepared to:

- Present a summary of how the Master Community Plan, Planning Act, and Municipal Class EA were integrated so that land use planning and Municipal servicing infrastructure decisions were made at the same time.
- Fulfills MCEA Phases 1 and 2
- Overview of the implementation plan including property requirements, impacts, and mitigation
- Streamlines the approvals and appeals process under the Environmental Assessment Act and the Planning Act

Notice of MCEA Completion coordinated with Niagara Region's Notice of OPA 63 approval (opportunity to appeal under the Planning Act)

Subject to no appeals to Niagara Region approval of West Lincoln OPA 62 and 63 or the resolution of appeals, identified MCEA Schedule B projects (e.g., sewage pumping station location) are automatically approved and can proceed to implementation when required.



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## AGENDA

1.TMP Overview

2.W WW MP Overview

3.Integrated EA Overview

**4.Next Steps**

# Next Steps



## Next Steps

1. Make Integrated Planning Act and MCEA available for public review
2. Issue MCEA Notice of Completion in conjunction with Niagara Region's approval of OPA 62 and 63
3. Subject to no appeals, or resolution of appeals, issue a final notice documenting approval and opportunity to adjust servicing through future Block Plan and MESP process including MECA addendum if required

# Discussion

**Thank you!**

**Presentation to Council**

March 27, 2023



**West Lincoln**  
Your Future Naturally

**DATE:** March 27, 2023

**REPORT NO:** PW-10-2023

**SUBJECT:** **Transportation, Water and Wastewater, Subwatershed and Stormwater Master Plans for Endorsement, prepared as part of the Master Community Plan**

**CONTACT:** Jennifer Bernard, C.E.T., Coordinator of Engineering Services  
Mike DiPaola, P.Eng., Director of Public Works and Recreation

**OVERVIEW:**

- Work on the Township's Master Community Plan commenced in October 2019 to provide a framework for Smithville to grow over the next 30 years.
- As part of the Master Community Plan, a Transportation Master Plan, Water and Wastewater Master Servicing Plan, Subwatershed Study and Stormwater Master Plan for Infill and Intensification Areas were developed.
- The Integrated Municipal Class Environmental Assessment (MCEA) Report and the issuance of the MCEA Notice of Completion will occur subject to Niagara Region Council Notice of Approval of OPA 62 and OPA 63.

**RECOMMENDATION:**

1. That, Recommendation Report PW-10-2023, regarding "Transportation, Water and Wastewater, Subwatershed and Stormwater Master Plans for Endorsement, prepared as part of the Master Community Plan" dated March 27, 2023 be received; and,
2. That, the Township Council endorse the Transportation Master Plan, Water and Wastewater Master Servicing Plan, Subwatershed Study and Stormwater Master Plan for Infill and Intensification Areas, prepared as part of the Master Community Plan; and,
3. That, subject to Niagara Region Council Notice of Approval of Official Plan Amendment 62 and 63, the Township Council endorse the issuance of the MCEA Notice of Completion.

**ALIGNMENT TO STRATEGIC PLAN:**

**Theme #3**

**Strategic, Responsible Growth** - West Lincoln will grow strategically and responsibly – welcoming new residents and businesses and respecting the heritage and rural character that people value.

**BACKGROUND:**

The Township of West Lincoln's Master Community Plan (MCP) commenced in October 2019, this plan was initiated to provide a framework for Smithville to grow over the next 30 years. To accommodate the projected growth, lands were added to the urban boundary of Smithville and supporting policies and schedules were established through Official Plan Amendment 62 (OPA 62) and Official Plan Amendment 63 (OPA 63).

The Master Community Plan is being completed through an Integrated Environmental Assessment as set out in the Municipal Engineers Association Municipal Class Environmental Assessment (MCEA) document (as recently amended in 2015). The Master Community Plan process and related Transportation Master Plan, Water and Wastewater Master Servicing Plan, Subwatershed Study and Stormwater Master Plan for Infill and Intensification Areas studies are designed to form a comprehensive and coordinated planning process that will meet the required approvals necessary under the *Planning Act* and the *Environmental Assessment Act*.

The Smithville Master Community Plan is following the approach of integration with the Planning Act. This approach recognizes the benefits of integrating the Municipal Class EA process with approvals under the Planning Act, especially with larger projects such as Secondary Plans. This means that the requirements of the Environmental Assessment Act (primarily through the MCEA process) and the Planning Act, including public notice requirements, are met as one integrated and co-ordinated process and with streamlined approvals and appeals. This approach is desirable for long term planning where interdependent decisions which impact servicing and land use are being made and the range of servicing alternatives needs to be addressed in an integrated fashion so as to recommend the best overall municipal infrastructure servicing solutions for the Community to be implemented over the 30 year planning horizon (to 2051). This information is presented in the Integrated MCEA Report.

If there are no appeals to the Regional Municipality of Niagara OPA 62 and OPA 63 (anticipated to be considered by Niagara Region Council in April 2023), the proponent (Township or Region) may proceed to implementation (design and construction) once approvals are received under the Planning Act. The Integrated MCEA Report and the issuance of the MCEA Notice of Completion concludes Phase 2 of the MCEA process. The 30 day MCEA comment period commences when Niagara Region issues its Notice of Approval of OPA 62 and 63 which includes the public 20-day opportunity to appeal period as set out under the Planning Act.

**CURRENT SITUATION:**

Staff are recommending that Council endorse the following Master Plans:

Transportation Master Plan

AECOM Canada Ltd. completed a traffic assessment of Smithville's existing transportation network. The assessment considered how Smithville's transportation network is currently performing and how it will be impacted by the projected growth. The master plan identifies upgrades required to existing corridors and intersections and the development of new

transportation connections as well as CPR grade separations, where required. It also identifies opportunities for new trail connections for pedestrians and cyclists. The proposed timing of these transportation projects was determined considering many factors including: The Niagara Region's Transportation Master Plan, the Niagara Region's Water and Wastewater Master Servicing Plan and the Township's Water and Wastewater Master Plan which informed the Development Staging Plan presented in OPA 62 and OPA 63.

The Transportation Master Plan executive summary, which includes the recommended transportation project list and maps, is provided in Appendix A.

#### Water and Wastewater Master Servicing Plan

AECOM Canada Ltd. completed modelling of the existing water and wastewater networks. The modelling determined how the current systems are operating and the approach required to provide water and wastewater servicing to support the existing population and provide future capacity for planned growth. The proposed timing of new infrastructure projects was determined considering many factors including: The Niagara Region's Water and Wastewater Master Servicing Plan, the Niagara Region's Transportation Master Plan and the Township's Transportation Master Plan which informed the Development Staging Plan presented in OPA 62 and OPA 63.

The Water and Wastewater Master Servicing Plan executive summary, which includes the recommended water and wastewater infrastructure project list and maps, is provided in Appendix B.

#### Subwatershed Study and Stormwater Master Plan for Infill and Intensification Areas

Wood Environmental & Infrastructure Solutions and WSP completed the Subwatershed Study and the Stormwater Master Plan for Infill and Intensification Areas.

The Subwatershed Study was completed in three phases to: characterize the subwatershed; evaluate the impacts of planned urbanization on the natural environment; and provide recommendations for water management including an implementation and monitoring plan.

The Stormwater Master Plan for Infill and Intensification Areas was developed to identify local constraints within the existing receiving infrastructure that may impact the lands identified for infill and intensification in Smithville.

The executive summaries for the Subwatershed Study and Stormwater Master Plan for Infill and Intensification Areas are provided in Appendices C and D.

#### Integrated MCEA Report

The Integrated MCEA Report and issuance of the MCEA Notice of Completion can occur once Niagara Region Council adopts OPA 62 and OPA 63. The Integrated MCEA Report executive summary is provided in Appendix E.



### Revisions to Development Staging

Application of the Master Plans will ensure Smithville develops at a sustainable rate with the supporting infrastructure necessary to accommodate the projected growth.

It is important to note that Official Plan Amendment 63 (OPA 63), policy 6.11.7.6.3 h) provides that “The Township may, at its sole discretion, revise the Development Staging Plan without an amendment to this Plan where circumstances warrant, such as, but not limited to, unreasonable delay by landowner(s), in order to facilitate the planned progression of growth and development in a manner that supports the implementation of the MCP”. This policy allows flexibility for the Township to maintain the momentum needed for development to continue and meet the needs for the future population of Smithville.

It is important for development and its supportive infrastructure to proceed in a logical, coordinated and cost efficient manner. Town staff have initiated the preparation of a Block Plan (BP) and Master Environmental Servicing Plan (MESP) Terms of Reference (T of R) to guide development in the Block Plans as outlined in OPA 63. The BP & MESP T of R is expected to come to Public Works Committee for endorsement in May.

### **FINANCIAL IMPLICATIONS:**

Each of the Master Plans identify Township and Regional infrastructure projects required for the future development of Smithville. The Appendices attached to this report estimate the following Township infrastructure needs within the next ten years: Transportation Infrastructure – between \$89 million to \$117 million and Water and Wastewater infrastructure of approximately \$40 million. The Township infrastructure projects outlined in the Appendices will be assessed for inclusion in the next Township Development Charges Background Study. There are substantial infrastructure investments required to develop the urban expansion areas, some of which are Regional costs, Township costs and in large part costs to be paid for by the developer.

In 2023, the Township will also be undertaking a Parks and Recreation Master Plan as well as a Trails and Corridor Master Plan. These Master Plans are included in the 2023 Budget. These studies will also inform the Official Plan update. Once the Parks & Recreation Master Plan and the Trails & Corridor Master Plans are finalized, a Development Charges Background Study will be initiated. This Study will provide further data as to the costs that will be borne by the Township and the portion that will be eligible for development charge funding. The results will also be incorporated into the Township’s Ten Year Capital Budget. The completion of these infrastructure projects will also likely require front ending agreements and costs sharing agreements between Developers and the Township.

### **INTER-DEPARTMENTAL COMMENTS:**

This report has been reviewed by the Planning, Finance, and Clerk’s Departments, as well as the CAO.

**CONCLUSION:**

In summary, Staff recommends that Council endorse the Master Plans and the issuance of the Integrated MCEA Notice of Completion after OPA 62 and OPA 63 have been adopted by Niagara Region Council.

**ATTACHMENTS:**

- Appendix A – Transportation Master Plan Executive Summary
- Appendix B – Water and Wastewater Servicing Master Plan Executive Summary
- Appendix C – Subwatershed Study Executive Summary
- Appendix D – Stormwater Master Plan for Infill and Intensification Areas Executive Summary
- Appendix E – Integrated MCEA Report Executive Summary

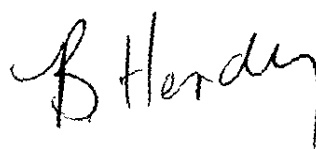
**Prepared & Submitted by:**



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**Jennifer Bernard C.E.T.,  
Coordinator of Engineering Services**

**Approved by:**



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**Beverly Hendry,  
CAO**



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**Mike DiPaola, P.Eng.,  
Director of Public Works & Recreation**

# Smithville Transportation Master Plan

Township of West Lincoln

ProjectReference: Smithville Master Community Plan  
Project number: 60619866

March 10 2023

# Executive Summary

## Master Community Planning Integration

The Master Community Plan is a 30-year plan for accommodating growth in Smithville to 2051 through both intensification and greenfield development to achieve a complete community. To achieve the level of growth planned in a well designed, balanced and inclusive manner, while ensuring minimal disruption to the existing community it is necessary to develop an orderly and aligned staging program for the provision of the necessary infrastructure, transportation improvements and community facilities. The development rational and identification of infrastructure to support the development of Smithville are detailed in a series of supporting Master Plans.

Policy 6.11.7.6.3 h) of Official Plan Amendment 63 (OPA 63) provides that “The Township may, at its sole discretion, revise the Development Staging Plan without an amendment to this Plan where circumstances warrant, such as, but not limited to, unreasonable delay by landowner(s), in order to facilitate the planned progression of growth and development in a manner that supports the implementation of the MCP.” The policies provide for an appropriate level of flexibility and provide a solid framework for implementation through more detailed Block Plans, Master Environmental Servicing Plans and Environmental Assessments, while acknowledging that future updates and changes may be needed over the 30-year time period of the plan.

Although the various Master Plan documents set out anticipated timescales and staging program for the design and implementation of various infrastructure requirements within Smithville. The flexibility provisions of OPA 63 have been specifically designed to reflect the need to accommodate changes and adjustment that can occur over the 30-year planning horizon of the Master Community Plan. OPA 63 recommendations were presented to the public, Council, and the landowners on multiple occasions including: the Public Meeting, Council adoption of OPA 63, and Technical Advisory Committee meetings as late as December 16, 2022. As part of the Township’s Official Plan, additional flexibility is provided through periodic review and updating of the plan and policies over the 30-year planning horizon of the plan.

The transportation recommendations for the Smithville Area have been developed based on several key elements and considerations:

- The infrastructure recommendations of the Transportation Master Plan have been developed based on the proposed Block Plan approach developed and adopted in OPA 63.

- The Township of West Lincoln and the Niagara Region represent the two municipal tiers of highway responsibility that own and manage assets within the study area. As such both municipalities have been involved and consulted throughout the development of the Transportation Master Plan.
- In developing the staging of the proposed transportation network, the recommendations were collaboratively assessed and integrated with other planned municipal and regional infrastructure as part of the Master Community Plan and Master Plan development process.
- In developing the proposed road network, consideration of the Township and Regional existing, planned, and programmed infrastructure improvements and policies were also considered.

The recommendations have been staged in a manner as to support the planned timelines envisioned for the block plan process detailed in OPA 63. As such there are three main phases for the transportation program:

**Within the next 10 years:**

- Primarily located in the northwestern area of Smithville, upgrades to both Spring Creek Road and Regional Road 14 will be required to support development during this period.
- Development in the North and East of Smithville will be supported by improvements to Industrial Park Road and Young Street.
- In addition to these local improvements, a Regional examination of the alignment of the Smithville Bypass will have been conducted and the new northern connector will be constructed either as a municipal road or a Regional bypass.

**10 to 20 years:**

- During this time development to the South and southeast of the existing Smithville Urban Area will be occurring. To support the development the upgrading of Townline Road will need to occur in advance of development.
- Additionally to support the development of these blocks, upgrades to a series of connecting and local roads will be needed, including the improvement of the junction of Townline/Canborough/Port Davidson, and the realignment of Tober Road.

**Greater than 20 years:**

- To support the development of the western area of the urban boundary expansion, improvements to South Grimsby Road 6, and a new supporting western link will be required.
- As the volume of westbound traffic also increases, improvements to intersections along Regional Road 20 will also be required to support the increased demand.

## **Transportation Master Plan Summary**

The town of Smithville located in the Township of West Lincoln, in the Niagara Region is currently planning for future development and growth out to 2051 and beyond as part of the Master Community Plan process. A key feature of the planned growth will be the development of a transportation system that supports the uses and needs of existing behaviours while supplying the future capacity and options to support the growth of the area. The development of a Transportation Master Plan is a key document in supporting the growth of the Smithville area and represents one of the Regional Master Plans being developed to support the Master Community Plan process. The Transportation Master Plan provides an understanding of the existing transportation infrastructure and patterns, the potential demand of proposed development and the infrastructure and programs recommended to mitigate the impact and support the new requirements of the town.

Smithville is located on a key east west corridor in the Niagara peninsula (Regional Road 20), while also being home to about six thousand people and a number of industries and businesses. Trip mode choice is currently dominated by private vehicle, although a small proportion of trips mostly within town are made by bicycle or walking. The town has not previously had a Transportation Master Plan to provide oversight to the transportation network, travel patterns and future growth, although as a lower tier municipality major transportation infrastructure has previously been identified in the various iterations of the Niagara Region transportation master plan. In addition to the regional transportation master plan, provincial and township policies and guidance have been utilised to develop a vision and a series objectives that the Transportation Master Plan should aim to follow:

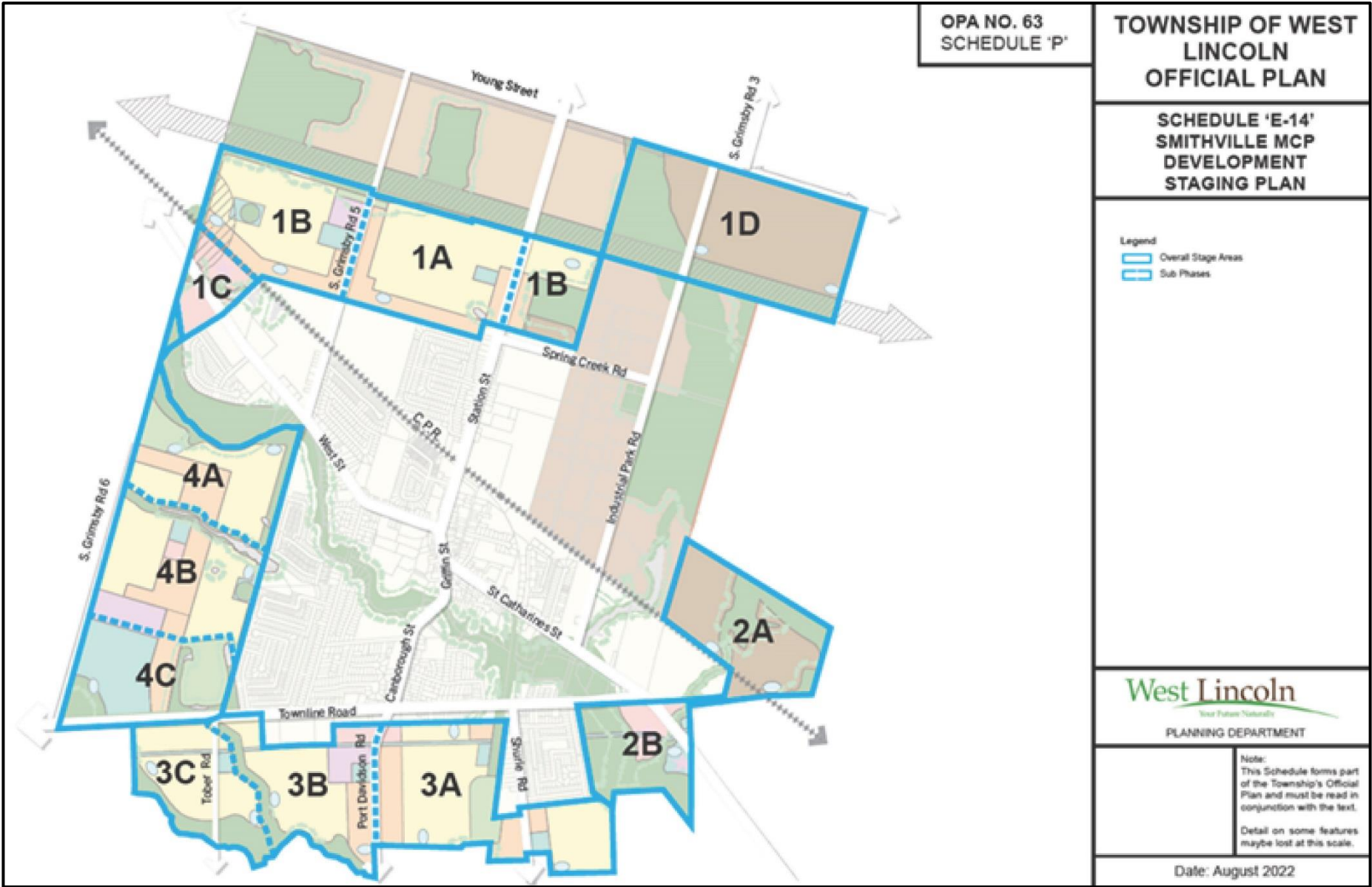
- **Create a complete transportation network**
- **Incorporate both local and regional economic growth**
- **Sustainably grow the community**
- **Provide convenient mode choices**
- **Improve health and safety**

Smithville currently has a transportation network that is developed around two regional roads, Regional Road 20 running east/west and Thirty Road which provides a connection to the Queen Elizabeth Way to the north. In addition to these roads the Canadian Pacific rail line also runs through the town in an east/west alignment, which currently includes three at grade crossings. The town has additional secondary arterial roads providing connections around town including Townline Road and Canborough Street. In addition to the road network there are a series of off street trails that provide cycling and pedestrian connections to some of the existing facilities across the town, although there are a number of gaps in this network. Current trip patterns show a significant number of journeys involve private vehicles heading west to and from Hamilton, and secondly heading north to Grimsby and the Queen Elizabeth Way.

The urban boundary expansion and associated development will bring an additional 540 hectares within the town limits, effectively doubling the size of the town, and leading to a forecast population of about 29,000 by 2051. This level of growth requires an assessment of the existing road network to understand what the possible impacts of the new development are, this exercise was conducted using a traffic model which replicates existing traffic conditions on the towns road network and then forecasts the growth in trips across the network as a result of the new development. This assessment forms the primary method for assessing possible mitigation measures which can include upgrades to existing corridors as well as the development of new connections. In assessing the existing road network it was identified that almost all roads operate at less than 50% of available capacity and that congestion was a rare occurrence usually created by non-reoccurring events. The proposed development planned out to 2051 and presented in **Figure ES-1** when modelled indicate that the existing road network was insufficient to provide a similar level of service to existing conditions. Forecasts for 2051 suggested that the performance of several intersections would fall below acceptable standards, creating significant delays. It also highlighted that several constraints existed including north/south crossing of the CP rail corridor, movements west towards Hamilton become congestion as existing roads are over capacity, and areas around the downtown also become constrained as additional local traffic is impacted by increases in regional traffic.



Figure ES-1: Preferred Concept for Urban Boundary Expansion Area



In support of the modelling exercise a series of public and stakeholder engagement exercises were conducted to gain feedback and understand some of the challenges and opportunities facing Smithville. The information gathered from these exercises was reviewed and a series of mitigation measures that aligned with the stated objectives were developed and tested. In assessing the impacts of the proposed development across the town, it was determined that there were several key measures that were required to mitigate the impacts of the new development on the transportation system.

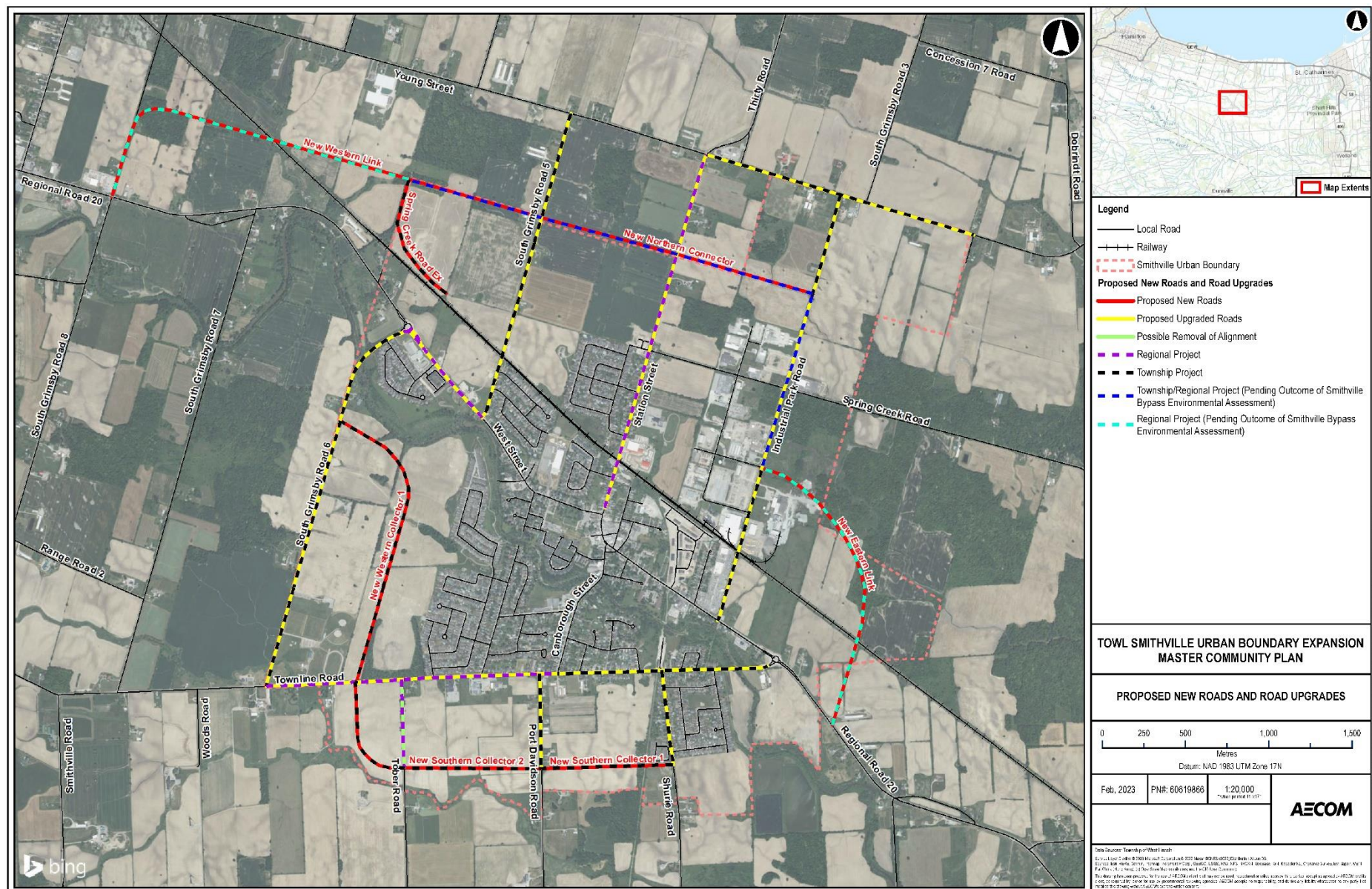
- The assessment indicated that a new bypass of Smithville is required to address the growth of both internal and regional movements that conflict with each other and create congestion within the town.
- A significant amount of development is planned on either side of Townline Road which results in the level of traffic on this corridor becoming greater than the available capacity. To address this the widening of Townline Road to a three lane profile is required.
- The support of alternative modes of transportation will be a key part of reducing the impact of the new development on the road network. To support this a series of streetscape standards have been developed that provide dedicated space for alternative modes.

In addition to these mitigation measures, a series of other measures have been planned including signalization of certain intersections, development of new river crossings for active transportation modes and recommendations regarding a number of road safety and other educational programs. These measures packaged together will provide the required infrastructure and programs to minimize the impact of the new development on the existing transportation network in Smithville.

The Transportation Master Plan has developed a program to support the phased implementation of the various transportation infrastructure programs which is tied to the block plan process proposed under official plan amendment 63 (OPA 63). In developing the options and measures for implementation, the Transportation Master Plan has addressed the phase 1 and 2 requirements of the Municipal Class Environmental Assessment process, and has also identified high-level cost estimates for each of the proposed measures. **Figure ES-2, Figure ES-3 and Figure ES-4** highlight the implementation plans created to address these requirements.

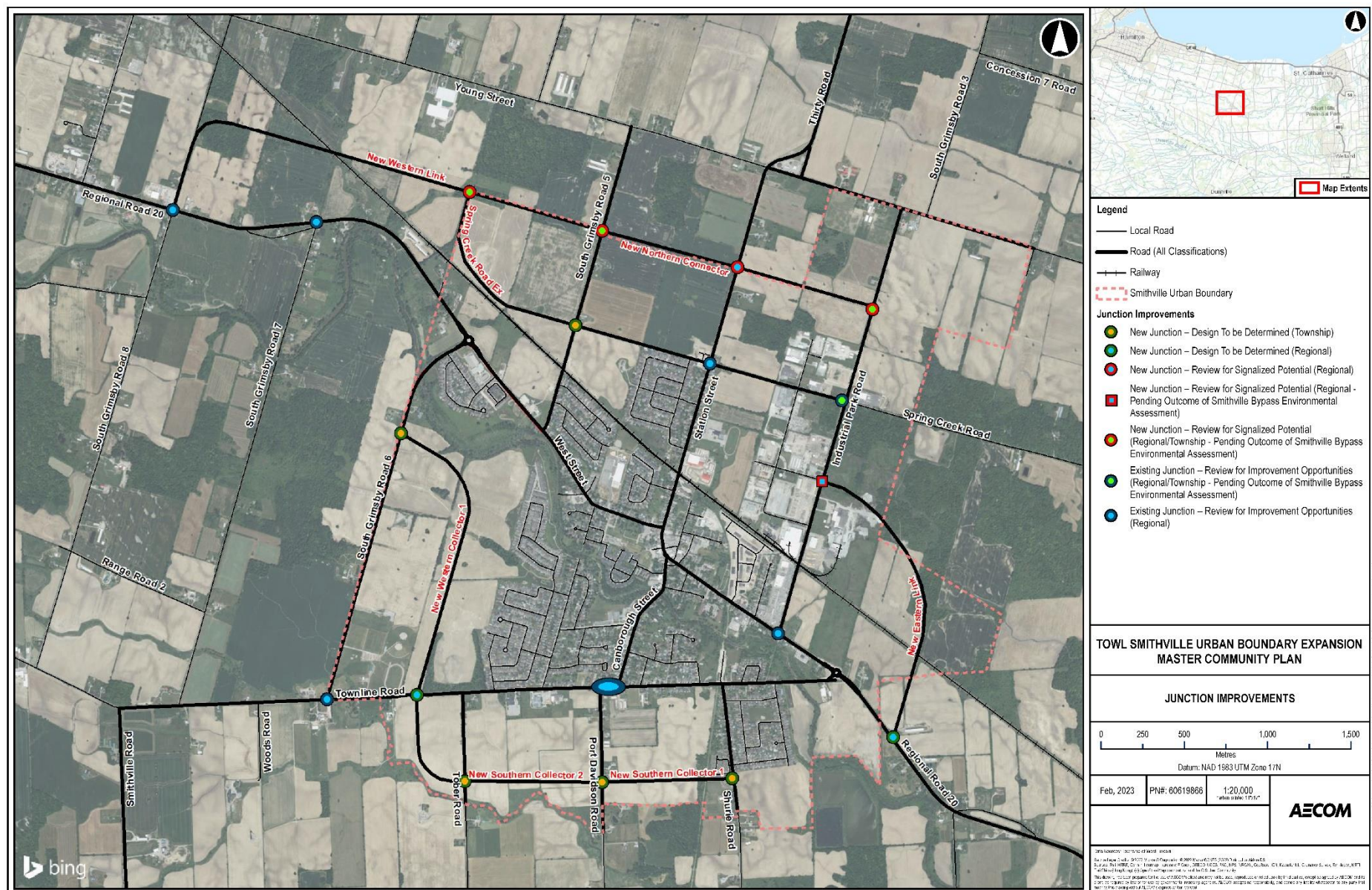


### Figure ES-2: Proposed New Roads and Road Upgrades



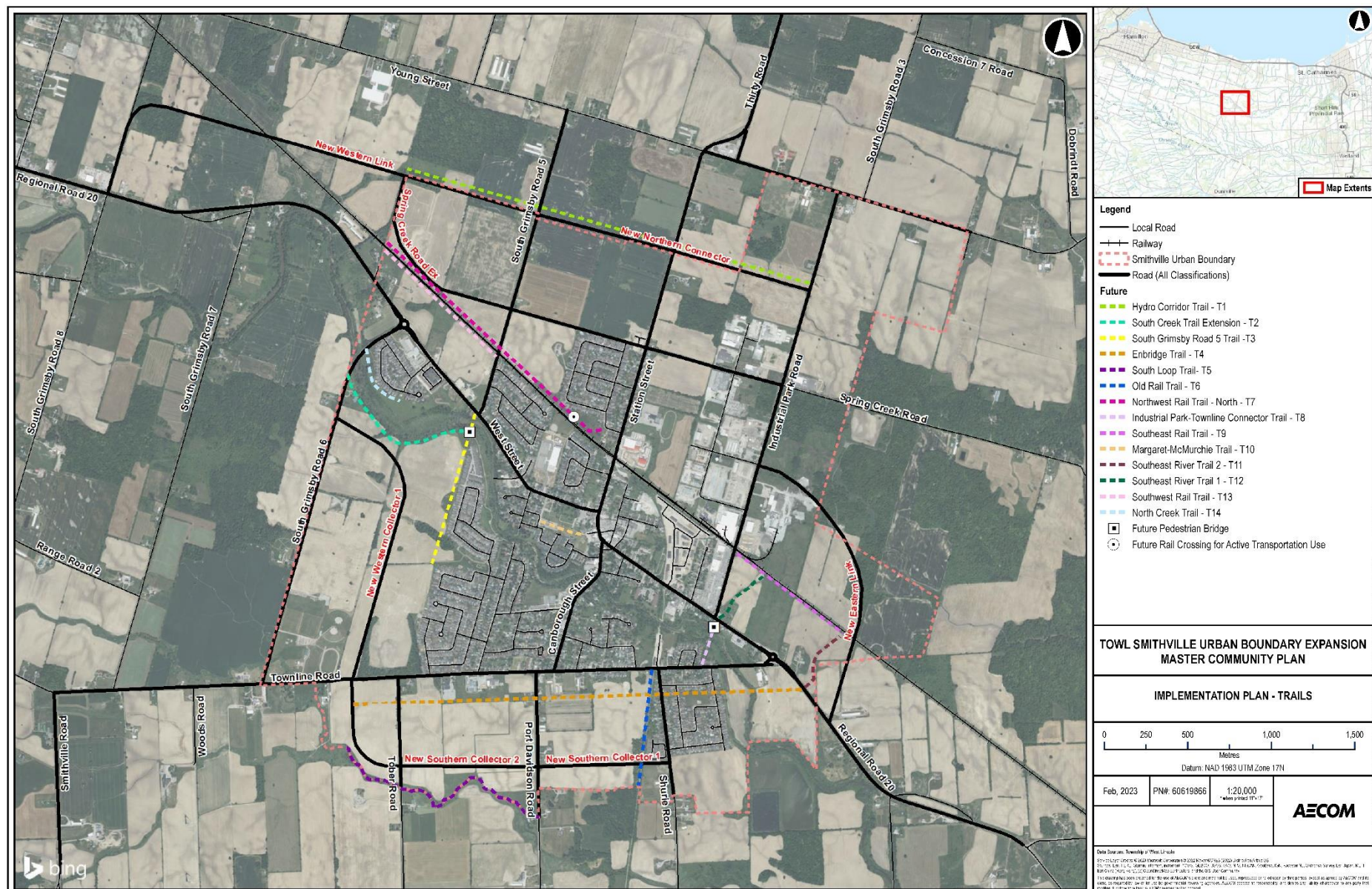


### Figure ES-3: Planned Junction Improvements





### Figure ES-4: Implementation Plan – Trails



Refer to **Table ES-1** and **Table ES-2** for summaries of phasing and capital cost estimates for Niagara Region and Township recommendations, respectively. **Table ES-3** through **Table ES-6** provide a detailed breakdown of the infrastructure and non-infrastructure recommendations.

**Table ES-1: Estimated Capital Costs for Recommendations (Niagara Region Projects)**

Phasing Timeframe	Roads & On-Street Cycling Facilities	Non-Infrastructure Measures
<b>Within the next 10 years</b>	\$74.2M to \$87.7	\$40,000
<b>10 to 20 years</b>	\$14.3M	\$40,000
<b>Greater than 20 years</b>	\$5.4M	\$40,000
<b>Total</b>	<b>\$93.9M to \$107.4M</b>	<b>\$120,000</b>

**Table ES-2: Estimated Capital Costs for Recommendations (Township Projects)**

Phasing Timeframe	Roads & On-Street Cycling Facilities	Trails	Non-Infrastructure Measures
<b>Within the next 10 years</b>	\$79.8M to \$105.3M	\$8.875M to \$11.175M	\$320,000 to \$465,000
<b>10 to 20 years</b>	\$45.5M to \$49M	\$8.775M to \$10.575M	\$245,000 to \$265,000
<b>Greater than 20 years</b>	\$27.2M to \$48.7M	\$4M to \$5.3M	\$245,000 to \$265,000
<b>Total</b>	<b>\$152.5M to \$203M</b>	<b>\$21.65M to \$27.05M</b>	<b>\$810,000 to \$995,000</b>

The Smithville Transportation Master Plan represents a key document for the future development of the town, providing a roadmap to support the growth and development of the town, while maintaining the needs and expectations of existing residents and business to move freely around the town and connect to services and entertainment. The Transportation Master Plan also supports the growth of sustainable transportation modes such as transit and active transportation and promotes continued economic development and prosperity.



**Table ES-3: Infrastructure Measures – Phasing and Capital Cost – Niagara Region Projects**

Transportation Master Plan ID	Project Name	Project Description	Phasing Timeframe	Estimated Capital Cost (2022 CAD)
RR/TWL-Road-02	■ New Northern Connector	■ New Road – Collector at minimum - range represents Collector to Regional Road (Arterial A)	■ Within the next 10 years (based on Regional Bypass Study)	■ \$17,500,000-\$25,000,000
RR-Road-03	■ New Western Link	■ New Road – Collector at minimum - range represents Collector to Regional Road (Arterial A)	■ Within the next 10 years (based on Regional Bypass Study)	■ <i>To be determine through additional study (assume will be over \$10 Million construction cost)</i>
RR-Road-04	■ New Eastern Link	■ New Road – Collector at minimum - range represents Collector to Regional Road (Arterial A)	■ Within the next 10 years (based on Regional Bypass Study)	■ <i>To be determine through additional study (assume will be over \$10 Million construction cost)</i>
RR-Road-11	■ Regional Road 14 (between Young Street and New Northern Connector)	■ Road Upgrade/ Retrofit- Arterial B	■ Within the next 10 years	■ \$5,000,000
RR-Road-12	■ Regional Road 14 (between New Northern Connector and Spring Creek Road)	■ Road Upgrade/ Retrofit - Arterial B	■ Within the next 10 years	■ \$5,000,000
RR-Road-13	■ Regional Road 14 (between Spring Creek Road and Regional Road 20)	■ Road Upgrade/ Retrofit- Arterial B	■ Within the next 10 years	■ \$10,000,000-\$13,000,000
RR/TWL-Road-15	■ Industrial Park Road (between New Northern Connector and New Eastern Link)	■ Road Upgrade/ Retrofit - Collector at minimum - range represents Collector to Regional Road (Arterial A)	■ Within the next 10 years	■ \$7,000,000-\$10,000,000
RR-Road-17b	■ Townline Road (between Regional Road 14 (Canborough Street) and New Western Collector 1)	■ Road Upgrade/Retrofit - Arterial B	■ 10 to 20 years	■ \$10,000,000
RR-Road-18	■ Townline Road (between New Western Collector 1 and South Grimsby Road 6)	■ Road Upgrade/ Retrofit - Collector	■ Greater than 20 years	■ \$4,500,000
RR-Junction-01	■ Regional Road 14 (Station Street) and Spring Creek Road	■ Junction Improvement	■ Within the next 10 years	■ \$2,000,000
RR-Junction-03	■ Regional Road 20, South Grimsby Road 8, and New Western Link	■ Junction Improvement	■ Within the next 10 years (based on Regional Bypass Study)	■ \$900,000
RR-Junction-04	■ Regional Road 20 and South Grimsby Road 7	■ Junction Improvement	■ 10 to 20 years	■ \$900,000
RR/TWL-Junction-05	■ Spring Creek Road Extension and New Western Link/New Northern Collector	■ Junction Improvement	■ Within the next 10 years	■ \$700,000
RR/TWL-Junction-06	■ South Grimsby Road 5 and New Northern Connector	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
RR-Junction-07	■ Regional Road 14 (Station Street) and New Northern Connector	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
RR/TWL-Junction-08	■ Industrial Park Road and New Northern Connector	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
RR/TWL-Junction-09	■ Industrial Park Road and Spring Creek Road	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
RR-Junction-10	■ Regional Road 20 (St. Catharines Street) and Industrial Park Road	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
RR-Junction-11	■ Regional Road 14 (Canborough Street)/Port Davidson Road and Townline Road	■ Junction Improvement	■ 10 to 20 years	■ \$2,500,000
RR-Junction-12	■ South Grimsby Road 6 and Townline Road	■ Junction Improvement	■ Greater than 20 years	■ \$900,000
RR-Junction-13	■ New Eastern Link and Industrial Park Road	■ Junction Improvement	■ Within the next 10 years (based on Regional Bypass Study)	■ \$900,000
RR-Junction-14	■ Regional Road 20 and New Eastern Link	■ Junction Improvement	■ Within the next 10 years (based on Regional Bypass Study)	■ \$700,000
RR-Junction-15	■ Townline Road/New Western Collector 1/Tober Road Realignment	■ Junction Improvement	■ 10 to 20 years	■ \$900,000



**Table ES-4: Infrastructure Measures – Phasing and Capital Cost – Township Projects**

Transportation Master Plan ID	Project Name	Project Description	Phasing Timeframe	Estimated Capital Cost (2022 CAD)
<b>TWL-Road-01</b>	■ Spring Creek Road Extension	■ New Road – Collector	■ Within the next 10 years	■ \$7,000,000
<b>RR/TWL-Road-02</b>	■ New Northern Connector	■ New Road – Collector at minimum - range represents Collector to Arterial A	■ Within the next 10 years	■ \$17,500,000-\$25,000,000
<b>TWL-Road-05</b>	■ Tober Road Realignment/New Southern Collector 2/New Southern Collector 1	■ New Road -Collector	■ 10 – 20 years	■ \$14,000,000-\$17,500,000
<b>TWL-Road-06</b>	■ New Western Collector 1	■ New Road – Collector	■ Greater than 20 years	■ \$15,500,000-\$24,000,000
<b>TWL-Road-07</b>	■ Spring Creek Road (between Spring Creek Road Extension and Regional Road 14)	■ Road Upgrade/Retrofit - Collector	■ Within the next 10 years	■ \$9,000,000-\$13,500,000
<b>TWL-Road-08</b>	■ South Grimsby Road 5 (between Young Street and New Northern Connector)	■ Road Upgrade/Retrofit- Collector	■ Within the next 10 years	■ \$4,500,000
<b>TWL-Road-09</b>	■ South Grimsby Road 5 (between New Northern Connector and Spring Creek Road)	■ Road Upgrade/Retrofit - Collector	■ Within the next 10 years	■ \$4,500,000
<b>TWL-Road-10</b>	■ South Grimsby Road 5 (between Spring Creek Road and Regional Road 20)	■ Road Upgrade/Retrofit -Collector	■ Within the next 10 years	■ \$4,500,000-\$7,000,000
<b>TWL-Road-14</b>	■ Industrial Park Road (between Young Street and New Northern Connector)	■ Road Upgrade/Retrofit- Collector	■ Within the next 10 years	■ \$4,500,000
<b>RR/TWL-Road-15</b>	■ Industrial Park Road (between New Northern Connector and New Eastern Link)	■ Road Upgrade/Retrofit – Collector at minimum - range represents Collector to Regional Road (Arterial A)	■ Within the next 10 years	■ \$7,000,000-\$10,000,000
<b>TWL-Road-16</b>	■ Industrial Park Road (between New Eastern Link and Regional Road 20)	■ Road Upgrade/Retrofit – Arterial B	■ Within the next 10 years	■ \$10,000,0000
<b>TWL-Road-17a</b>	■ Townline Road (between Regional Road 20 and Regional Road 14 (Canborough Street))	■ Road Upgrade/Retrofit – Arterial B	■ 10 – 20 years	■ \$20,000,000
<b>TWL-Road-19</b>	■ Port Davidson Road (between Townline Road and New Southern Collector 2)	■ Road Upgrade/ Retrofit – Collector	■ 10 – 20 years	■ \$4,500,000
<b>TWL-Road-20</b>	■ Shurie Road (between Townline Road and New Southern Collector 1)	■ Road Upgrade/ Retrofit – Collector	■ 10 – 20 years	■ \$4,500,000
<b>TWL-Road-21</b>	■ South Grimsby Road 6 (between New Western Collector 1 and Townline Road)	■ Road Upgrade/ Retrofit – Rural Edge Route	■ Greater than 20 years	■ \$7,000,000-\$15,000,000
<b>TWL-Road-22</b>	■ South Grimsby Road 6 (between Regional Road 20 and New Western Collector 1)	■ Road Upgrade/ Retrofit – Collector	■ Greater than 20 years	■ \$4,500,000-\$9,000,000
<b>TWL-Road-23</b>	■ Young Street (between Regional Road 14 and South Grimsby Road 2)	■ Road Upgrade/Retrofit – Rural Edge Route	■ Within the next 10 years	■ \$7,000,000-\$15,000,000
<b>TWL-Junction-02</b>	■ South Grimsby Road 5 and Spring Creek Road	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
<b>RR/TWL-Junction-05</b>	■ Spring Creek Road Extension and New Western Link/New Northern Collector	■ Junction Improvement	■ Within the next 10 years	■ \$700,000
<b>RR/TWL-Junction-06</b>	■ South Grimsby Road 5 and New Northern Connector	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
<b>RR/TWL-Junction-08</b>	■ Industrial Park Road and New Northern Connector	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
<b>RR/TWL-Junction-09</b>	■ Industrial Park Road and Spring Creek Road	■ Junction Improvement	■ Within the next 10 years	■ \$900,000
<b>TWL-Junction-16</b>	■ Tober Road/New Southern Collector 2	■ Junction Improvement	■ 10 – 20 years	■ \$900,000
<b>TWL-Junction-17</b>	■ Port Davidson Road/New Southern Collector 1/New Southern Collector 2	■ Junction Improvement	■ 10 – 20 years	■ \$900,000
<b>TWL-Junction-18</b>	■ Shurie Road and New Southern Collector 1	■ Junction Improvement	■ 10 – 20 years	■ \$700,000
<b>TWL-Junction-19</b>	■ South Grimsby Road 6 and New Western Collector 1	■ Junction Improvement	■ Greater than 20 years	■ \$700,000
<b>TWL-Trail-01</b>	■ Hydro Corridor Trail	■ New Trail*	■ Within the next 10 years	■ \$3,250,000
<b>TWL-Trail-02</b>	■ South Creek Trail Extension	■ New Trail*	■ Greater than 20 years	■ \$1,500,000
<b>TWL-Trail-03</b>	■ South Grimsby Road 5 Trail	■ New Trail*	■ Greater than 20 years	■ \$1,500,000
<b>TWL-Trail-03a</b>	■ South Grimsby Road 5 Trail – Pedestrian Bridge	■ Pedestrian Bridge	■ Greater than 20 years	■ \$1,000,000 - \$2,300,000
<b>TWL-Trail-04</b>	■ Enbridge Trail	■ New Trail*	■ 10 – 20 years	■ \$3,200,000
<b>TWL-Trail-05</b>	■ South Loop Trail	■ New Trail*	■ 10 – 20 years	■ \$3,000,000-\$3,500,000
<b>TWL-Trail-06</b>	■ Old Rail Trail	■ New Trail*	■ 10 – 20 years	■ \$1,200,000
<b>TWL-Trail-07</b>	■ Northwest Rail Trail – North	■ New Trail*	■ Within the next 10 years	■ \$1,500,000-\$2,300,000
<b>TWL-Trail-08</b>	■ Industrial Park-Townline Connector Trail	■ New Trail*	■ 10 – 20 years	■ \$375,000
<b>TWL-Trail-08a</b>	■ Industrial Park-Townline Connector Trail – Pedestrian Bridge	■ Pedestrian Bridge	■ 10 – 20 years	■ \$1,000,000 - \$2,300,000
<b>TWL-Trail-09</b>	■ Southeast Rail Trail	■ New Trail*	■ Within the next 10 years	■ \$750,000-\$1,500,000
<b>TWL-Trail-10</b>	■ Margaret-McMurchie Trail	■ New Trail*	■ Within the next 10 years	■ \$375,000
<b>TWL-Trail-11</b>	■ Southeast River Trail 2	■ New Trail*	■ Within the next 10 years	■ \$750,000
<b>TWL-Trail-12</b>	■ Southeast River Trail 1	■ New Trail*	■ Within the next 10 years	■ \$750,000
<b>TWL-Trail-13</b>	■ Southwest Rail Trail	■ New Trail*	■ Within the next 10 years	■ \$750,000-\$1,500,000
<b>TWL-Trail-14</b>	■ North Creek Trail	■ New Trail*	■ Within the next 10 years	■ \$750,000

Notes: \*All new trails costed as 3 m wide asphalt trails. Midblock trail crossings factored where applicable; trail crossings at intersections not included.  
\*\*Pedestrian bridge estimated cost range represents a span of between 4.5 m -100 m and a width of 3 m. To be determined as part of future study.

Table ES-5: Non-Infrastructure Measures – Phasing and Capital Cost – Niagara Region Projects

Project ID	Project Name	Phasing Timeframe	Estimated Annual Cost (2022 CAD)	Estimated Total Capital Cost (2022 CAD)	Notes
RR-AT-01	■ Support Region in Strategic Cycling Network Implementation	■ Ongoing	■ -	■ -	■ Ongoing collaboration with Niagara Region, non-financial investment.
RR-AT-02	■ Supporting Region in Installing Pavement Markings and Signage in Missing Links	■ Ongoing	■ -	■ -	■ Ongoing collaboration with Niagara Region, non-financial investment.
RR-Transit-01	■ Promote Existing NRT OnDemand Services	■ Within the next 10 years	■ \$4000	■ \$120,000	■ Annual collaboration with NRT, covers 2023-2051.
RR-Transit-02	■ Partnership to Develop Transit in Smithville	■ Within the next 10 years	■ -	■ -	■ Ongoing collaboration with NRT, non-financial investment.
RR-Safety-02	■ Support Niagara Region for Vision Zero	■ Ongoing	■ -	■ -	■ Ongoing collaboration with Niagara Region, non-financial investment.

Table ES-6: Non-Infrastructure Measures – Phasing and Capital Cost – Township Projects

Project ID	Project Name	Phasing Timeframe	Estimated Annual Cost (2022 CAD)	Estimated Total Capital Cost (2022 CAD)	Notes
TWL-AT-03	■ Supporting Cycling Equipment	■ Ongoing	■ \$2,000	■ \$60,000	■ Total capital cost covers 2023-2051.
TWL-AT-04	■ Incorporation of Trail Crossing Standards	■ Within the next 10 years	■ -	■ -	■ Capital investment incorporated into infrastructure recommendations.
TWL-AT-05	■ Transition Facilities for Terminating Trails	■ Within the next 10 years	■ -	■ -	■ Capital investment incorporated into infrastructure recommendations.
TWL-AT-06	■ Align Pedestrian Facilities with Smithville Cross-section Standards	■ Within the next 10 years	■ -	■ -	■ Capital investment incorporated into infrastructure recommendations.
TWL-AT-07	■ Complete Pedestrian Facilities at Intersections	■ Within the next 10 years	■ -	■ -	■ Capital investment incorporated into infrastructure recommendations.
TWL-Safety-01	■ Collision Analysis Task	■ Within the next 10 years	■ -	■ \$25,000 - \$150,000	■ Cost subject to safety studies undertaken.
TWL-Safety-03	■ Safety Programs for Schools	■ Ongoing	■ \$2,500 - \$4,500	■ \$75,000 - \$135,000	■ Total capital cost covers 2023-2051.
TWL-Safety-04	■ Traffic Calming Programs	■ Ongoing	■ \$20,000	■ \$600,000	■ Total capital cost covers 2023-2051.
TWL-TDM-01	■ Parking Strategy	■ Within the next 10 years	■ -	■ \$50,000	■ Total capital cost represents one-time investment.
TWL-TDM-02	■ Thresholds for Travel Plans	■ Ongoing	■ -	■ -	■ -
TWL-TDM-03	■ School Incentive Program	■ Ongoing	■ -	■ -	■ Ongoing collaboration, non-financial investment.
TWL-TDM-04	■ Promoting Economic Vitality in Downtown Core	■ Ongoing	■ -	■ -	■ Ongoing collaboration, non-financial investment.

# Smithville Water Wastewater Master Plan

Township of West Lincoln

ProjectReference: Smithville Master Community Plan  
Project number: 60619866

March 10 2023

## Executive Summary

The Smithville settlement area located in the Township of West Lincoln, in the Niagara Region is currently planning for the expansion of the existing urban boundary to accommodate the anticipated growth. A key feature of the planned growth will be the development of a water and wastewater servicing system that supports the uses and needs of existing populations whilst supplying the future capacity and options to support the growth of the area. This water and wastewater master servicing plan document sets out to provide an understanding of the existing water and wastewater infrastructure, the potential demand of proposed development, the potential permits needed for development, and the infrastructure and programs recommended to provide a sustainable service for Smithville.

Smithville is located on a key east west corridor in the Niagara peninsula (Highway 20), while also being home to about six thousand people and a number of industries and businesses. Current water and wastewater systems are serviced by a single water pumping station and two sanitary pumping stations. The Township has not previously had a Water and Wastewater Master Plan, however, as a lower tier municipality, major water and wastewater infrastructure has been previously identified in various iterations of the Niagara Region Water and Wastewater Master Plan. In addition to the Region's Master Plan, provincial and Township policies and guidance have been utilised to develop a vision and series of objectives that the Water and Wastewater Master Plan should aim to follow:

1. Create a complete water and wastewater network;
2. Incorporate both local and regional economic growth;
3. Sustainably servicing to the community; and
4. Consistent implementation.

The Smithville settlement area currently has a water-wastewater network that is developed around one water pumping station and two sewer pumping stations. In addition, Smithville is dependent on an inground reservoir, an elevated storage facility and two sewer lift stations. The current overall water-wastewater system is comprised of roughly 33 kilometres of watermains and 34 kilometres of sewerlines and provides servicing to a population of 7,140 and 1,860 jobs. Whilst the infrastructure network within the existing urban boundary of Smithville is extensive, current imaging highlights the network as a limiting factor in population growth.

The urban boundary expansion and associated development will bring an additional 540 hectares adjacent to the current Smithville urban boundary, effectively doubling the size of the community of Smithville, and leading to a forecasted population of about 29,000 by 2051. This level of growth requires an assessment of the existing water and wastewater network to understand what the possible impacts of the new development are, this exercise was conducted using a hydraulic model which replicates existing water and wastewater conditions and servicing capacity and then forecasts the growth system usage as a result of the new development.

The development Staging Plan was prepared as part of OPA No. 63 and is shown in **Figure ES-1**.

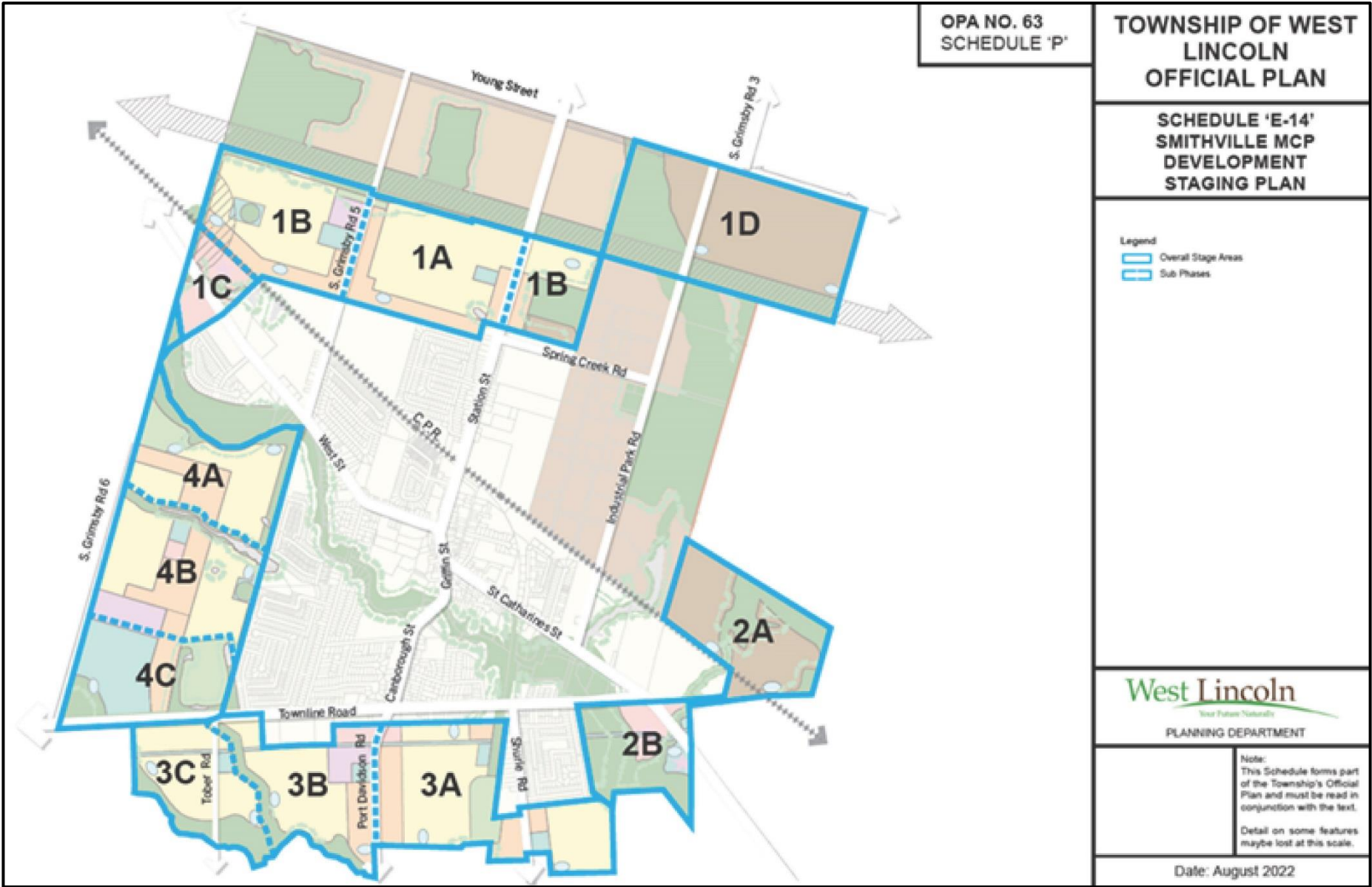
The Master Community Plan is a 30-year plan for accommodating growth in Smithville to 2051 through both intensification and greenfield development to achieve a complete community. To achieve the level of growth planned in a well designed, balanced and inclusive manner, while ensuring minimal disruption to the existing community it is necessary to develop an orderly and aligned staging program for the provision of the necessary infrastructure, transportation improvements and community facilities. The development rational and identification of infrastructure to support the development of Smithville are detailed in a series of supporting Master Plans.

Policy 6.11.7.6.3 h) of Official Plan Amendment 63 (OPA 63) provides that “The Township may, at its sole discretion, revise the Development Staging Plan without an amendment to this Plan where circumstances warrant, such as, but not limited to, unreasonable delay by landowner(s), in order to facilitate the planned progression of growth and development in a manner that supports the implementation of the MCP.” The policies provide for an appropriate level of flexibility and provide a solid framework for implementation through more detailed Block Plans, MESP’s and Environmental Assessment addendums, while acknowledging that future updates and changes may be needed over the 30-year time period of the plan.

Although the various Master Plan documents set out anticipated timescales and staging program for the design and implementation of various infrastructure requirements within Smithville. The flexibility provisions of OPA 63 have been specifically designed to reflect the need to accommodate changes and adjustment that can occur over the 30-year planning horizon of the Master Community Plan. OPA 63 recommendations were presented to the public, Council, and the landowners on multiple occasions including: the Public Meeting, Council adoption of OPA 63, and Technical Advisory Committee meetings as late as December 16, 2022.



Figure ES-1: Development Staging Plan



As part of the Township's Official Plan, additional flexibility is provided through periodic review and updating of the plan and policies over the 30-year planning horizon of the plan.

The water and wastewater system assessment forms the primary method for assessing possible mitigation measures which can include upgrades to existing servicing infrastructure as well as the development of new infrastructure including water and forcemains, gravity sewers, and pumps.

In assessing the existing water system, it was identified that the available pumping capacity at the existing London Road Pumping Station would be sufficient to meet the projected demands with the future Smithville Elevated Tank being implemented. An additional pump would be required at the station to meet the fire flow requirement. The future elevated tank has been identified in the Region's DC Study (Region's DC Study project number: W-S-010)

In assessing the existing wastewater system involving the Smithville Sewage Pump Station and Streamside Sewage Pump Station, it was identified that both stations require pumping capacity upgrades to meet the future peak wet weather flow. The Region is currently undergoing a capacity increase at Streamside Sewage Pump Station; the upgraded station is expected to provide adequate capacity to address the future peak wet weather flow. The Region also identified a future upgrade at the Smithville Sewage Pump Station in their DC study for addressing the future needs (Region's DC Study project number: WW-SPS-012).

Current urban boundary expansion plans were developed to improve existing infrastructure and centre around four distinct development Stages (1 to 4) with each Stage requiring an individualized water and wastewater servicing strategy to both fit the needs of Township and minimize impacts. The following section provides the list of preferred options for each stage's servicing strategy.

**Table ES-1: List of Preferred Options for Each Stage's Servicing Strategy**

Stage	Preferred Water Servicing Strategy	Preferred Wastewater Servicing Strategy
1	S1W1	S1WW1
2	S2W2	S2WW1
3	S3W1	S3WW1A, S3-FM1B, S3WW2A
4	S4W3	S4WW1, S4-FM2

**Figure ES-2** and **Figure ES-3** present the preferred water and wastewater servicing strategy, respectively.



Figure ES-2: Preferred Water Servicing Strategy

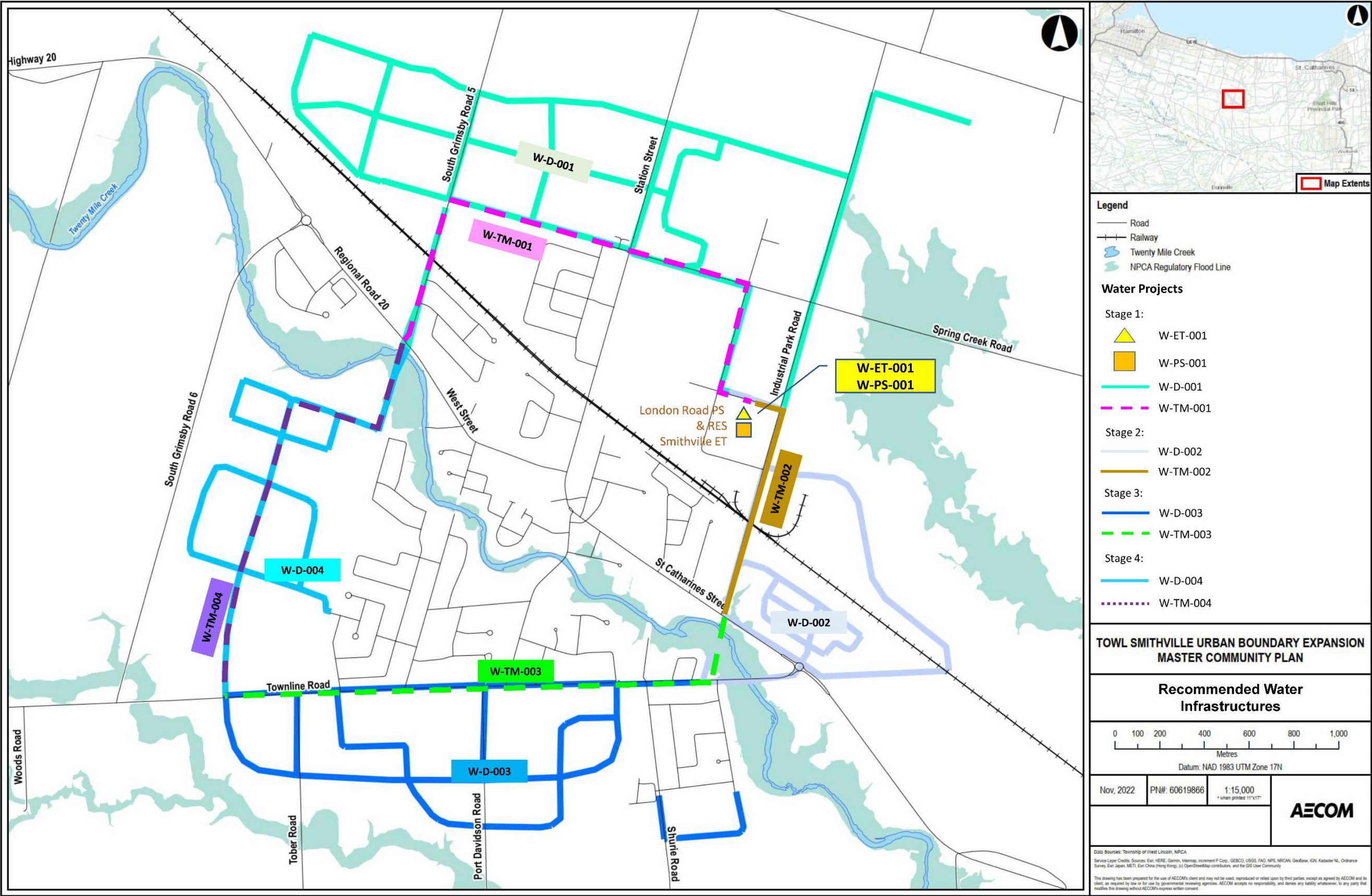




Figure ES-3: Preferred Wastewater Servicing Strategy

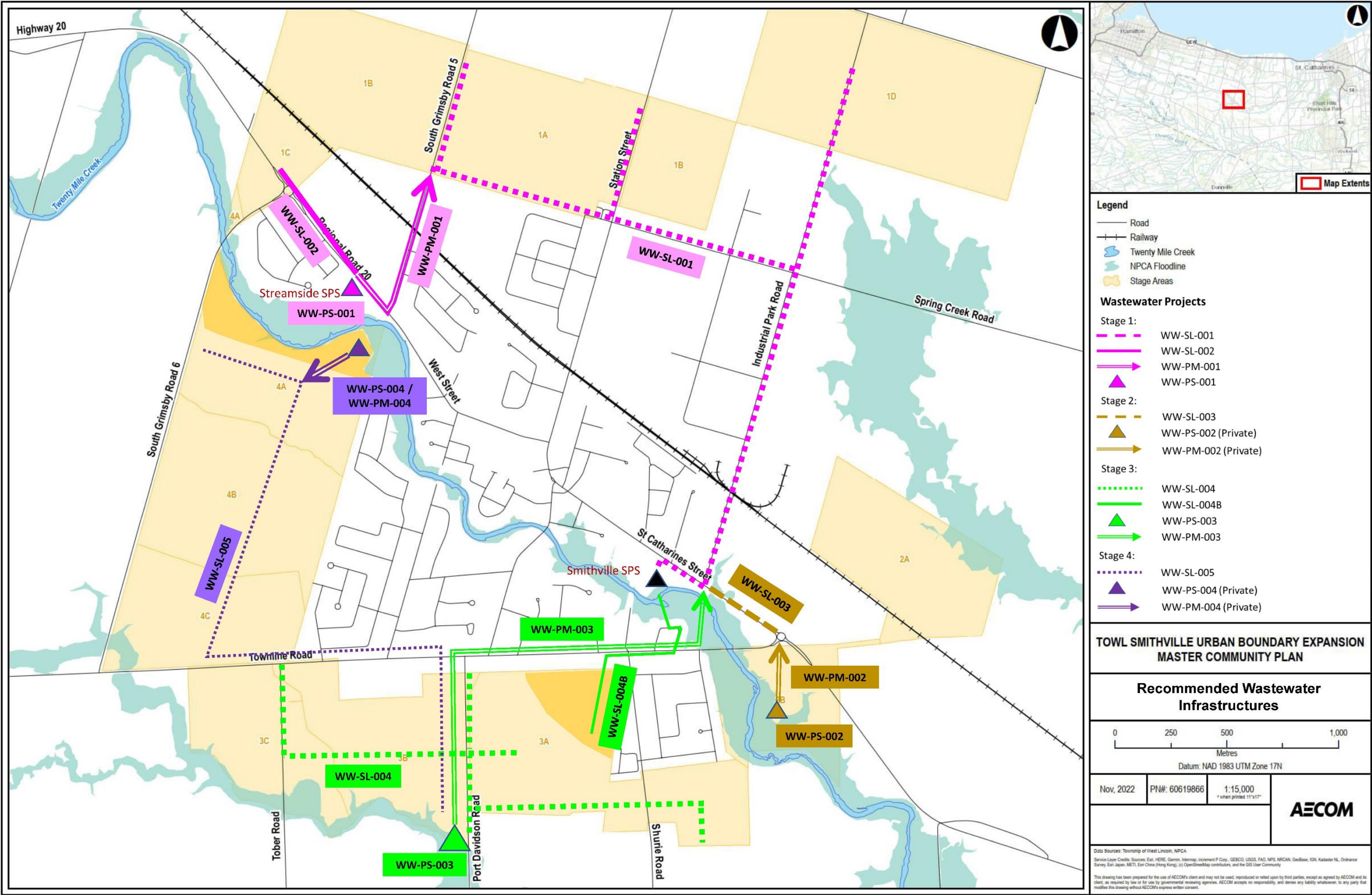


Table ES-2: Capital Costs Summary for the Recommended Water Infrastructures for the Township of West Lincoln

Capital Project ID	Stage	Descriptions	Size	Costs (2022\$)	Class Environmental Assessment Project Schedule	Anticipated Schedule
W-D-001	1	Local distribution mains for Stage 1	300mm	\$ 13,579,650	A	Next 10 years
W-D-002	2	Local distribution mains for Stage 2	300mm	\$ 5,308,538	A	Next 10 years
W-D-003	3	Local distribution mains for Stage 3	300mm	\$ 7,763,648	A	10 – 20 years
W-D-004	4	Local distribution mains for Stage 4	300mm	\$ 4,235,490	A	> 20 years

Table ES-3: Capital Costs Summary for the Recommended Water Infrastructures for the Region of Niagara

Capital Project ID	Stage	Descriptions	Size	Costs (2022\$)	Class Environmental Assessment Project Schedule	Anticipated Implementation Schedule
W-TM-001	1	<ul style="list-style-type: none"><li>Watermain extends northerly on South Grimsby Road 5 from Regional Road 20 to Spring Creek Road</li><li>Easternly along Spring Creek Road to Thompson Road</li><li>Southernly on Thompson Road and easternly to London Road pumping station</li><li>No crossing of Twenty Mile Creek</li><li>Crossing of rail tracks on South Grimsby Road 5</li></ul>	400mm	\$ 5,852,576	A	Next 10 years
W-TM-002	2	<ul style="list-style-type: none"><li>Watermain extends southernly from London Road Pumping Station towards Industrial Park Road and Regional Road 20 (St Catharines Street) intersection</li><li>No crossing of Twenty Mile Creek</li><li>Crossing of rail tracks on Industrial Park Road</li></ul>	400mm	\$ 3,787,184	A	Next 10 years
W-TM-003	3	<ul style="list-style-type: none"><li>New watermain extends easternly along Townline Road to existing North South easement east of Anderson Crescent</li><li>Northernly from easement to Industrial Park Road / Regional Road 20 and connection future Stage 2 watermain</li><li>Trenchless crossing of Twenty Mile Creek south of Industrial Park Road and Regional Road 20</li></ul>	400mm	\$ 8,674,160	A	10 – 20 years
W-TM-004	4	<ul style="list-style-type: none"><li>Watermain extends southernly from Regional Road 20 along future development lands to Townline Road</li><li>Trenchless crossing of Twenty Mile Creek on South Grimsby Road 5</li><li>Within planned utility / active transportation corridor and planned Stage 4 local collector road</li><li>Southernly on local north south collector road to Townline Road</li></ul>	400mm	\$ 8,311,280	A	> 20 years
W-ET-001	1	<ul style="list-style-type: none"><li>New elevated tank (8.8 ML)</li></ul>	8.8 ML	\$ 14,850,000	B	Next 10 years
W-PS-001	1	<ul style="list-style-type: none"><li>Dedicated fire pump (356 Litres per second)</li></ul>	356 Litres per second	\$ 675,000	A	Next 10 years



Table ES-4: Capital Costs Summary for Recommended Wastewater Infrastructures for the Township of West Lincoln

Capital Project ID	Stage	Descriptions	Size	Costs (2022\$)	Class Environmental Assessment Project Schedule <sup>1</sup>	Anticipated Implementation Schedule
WW-SL-001	1	<ul style="list-style-type: none"><li>■ New sewer gravity main on Spring Creek Road from South Grimsby Road 5 and easterly to Industrial Park Road</li><li>■ Gravity sewer continues southernly down Industrial Park Road</li><li>■ Industrial Park to Regional Road 20</li><li>■ Westerly on Regional Road 20 to Smithville Pumping Station</li><li>■ No crossing of Twenty Mile Creek required</li><li>■ Crossing of rail tracks on Industrial Park Road</li></ul>	■ 375 to 525 millimetres	■ \$ 10,352,238	■ A	■ Next 10 years
WW-SL-002	1	<ul style="list-style-type: none"><li>■ New gravity main on Regional Road 20 to Streamside Sanitary Pumping Station</li></ul>	■ 375 millimetres	■ \$ 1,556,820	■ A	■ Next 10 years
WW-SL-003	2	<ul style="list-style-type: none"><li>■ New sewer gravity main from Smithville sanitary pumping station on east side from Regional Road 20 (St Catharines Street) towards Townline Road</li><li>■ No crossing of Twenty Mile Creek required</li><li>■ No crossing of rail tracks</li></ul>	■ 375 to 525 millimetres	■ \$ 1,826,904	■ A	■ Next 10 years
WW-SL-004	3	<ul style="list-style-type: none"><li>■ New Gravity Sewer follows Stage 3 North South and easterly local collector road starting at Townline Road</li><li>■ Connection to new Sewage Pump Station at Port Davidson Road / North Creek</li><li>■ Also includes flow from new gravity sewers within Stage 3 east of Port Davidson Road</li><li>■ Trenchless crossing of Twenty Mile Creek required</li><li>■ Does not service Stage 4</li></ul>	■ 375 to 525 millimetres	■ \$ 8,132,061	■ A	■ 10 – 20 years
WW-SL-004B	3	<ul style="list-style-type: none"><li>■ New gravity sewer northernly from Stage 3A area to Townline Road</li><li>■ Easternly along Townline Road to Anderson Crescent</li><li>■ Northernly on Anderson Crescent via existing easement to southside of Twenty Mile Creek</li></ul>	<ul style="list-style-type: none"><li>■ New gravity sewerline: 250 millimetres</li><li>■ Ex. Gravity sewerline replacement 250 millimetres / 300 millimetres</li></ul>	■ \$ 727,935	■ A	■ Nex 10 years
WW-SL-005	4	<ul style="list-style-type: none"><li>■ Gravity sewer starting at north end of South Grimsby Road 6</li><li>■ Easternly across the Stage 4 local collector road</li><li>■ Southernly on north south local collector road to Townline Road</li><li>■ Connects directly to future Port Davidson Sewage Pump Station</li></ul>	■ 300 to 525 millimetres	■ \$ 5,939,325	■ A	■ > 20 years
WW-PS-002	2	<ul style="list-style-type: none"><li>■ New Sewage Pump Station for Stage 2B</li><li>■ Assumed to be privately owned / operated pumping system</li></ul>	■ 4.8 Litres per second	■ \$ 0	■ Subject to Town's / Region's approval	■ Next 10 years
WW-PS-003 <sup>2</sup>	3	<ul style="list-style-type: none"><li>■ Infrastructure Option S1; New Sewage Pump Station for Stages 3 &amp; 4</li></ul>	■ 143 Litres per second	■ \$ 4,374,000	■ A	■ 10 – 20 years
WW-PS-004 / WW-PM-004	4A	<ul style="list-style-type: none"><li>■ New Sewage Pump Station on south side of Twenty Mile Creek within staging area 4A; this station is considered a private pumping system</li><li>■ New forcemain on Regional Road 20 to future gravity sewer within Stage 4</li></ul>	■ 7.0 Litres per second / 200 millimetres	■ \$ 0	■ Subject to Town's / Region's approval	■ > 20 years
WW-PM-002	2	<ul style="list-style-type: none"><li>■ New FM for future Sewage Pump Station to future gravity sewer on RR20</li><li>■ Assumed to be privately owned / operated pumping system</li></ul>	■ 150 millimetres	■ \$ 0	■ Subject to Town's / Region's approval	■ Next 10 years
WW-PM-003	3	<ul style="list-style-type: none"><li>■ New forcemain extending Northernly on port Davidson Road from Sewage Pump Station towards Townline road</li><li>■ Easternly along Townline Road to watermain easement. Northernly through easement towards Twenty Mile Creek</li><li>■ Trenchless crossing of Twenty Mile Creek</li><li>■ Connects to future gravity sewer at Regional Road 20 and Industrial Park Road</li></ul>	■ 500 millimetres	■ \$ 8,363,342	■ A	■ 10 – 20 years

1. as approved under the integrated MCEA process and subject to no OPA 63 appeal.  
2. Based on the required capacity for the SPS, the implementation of WW-PS-003 & WW-PM-003 would be completed by the Township and the Region of Niagara will assume the ownership and O&M in accordance with the Region's SPS policy

Table ES-5: Capital Costs Summary for the Recommended Wastewater Infrastructures for the Region of Niagara

Capital Project ID	Stage	Descriptions	Size	Costs (2022\$)	Class Environmental Assessment Project Schedule	Anticipated Implementation Schedule
WW-PS-001	1	■ Streamside Sewage Pump Station Upgrade; Increase capacity to 42.6 Litres per second	■ 42.6 Litres per second	■ \$ 3,611,250	■ A	■ Next 10 years
WW-PM-001	1	■ New FM on South Grimsby Road 5 for Streamside Sewage Pump Station connect to future gravity sewer on Spring Creek Road	■ 250 millimetres	■ \$ 3,368,421	■ A	■ Next 10 years

In support of the modelling exercise a series of public and stakeholder engagement exercises were conducted to gain feedback and understand some of the challenges and opportunities facing Smithville. The information gathered from these exercises was reviewed and a series of mitigation measures that aligned with the stated objectives were developed and tested. In assessing the impacts of the proposed development around the Smithville settlement area, it was determined that there were several key measures that were required to mitigate the impacts of the new development on the water and wastewater system.

- The assessment indicated that either a water storage capacity increase or a new water pumping station is required to address the future water peak hour demands. In addition, a new sewer pumping station and new forcemains are required to address the future wet weather demands.
- A significant amount of development is planned on either side of Twenty Mile Creek and North Creek. To address this, a number of trenchless crossings are required to service future developments.
- The reduction of construction complexity will be a key part of reducing the impact of maintenance works for the new system. By employing designs with shorter pipe distances, easier access and less potential disturbances it ensures that potential infrastructure repairs can be completed in a timely manner.

The Water and Wastewater Master Plan has developed a capital program to support the phased implementation of the various water and wastewater infrastructure programs which is tied to the block plan process proposed under official plan amendment 63 (OPA 63). In developing the options and measures for implementation the Water and Wastewater Master Plan has addressed the phase 1 and 2 requirements of the Municipal Class Environmental Assessment process, and has also identified Class D cost estimates for each of the proposed measures. The recommended capital works will provide all necessary information to support the required Township's DC study update.

The Smithville Water and Wastewater Master Plan represents a key document for the future development of the Smithville settlement area, providing an infrastructure network to support the growth and development within the settlement area, while maintaining the needs and expectations of existing residents and businesses to have adequate connection to water and wastewater services. The Water and Wastewater Master Plan also supports the development of industrial and commercial facilities that increase employment opportunities in Smithville, promoting continued economic development and prosperity.

TOWNSHIP OF WEST LINCOLN

SMITHVILLE SUBWATERSHED STUDY  
AND STORMWATER MANAGEMENT  
PLAN  
MASTER COMMUNITY PLAN STUDY

MARCH 15, 2023





## **EXECUTIVE SUMMARY**

### **Introduction**

The Township of West Lincoln has initiated a Master Community Plan Study to plan for future growth in the Community of Smithville. This process includes the preparation of a Subwatershed Study (SWS), as a companion study being completed in parallel with the Master Community Plan Study. The Study Area for the Subwatershed Study is located along the perimeter of the existing urban boundary of the Community of Smithville and is generally bounded by Young Street to the north, the North Creek to the south, South Grimsby Road 6 to the west, and South Grimsby Road 2 to the east.

### **Subwatershed Study Process**

The Subwatershed Study ensures that all applicable Provincial, Regional and Municipal land use planning requirements, including Conservation Authority regulations, are achieved. The core Work Plan of the Subwatershed Study process has been structured to be carried out in the following three (3) phases:

- Phase 1: Subwatershed Characterization and Integration
- Phase 2: Impact Assessment,
- Phase 3: Management, Implementation and Monitoring Plan,

The purpose of Phase 1 Subwatershed Characterization and Integration is to gain a better understanding of the state, health and general character of the subwatershed. Reviews of existing studies and reports, fieldwork and, where appropriate, modelling has been undertaken, in order to understand the baseline of conditions related to the following key components: Hydrology/Hydraulics, Hydrogeology, Karst Features, Water Quality, Stream Morphology and Aquatic and Terrestrial Resources. These components have been considered and assessed as part of the Phase 1 report to characterize the Subwatershed areas of interest.

The Phase 2 Impact Assessment involves evaluating the impacts of future planned urbanization of the land use plan, as prescribed by the Master Community Plan. This initial evaluation is intended to provide direction to the Land Use Team, who then refined the Land Use Plan in accordance with the direction from the first iteration of testing. The refined Land Use Plan was then advanced for a second round of testing and assessment. Working Targets and preliminary management strategies to address potential impacts associated with future development, as related to the natural environment and stormwater, have been developed. Watercourses and natural heritage features have been assessed and given a constraint ranking, followed by an overall net rating. Any refinements to the Region's Natural Heritage System have been identified and discussed through this phase.

The Phase 3 Management, Implementation and Monitoring Plan formalizes the recommendations for water management, including traditional and low impact development practices, as well as specifics related to environmental management, including parameters for stream stability and terrestrial and aquatic system protection and enhancement. This process also included developing an implementation and monitoring plan, to provide further direction on the implementation procedures related to the plan recommendations, including priorities, specific policies, need for follow-up studies and related study requirements.

### **Phase 1: Subwatershed Characterization and Integration**

#### **Hydrogeology**

The study area lies within the Haldimand Clay Plain physiographic region. The larger region generally consists of stratified clay related to glacial Lake Warren although the northern area, including Smithville, may consist of an intermixture of stratified clay and till.

The bedrock underlying the study area consists of a sequence of bedded dolostones and shales, generally sloping from north to south with an elevation range of approximately 25 metres in the area of the proposed urban expansion. Elevated bedrock areas exist south of Twenty Mile Creek in the southwestern portion of the urban expansion area and in the northern portion of the urban expansion area, as well further north beyond the urban expansion area. Twenty Mile Creek tends to follow a bedrock depression just west of, and through, the Community of Smithville.

The surficial geology consists primarily of fine-grained sediments characterized by the glaciolacustrine clay and silt throughout the majority of the urban expansion area with minor areas of clay to clayey silt till. Stream deposits are predominately clay and silt with some sand and gravel. The Eramosa dolostone is exposed in bedrock outcrops along portions of Twenty Mile Creek and areas northeast of the urban expansion area.

The overburden is less than 6 m thick throughout the majority of the urban expansion area, with the least amount of overburden correlating with the bedrock highs and bedrock outcrops. Overburden thickness generally increases south of the urban expansion area in a southerly direction correlated with the slope of the bedrock.

Fractures occur in lateral bedding planes and as vertical and sub-vertical fractures above and below the bedding planes. Joint spacing is noted to be more frequent in the uppermost portions of the bedrock and decreases with depth and exhibits preferential orientations.

Groundwater flow within the bedrock is governed by the horizontal and vertical hydraulic gradients as well as the general characteristics of the fracture network and solution channels. Groundwater flow moves from the bedrock surface vertically through the vertical fractures (joints) to the bedding planes where the joints are connected. The vertical flux through the upper bedrock will depend on the spatial frequency of the joints, and their size, particularly related to the history of dissolution, and the water made available from ground surface through the overburden. The combined bedding plane/joint network provides for significant lateral groundwater flow and less frequent vertical flow conduits.

Groundwater flow within the upper bedrock is considered to be the primary flow pathway that is potentially connected to Twenty Mile Creek and the majority of the domestic wells. Groundwater flow in the upper bedrock generally flows from northwest to the southeast but within the Town of Smithville flow is directed towards Twenty Mile Creek from the north and from Townline Road in the south. There is a strong correlation between the horizontal flow direction in the shallow bedrock and the bedrock topography. It is expected that more local shallow groundwater flow will be controlled to varying extents by the fractured nature of the bedrock and particularly the larger solution channels and conduit flow. The orientation of these features may direct flow in directions not consistent with the larger scale hydraulic gradients.

Twenty Mile Creek is known to have no flow through the study area at various periods in the summer months. Groundwater discharge may occur seasonally when the more regional groundwater levels are higher, thus feeding some amount groundwater discharge. Pools along Twenty Mile Creek also exist in the summer months indicating varying amounts of local discharge, likely through the discrete fracture/solution channel network. Substantive spring flow contributes to Twenty Mile Creek in the vicinity of Canborough Street and its source is related to a significant conduit connected to the Smithville Cave along with additional springs in the vicinity of Rock Park.

The local wetlands within the study area are currently not considered to have any significant functional groundwater discharge associated with them consistent with observations and the characteristics of the low permeability overburden groundwater flow system.

The municipal water supply for the Community of Smithville is a lake-based supply. Outside of the existing urban area, individual water supplies are provided through domestic wells that generally get their water from the fractures and solution channels that are more common in upper 15 metres of the bedrock.

Areas referred to as Highly Vulnerable Aquifer have been developed through the Source Water Protection study. The Niagara Peninsula Conservation Authority used an overburden thickness of less than 5 metres to delineate these areas as the thinner overburden offers less protection of contaminants migrating to the shallow bedrock aquifers related to the Eramosa Member and the Guelph Formation. These Highly Vulnerable Aquifer areas correlate well with the areas of overburden less than 6 metres thick. This current subwatershed study presented that an overburden thickness of less than 6 metres represents a more accurate value hydrogeological sensitivity related to contaminant migration to the underlying bedrock aquifer.

### Karst

Reconnaissance and detailed site investigations focused on known and potential karst features but also involved observing water flow in ditches and surface channels as well surface ponding during rain events and spring snowmelt.

Surface water observations in December 2019 and March 2020, during rain and snowmelt did not provide indications of significant karst capture in road-side ditches or along several streams. Significant surface ponding was observed during 2020, particularly in northern portions of the study area between Young Road and the southern boundary of the hydro right-of-way. Surface pondings in the northern area did not demonstrate reductions in that area from March 10 through March 26, 2020 and many wet ponds and saturated soils continued into early May of the same year.

A total of 11 karst features were investigated and documented. Seven of the features were located within the study area of which 6 were distinct sinkholes and the other a short stream reach that appeared to be gradually losing flow in the downstream direction and is likely not karstic.

In general, the largest most significant karst features occur in the western portion of the study area adjacent to South Grimsby Road 6 in the vicinity of the rail road and west of Wade Road. Of these features, 2 appear to be the result of man-made factors such as an under-sized culvert beneath the rail line resulting in upstream flooding and, possibly consequences of forest clearing prior to agricultural tilling. All features are within about 500 metres of Twenty Mile Creek, averaging 330 metres.

Karst hazard assessments are required by the Provincial Policy Statement. Hazardous sites are also regulated under the Conservation Authorities Act and the Niagara Peninsula Conservation Authority's specific regulation for development in these areas is Ontario Reg. 155/06. The specific hazard defined by the Provincial Policy Statement is "unstable bedrock" related to solution and removal of bedrock potentially creating a geophysical hazard to development and/or the public. However, development in and around Karst Hazardous Sites can also result in problems associated with flooding or loss of flow to connected springs. The latter situation is the most common in Southwest Ontario and also has the potential to create ecological impacts.

In this regard, the assessment of hazard constraints depends on the size and depth of the karst solution, rate of soil sloughing, and the capacity of the conduits to transport surface flows

underground. Mitigation alternatives range from leave in place and buffer to accommodate potential flooding to complete removal and by-pass of the feature. In all cases, development should not result in increased flows to the feature. Depending on water balance and flow dynamics, the feature may be subject to excavation and grouting.

Shallow overburden over bedrock represents a broad constraint. The silt-clay glaciolacustrine deposits in the study area generally restrict significant infiltration, particularly in the area of the hydro line right-of-way, along Young Street, and in the Southwest from Townline Road and South Grimsby Road 6.

All karst features occur with about 500 metres straight line distance of Twenty Mile Creek, the longest being about 550 metres. No surface karst was observed in the northernmost portion of the study area including along the hydro line and towards Young Road. This suggests that the hydraulic gradient provided by the creek valley is playing a role in the initiation and development of the karst. Smithville Cave is known to be connected to the creek in terms of taking water directly from the creek and discharging within the creek valley.

The Eramosa Formation within the study area is a karst aquifer. This conclusion is principally defined on the basis of relatively high hydraulic gradients, the presence of at least one large cave, and several sinkholes.

#### Hydrology and Hydraulics

The urban expansion area and the existing urban area fall within three subwatersheds, namely the Twenty Mile Creek subwatershed, the North Creek subwatershed, and the Spring Creek subwatershed. The main branch of Twenty Mile Creek runs west to east across the existing urban area. The main branch of North Creek runs west to east along the south boundary of the urban expansion area. A major tributary of Spring Creek runs northwest to southeast outside of the urban expansion area and through the existing urban area towards the east. The urban expansion area is characterized with mainly headwater drainage features along with several regulated watercourses. The existing urban area is characterized with open ditches and storm sewer drainage systems, overland flow drainage systems, and stormwater management facilities.

Soils within the urban expansion area and the existing urban area are noted to primarily consist of glaciolacustrine clay and silt, with small deposits of diamicton clay to clayey silt, stream deposits of clay and silt, and paleozoic bedrock. Stream deposits and Lockport Formation are concentrated along Twenty Mile Creek. Overall, the soils exhibit low permeability and low infiltration potential, with high potential for generating runoff. The surface slopes within the urban expansion area and the existing urban area tend to be moderate between 1 percent and 2 percent. There are slightly steeper areas along Twenty Mile Creek.

Within the urban expansion area, the existing land use conditions are primarily agricultural lands with headwater drainage features. Within the existing urban area, the land use conditions are a mixture of median to high density residential areas, park areas and open lands, industrial areas along Industrial Park Road, and commercial areas along West Street and St. Catherines Street.

A field monitoring program was implemented to collect streamflow data to support the validation of the hydrologic modelling. In addition, a rain gauge was installed at the Smithville Arena to collect continuous rainfall amount data. A local hydrologic model has been developed for the urban expansion area and the existing urban area at the local level. In addition, the Niagara Peninsula Conservation Authority's hydrologic model for the watershed has been refined within the study area.

The erosive flows occurred for 0.5 percent of the 22 year simulation period along the Twenty Mile Creek tributary, 0.6 percent to 0.8 percent of the 22 year simulation period along the North Creek, and 1.0 percent to 1.3 percent of the 22 year simulation period along the Spring Creek reach.

Hydraulic models have been developed for the regulated watercourses within and downstream of the study area. The resulting Regulatory Floodplain is contained within the current flood hazard defined by Niagara Peninsula Conservation Authority.

#### Fluvial Geomorphology

Using topographical data, watercourse reaches were identified as unconfined, partially confined, and confined. Based on their degree of confinement, meander belt and stable top of slope hazards were delineated accordingly based on channel planform or valley geometry, aerial photography, surface contours, and base mapping. This was completed at a high-level for the purpose of characterizing the subwatershed study area, and developing an initial characterization of area hazards.

Field Investigations were completed to fill data gaps, and confirm or update the desktop results. Watercourses underwent Rapid Field Assessments and detailed geomorphic reach surveys. The rapid assessments noted that stream reaches were mainly in a state of “transition”, or “in regime”.

Detailed field surveys were completed for 3 reaches to characterize the system and develop threshold values for particle entrainment which highlights the channel capacity to mobilize the median particle size.

Headwater Drainage Features within the Study Area were first identified through a review of Niagara Peninsula Conservation Authority watercourse mapping and recent aerial photography. A detailed field study of Headwater Drainage Features was completed following the *Evaluation, Classification and Management of Headwater Drainage Features Guidelines*.

Several Headwater Drainage Features provide linkages to provincially significant wetlands. In addition, several Headwater Drainage Features appear to be seasonally fed by small wetland pockets that are found in the middle of tilled agricultural fields. In general, there were more wetland connections to Headwater Drainage Features in the northwest and northeast parts of the Study Area, in the Twenty Mile Creek and Spring Creek subwatersheds respectively. Several Headwater Drainage Features within the study area were also found to be connected to karst features. In several cases where Headwater Drainage Features were dry but showed evidence of recent flow, such as fresh erosion or sorted sediment, the features were classified as Mitigation to provide a conservative recommendation.

#### Surface Water Quality

The water quality monitoring samples received from the Niagara Peninsula Conservation Authority indicate that the concentrations of typical contaminants in the proximity of the study area are generally in comparable ranges with relatively higher levels compared with similar land uses in other study areas. High concentrations of organics, nutrients, and metals are noted for Twenty Mile Creek and North Creek. The existing land use conditions are largely agricultural. Therefore, the high concentrations and exceedances are considered largely attributable to intensive farming activities and lack of formal water quality measures.

#### Aquatic Resources

The watercourses occurring within the study area are located within the Twenty Mile Creek, North Creek, and Spring Creek Subwatersheds. Most of the watercourses lie within the Twenty

Mile Creek subwatershed and functionally collect and convey the majority of water from within the study area to the main branch of Twenty Mile Creek. Watercourses within the southern portion of the study area, and generally south of Smithville, flow south to North Creek. The northeast corner of the study area occurs within the Spring Creek subwatershed, which collects and diverts flow southeast toward Spring Creek, which lies outside of the study area boundary. Watercourses were classified as Critical, Important, and Marginal habitats and were assigned a cold, cold-cool, cool, cool-warm, or warm water designations based on summer temperature measurements and fish presence.

Three watercourses were confirmed as permanent within the study area, namely the main channel of Twenty Mile Creek, the main channel of North Creek, and a small portion of an inflowing tributary located south of Twenty Mile Creek in Rock Street Park. Portions of Twenty Mile and North Creeks are intermittently dry, isolating the wetted portions of each feature. Twenty Mile Creek contains many areas of exposed bedrock and its flows are influenced heavily by karst features in the area. Twenty Mile Creek is confirmed fish habitat, providing a cool-warm water thermal regime. North Creek also provides direct fish habitat, and a cool water thermal regime. The small watercourse in Rock Street Park provides indirect fish habitat and coldwater contribution to Twenty Mile Creek throughout the year.

The study area contains intermittent watercourses and small ponds, as well as Headwater Drainage Features.

During field surveys, 19 fish species were observed within the study area, including one new species for the area. The fish community is considered fairly diverse and is characterized by a variety of small-bodied and larger-bodied fish, including recreationally valuable species. The highest fish diversity (17 species) and abundance was observed within the main channel of Twenty Mile Creek, which is the largest watercourse of the three, and which provided the most habitat. One species of Special Concern has the potential to occur in Twenty Mile Creek and North Creek, but the species was not observed during field investigations. Critical Habitat for the species is not found within the study area.

### Terrestrial Resources

The study area consists primarily of agricultural fields and rural properties surrounding the Community of Smithville, within Ecoregion 7E. Isolated natural heritage features are found distributed through the study area, and along Twenty Mile Creek, which bisects the Community of Smithville. The study area borders numerous residential subdivisions, industrial and commercial lands comprised within the Community of Smithville. The natural features within the study area consist of woodlands, wetlands, and watercourses. The wetlands are generally part of the Lower Twenty Mile Creek Provincially Significant Wetland Complex.

In regard to vegetation, 3 Species of Conservation Concern were observed, 13 regionally rare vegetation species, and 19 species that are considered uncommon. In total, 27 species were documented that are indicative of high quality intact habitats.

Two bird Species at Risk were observed in the study area. These species may be breeding within the study area, depending on the crop and management of the agricultural fields. Species of Special Concern are present in the study area.

Field investigations confirmed the presence of 12 herpetofaunal species, including 5 species of anurans that were noted as generally well-distributed throughout the study area, 3 species of snakes, 2 turtle species, and 1 salamander species. Other wildlife observations included 12 species of mammal, 9 butterfly species, and 13 odonate species.

### Wildfire Screening

A Wildland Fire Screening was conducted for the subject lands and no areas were identified to pose a high threat for wildland fire within the study area.

## **Phase 2: Impact Assessment**

### Hydrogeology

An increase in impervious surfaces reduces the natural infiltration of groundwater and when unmitigated generally leads to a subsequent decrease in groundwater levels and potential decrease to groundwater discharge to wetlands and stream reaches where it may occur. The integrated groundwater, aquatic and terrestrial characterization indicates a lack of significant groundwater connection supporting the related ecological functions with limited groundwater input, and as such the potential ecological impacts related to groundwater are expected to be limited and more related to potential changes to overland flow.

This reduction in infiltration may also lead to a potential decrease in recharge to the deeper water producing units and more specifically to the shallow fractured dolostone. The potential reduction in recharge to the bedrock is expected to be greater where the overburden is thinner and hydraulically more connected to the bedrock. As has been characterized, the areas of greater hydraulic connection to the bedrock can occur where the overburden is less than 6 metres thick.

Where there are direct overland flow inputs to karst features, the local groundwater levels appear to respond quickly and more dramatically with regard to water quantity. Changes to the quantity and quality of water directed to any karst sinkholes will result in potential changes to the local recharge quantity and quality the upper bedrock groundwater flow system.

The installation of water and sewer infrastructure can lead to the interception of the shallow water table altering shallow groundwater flow paths and creating leakage into sanitary and storm sewers. Installation of infrastructure below the water table leads to the potential need for dewatering during construction and post construction and a decrease in groundwater levels. The potential infrastructure groundwater impacts would be greater and more prevalent in geologic units that have a greater hydraulic conductivity, particularly the shallow fracture bedrock or areas where there is sand and gravel at the bedrock contact.

Groundwater flow within the overburden where it is less than 6 m thick and groundwater flow within the shallow fractured bedrock allow for a greater potential for contaminant movement. Any existing domestic wells within the development area can provide a direct conduit from ground surface to the open portion of the well for contaminants to enter the groundwater flow system. Additionally, monitoring wells can provide the same short-circuiting pathway if they are not maintained.

### Karst

Karst sinkholes have the potential to impact development via bedrock instability and flooding. The Provincial Policy Statement defines "Karst Topography" as having the potential to be a "Karst Hazardous Site" which could impact development. The Niagara Peninsula Conservation Authority regulates karst features under Regulation 155/06 which requires an evaluation of each feature. The Niagara Peninsula Conservation Authority Policy Document does not specify setbacks/buffers to all karst features, but those deemed to be a Karst Hazardous Site require buffers of 50 metres subject to confirmation from further studies.

Of the 7 karst features mapped within the study area, three have been evaluated as having a high constraint based factors such as size, position in the landscape, and



hydrological/hydrogeological role. These are all considered to be Karst Hazardous Sites with a requirement to buffer by 50 m.

Most of the sinkholes are located in or adjacent to open fields without significant flow during most of the year. Two features have a more regular flow regime and lie within naturally vegetated valleys which has greater consideration pertaining to ecological features or functions.

One feature was likely formed due to back flooding from an undersized culvert beneath the rail line. Although this feature does not pose significant structural or flooding hazards, its location within the Right-of-Way of South Grimsby Road 6 could pose minor flooding issues for the road. The best mitigation for this would be to re-size the culvert.

Two karst features also do not pose significant structural or flooding hazards and could be left or by-passed.

One feature, is probably not a karst feature. It most likely represents shallow soil groundwater conditions along the small creek.

All identified karst features, as well as any new features identified through the subsequent stages of planning and design, are to be assessed as part of the Master Environmental Servicing Plans, and management recommendations established accordingly in consultation with Niagara Peninsula Conservation Authority.

#### Hydrology and Hydraulics

In the absence of stormwater management, the future development within the urban expansion boundary for the Community of Smithville would result in increased local flood risk and erosion potential along the local watercourses, and would be anticipated to decrease groundwater recharge and increase surface runoff volume to area karst features. The impacts to the development may be mitigated by implementing extended detention storage and drawdown within stormwater management plans, as well as the application of quantity controls for all future development within the Spring Creek Subwatershed, and strategic quantity controls for future development within development areas discharging toward the North Creek and Twenty Mile Creek to mitigate local flood risk as outlined herein. Unitary sizing criteria have been developed to provide the requisite erosion and flood control for the future development.. Opportunities exist to refine the unitary sizing criteria as part of future studies, which should also account for the application of Low Impact Development Best Management Practices within the overall stormwater management plan.

#### Water Quality

The future development within the future development in the Community of Smithville is anticipated to result in increased mass loadings of various water quality contaminants, including heavy metals, nutrients, and thermal enrichment. The stormwater management system within future development area is required to address Provincial standards for stormwater quality control to an Enhanced standard of treatment by adopting a treatment train approach per Provincial guidance, as well as measures to mitigate increased temperature of storm runoff.

#### Watercourses and Headwater Drainage Features

A review of the Land Use Plan has revealed that the preliminary Natural Heritage System largely protects watercourse and Headwater Drainage Features and associated setbacks. The current preliminary state of the plan does not allow for further detailed analysis in terms of road crossings and grading, which should be evaluated at subsequent planning and design stages. Erosion thresholds were evaluated through a duration and volume exceedance analysis, and the recommended stormwater management plan and sizing criteria would adequately mitigate impacts related to channel erosion or aggradation.

### Ecological Resources and Natural Heritage System

A proposed Natural Heritage System has been developed for the Community of Smithville to protect its significant natural heritage features through a connected system that will have the greatest benefit to the ecological features. The proposed Smithville Natural Heritage System has been identified based on a review of existing provincial, regional, and municipal policy and integration of field work conducted as part of the Subwatershed Study. The Smithville Natural Heritage System is comprised of Core Areas, Conceptual Buffers, Linkages, and Recommended Restoration Areas. Core Areas are comprised of Significant Wetlands, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, fish habitat, and habitat for endangered and threatened species. Although there is flexibility in the precise identification of Linkages, Buffers, and Restoration Areas, the size of these as identified through the Subwatershed Study is required to come close to the 30 percent cover target aspired to in the Township Official Plan, as well as recommended through the Subwatershed Study. Buffers are generally recommended to be 30 metres wide. Linkages within the study area are generally mapped as Primary Linkages 200 metres wide and Secondary Linkages 50 metres wide. High constraint watercourses typically require a buffer of 30 metres, thereby leading to a 60 metre wide Linkage. The Smithville Natural Heritage System, if implemented as recommended, provides 28.4 percent natural cover the Community once the areas are naturalized. This includes Linkages, Restoration Areas, and Buffers that all require naturalization as they are currently comprised of active agricultural fields for the most part.

Additional areas may be added to the Smithville Natural Heritage System through site specific study, as in the further identification of Significant Wildlife Habitat or habitat for Species at Risk, and the integration of small wetland units, karst, floodplain, or erosion hazard sites. It is recommended that compatible land uses be situated next to the Smithville Natural Heritage System that will contribute to the protection of natural heritage features and the overall enhancement of the natural environment within the community. For instance, locating stormwater management facilities, Low Impact Development practices, parks, and schools next to the Smithville Natural Heritage System can provide opportunities to enhance the Natural Heritage System even further, while also providing the public with access to natural areas for their enjoyment, recreation, and nature appreciation. The Smithville Natural Heritage System provides an opportunity to design the proposed development in an environmentally sensitive way that mitigates climate change, protects and enhances the natural heritage features, and benefits the adjacent development.

It is recommended that buffers, Linkages, and Restoration Areas be naturalized through active restoration of these areas by planting and seeding of native species. Through the development approval processes, it is recommended that detailed planting plans be established for the restoration of these areas adjacent to the proposed development. It is recommended that the active agricultural areas identified for restoration be graded appropriately and amended with additional topsoil. A variety of habitats may be restored, depending on the adjacent natural areas, such as woodlands, wetlands, or watercourses, as well as providing some meadow and thicket habitats. Providing habitat for significant species should be considered. For instance, Milkweed should be included in most seeding plans to benefit Monarch butterfly. Native seed mixes should be used along with plantings in a range of sizes. It is recommended that the Linkage aligned with the hydro corridor be naturalized.

A trail network should be considered at the outset of development. Creating a network of trails within the Smithville Natural Heritage System, especially within the buffer areas, will provide residents with walking trails at the outset, which will discourage the creation of ad hoc trails. Trails will foster nature appreciation and allow for passive recreation opportunities, which is part of a sustainable community.

The Smithville Natural Heritage System must be managed and maintained, which includes stewardship and management opportunities.

Future studies may refine the proposed Smithville Natural Heritage System by identifying additional natural heritage constraints, identifying appropriate buffers, and refining restoration areas. However, the Smithville Natural Heritage System proposed through the Subwatershed Study provides the Township with the direction it needs to create and maintain a robust, sustainable Natural Heritage System that will protect and enhance existing natural heritage features, provide climate change resiliency, and provide residents with the “green” system they desire.

### Climate Change

It is widely accepted that, as warming increases, climate-related risks and impacts also increase. Higher rates and amounts of warming make it more difficult for adaptation actions to offer sufficient protection against these impacts. Consequently, significant impacts would remain despite the implementation of adaptation measures, thus limiting the effectiveness and potential of achieving adaptation. The limitations to adaptation are reached when there are no longer any practical or feasible adaptation options available, requiring that otherwise unacceptable risks must be accepted, adaptation objectives must be abandoned and/or transformation and “last resort” measures, such as relocation or retreat, must take place.

Within Niagara, the Region’s Background Study Report states “climate change is expected to result in increased variability in extreme local weather events that will affect natural features, ecological functions and natural processes” and states “municipalities need to consider the potential impacts of climate change as part of natural environment planning in order to better protect the natural environment system and reduce economic costs”. Although the specific magnitude of impact/change remains uncertain, the anticipated impacts noted above are supported by observations and analysis and result in significant economic and health impacts.

There are important linkages between actions that reduce greenhouse gas emissions and actions that build resilience to deal with climate change impacts. Co-benefits and synergies between these actions can also be obtained. These co-benefits and synergies include the use of nature-based approaches to adaptation in cities to create urban environments that are more resilient to heat waves and to intense rainfall, while also sequestering carbon and reducing energy demand. As well, it is recognized that risk trade-offs can emerge from particular actions that are designed to meet only one objective, but that can adversely affect the other objective, such as certain adaptation decisions which can result in an increase in greenhouse gas emissions, as well as certain mitigation choices which would increase local vulnerability or risk. As a general practice and preference, priority should be given to minimizing or avoiding these negative consequences when planning actions to respond to climate change.

The management recommendations presented in the Subwatershed Study are recognized to address requirements to mitigate impacts of climate change by incorporating Green Infrastructure into stormwater management plans to promote resiliency and enhance stormwater quality, erosion, and quantity control, providing green spaces which reduce heat effects and provide additional opportunities for incorporating Green Infrastructure into development, and planning for a robust Natural Heritage System, including linkages and enhancement areas, which actively reduces harmful greenhouse gas emissions, mitigates heat effects from urban development, and maintains water budget.

## **Phase 3: Management, Implementation, and Monitoring Plan**

### Implementation Plan

The urban expansion area for the Community of Smithville has been subdivided into contiguous blocks, representing areas with common infrastructure for servicing and transportation. At the next stage of planning, the land use for the blocks will be refined to develop more detail for the respective Block Plans. These Block Plans may represent the individual blocks identified, or encompass contiguous groups of blocks, depending upon the timing of development for the respective blocks and servicing and transportation infrastructure. The Block Plans are to be supported by Master Environmental Servicing Plans.

#### Monitoring Plan

Monitoring and Adaptive Management Plans are generally developed as part of Master Environmental Servicing Plans, Environmental Impact Studies, or as conditions of approval for stormwater management plans and watercourse reconstructions/realignments. The information collected as part of these plans is intended to verify the performance of the environmental and stormwater management system, as well as to provide guidance for potential modifications to the management plan to satisfy the objectives of the Subwatershed Study.

Overall, the baseline monitoring program would extend 2 to 3 years, then annual during-construction monitoring, followed by three years of monitoring spread over 5 years post-construction. This is to be confirmed on a site-by-site basis through the development of an Environmental Monitoring and Adaptive Management Plan as approved by the Niagara Peninsula Conservation Authority, Township, and Region, and may include scoping various components of the program based upon site-specific conditions and findings from the initial years of monitoring. Additional details regarding the framework for various components of the monitoring and adaptive management plan are provided within the main reports of the Subwatershed Study.

Annual reports are to be prepared for all monitoring programs. Annual monitoring reports to verify facility performance prior to assumption by the Township should be submitted to the Township and any other permitting agencies per the conditions of approval. Annual monitoring reports for the holistic monitoring programs should be submitted to Township of West Lincoln, Niagara Region, and Niagara Peninsula Conservation Authority.

TOWNSHIP OF WEST LINCOLN

STORMWATER MASTER PLAN FOR  
SMITHVILLE INFILL AND  
INTENSIFICATION AREAS  
MASTER COMMUNITY PLAN STUDY

MARCH 15, 2023



## EXECUTIVE SUMMARY

The Township of West Lincoln has initiated a Master Community Plan Study to plan for future growth in the Community of Smithville. This process includes the preparation of a Stormwater Master Plan for the existing urban centre within the Community of Smithville, as a companion study, to provide guidance and direction for the stormwater management requirements associated with the infill, intensification, and redevelopment anticipated within the existing urban centre within the Community of Smithville.

The existing stormwater system within the urban centre of Smithville is comprised of storm pipes (minor system) and street, creeks and ditches (major system). The future development and increased densities within the core of the municipality are anticipated to have limited effect to the overall system, due to the relatively minor differences in the impervious coverage under future conditions compared to existing conditions. The areas along St Catharine Street were identified as being impacted under future land use conditions, due to the extent of land available for infill development in this area. Stormwater management requirements for all future infill and redevelopment are to be determined on a case-by-case basis and in consultation with the Township. For the St. Catherine Street sewershed, opportunity exists to replace two sections of pipe to provide greater capacity of the minor system at this location and accommodate the increased flow from the future infill and intensification within this sewershed. The ultimate acceptance of this alternative is subject to approval from the Township and Region and supported by further study and analysis.

It is recognized that the climate patterns have changed over the past decades. As a result, it is generally accepted that the frequency and intensity of the storm events would increase and extreme events would be more frequently seen. In combination with the future development and increased impervious coverages, the capacity of the storm infrastructure would potentially be reduced. The conclusions presented above regarding the anticipated impact of future development to the existing sewer network would be anticipated to be the same if comparing existing and future land use conditions under a climate change scenario. Nevertheless, it is recognized that improvements to the storm drainage system may be required as a result of climate change.

In addition to the foregoing, it is recommended that all future infill, intensification, and redevelopment within the existing urban centre of Smithville incorporate measures to provide stormwater quality control, erosion control, and reduce runoff volume. These requirements may be addressed through the implementation of Low Impact Development Best Management Practices (LID BMPs) within the future development area and tailored to the specific conditions of the development itself.

It is further recommended that the foregoing findings be verified as part of the detailed design submissions for the respective development parcels within the existing urban centre of Smithville.

# Smithville Integrated Report

Township of West Lincoln

ProjectReference: Smithville Master Community Plan  
Project number: 60619866

March 10 2023



# Executive Summary

## Background

In 2019, the Township of West Lincoln (Township) initiated a Master Community Plan process to guide the future development of the community of Smithville through a comprehensive, watershed-based, integrated land use and infrastructure planning approach. The process involved extensive consultation and engagement with the public and key stakeholders including public agencies and partners, area landowners and their consultant representatives and advisors, in addition to Indigenous communities. The Master Community Plan is a detailed land use plan and policy document which provides a comprehensive plan for sustainable future growth and expansion in the Smithville Urban Area. The Master Community Plan process has been undertaken to determine the location and amount of potentially developable land to be added to the Smithville Urban Area.

The total land area within Master Community Plan Study Area is approximately 685 hectares, and the total land area to be added to the Smithville Urban Area boundary is approximately 540 hectares.

## Integrated Environmental Assessment Process

The Master Community Plan is being completed through an integrated Environmental Assessment as set out in the Municipal Engineers Association Municipal Class Environmental Assessment document (as amended in 2015). The Master Community Plan process and related Transportation Master Plan, Water and Wastewater Master Servicing Plan, Subwatershed Study/Stormwater Master Plan for Infill and Intensification Areas studies are designed to form a comprehensive and co-ordinated planning process that will meet the required approvals necessary under the Planning Act and the Environmental Assessment Act. The Subwatershed Study characterizes the ecological and water resources systems, and establishes an environmental and stormwater management plan associated with the Twenty Mile Creek watershed. The Subwatershed Study supports the Master Community Plan Study including the Municipal Class Environmental Assessment process.

The Smithville Master Community Plan is following Approach No. 4 (Integration with the Planning Act). Master Plan Approach Number 4 recognizes the benefits of integrating Phases 1 and 2 of the Schedule 'B' Municipal Class Environmental Assessment Master Plan process with approvals under the Planning Act, especially with larger projects such

as Secondary Plans. This means that the requirement of the Environmental Assessment Act (primarily through the Municipal Class Environmental Assessment process) and the Planning Act, including public notice requirements are met as one integrated and co-ordinated process and with streamlined approvals and appeals. This approach is desirable for long term planning where interdependent decisions which impact servicing and land use are being made and the range of servicing alternatives needs to be addressed in an integrated fashion, so as to recommend the best overall municipal infrastructure servicing solutions for the Community to be implemented over the 30 year planning horizon (to 2051).

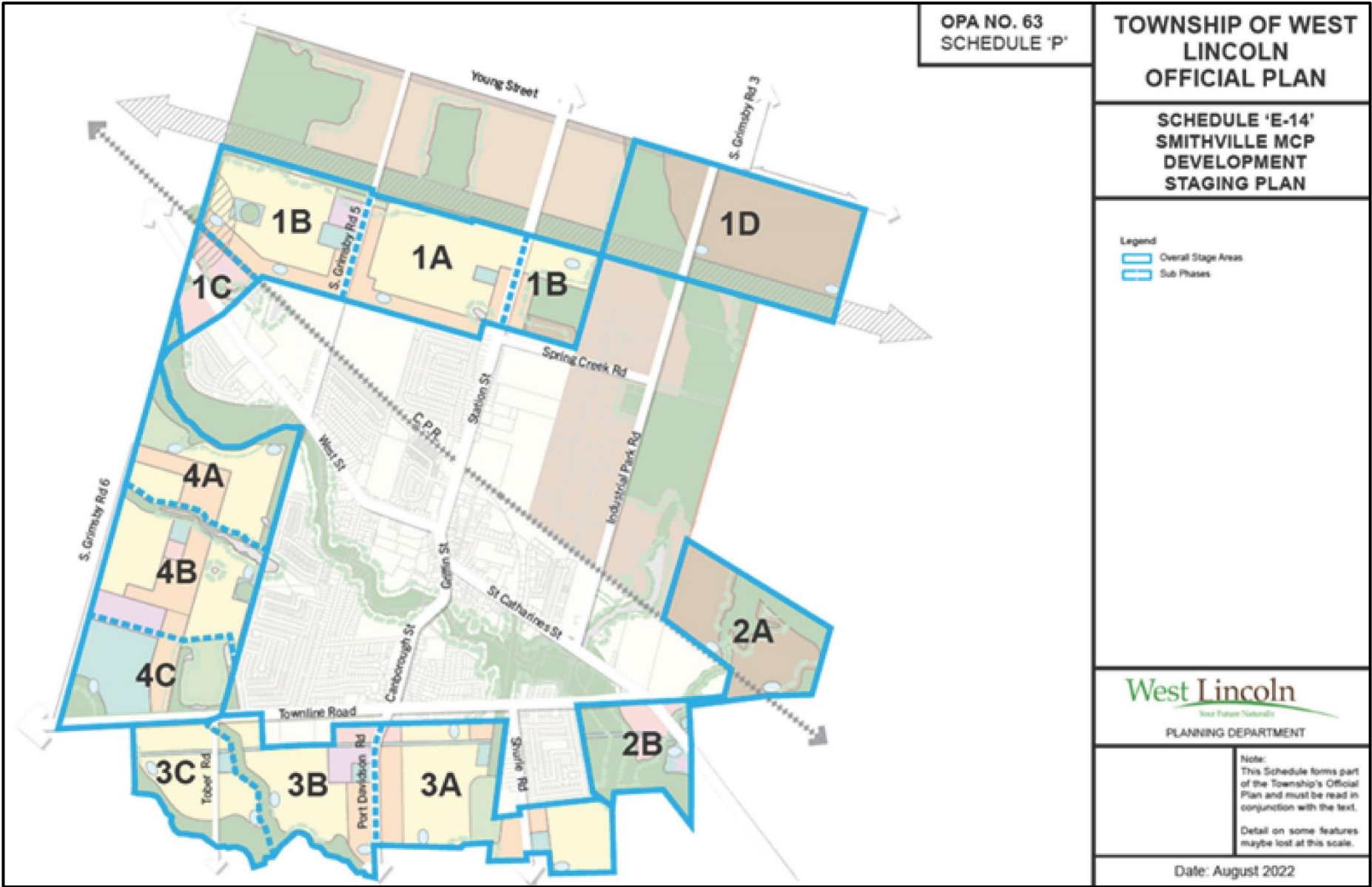
Successful completion of the Integrated Master Plan Approach No. 4 results in all Schedule B projects to be considered a Schedule A under the Municipal Class Environmental Assessment (i.e., pre-approved), if there are no appeals, or upon the resolution of any appeals, to The Regional Municipality of Niagara Niagara's decision on the Township of West Lincoln Official Plan Amendment Number 63 (OPA 63) which implements the Master Community Plan as a Secondary Plan (to be considered by Niagara Region Council in April 2023). Therefore, subject to no appeals, or upon the resolution of any appeals, the proponent (Township or Region) may therefore proceed to design and construct the project upon coming into effect or approval under the Planning Act. Placement of the Integrated Municipal Class Environmental Assessment report for public review on the Township's website and issuance of the Municipal Class Environmental Assessment Notice of Completion completes Phase 2 of the Municipal Class Environmental Assessment process. The 30 day Municipal Class Environmental Assessment comment period commences when Niagara Region issues its Notice of Decision of OPA 63 which includes the 20 day appeal period as set out under the Planning Act.

## **Development Staging**

The development Staging Plan was prepared as part of OPA No. 63 and is shown in **Figure ES-1**.

The Master Community Plan is a 30-year plan for accommodating growth in Smithville to 2051 through both intensification and greenfield development to achieve a complete community. To achieve the level of growth planned in a well-designed, balanced and inclusive manner, while ensuring minimal disruption to the existing community it is necessary to develop an orderly and aligned staging program for the provision of the necessary infrastructure, transportation improvements and community facilities. The development rational and identification of infrastructure to support the development of Smithville are detailed in a series of supporting Master Plans.

Figure ES-1: Development Staging Plan



Policy 6.11.7.6.3 h) of Official Plan Amendment 63 (OPA 63) provides that “The Township may, at its sole discretion, revise the Development Staging Plan without an amendment to this Plan where circumstances warrant, such as, but not limited to, unreasonable delay by landowner(s), in order to facilitate the planned progression of growth and development in a manner that supports the implementation of the MCP.” The policies provide for an appropriate level of flexibility and provide a solid framework for implementation through more detailed Block Plans, Master Environmental Servicing Plans and Environmental Assessment addendums, while acknowledging that future updates and changes may be needed over the 30-year time period of the plan.

Although the various Master Plan documents set out anticipated timescales and staging program for the design and implementation of various infrastructure requirements within Smithville. The flexibility provisions of OPA 63 have been specifically designed to reflect the need to accommodate changes and adjustment that can occur over the 30-year planning horizon of the Master Community Plan. OPA 63 recommendations were presented to the public, Council, and the landowners on multiple occasions including: the Public Meeting, Council Decision of OPA 63, and Technical Advisory Committee meetings as late as December 16, 2022.

As part of the Township’s Official Plan, additional flexibility is provided through periodic review and updating of the plan and policies over the 30-year planning horizon of the plan.

## **Planning Policy Context**

The provincial, regional, and municipal planning framework directs that future population, housing and employment growth shall be focused in urban settlement areas with municipal services and accommodated through infilling and intensification balanced with compact development in greenfield areas.

Several key provincial planning policies have been reviewed in depth to support the Smithville Master Community Plan including the Provincial Policy Statement and a Place to Grow: Growth Plan for the Greater Golden Horseshoe. The Smithville Master Community Plan process has been completed to be consistent with the Provincial Policy Statement. The Provincial Policy Statement has also been reviewed in the development of municipal infrastructure servicing strategies in support of the Smithville Master Community Plan.

As a lower tier municipality, the Township of West Lincoln and development within Smithville are subject to Niagara Region’s Official Plan and Sewage Policy. The Smithville Master Community Plan has been completed in keeping with the policies of

the Niagara Region Official Plan. The Secondary Plan for the urban boundary expansion will be implemented through the new urban boundaries for Smithville in the new Niagara Region Official Plan as identified in Official Plan Amendments No. 62 and No. 63 to the Township's Official Plan. Other Master Plan documents have been utilised to identify key recommendations for servicing within transportation, water and wastewater systems.

At the Township level, The Township's Official Plan and a number of related plans, documents, and Master Plans were reviewed to support the Smithville Master Community Plan. The Township of West Lincoln Master and Secondary Plans have been reviewed in the development of Municipal infrastructure servicing strategies in support of the Smithville Master Community Plan. Current Parks and Recreation, and Trails and Corridors Master Plans were considered in the development of alternative and preferred Master Plan development concepts. The proposed municipal infrastructure servicing strategies have been reviewed in the context of the Source Protection Plan for the Niagara Peninsula Source Protection Area.

## **Problem or Opportunity Statement**

Smithville is a vibrant community – the area is filled with cultural heritage, natural environmental features and is the largest settlement area and the only full-served urban centre in the Township of West Lincoln. Dramatic growth in the Greater Golden Horseshoe over the next three decades will place increasing demands on residential and commercial facilities across the Township. Current servicing capacities of transportation, municipal water and wastewater, and stormwater management systems are insufficient to accommodate this planned growth and does not exist within future development lads. This urban expansion provides an opportunity to create a sustainable, compact, complete and resilient Smithville community. This also streamlines the municipal planning and infrastructure planning processes, allowing land use planning decisions to occur at the same time as evaluating infrastructure servicing alternatives and associated works.

## **Population Growth Forecasts**

As of the 2021 census, the estimated population for the Smithville Urban Area was 7140. The Township intends to accommodate the population and employment growth forecasts provided for the Township of West Lincoln in the Niagara Region Official Plan which are based on projections to the year 2051 provided in the Growth Plan. The Niagara Region Official Plan directs the Township of West Lincoln to plan for a total



population of 38,370 people and for total employment of 10,480 jobs by 2051 of which 29,030 people and 7,360 jobs will be in Smithville.

## Master Plan Development

The Master Community Plan is intended to guide and direct future sustainable development in the Smithville urban expansion area and through intensification of the built-up area over the next 30 years; it will be implemented through three Master Servicing Plans, transportation, water and wastewater, and stormwater management, as well as the Subwatershed Study. The goal of these plans is to ensure that future development proposals align with the Preferred Land Use Concept (**Figure ES-2**) and Preferred Concept Plan (**Figure ES-3**) and the objectives, strategies, targets, and policies of the Master Community Plan.

## Transportation

Smithville currently has a transportation network that is developed around two regional roads, Highway 20 running east/west and Thirty Road which provides a connection to the QEW to the north. In addition to these roads the CP rail line also runs through the town in an east/west alignment, which currently includes three at grade crossings. The town has additional secondary arterial roads providing connections around town including Townline/Regional Road 14 and Canborough Street/Regional Road 14. In addition to the road network there are a series of off street trails that provide cycling and pedestrian connections to some of the existing facilities across the town, although there are a number of gaps in this network.

Forecasted growth required an assessment of the existing road network to understand what the possible impacts of the new development are, this exercise was conducted using a traffic model which replicates existing traffic conditions on the community's road network and then forecasts the growth in trips across the network as a result of the new development.

The proposed development planned out to 2051 and presented in **Figure ES-1** when modelled indicate that the existing road network was insufficient to provide a similar level of service to existing conditions. Forecasts for 2051 suggested that the performance of several intersections would fall below acceptable standards, creating significant delays. It also highlighted that several constraints existed including north/south crossing of the CP rail corridor, movements west towards Hamilton become congestion as existing roads are over capacity, and areas around the downtown also become constrained as additional local traffic is impacted by increases in regional traffic.



### Figure ES-2: Preferred Land Use Concept

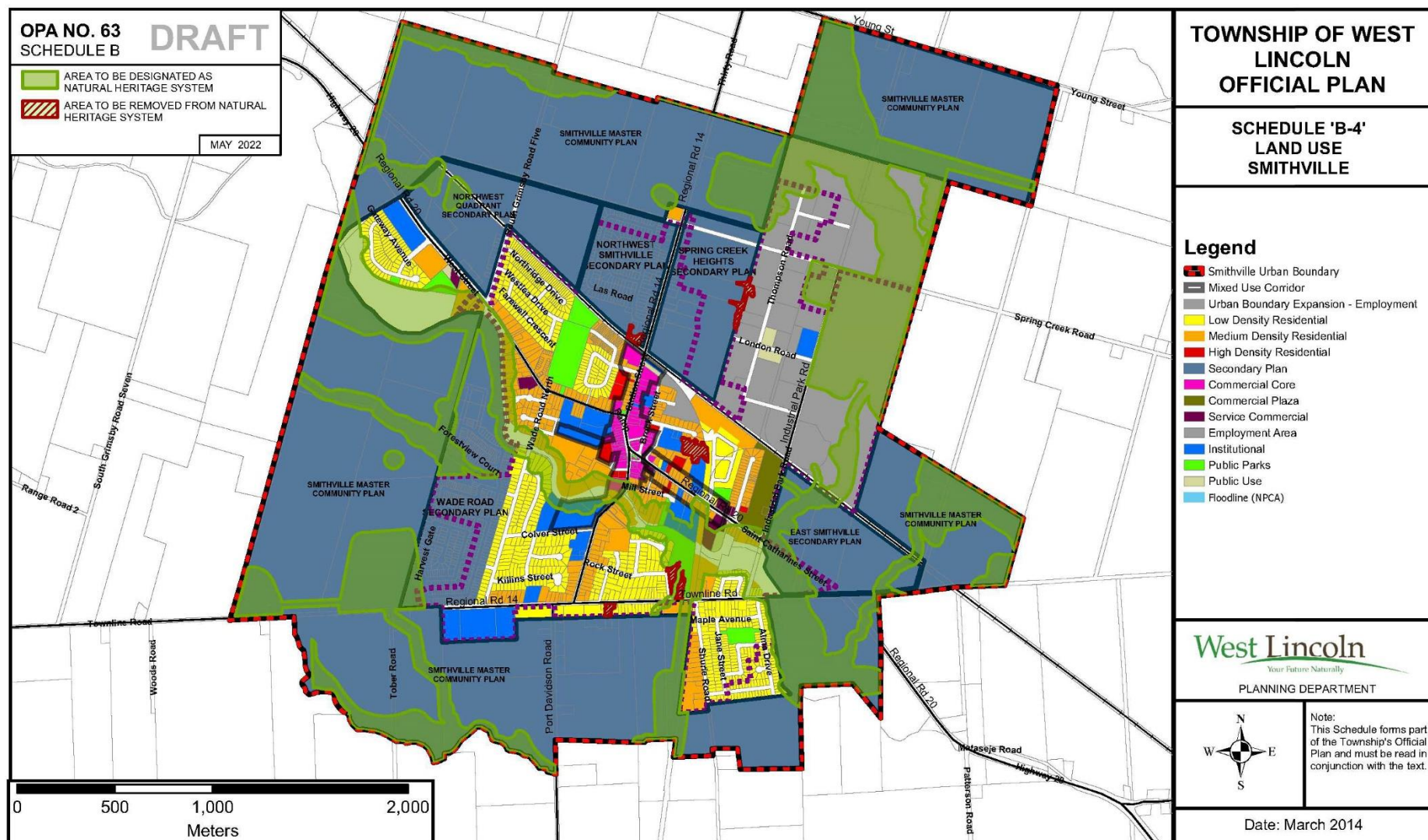
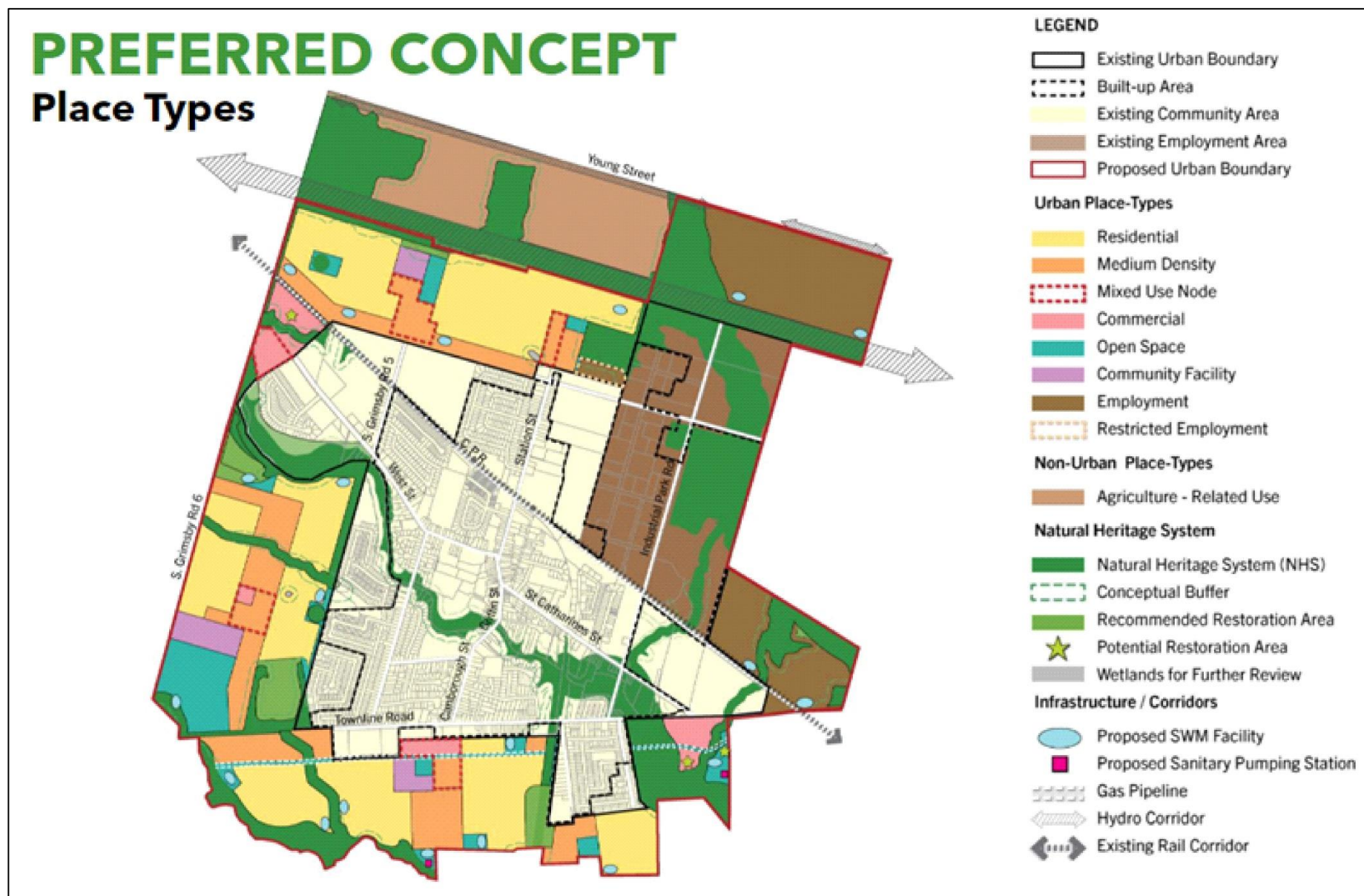


Figure ES-3: Preferred Concept Plan



**Figure ES-4, Figure ES-5 and Figure ES-6** highlight the implementation plans created to address these requirements.

Whilst the Master Plan will not reference the specific criteria utilised to evaluate alternative transportation strategies, this information is documented in the Transportation Master Servicing Plan.

The recommended strategy for the transportation system to accommodate the urban boundary expansion concept was identified based on the overall environment assessment results, technical feasibility, safety, ability to accommodate multiple transportation methods, and financial implications. The Transportation Master Servicing Plan includes a project listing of recommended transportation capital works projects to be implemented by the Township of West Lincoln and Niagara Region as the Master Community Plan develops over time. The project listing will also be used to support the Township and Region's development studies. Refer to Appendix B of this report for the complete Project Listings table.

## Water and Wastewater

Smithville currently has a water-wastewater network that is developed around one water pumping station and two sewage pumping stations. In addition, Smithville is dependent on an inground reservoir, an elevated storage facility and two sewer lift stations. The current overall water-wastewater system is comprised of roughly 33 kilometres of watermains and 34 kilometres of sewer lines and provides servicing to a population of 7,625 and 1,115 jobs. Whilst the infrastructure network within the existing urban boundary of Smithville is extensive, current imaging highlights the network as a limiting factor in population growth.

Forecasted growth required an assessment of the existing water and wastewater network to understand what the possible impacts of the new development are, this exercise was conducted using a hydraulic model which replicates existing water and wastewater conditions and servicing capacity and then forecasts the growth system usage as a result of the new development.

Current urban boundary expansion plans to improve existing infrastructure centre around four distinct development Stages (1-4) with each Stage requiring an individualized water and wastewater servicing strategy to both fit the needs of Township and minimize.



### Figure ES-4: Proposed New Roads and Road Upgrades

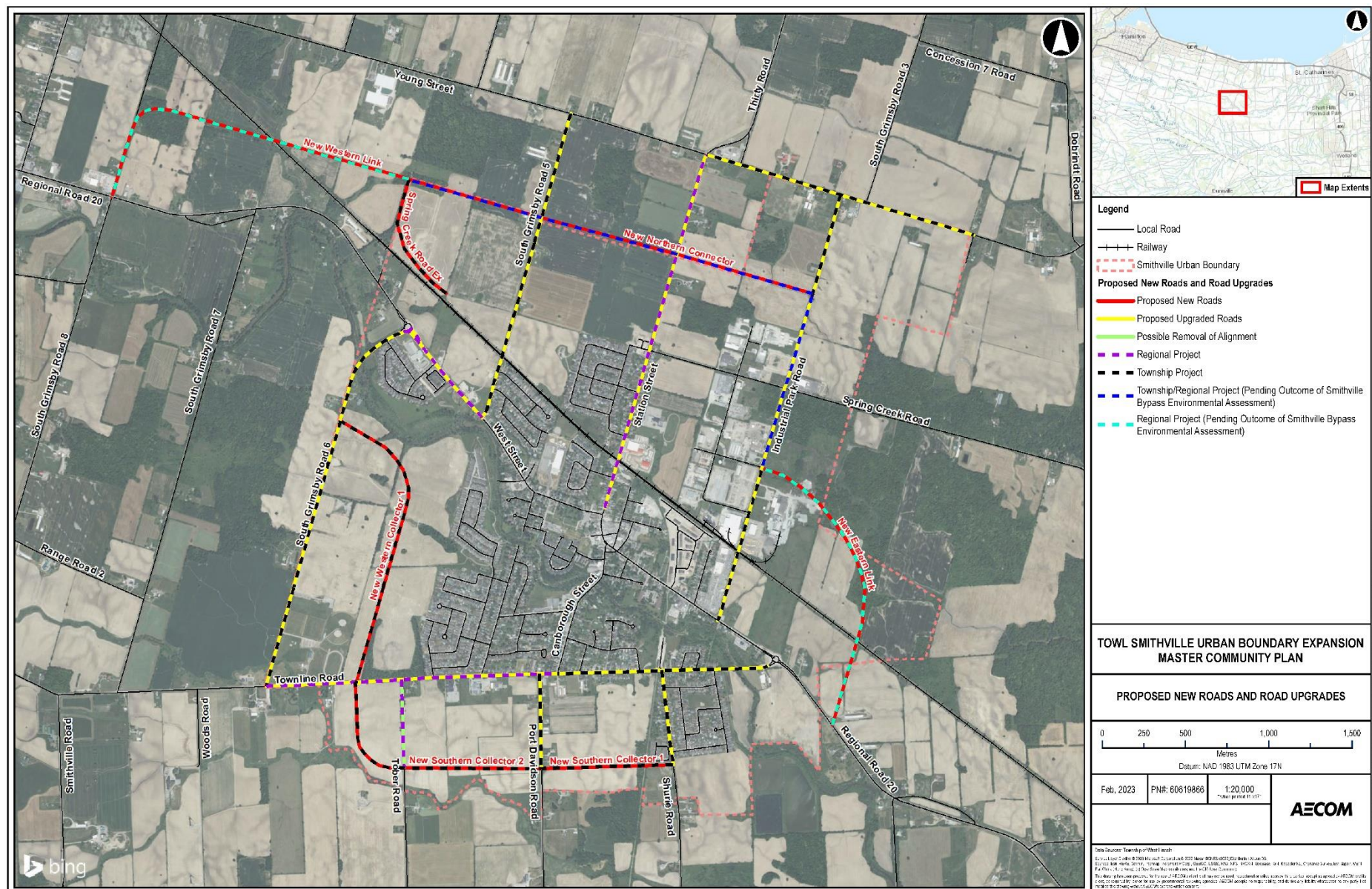




Figure ES-5: Planned Junction Improvements

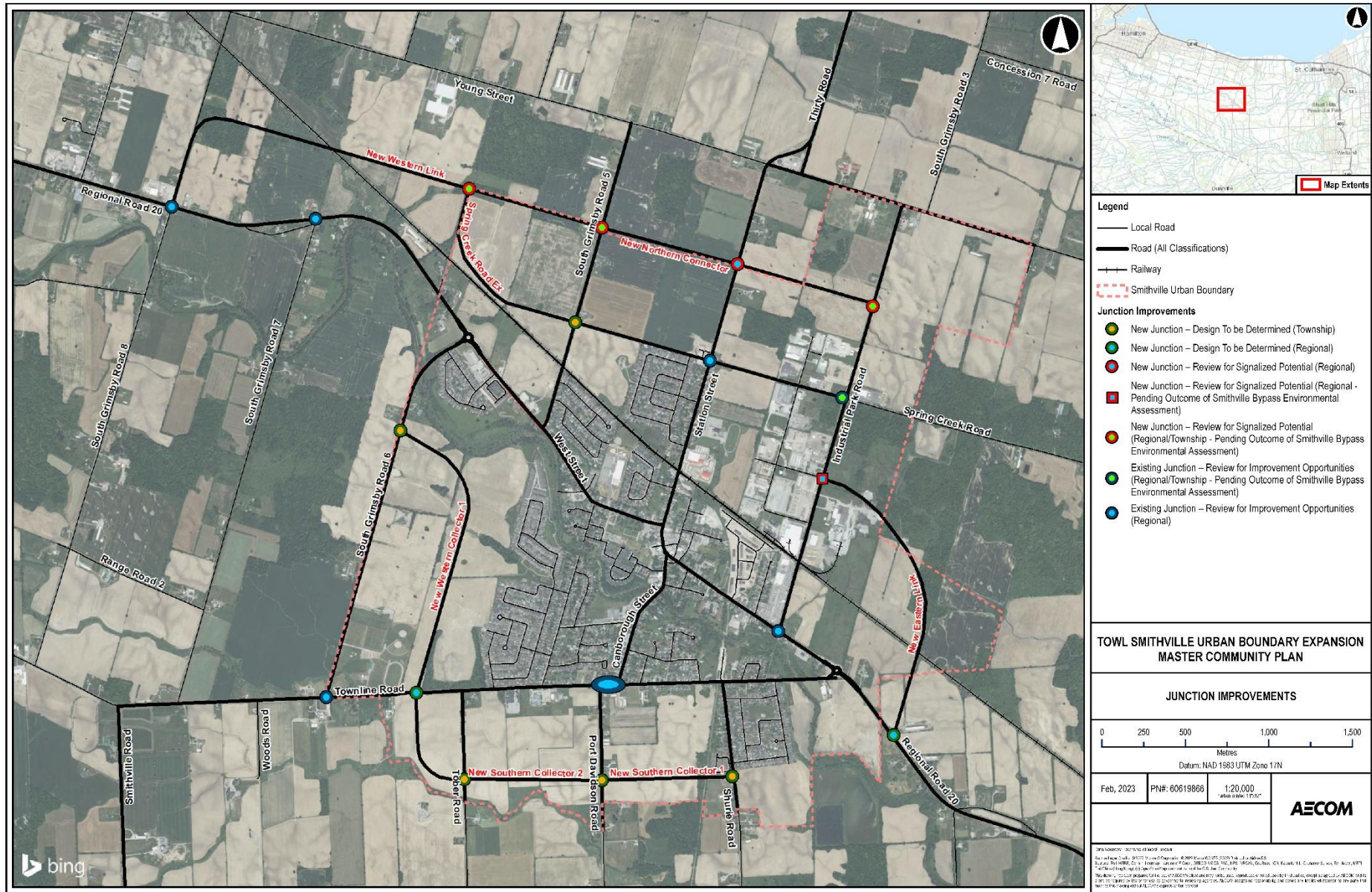
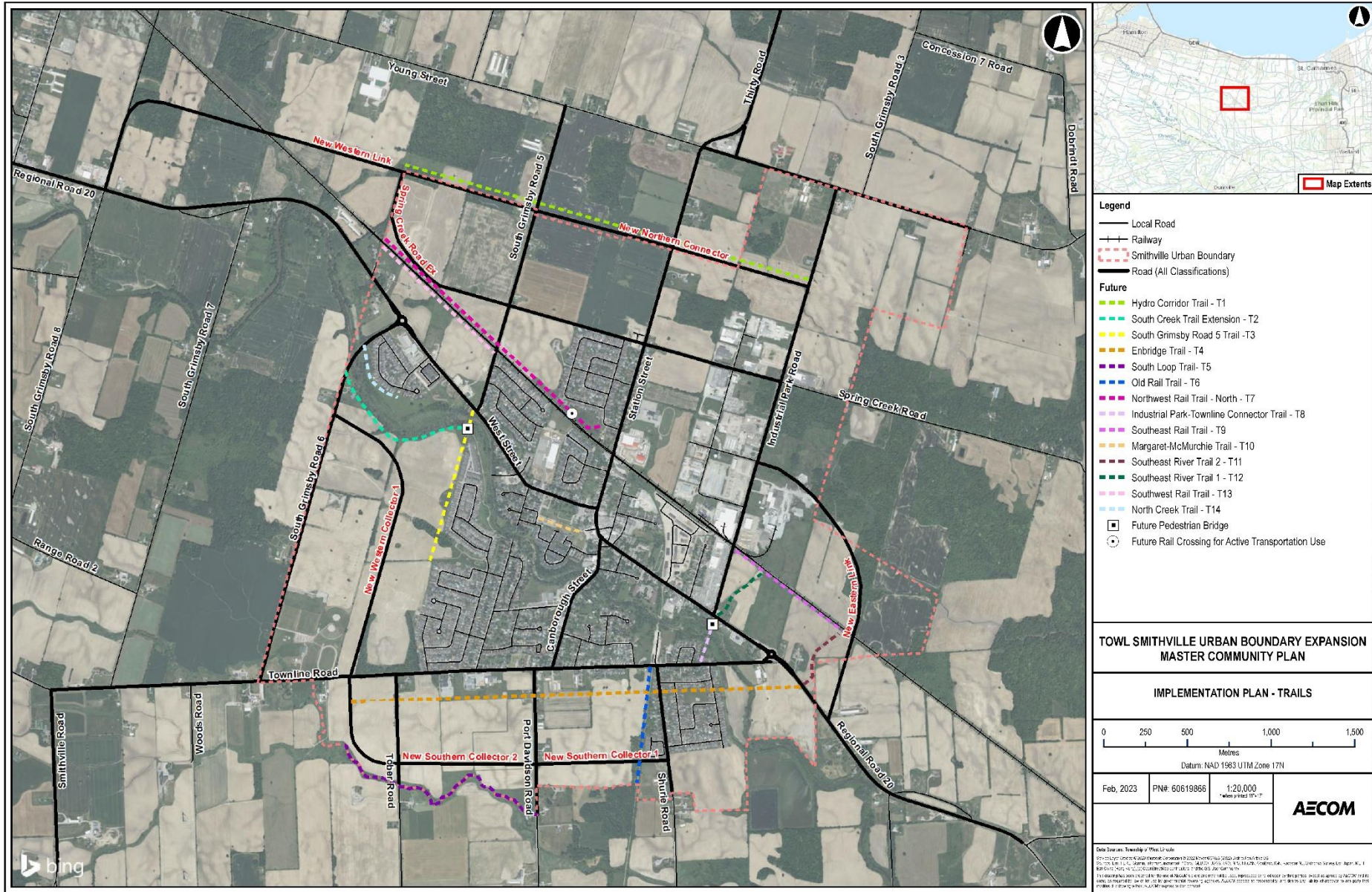




Figure ES-6: Implementation Plan – Trails





The recommended strategy for the water wastewater system to accommodate the urban boundary expansion concept was identified based on the overall environment assessment results, technical feasibility and financial implications.

The following section provides the list of preferred options for each stage's servicing strategy.

**Table ES-1: List of Preferred Options for Each Stage's Servicing Strategy**

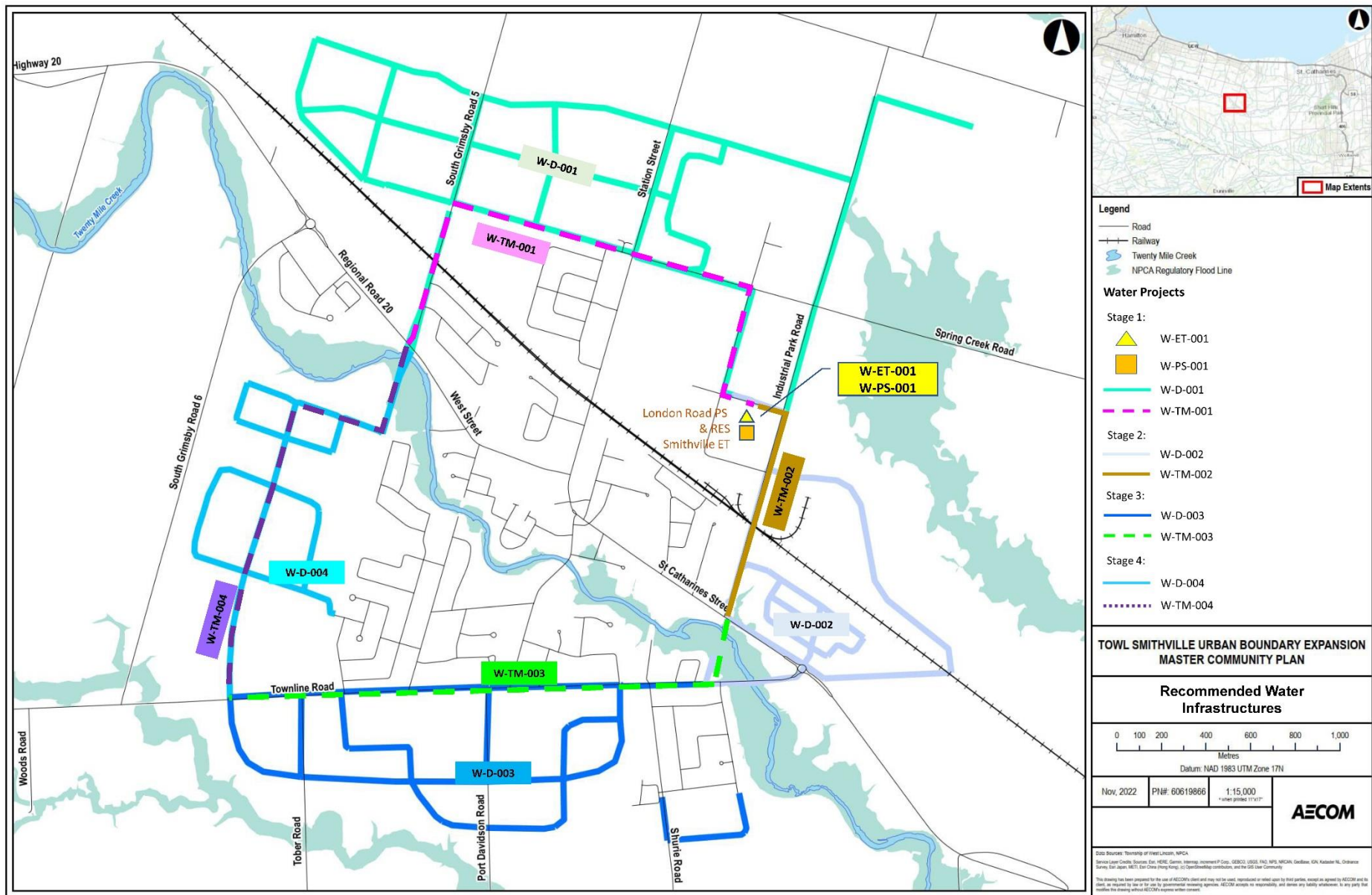
Stage	Preferred Water Servicing Strategy	Preferred Wastewater Servicing Strategy
1	S1W1	S1WW1
2	S2W2	S2WW1
3	S3W1	S3WW1A, S3-FM1B, S3WW2A
4	S4W3	S4WW1, S4-FM2

**Figure ES-7** and **Figure ES-8** present the preferred water and wastewater servicing strategy, respectively.

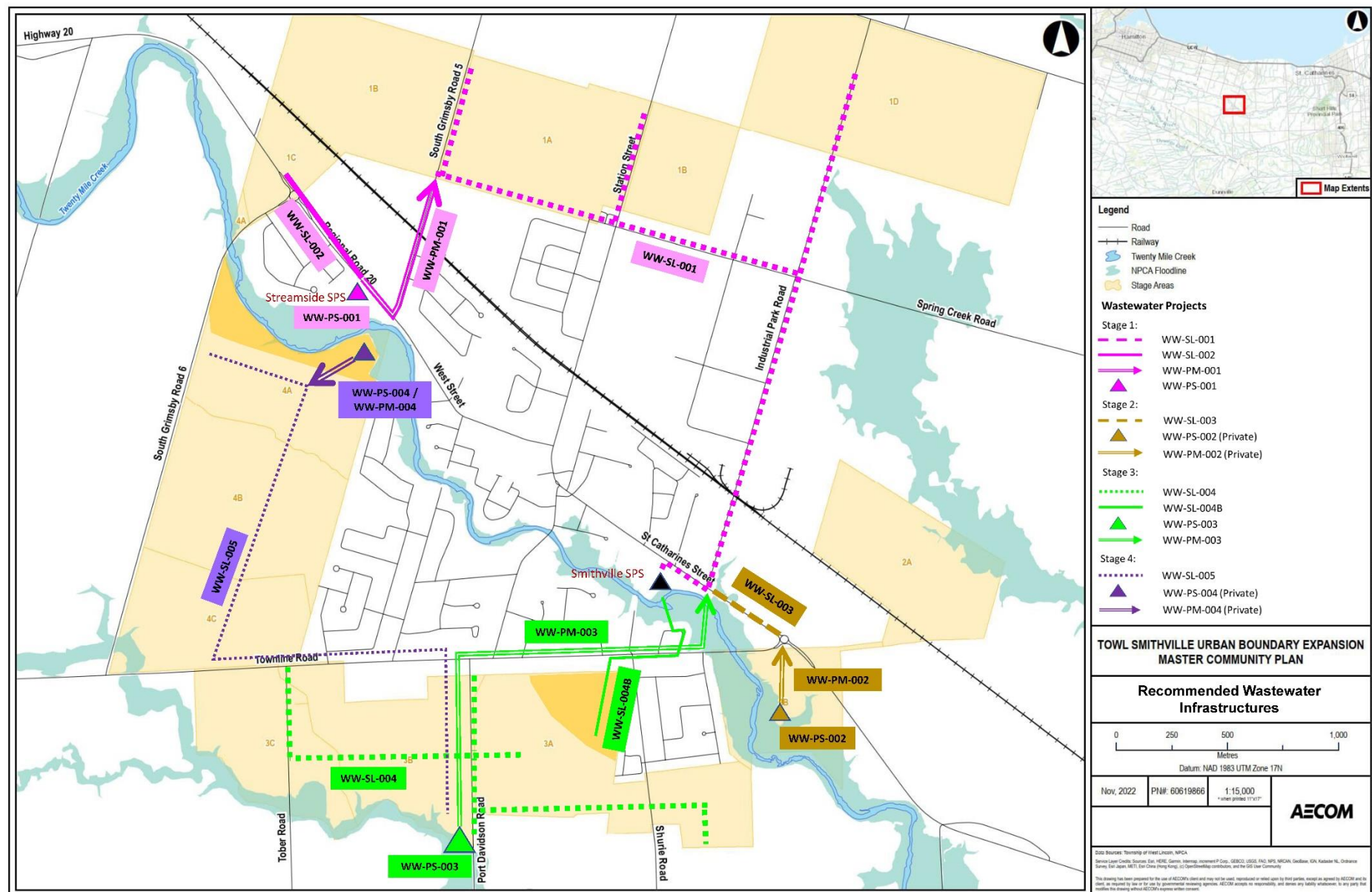
Whilst the Master Plan will not reference the matrices utilised to evaluate alternative water and wastewater strategies, this information is documented in the Water-Wastewater Master Servicing Plan.

The Water-Wastewater Master Servicing Plan includes a project listing of recommended water and wastewater capital works projects to be implemented by the Township of West Lincoln and Niagara Region as the Master Community Plan develops over time. The project listing will also be used to support the Township and Region's development studies. Refer to Appendix C of this report for the complete Project Listings table.

Figure ES-7: Preferred Water Servicing Strategy



### Figure ES-8: Preferred Wastewater Servicing Strategy



## Subwatershed Study

In addition to guiding the Master Community Plan land use concept/policy planning and OPA process, the Subwatershed Study also supported the Integrated Municipal Class Environmental Assessment planning process that followed specific steps outlined in the Municipal Engineers Association Municipal Class Environmental Assessment document (as amended in 2015) and outlined in section A.2.9.3.

The Subwatershed Study has been completed in three phases corresponding to Subwatershed “Characterization and Integration”, “Impact Assessment”, and “Management, Implementation, and Monitoring Plan”. The Subwatershed Study analyses and findings have provided inputs to the Municipal Class Environmental Assessment Phase 1 Problem/Opportunity Statement, in addition to Municipal Class Environmental Assessment Phase 2 Existing Conditions and Alternatives Evaluations where applicable. The Subwatershed Study includes the preparation of a Stormwater Management Master Plan, which establishes the stormwater management requirements for the future intensification and infill areas within urban Smithville. Upon completion, the Subwatershed Study and the Stormwater Management Master Plan will be endorsed by Council.

With respect to alternative solutions, various technologies and practices have been considered to address the stormwater management criteria as per current (2003) Ministry of Environment criteria and emerging guidance for providing a treatment-train for stormwater management combining controls at source and end-of-pipe noted in the Phase 2: Impact Assessment Subwatershed Study, some of these may include: wet end-of-pipe facilities (i.e., wetlands, wet ponds, hybrid facilities), vegetated technologies (i.e., grassed swales, buffer strips, etc.), oil/grit separators, bioswales/biofilters, and infiltration trenches.

Approaches for thermal control: LID infiltration BMPs, urban terrestrial canopy (also NHS), facility shading (includes orientation and length/width ratio), facility cooling trenches, facility bottom draws, stormwater management facility orientation, Concrete Sewer System, Underground Storage Facilities, Green & White roofs, Floating Islands, and other measures.

It should be noted that preliminary stormwater management facility locations have been determined based upon study area topography and within Master Community Plan park – open space blocks and that these, including stormwater management facilities are conceptually shown on **Figure ES-3**. Similarly storm sewer alignments follow the preferred Master Community Plan road network and in some cases existing roads and easements.



Once OPA 63 is approved under the Planning Act (subject to no appeals or following the resolution of appeals) select Schedule B projects (e.g., new stormwater management facility, where property is required) are automatically approved as Schedule A projects. This also aligns with Municipal Class Environmental Assessment document Appendix 1 Project Schedules, (Schedule A Wastewater Protect # 17) “the construction of stormwater facilities establishment which are required as a condition of site plan, consent plan, plan of subdivision or condominium which come into effect under the Planning Act prior to construction of the facility” are automatically approved. It is also important to note that any change in infrastructure location (example stormwater management facility) would be documented in a Master Environmental Servicing Plan and Municipal Class Environmental Assessment Addendum process in conjunction with the Block Plan process.

## Implementation Plan

As identified in the Phase 3 Subwatershed Study, the urban expansion area for the Community of Smithville has been organized into contiguous blocks, representing areas with common infrastructure for servicing and transportation. At the next stage of planning, the land use for the blocks will be refined to develop more detail for the respective Block Plans. These Block Plans may represent the individual blocks identified, or encompass contiguous groups of blocks, depending upon the timing of development for the respective blocks and servicing and transportation infrastructure. The Block Plans are to be supported by Master Environmental Servicing Plans which will be guided by the Terms of Reference (provided under separate cover).

## Property Requirements

The majority of planned infrastructure will be located within future development blocks in addition to existing and future roads and easements. Specific to the water servicing strategy, temporary easements have been identified related to the watermain crossing on Twenty Mile Creek at South Grimsby Road 5 and Regional Road 20 (West Street) in addition to Industrial Park Road at Regional Road 20 (St. Catharines Street) as shown on **Figure ES-9** and **Figure ES-10**. A permanent easement has also been identified related to the watermain crossing on Twenty Mile Creek at South Grimsby Road 5 and Regional Road 20 (West Street) as shown in **Figure ES-10**. It is accordingly recommended that the Township approach the affected land owners who secured the temporary easements so that the watermains can be constructed at the appropriate time. It is also recognized that future temporary or permanent easements may be identified through the future Block Plan and Master Environmental Servicing Plan process.



Figure ES-9: Stage 3 Property Requirements

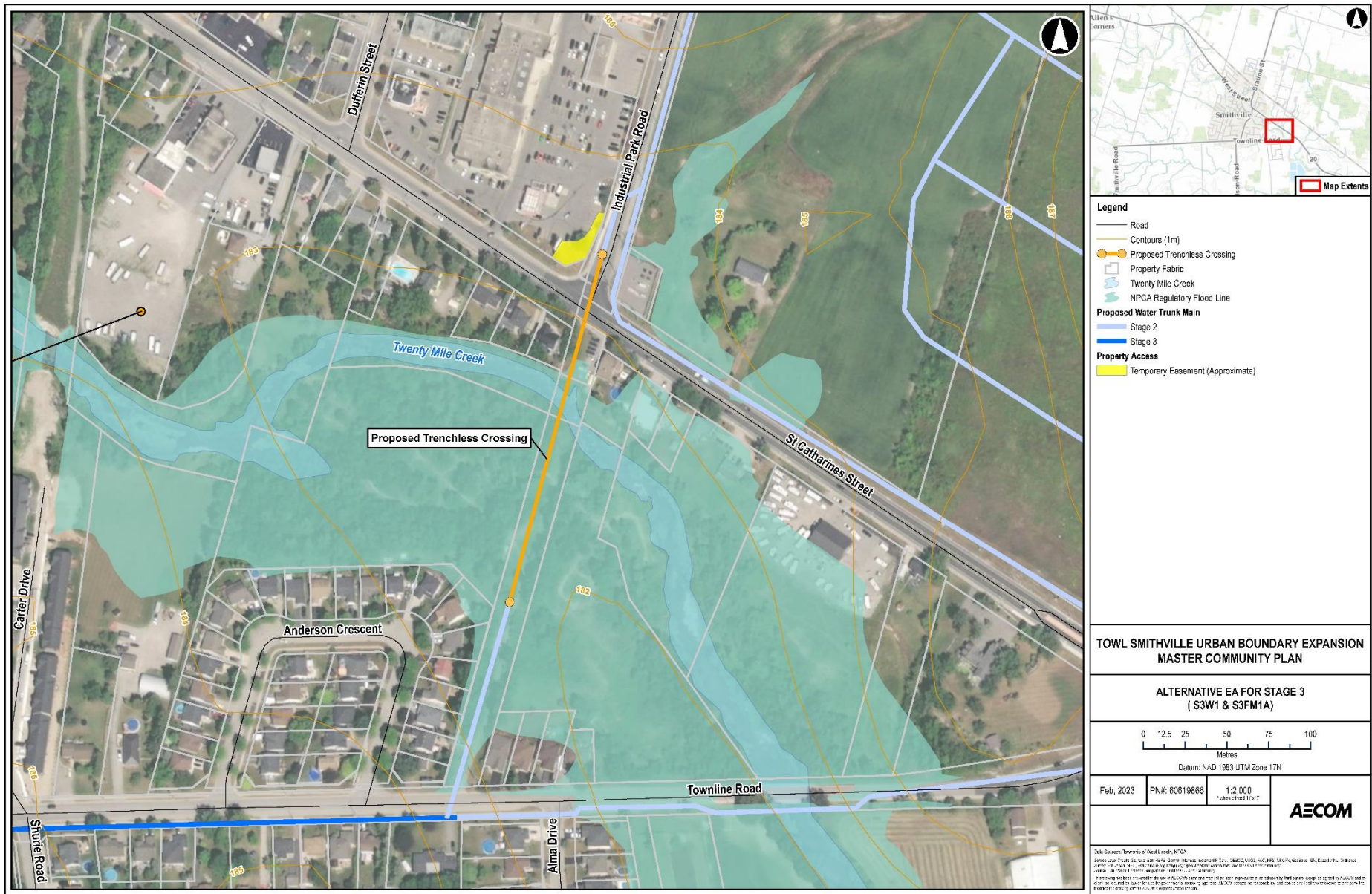
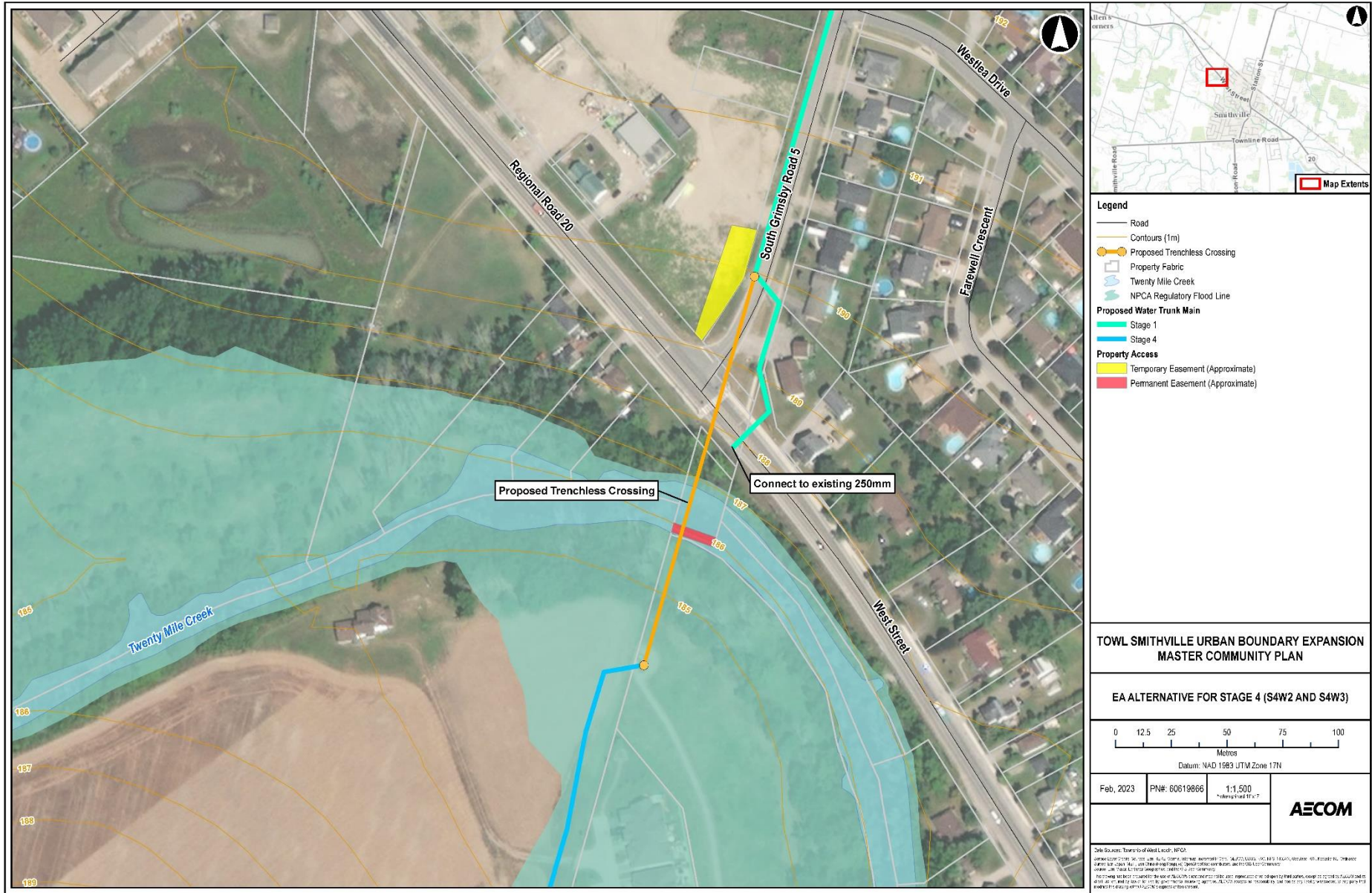




Figure ES-10: Stage 4 Property Requirements



## Potential Impacts and Recommended Mitigation Measures

Impacts related to construction of the recommended transportation, water, wastewater and stormwater projects will be largely limited to the duration and location of construction.

Based on the preferred municipal infrastructure servicing strategies and proposed construction techniques, construction is expected to have varied effects on the environment and community. Efforts to minimize impacts such as loss or disruption to terrestrial and aquatic natural heritage features, land use disturbances, noise and vibration, traffic flow and property access disruptions will be made by implementing standard construction and best management practices that will be further developed during the Block Plan and Master Environmental Servicing Plan processes as well as preliminary and detailed design phases by means of further studies and permit applications, where applicable.

## Community and Stakeholder Engagement

Community and stakeholder engagement has been undertaken strategic points along the project schedule, and included:

- With respect to Planning Act and Municipal Class Environmental Assessment Integration consultation, co-ordinated Planning Act/Class Environmental Assessment public notices were sent out and presentations to Township Council were made with all disciplines present.
- Public Information Centres (in-person/ virtual) – to provide information about the project to the community. Public Information Centres also facilitate dialogue between the Township, consultant team and members of the public. These events are important milestones to seek community feedback to improve our work. There are a total of four Public Information Centres being held throughout the duration of this study.
- Plansmithville.ca – virtual engagement platform with project information and the opportunity to provide feedback on various aspects of the project.
- In addition to the Steering Committee, a Technical Advisory Committee was formed which further spawned sub Technical Advisory Committees that also helped focus individual disciplines. This also included a number of meetings with landowner representatives and their consultants to review the

recommended servicing strategies and staging. Technical Advisory Committee workshops with stakeholders such as Niagara Region Public Works and Planning, Niagara Peninsula Conservation Authority, and landowner group representatives – were held at strategic points in the project timeline to review and comment on technical work prior to supporting decisions and presentation to the public.

- Other meetings held with stakeholders, including the school boards, Municipal of Ministry Affairs and Housing and Hydro One to provide an opportunity early in the planning process to comment on how land uses are conceptually integrated into the Master Community Plan.
- Local Indigenous Communities and organizations were notified as part of the integrated Municipal Class Environmental Assessment consultation process that included issuance of all notifications (e.g., study commencement and Public Information Centre notices). Local Indigenous Communities and organizations were also offered the opportunity to meet to confirm their interests in the Master Community Plan Integrated Environmental Assessment process and how they would like to be engaged.

## **Conclusions**

This Municipal Class Environmental Assessment Study fulfills the requirements for Schedule B projects as outlined in the MEA Municipal Class Environmental Assessment Guide. Consultation requirements of the Municipal Class Environmental Assessment process have been fulfilled through consultation with stakeholders, review agencies, and local Indigenous Communities, and the submission of this Integrated Environmental Assessment report. Subject to no appeals, or following the resolution of appeals, to Niagara Region's decision on OPA 63 the proposed transportation, water and wastewater and stormwater infrastructure works may proceed to the Block Plan and Master Environmental Servicing Plan as well as the design and property acquisition (temporary easements) phases. Lastly, it is noted that select Schedule C projects as identified in the Transportation Master Servicing Plan (e.g., Townline Road widening improvements and Smithville By-pass) will be addressed through separate Schedule C planning processes that will use the Transportation Master Servicing Plan to address Phases 1 and 2 of the Municipal Class Environmental Assessment process.



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. FOUR

February 27, 2023, 5:45 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

**Staff:** Joanne Scime, Clerk  
Bev Hendry, CAO  
Mike DiPaola, Director of Public Works & Recreation\*  
Kevin Geoghegan, IT Help Desk Analyst  
Jim Hagar, Interim Human Resources Coordinator\*

**Others:** Bruce Harris, WeeStreem\*  
Kelly Campbell, Hamilton Health Sciences\*  
Aaron Levo, Hamilton Health Sciences\*  
Steve Reid\*  
Klaas Zeldenrust\*

\*=IN ATTENDANCE PART-TIME

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1. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST (FOR CONFIDENTIAL MATTERS)**

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

2. **CONFIDENTIAL MATTERS**

All Members of Council, the CAO, Director of Legislative Services/Clerk, Director

Page

1



of Public Works & Recreation, and the Interim Human Resources Coordinator, were in attendance for closed session, specifically as it relates to personnel matters relating to identifiable individuals.

**Moved By** Councillor Terry Bell

**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 Interim Human Resource Coordinator (Jim Hagar) and CAO (Bev Hendry)  
Re: Personnel Matters - Identifiable Individuals

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

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

**Carried**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

That, this Council meeting does now resume in open session at the hour of 6:35 p.m.

**Carried**

- 2.1 Interim Human Resource Coordinator (Jim Hagar) and CAO (Bev Hendry)  
Re: Personnel Matters - Identifiable Individuals

Council rose without reporting.

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

Prior to commencing with the Council agenda, Mayor Ganann read the following announcements:

1. Regional Councillor Witteveen provided advance notice that he will not be in attendance for this evening's Council Meeting.
2. Comments from the public for a matter that was on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
3. For those individuals that were unable to attend the meeting in person, could submit comments for matters that are on the agenda by either (1) emailing [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca) before 4:30 pm today. Any comments submitted will be considered as public information and read into public record OR (2) by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
4. This meeting was being livestreamed. The link to watch the meeting live

could be found on the Township's website by selecting the "Township Office" tab at the top of the website, click the Council or Standing Committee meetings tab and scroll down the meeting list to find the link.

5. This meeting is being recorded and will be available to view by clicking the meeting video link found on the Township's website within 48 hours after the meeting unless otherwise noted.

**4. LAND ACKNOWLEDGEMENT STATEMENT**

Mayor Ganann will read the following:

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.

**5. OPENING PETITION - Councillor Shelley Bradaric**

**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**

There were no Members of Council that declared a pecuniary interest and/or conflict of interest with respect to matters that are on this evening's Council agenda; however, below are a list of disclosures of pecuniary interest and/or conflict of interest that were made at the February 13th, 2023

Planning/Building/Environmental Committee meeting as it relates to Citizen and Council Appointments to Boards and Committees.

**7.1 February 13, 2023 - Planning/Building/Environmental Committee Meeting (Citizen Appointments to Boards and Committees) - 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.

**8. 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.

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.

**9. APPOINTMENTS/PRESENTATIONS**

9.1 Aaron Levo, (Vice President - People, Culture and Communications) and Bob Hofmann (Director - Redevelopment Projects), Hamilton Health Sciences

Re: Update on West Lincoln Memorial Hospital (WLMH) Redevelopment Project - PowerPoint Presentation

On behalf of Bob Hofmann who was still travelling due to inclement weather, Kelly Campbell reviewed the PowerPoint Presentation, which was included as an attachment on the agenda.

Ms. Campbell touched on numerous topics, including but not limited to the following:

- Capital Planning
- The New WLMH building behind the existing hospital
- 2022 Recap and looking ahead to see what's next in 2023
- Redevelopment Project Timelines
- Various renderings including Clinical Space, Emergency Department and Diagnostics area, Communication Stations, In-Patient Rooms and the Maternal Newborn Unit area.

Mr. Aaron Levo advised how residents of West Lincoln and Council could help with the rebuild of the new West Lincoln Memorial Hospital, which included sharing news, communication strategies, and signing up at [wlmh.ca/newsletter](http://wlmh.ca/newsletter). Mr. Levo thanked Members of Council for their time and consideration of allowing him the opportunity to provide an update on the new hospital.

Mayor Ganann stated she appreciated the efforts of the presenters on

behalf of the West Lincoln Memorial Hospital, and noted her appreciation of the effort despite the lengthy timeline of this project.

Councillor Reilly echoed similar comments as Mayor Ganann.

9.2 Steve Reid

Re: Request for Sunday Hunting to be Permitted in the Township of West Lincoln

Mr. Steve Reid stated he would like to see the Township of West Lincoln remove their restriction of no Sunday hunting. Mr. Reid noted that numerous other municipalities across Ontario and Niagara allow Sunday Gun Hunting, and he would appreciate if Township staff and Council could review this proposition.

Councillor Bradaric stated she would support this measure and would like to see a report come forward regarding this issue.

Councillors Trombetta and Reilly echoed similar comments as that of Councillor Bradaric and they too would like to see a report about this issue.

Councillor Chechalk inquired into the rules and regulations of hunting, and if this proposition would change anything in regards to how hunting would be conducted in West Lincoln.

Mr. Reid stated that this would simply allow gun hunters to discharge and hunt on Sundays; however, he noted that hunters would still need permission of property owners to hunt on their property as well as adhered to all provincial legislation requirements.

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Jason Trombetta

That, the Request to Speak at a Meeting submitted by Mr. Steve Reid requesting that the Township of West Lincoln permit the discharge of Firearms and Sunday hunting be received and referred to staff for report and recommendation at a future Committee or Committee Meeting.

**Carried**

**10. REGIONAL COUNCILLOR'S REMARKS**

Due to Regional Councillor Witteveen's absence an update was not provided this month.

**11. CONFIRMATION OF MINUTES**

11.1 Council Minutes - Regular

Re: January 30, 2023

Confidential Minutes Under Separate Cover

**Moved By** Councillor Terry Bell

**Seconded By** Councillor Shelley Bradaric

1. That, the minutes of the open session portion of the January 30, 2023 regular Council meeting be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the January 30, 2023 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 **AS AMENDED (see below)**

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Mike Rehner

That, Item 16.6 of the January 30, 2023 Council Minutes regarding Recommendation Report No. C-01-2023 (Regulation of Small Game Hunting By-law (Pheasant and Rabbit Hunting) in the Township of West Lincoln; be amended by showing that this item "LOST" and was not "Carried".

**Carried**

11.2 Public Meeting Under the Planning Act

Re: Minutes of February 13, 2023

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor William Reilly

That, the minutes of the public meeting held on February 13, 2023 under Section 34 of the Planning Act, with respect to:

- a. Zoning By-law Amendment - Temporary Use By-law - Garden Suite - 9275 Concession 5 Road (Ed & Cornelia Redekop and Jonathan & Loreen Kelly) (File No. 1601-015-22)
- b. Zoning By-Law Amendment - 9629 Regional Road 20 (Brian VanHengstum) (File No. 1601-014-22)



- c. Zoning By-Law Amendment and Draft Plan of Condominium - Abingdon Rd. Concession 5, Part Lot 16 (2854604 Ontario Inc.) (File No(s): 1601-016-22 (ZBA) and 2000-91-22 (DPC))

be accepted.

**Carried**

## **12. COMMUNICATIONS**

There were no communications.

## **13. MAYOR'S REMARKS**

Mayor Ganann read a prepared statement which was attached as **Schedule "A"** to the minutes.

Councillor Reilly inquired to Mayor Ganann in regards to the state of emergency that the Niagara Region just declared about various social issues including addiction, homelessness, and mental illnesses.

Mayor Ganann provided a background of the issues at the Niagara Region, and the presentation that was given to the Niagara Region before this declaration was made. Mayor Ganann stressed that a key part of the presentation was managing expectations, especially in terms of the expectations of funding from the Province. Mayor Ganann clarified the work that the Niagara Region has already been doing, and the goals that were expected to come out of the emergency declaration.

## **14. REPORT OF COMMITTEE**

### **14.1 Planning/Building/Environmental Committee**

Re: Minutes - February 13, 2023

**Moved By** Councillor William Reilly

**Seconded By** Councillor Terry Bell

1. That, the minutes of the open session portion of the February 13, 2023 Planning/Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved; and,
2. That, the confidential minutes relating to the closed session portion of the February 13, 2023 Planning/Building/Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

**Carried**

- 14.2 Administration/Finance/Fire Committee  
Re: Minutes - February 21, 2023

**Moved By** Councillor Jason Trombetta  
**Seconded By** Councillor Terry Bell

1. That, the minutes of the open session portion of the February 21, 2023 Administration/Finance/Fire Committee meeting, be accepted, and the recommendations contained therein, be approved; and,
2. That, the confidential minutes relating to the closed session portion of the February 21, 2023 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

**Carried**

- 14.3 Public Works & Recreation Committee  
Re: Minutes - February 21, 2023

**Moved By** Councillor Mike Rehner  
**Seconded By** Councillor Shelley Bradaric

That, the minutes of the open session portion of the February 21, 2023 Public Works & Recreation Committee meeting, be accepted, and the recommendations contained therein, be approved.

**Carried**

**15. RECONSIDERATION**

There were no items put forward for reconsideration.

**16. NOTICE OF MOTION TO RESCIND**

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

**17. OTHER BUSINESS**

- 17.1 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)

17.2 Members of Council  
Re: Council Remarks

(1) CAO (Bev Hendry)  
Re: Special Announcement - Stanpac

The CAO stated that today a special announcement at Stanpac was made, which the Mayor invited her to attend. It was announced that Stanpac would be receiving a 5 million dollar grant under the Economic Federal Development Agency of Ontario, which will scale up Stanpac's new compostable products as well as provide 30 new jobs.

(2) Councillor Mike Rehner  
Re: Public Information Meeting - Thirty Road & Young Street

Councillor Rehner stated that Niagara Region provided notice that they will be hosting a virtual information session with respect to the area of the Thirty Road and Young Street and stated his encouragement for residents to attend and ask questions and/or provide comments.

(3) Councillor Shelley Bradaric  
Re: Strategic Plan Survey

Councillor Bradaric stated that the Township's Strategic Plan survey was online until March 20, 2023 with hardcopies of the survey being located at physical locations such as the libraries within West Lincoln. Councillor Bradaric encouraged residents to participate in the survey so their voices could be heard.

**18. NEW ITEMS OF BUSINESS**

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

**19. BY-LAWS**

**Moved By** Councillor Joann Chechalk  
**Seconded By** Councillor Mike Rehner

1. That, leave be granted to introduce By-law #s 2023-10, 2023-11, 2023-12, 2023-13, 2023-14, 2023-15, 2023-16, and 2023-17 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 APPROVED BY-LAWS:**

19.1 BY-LAW 2023-10

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 30th day of January, 2023

19.2 BY-LAW 2023-11

A By-law to amend schedule F of By-law 2023-03 which confirmed various Appointments to Boards and Committees Heritage Committee

19.3 BY-LAW 2023-12

Being a By-law to establish Part 1 on Reference Plan No. 30R-15989 on Concession 3 road as Public Highway, in the former Township of Caistor, now Township of West Lincoln, Regional Municipality of Niagara.

19.4 BY-LAW 2023-13

A By-law to amend By-law 2023-07 Stock Valuers in the Township of West Lincoln for the 2022-2026 term or until their successors are appointed.

19.5 BY-LAW 2023-14

A By-law to appoint External Auditors for the Corporation of the Township of West Lincoln to KPMG LLP

19.6 BY-LAW 2023-15

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Anthony's Excavating Central Inc. for Pearson Bridge (TWL-ID-B23) Rehabilitation

19.7 BY-LAW 2023-16

Being a By-law to adopt Amendment No. 64 (Lot 34, Plan M89-Residential Medium Density to Residential High Density) to the Official Plan for the Township of West Lincoln

19.8 BY-LAW 2023-17

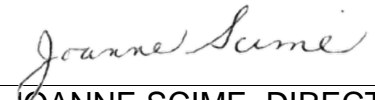
A By-law to amend Zoning By-law 2017-70, as amended, of the Township of West Lincoln (North side of Mill Street, legally described as Lot 34, Plan M89, in the former Township of South Grimsby)

**20. ADJOURNMENT**

The Mayor declared the meeting adjourned at the hour of 7:36 p.m.

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JOANNE SCIME, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK

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MAYOR CHERYL GANANN



## **SCHEDULE "A" TO THE FEBRUARY 27, 2023 COUNCIL MINUTES**

### Mayor's Remarks - February 27, 2023

This is a little wordy tonight, however in the absence of Regional Councillor Witteveen, I will begin my remarks tonight with an update on the end results of a minimum of 7, 4-6 hour long meetings, regarding the Regional Budget for 2023. I have highlighted items from the Capital Budget that I thought both my fellow councillors and members of the public might be interested in knowing.

Regional Staff began working on this budget last summer knowing that the pressures on the budget for this year were immense. I will start by saying that there are NO new items nor any expansion of existing programmes in the Regional Capital Budget, with the exception of the purchase of 2 new ambulances that are being put on the road to ensure that Niagara residents are able to rely on this EMS service in the future.

On February 9th, the overall tax levy presented to Regional Council sat at an unacceptable increase of 9.4%. An extra meeting for February 16th was called by the Budget Committee Chair, and at that meeting the budget was decreased by several millions of dollars and then finally last Thursday night, February 23rd, the tax levy became a still high, but somewhat more palatable, 7.58% increase.

From a West Lincoln perspective, several of the items in the Capital Budget are things that have already been ear-marked and are related to and addressed in, our Corporate Strategic Plan and additionally our Urban Boundary Expansion Plan. Most are designed to support the expected growth allocated to our municipality, most especially related to Water/Wastewater services. Included are, an approximately \$1.3 million upgrade to the Streamside Pumping System, a \$1.5 million Capacity Expansion to the Baker Road Wastewater site and a further \$5 million Water Trunk improvement project tied to our urban boundary expansion needs. Further down the list, but still listed as being "approved" in this budget is the new Water Trunk Main line to Smithville at a cost of \$6.5 million. Also included in the Capital projects are \$500,000 for a Hwy. 20 Smithville By-pass study and another \$500,000 for study work related to a new Niagara Escarpment Crossing. It is actually great to know that those items of importance to West Lincoln are still on the radar of the Region. West Lincoln residents will also benefit from some of the \$4.2 million ear-marked for the Roads Resurfacing Programme and also the \$2.5 million Storm Sewer and Culvert programme, designated for ongoing maintenance of the overall Regional Transportation System.

I sincerely appreciate that the Region of Niagara has addressed the need for safe and clean drinking water, both for our current and our future residents. Whether delivered in the urban area, by simply turning on a tap or by water haulers, from our Bulk filling station to a cistern before that tap is turned on, it is important that residents can depend on the excellent quality of that water. This work, proposed and approved at the Regional level, puts multi-millions of dollars into West Lincoln to ensure continued excellent water quality, both now and well into the future. This long-term, long-range planning is necessary and is greatly appreciated, when one considers that independent of the Region, we would certainly not be able to afford this work if it had to be born by current West Lincoln tax-payers alone.

Also on the 2023 list but not yet funded are several other projects of importance to West Lincoln. The first, under Transportation, is Regional Rd. 69 or Twenty Road, from Victoria Ave to Mountain Rd. at a cost of \$6.5 million, the second is the portion of Reg. Rd 20 or HWY20 from Canborough St. to Station St. at \$.4 million, third is work on the Warner Bridge on Reg. Rd. 14 priced at \$250,000, fourth is Phase 4 of Regional Rd. 20, which is the eastern portion costed out at \$8,263.235 and also on this list is another \$500 000 toward work on Regional Rd. 63 through Wellandport from the stoplight to the Community Centre.

## **SCHEDULE "A" TO THE FEBRUARY 27, 2023 COUNCIL MINUTES**

I did, at Tuesday Night's meeting, thank all Township Staff, both from Recreation and the West Lincoln Fire Department, involved in coordinating and planning all of the Family Day activities for the commitment of time and energy they collectively put into making the day so very successful. I felt that it was important to add that wildly successful event to my remarks tonight as well. I also want to take this opportunity to thank the hundreds of residents who came out to take part in the various activities during the day. The intrinsic reward to staff, for the work put into planning such a day, are the smiles, the laughter and the friendly chatter of those who come out to enjoy the fruits of their labour. So once again, thanks for coming out West Lincoln!

On another note, I was honoured to have been invited to attend a swearing-in ceremony for two brand new Canadians on Tuesday morning at Smithville United Church. Two very talented United Church musicians, Luis Molina and Marcella Lagunas, along with 181 others from across Canada were sworn in at a virtual ceremony conducted by a citizenship judge from Nova Scotia, via Zoom. Supportive members of Smithville United Church provided a wonderful celebration for the couple to honour them as they gained their Canadian citizenship. It was a very emotionally moving ceremony to witness and my take-away from that event is that, as Canadian-born citizens, we all would most definitely be more appreciative of that status if we had to undergo the rigorous training and time necessary for new Canadians to become full Canadian citizens. Perhaps, if that were a requirement for all of us, we would not be so inclined to take that status for granted.

I also was pleased to attend, along with my husband, John and Councillors Bell and Chechalk, the "Explore Islam" exhibition at the Smithville Public Library this past Saturday. This group plans to visit 1000 communities during the year and West Lincoln was fortunate to have been included in that number. As we grow and our community becomes more diverse, education will become even more important. I appreciate that this exhibition provided an excellent learning opportunity for me personally and also for others who attended.

I would like to thank Beth Audet, the Township's Communication Specialist, for creating "Team West Lincoln" for the Coldest Night of the Year walk, which also was on Saturday. Although we were small in number, we did manage to raise \$600. to help with the overall goal of the Canada-wide walk which is to help support local charities, who serve people experiencing hurt, hunger and homelessness. Specifically in West Niagara, the support is directed toward YW second-stage housing for residents of the West Lincoln, Grimsby and Lincoln areas. The area goal was \$65,000, however a whopping \$68,000 was raised as of Saturday night. Donations may still be made up until the end of March.

Finally... Education is important to both the Staff and the Council of West Lincoln and so I thought that members of the public might be interested in knowing that we are **all** taking part, this up-coming Wednesday evening, in a 3 hour education session regarding "Good Governance". We each recognize that a good working relationship is critical to the well-being of our municipality and so, we will explore together, all aspects of that relationship, as outlined in the Municipal Act.



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

**MEETING NO. FIVE**

**March 1, 2023, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Staff:** Bev Hendry, CAO  
Joanne Scime, Clerk  
Mike DiPaola, Director of Public Works & Recreation  
Tim Hofsink, Acting Fire Chief  
Donna DeFilippis, Director of Finance/Treasurer  
Brian Treble, Director of Planning & Building  
Loraine MacDonald, Supervisor - Library Administrative Services

\*= IN ATTENDANCE PART-TIME

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**1. LAND ACKNOWLEDGEMENT STATEMENT**

Prior to commencing with the Special Council meeting, Mayor Ganann provided the following announcements:

- (1) This evening's Special Council meeting will be closed to the public pursuant to Section 239(2) of the Municipal Act; and,
- (2) This meeting will not be livestreamed nor recorded.

Mayor Ganann read the following 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.

Mayor Ganann recognized the death of a 37 Year Old Firefighter from the City of Buffalo, NY, who tragically lost his life in the line of duty earlier today.

**2. 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.

**3. CONFIDENTIAL MATTERS**

**Moved By** Councillor Terry Bell

**Seconded By** Councillor William Reilly

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 Sabine Matheson (Strategy Corp Inc.)

Re: Municipal Good Governance and Council-Staff Relations West Lincoln

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

A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

- i. The meeting is held for the purpose of educating or training the members.
- ii. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the council, local board or committee. (6:39 pm)

**Carried**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Mike Rehner

That, this Special Council meeting does now resume in open session at the hour of 9:13 p.m.

**Carried**

- 3.1 Sabine Matheson (Strategy Corp Inc.)  
Re: PowerPoint Presentation - Municipal Good Governance and Council-  
Staff Relations West Lincoln

Council rose without reporting.

**4. ADJOURNMENT**

The Mayor to declare this meeting adjourned at the hour of 9:14 p.m.



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

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**MAYOR CHERYL GANANN**



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

**MEETING NO. THREE**

**March 6, 2023, 6:30 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 Joann Chechalk

**Absent:** Councillor Terry Bell – With Regrets (Notification Provided)

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

**Other Members:** WeeStreem  
Steve Wever (GSP Group Inc.) \*  
Richard Vandezande\*  
Jennifer Meader\*  
Raymond Ziemba (SGL Planning & Design Inc.)\*  
John Whyte and David Samis (Phelps Homes Ltd.)\*  
John Henricks (NPG Planning Solutions)\*  
Barry Myler (Myler Ecological Consulting)\*  
Colin Dugan (S Llewellyn Engineering)\*  
Jon & Loreen Kelly\*                      Benny Wan\*  
John Ganann\*                                Karl Grueneis\*

**\*IN ATTENDANCE PART-TIME**

**1. CHAIR - Councillor William Reilly**

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

1. Comments from the public for a matter that is on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
2. For those individuals that are unable to attend the meeting in person, you may submit comments for matters that are on the agenda by either
  1. emailing [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 read into public record OR
  2. by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
3. This meeting will be livestreamed. The link to watch the meeting live can be found on the Township's website by selecting the "Township Office" tab at the top of the website, then clicking the Council or Standing Committee meetings tab and scroll down the meeting list to find the link.
4. This meeting will be recorded and will be available to view by clicking the meeting video link found on the Township's website within 48 hours after the meeting unless otherwise noted.

**2. LAND ACKNOWLEDGEMENT STATEMENT**

The Chair 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.

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

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

**4. PUBLIC MEETING(S)**

There are no public meetings.

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

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

**6. APPOINTMENTS**

**6.1 ITEM P18-23**

Steve Wever, GSP Group Inc.

Re: Official Plan Amendment No. #63 – Smithville Urban Boundary Expansion

**POWERPOINT PRESENTATION**

Steve Wever reviewed the PowerPoint Presentation regarding Official Plan Amendment No. #63 - Smithville Urban Boundary Expansion, which was attached to the [March 6, 2023, Planning/Building/Environmental Committee Agenda](#) (pages 7-27).

**6.2 ITEM P19-23**

Jennifer Meader, Legal Counsel, (Phelps Homes Ltd. and JTG Holdings Incorporated)

Re: Official Plan Amendment No. #63

Jennifer Meader stated that she was joined by John Whyte and David Samis (Phelps Homes Ltd.), John Henricks (NPG Planning Solutions), Barry Myler (Myler Ecological Consulting) and Colin Dugan (S Llewellyn Engineering) to assist in any questions that may arise from the Committee. Ms. Meader provided a number of comments with respect to the Township's Official Plan Amendment No. 63, such as the participation that Phelps Homes Ltd., and JTG Holdings Inc., have contributed to the process to date noting that the comments provided have not been adequately addressed. Ms. Meader also spoke to the written comments that were submitted March 2, 2023 and included as Attachment 4 to Staff Report PD-17-2023.

**6.3 ITEM P20-23**

Raymond Ziemba, Senior Planner, SGL Planning & Design Inc.

Re: Comments - Official Plan Amendment No. #63

Raymond Ziemba reviewed the written correspondence that was forwarded to the Township on March 2, 2023, which was included as Attachment 5 to Staff Report No. PD-17-2022, regarding SGL Comment Letter – OPA 63 on the Planning/Building/Environmental Committee Agenda.

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

**NOTE: Section 10.13 (5) & (6) – General Rules**

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue (some exceptions apply).

A response may not be provided and the matter may be referred to staff. A person who wishes to discuss a planning application or a matter that can be appealed, will be permitted to speak for ten (10) minutes.

There were no members of the public in attendance, virtually or in-person, at the Planning/Building/Environmental Committee Meeting, who wished to address an item that was on the agenda.

Written correspondence was received from Richard & Linda Sivyer and Scott Antonides (Community for Responsible Growth - West Lincoln) regarding "Proposed Modifications to Official Plan Amendments 62, 63" dated March 6, 2023, which were read into the record during Staff Report PD-17-2023 and attached as Schedule **A** to the minutes.

**8. CONSENT AGENDA ITEMS**

There were no consent agenda items.

**9. COMMUNICATIONS**

There were no items of communications.

**10. STAFF REPORTS**

**10.1 ITEM P21-23**

Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD-17-2023 – Proposed Modifications to Official Plan Amendment 62 and 63 - Prior to Regional Council Consideration

The Director of Planning & Building started off by discussing the draft policy for cost sharing noting that this policy has been received by Township staff and has been referred to Township Legal Counsel for review and guidance as to how staff will incorporate cost sharing into the amending documents. The Director of Planning & Building then spoke about timing of the servicing strategy work, noting that the Master Servicing Plans are being properly reviewed by the Township's Public Work's staff which will be presented through the Township's consulting team at a future Public Works Committee meeting. The Director of Planning & Building also stated that Township staff have been committed and will continue to work with the landowners to address concerns that may need some further communications with staff, noting that the goal is to find a "Made in West Lincoln" solution that benefits West Lincoln and the residents as well as the development community.

In response to Councillor Trombetta's concern regarding the cost sharing component, noting that this is an important policy that should be included

in the policy, the Director of Planning & Building stated that he will have a conversation with legal following the meeting to schedule a presentation for an upcoming committee meeting. The Director of Planning & Building stated that the cost sharing component will be tied into the ability to put servicing in the ground, therefore, it would make sense that the cost sharing policy and the servicing strategy component be presented at the same time. The Director of Planning & Building also stated that front-ending agreements will have to be done in order to start some levels of services that are necessary to install necessary infrastructure.

The Director of Planning & Building also noted the amount of changes that have been made since the passing of Bill 23, specifically Development Charges since the Township entered into the agreement in 2019, noting that staff are trying to be thorough and comprehensive to ensure that all of the study work that the development community has paid for to date also is able to be recouped through the fees at the time of the building permits and development charges. The Director of Planning & Building shared that there is some concern that the ability to collect the study requirements and study costs have been dropped through a lot of the changes to Bill 23.

In response to Councillor Chechalk's question regarding the approval process and if the Region would be able to overturn the Township's decision and proceed with the approval, the Director of Planning & Building stated that the Niagara Region has taken the approach to work with the lower-tier municipalities to attempt to achieve changes that improve clarity; however, they could take the approach to overturn the Township's decision should they wish.

In response to Councillor Chechalk's question regarding obtaining the appropriate language between the Township's legal counsel and Mrs. Mihailidi, that will satisfy the developers, the Director of Planning & Building stated that the efforts of this process are to ensure that the Township is prepared. The Director of Planning & Building stated that the front-ending agreement is a key piece of the process adding that the Township is working with Regional staff on a front-ending agreement that will be used as a template at the Township level. The Director of Planning & Building also added that the developers in West Lincoln have to start working together so that we have the expertise and capacity to guide the process and to work as an unified front.

In response to Mayor Ganann's question regarding when the Township may start seeing some of the growth happen within the Urban Boundary



Expansion, the Director of Planning & Building stated that a lot of the timing is tied to the developers and the timing of the applications noting that the first phase of development is ready to get started as soon as approval is granted, adding that this phase is in the block plan which looks more in depth at things like servicing and land use. The Director of Planning & Building stated that it does take time noting that the Township is looking at anywhere between half a year to two years before a draft plan is reviewed. The Director of Planning & Building also noted that there is a table of projected growth that had been included in one of the supporting OPA 62 or 63 documents, sharing that this table projects approximately 3,000 people every five years’.

Councillor Rehner questioned the process of the Urban Boundary Expansion and the Region's plan and the timeline of the OPA recommendation submission, the Director of Planning & Building stated that the Region's Official Plan Amendment had to be submitted to the Province by July 1st and was approved in November 2022. The Director of Planning & Building added that the Township had to have draft amendments to the Region in terms of what we wanted Smithville to look like before the Region took the document to the Province.

Councillor Bradaric asked for clarification with respect to the road allowance modification and the purpose of broadening the explanation of what the minimum right of way widths could be for certain types of roads, Steve Wever stated that the original road allowance policy had a 20 metre minimum right-of-way width identified for any Township roads, however, the development community is speaking to more alternative wording for right-of-way widths for subdivision streets adding that this was considered in the Master Community Plan process. Mr. Wever noted that it was kept at a 20 metre right-of-way width, rather than adding to the policy a difference right-of-way width, however the policy is worded that developers and landowners have an opportunity to bring forward proposals for reduced right-of-way widths. Mr. Wever stated that in order to secure those road allowances as a development requirement, right-of-way widths must be prescribed and specifically identified in the Official Plan.

In response to Councillor Bradaric's question regarding the Natural Heritage System and where the 30 percent figure comes from, Mr. Wever stated that the number that was presented was studied through the Subwatershed Study through the process of field work and analysis of mapping information and available natural heritage system data.

Mr. Wever stated that the Provincial Policy Statement (PPS) provides the basis of designating a natural heritage system and is a requirement for municipalities to follow, noting that the 30 percent target is stated within the Township's existing Official Plan on a Township-wide scale. Mr. Wever noted that there are not sufficient woodlands and wetlands existing in the Smithville Urban Area or expansion area to achieve 30 percent of required natural heritage system, therefore in order to achieve this amount within the Smithville Urban Area a number of other features have been included.

In response to Councillor Chechalk's question regarding the difference between a block plan and plan of subdivision, Richard Vandezande stated that the purpose of a block plan is to look at the stages in a more detailed manner and to encompass a wider scope than just a single subdivision plan. Mr. Vandezande shared that the intent of the block plan and the related Master Environmental Servicing Plan (MESP) is to address areas such as services, land use, cost sharing and front-ending agreements.

Councillor Reilly questioned the process in the future and whether or not an applicant has an opportunity to go to the Council of the day and request for modifications, the Director of Planning & Building stated that land use planning is always subject to review with a typical five-year window.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Jason Trombetta

1. That, Recommendation report PD-17-2023, regarding "Proposed Modifications to Official Plan Amendment 62 and 63 - Prior to Regional Council Consideration", dated March 6, 2023 be RECEIVED; and,
2. That, the proposed modifications to Official Plan Amendment 62 and 63, as found at Attachment 2 to this report and which incorporate both Regional staff and Township staff/consultant proposed modifications in one amending document, be endorsed by Township Planning/Building/Environmental Committee and Council as Township supported modifications for the Region to make to the adopted OPA 62 and 63 as part of final approval; and,
3. That, Township Council endorsement of the modifications be forwarded to Regional staff, prior to presentation of Official Plan Amendment's 62 and 63 as modified, to Regional Council for adoption.

**Carried**

**10.2 ITEM P22-23**

Senior Planner (Gerrit Boerema) and Manager of Planning (Dave Heyworth)

Re: Recommendation Report PD-16-2023 - Zoning By-Law Amendment (Temporary Use By-Law) - Kelly/Redekop Garden Suite Application (File No. 1601-015-22)

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

1. That, Recommendation Report PD-16-2023, regarding “Zoning By-Law Amendment (Temporary Use By-Law) –Kelly/Redekop Garden Suite Application File No. 1601-015-22”, dated March 6 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, the application for Temporary Use Bylaw, File Number 1601-015-22, BE APPROVED, as found within Attachment 3, and that staff circulate the Notice of Decision in accordance with the Planning Act, and;
4. That, the Mayor and Clerk be authorized to enter into a temporary use agreement with the owners/applicants.

**Carried**

**10.3 ITEM P23-23**

Senior Planner (Gerrit Boerema), Director of Planning & Building (Brian Treble), and Manager of Planning (Dave Heyworth)

Re: Recommendation Report PD-11-2023 - 197 Griffin Street Application for Zoning Amendment - Owner – Christoph Arnold, Agent – NPG Planning Solutions (File No. 1601-005-22)

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Joann Chechalk

1. That, Recommendation Report PD-11-2023, regarding “197 Griffin Street Application for Zoning Amendment Owner – Christoph Arnold, Agent – NPG Planning Solutions File No. 1601-005-22”, dated March 6, 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, the application for Zoning Bylaw Amendment 1601-005-22, BE APPROVED as found in Attachment 5, and that staff circulate Notice of Decision in accordance with the Planning Act.

**Carried**

**10.4 ITEM P24-23**

Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD-07-2023 – By-law Enforcement and Land Use Planning Update – Grimsby Airpark

In response to Councillor Trombetta's question regarding getting Twenty Road Airport added to this correspondence, the Director of Planning & Building stated that staff are still trying to get answers to the Twenty Road Airport noting that he wanted to bring forward the Grimsby Airpark first since the active involvement with Transport Canada and the information was available to share.

Councillor Trombetta referred a question to the Mayor, asking if there have been any recent communications from residents as Councillor Trombetta has not heard anything in a few weeks. Mayor Ganann shared that she has had a few conversations with the residents recently adding that it is still an ongoing issue. Mayor Ganann also shared that the information package was re-sent to MP, Dean Allison's office with a receipt from the office that it had been received. The Director of Planning & Building stated that the first point of contact for residents is through a management committee of the airport, noting that if residents were not happy with this process, they can be directed to the Transport Canada website about the complaint process directly through Transport Canada.

The Director of Planning & Building as well as the CAO shared with Members of the Committee that there will be information placed on the Township's website with respect to the process of how to report a concern regarding airports as well as additional information for members of the public to review.

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Shelley Bradaric

1. That, Recommendation Report PD-07-2023, regarding “By-law Enforcement and Land Use Planning Update – Grimsby Airpark”, dated March 6, 2023, be RECEIVED; and,
2. That, staff continue to brief Committee and Council, as required, and to offer facilitation services to local residents who remain concerned, including those West Lincoln residents who about the airpark. This could include contacting Transport Canada, as required.

**Carried**

**11. OTHER BUSINESS**

**11.1 ITEM P25-23**

Director of Planning & Building (Brian Treble)

Re: Memorandum regarding Official Plan Amendments - Re Bill 109 and Bill 23

The Director of Planning & Building provided an overview of the memorandum regarding the draft Official Plan Amendment of Bill 109 and Bill 23 noting the changes that these Bills have on the Township's implementation policy of the Official Plan.

**11.2 ITEM P26-23**

Director of Planning & Building (Brian Treble)

Re: Stanpac Noise Matter

**VERBAL UPDATE**

The Director of Planning & Building provided an update regarding the noise concerns coming from Stanpac adding that although this complaint has come through recently, the number of complaints have subsided significantly. The Director of Planning & Building stated that Stanpac has tried a number of different options to bring a solution to the noise concerns, however, have not been successful in finding an appropriate solution. The Director of Planning & building also stated that Stanpac has not given up and will continue to look for a solution to minimize the noise concerns.

In addition to the CAO's comments regarding the Township connecting with the Ministry of Environment (MOE) regarding the noise concerns, the Director of Planning & Building added that the Ministry of Environment had a by-law officer visit the property and complete an inspection noting that Stanpac is still in compliance and the noise regulations and is still below the noise threshold determined by the MOE, noting that the by-law officer for MOE will be doing a follow-up inspection in the spring to monitor the noise.

**11.3 ITEM P27-23**

Members of Committee

Re: Other Business Matters of an Informative Nature

Mayor Ganann

Re: Meals on Wheels Flag Raising



Mayor Ganann shared that Community Support Services of Niagara is raising the Meals on Wheels flag on Monday March 20th at 1:30 p.m. at the West Lincoln Community Centre.

**12. NEW BUSINESS**

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

**13. 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:

13.1 Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege Matter - Natural Severance

**VERBAL UPDATE**

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

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

13.2 Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) - Helen Kszan (File No. 22-00280)

**VERBAL UPDATE**

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

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

**Carried**

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Joann Chechalk

That, this Committee meeting now resume in open session at the hour of 8:52 p.m.

**Carried**

**13.1 ITEM P28-23**

Director of Planning & Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege Matter - Natural Severance

**VERBAL UPDATE**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Joann Chechalk

That, the Township of West Lincoln Solicitor and Staff be and are hereby authorized to proceed as directed in closed session with respect to a Legal/Solicitor-Client Privilege Matter relating to a Natural Severance.

**Carried**

**13.2 ITEM P29-23**

Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) - Helen Kszan (File No. 22-00280)

**VERBAL UPDATE**

**Moved By** Councillor Mike Rehner

**Seconded By** Mayor Cheryl Ganann

That, the Township of West Lincoln Solicitor be and is hereby authorized to proceed as directed in closed session with respect to a Legal/Solicitor-Client Matter relating to an Ontario Land Tribunal (OLT) Matter – Helen Kszan (File No. 22-00280).

**Carried**

**14. ADJOURNMENT**

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



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JESSICA DYSON, DEPUTY  
CLERK

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COUNCILLOR WILLIAM REILLY,  
CHAIR

## Jessica Dyson

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**From:** Linda Sivyler [REDACTED]  
**Sent:** March 6, 2023 7:53 AM  
**To:** Jessica Dyson; Cheryl Ganann; Mike Rehner; Jason Trombetta; William Reilly; Joann Chechalk; Shelley Bradaric; Terry Bell  
**Cc:** Brian Treble  
**Subject:** For inclusion in March 6th Planning/Building/Environmental Committee Meeting

March 6<sup>th</sup>,  
2023,

### **Re. Proposed Modifications to Official Plan Amendments 62, 63**

Dear members of West Lincoln Township Council,

We wish to express support for the amendments to OPA 62 and 63 as outlined in PD-17-2023 to be presented by West Lincoln's Planning Department at this evening's meeting of the Planning/Building/Environmental Committee.

We recognize the complexity of urban expansion and development. We appreciate the Planning Department's efforts to facilitate new development while addressing concerns of landowners, developers and citizens.

Specifically, we support amendments to OPA 63 that will allow for minor modifications to the designated Natural Heritage Systems and Restoration Areas to facilitate development and that **do not** change the goals already established, namely that a target 30% of areas within the new urban boundary lands be established and maintained as Natural Heritage Systems.

We would appreciate an opportunity to address any further proposed modifications to OPA 62 and 63 that may arise.

Sincerely,

Richard and Linda Sivyler, Scott Antonides,

On behalf of Community for Responsible Growth – West Lincoln

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

**MEETING NO. TWO**

**March 20, 2023, 6:53 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Staff:** Bev Hendry, CAO  
Joanne Scime, Director of Legislative Services/Clerk  
Mike DiPaola, Director of Public Works & Recreation\*  
Vanessa Holm, Library CEO\*  
Donna DeFilippis, Treasurer/Director of Finance  
Katelyn Hall, Deputy Treasurer/Manager of Finance\*  
Kevin Geoghegan, IT Help Desk Analyst\*  
Brian Treble, Director of Planning & Building\*

**Others:** Regional Councillor Albert Witteveen\*  
Rob Cosby\*  
Bruce Harris, WeeStreem\*

\*=IN ATTENDANCE PART-TIME

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**1. CHAIR - Councillor Jason Trombetta**

The Chair called the meeting to order at approximately 6:53 p.m.

Prior to commencing with the Administration/Finance/Fire Committee meeting

agenda, Chair Trombetta read the following announcements:

1. Comments from the public for a matter that was on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda. For those individuals that are unable to attend the meeting in person, you may submit comments for matters that are on the agenda by either (1) emailing [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 OR (2) by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
2. This meeting will be livestreamed. The link to watch the meeting live can be found on the Township's website by selecting the "Township Office" tab at the top of the website, then clicking the Council or Standing Committee meetings tab and scroll down the meeting list to find the link.
3. This meeting will be recorded and will be available to view by clicking the meeting video link found on the Township's website within 48 hours after the meeting unless otherwise noted.

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

The Chair 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-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.

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

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor William Reilly

That, the New Business category be moved forward on the agenda immediately following Change in Order of Items on the Agenda as she wanted to propose discussion of a new item of business that had been brought to her attention late in the day today.

**Carried**

**4. NEW BUSINESS**

**4.1 ITEM A23-23**

Mayor Cheryl Ganann

Re: New Item of Business - Confidential Personnel Matter

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Joann Chechalk

That, a New Item of Business be and is hereby introduced, being a closed session matter relating to a personnel matter/identifiable individual, immediately following the Disclosure of Pecuniary Interest and/or Conflict of Interest section of the agenda.

**Carried**

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

**5.1 Councillor William Reilly**

**ITEM A19-23**

Recommendation Report No. T-08-2023 - 2023 Operating & Capital Budget Final Report

Councillor William Reilly advised that he had a perceived conflict of interest with respect to ITEM A19-23 being Recommendation Report No. T-08-2023 (2023 Operating and Capital Budget Final Report), specifically with respect to the following:

- (1) The West Lincoln Public Library Budget - his wife was a member of the West Lincoln Public Library Board; and,
- (2) McNally House Hospice Fundraising Request - he was being considered for appointment on their Board of Directors; and,
- (3) Paving of Vaughan Road from Caistor Gainsborough Townline Road to Wellandport Road - he had a colleague that lived on this road.

**6. CONFIDENTIAL MATTERS**

All Members of Committee noted as present as well as the CAO, the Director of Legislative Services/Clerk and the Director of Finance/Treasurer were in attendance for discussion of the closed session matter.

**Moved By** Mayor Cheryl Ganann

**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:

3.2 Mayor Cheryl Ganann

Re: Personal Matter Relating to an Identifiable Individual - Personnel Matter

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

- personal matters about an identifiable individual, including municipal or local board employees (7:02 p.m.).

**Carried**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Joann Chechalk

That, this Committee meeting does now resume in open session at the hour of 7:33 p.m.

**Carried**

**6.1 ITEM A24-23**

Mayor Cheryl Ganann

Re: Personal Matter Relating to an Identifiable Individual - Personnel Matter

**Moved By** Councillor William Reilly

**Seconded By** Mayor Cheryl Ganann

That, the Director of Finance/Treasurer be and is hereby directed to increase the hours of the Communication Specialist to full time for inclusion in the 2023 Township Budget.

**Carried**

**7. APPOINTMENTS**

There were no appointments/presentations.

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

The Chair 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 he did not.

Additionally, the Chair 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.

**9. CONSENT AGENDA ITEMS**

**9.1 ITEM A13-23**

**CONSENT AGENDA ITEMS**

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

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

1. Items 1, 2 and 3 be and are hereby received for information; and
2. Items 4 and 5 be and are hereby received and the recommendations contained therein be adopted.

**Carried**

**SUMMARY OF APPROVED CONSENT AGENDA ITEMS:**

1. Mayor's Youth Advisory Committee (MYAC) - Minutes of February 1, 2023 & Updated Terms of Reference
2. Information Report No. T-06-2023 - Statement of Remuneration and Expenses for 2022
3. Information Report No. WLFD-04-2023 - Monthly Update February 2023
4. Recommendation Report No. C-04-2023 - Lease Agreement for Portion of CIBC Parking Lot - Ken Brunaccioni (Dog Got It - Hot Dog Cart)
5. Recommendation Report No. WLFD-05-2023 - Purchase of New Tanker Apparatus

**10. COMMUNICATIONS**

**10.1 ITEM A14-23**

Jody Beamer

Re: Request for By-law or Amendment to By-law to Address Livestock Running at Large

**Moved By** Mayor Cheryl Ganann

**Seconded By** Councillor Terry Bell

That the correspondence received from Jody Beamer, dated January 17, 2023, formally requesting that a by-law be enacted to address livestock running at large and causing property damage and/or causing risk to the community; be received and referred to staff for report and recommendation.

**Carried**

**10.2 ITEM A15-23**

- (i) Stephanie Di Bartolo,
  - (ii) Wendy Candler,
  - (iii) Dana Gaudette,
  - (iv) Sarah Young; and
  - (v) Rebecca Nagy
- Re: Delivery of Graphic Image Flyer

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

- (1) That, the correspondences received from (i) Stephanie Di Bartolo, (ii) Wendy Candler, (iii) Dana Gaudette, (iv) Sarah Young, and (v) Rebecca Nagy regarding the delivery of graphic image flyer to their homes and that the Township of West Lincoln address this matter from further occurrences by adopting a by-law, similar to a by-law adopted by the City of London, requiring materials with graphic imagery to be delivered in an envelope bearing a warning; be received, and
- (2) That, this matter be referred to staff for report and recommendation.

**Carried**

**10.3 ITEM 16-23**

Gord Davis

Re: Comments Regarding Proposed Amendments to Council Remuneration By-law

**Moved By** Councillor Joann Chechalk

**Seconded By** Mayor Cheryl Ganann

- 1. That, the correspondence received from Gord Davis, Caistor Centre, dated March 9, 2023, regarding "Council Remuneration" which provides information and requests Township Council to adopt the following two resolutions:
  - 1. That, staff be directed to draft a by-law to standardize the process to adjust Council Member's compensation; and,

2. That, staff be directed to prepare a report detailing the increase in taxes needed to increase salaries to treat all Township employees equally, or alternatively, the reasons why Township policy does not apply to the council positions.

be received for information.

**Carried**

## **11. STAFF REPORTS**

### **11.1 ITEM A17-23**

Administrative Assistant (Justin Paylove), Deputy Clerk (Jessica Dyson) and Director of Legislative Services/Clerk (Joanne Scime)

Re: Recommendation Report No. C-02-2023 - Delivery of Graphic Images By-law

Councillor Bradaric stated that this type of graphic material was harmful to a portion of our population who have experienced traumatic events, and this by-law will help protect some of these individuals. Councillor Bradaric further stated that with the flyer being in an envelope and with a warning, would carefully balance the ability to distribute materials freely while providing individuals the choice to view such material.

Councillor Chechalk inquired to the Director of Legislative Services/Clerk whether or not to put notice of this new by-law in the newspaper.

The Director of Legislative Services/Clerk stated that a media release would be developed with the hope that the newspaper will pick up the media release and do an article on the issue.

Councillor Reilly inquired whether the fine would be based on a single incident or per offence. Councillor Reilly further suggested to put a notice with respect to the by-law in the property tax bills and water bills, to notify and advise as many residents as possible.

The Director of Planning & Building stated that charges would be based on per occurrence where a ticket would be issued when the individual contravened the by-law with proof.

Councillor Trombetta questioned if the transgressor was an underage individual, and if this would be handled differently in the ticketing system.

The Director of Planning & Building stated that the system does not recognize a difference between underage individuals and of-age individuals in regards to being ticketed for violating a by-law. The Director

further stated that if the ticket was escalated to a Provincial Offence, then age may play a factor in the adjudication; however, he stated that he was not aware that there were any provisions in the Township by-law where age of the transgressor played a role.

Councillor Bell inquired into what was meant by "caught in the act with proof", and what proof would look like in order to ticket a person.

In response to Councillor Bell's inquiry, the Director of Planning & Building stated that the Township has been figuring out what kind of proof would be necessary with legal counsel; however, he stated that he believed doorbell camera footage, sworn affidavits, photo evidence, and others means would be reasonable levels of proof to ticket a person.

Mayor Ganann inquired to the Director of Building & Planning, if it would be adequate for doorbell cameras and security cameras to be proof if the faces were clear, in which the Director of Building & Planning confirmed was correct.

In response to Councillor Reilly's inquiry regarding whether the "Report a Concern" on the Township's website could include a drop down to specifically addresses these types of issues, the Director of Planning & Building advised that this type of matter would be a By-law Enforcement matter and as such this would be the appropriate drop down on the "Report a Concern" section to choose and would be forwarded to the correct staff that would address the matter.

**Moved By** Councillor Terry Bell

**Seconded By** Mayor Cheryl Ganann

1. That, Recommendation Report C-02-2023 regarding the "Delivery of Graphic Material(s) in the Township of West Lincoln" dated March 20<sup>th</sup>, 2023, be received; and,
2. That, the draft by-law attached as Schedule A to this report, be presented for consideration at the March 27<sup>th</sup>, 2023 Council meeting; and,
3. That, By-law 2021-84 being a By-law to establish a System of Administrative Penalties for Non-Parking Offences within the Township of West Lincoln, be amended to include Schedule A as a new schedule to establish the fines for contravening the Delivery of Graphic Images By-law; and,

4. That, the proposed amendment to the Township's Sign By-law 2020-54 (as amended), as outlined in Schedule B attached to this report, be approved and that the amending by-law be presented at the March 27, 2023 Council Meeting; and,
5. That, staff provide notice with respect to the Township's Graphic Materials By-law and amendment to the Township's Sign By-law on the Township's website and on social media, as well as provide notice to any local flyer delivery businesses.

**Carried**

**11.2 ITEM A18-23**

Director of Finance/Treasurer (Donna DeFilippis)

Re: Recommendation Report T-05-2023 Elected Officials Remuneration

Councillor Bradaric noted that while she did generally oppose the idea before, she noted that in light of ensuring the future equity for Councils to come, the wage increase would be justified.

Councillor Reilly noted that the last term of Council voted for status quo in terms of raises for Council but believed that this is a more respectful amount of money. Councillor Reilly noted that public opinion was always in conflict with Council paying themselves; however, in order to attract more candidates to run for municipal positions and to make the job more appealing as a whole, this may be a prudent step.

Councillor Rehner stated he had put this together to be fair and consistent with the steady increase of work that Members of Council undertake. Councillor Rehner echoed similar sentiments that Councillor Reilly expressed, in that he hoped increasing the amount would draw more interest in running for municipal government.

Councillor Bell noted that he agreed with what was said, and would like to see this added to the budget, and that the remuneration increased.

Mayor Ganann noted that the current proposition is much more palatable than the one presented earlier on, and agreed with the comments made by the other Members of Council in regards to raising the wage to hopefully draw more interest of residents to run for positions in municipal government.

Councillor Chechalk stated that she supported the phasing in approach with the wages, in order to make back some of the wages that were lost when the tax-free portion was removed years ago. Councillor Chechalk



further stated that it was important to not feel undervalued, and compensation should reflect on the time being spent in the position and that the remuneration gap between Councillors and the Mayor's remuneration should remain consistent.

Councillor Bradaric inquired to Councillor Rehner on how he had calculated his proposed remuneration figures for Councillors and the Mayor and whether the wage increase proposed was approximately the same for both the Mayor and Councillors.

In response to Councillor Bradaric's inquiry, Councillor Rehner explained his reasoning for the proposed wages and the gap between the Mayor and Councillor's remuneration grew substantially over the years as increases are given by a percentage and not a dollar amount.

Councillor Bradaric thanked Councillor Rehner for his clarification, but wanted to note for the record that the percentage gap between the Mayor salary and the Councillor salary has shrunk based on the proposed remuneration being considered.

Councillor Reilly stated that he understood the wage gap as the Mayor represents the Township at the Region, not just locally. Councillor Reilly explained that during this past election, the Town of Pelham had two wards that did not have anyone put their name in to run and he had heard at AMO that acclamations have been on the rise across Ontario. Councillor Reilly noted that hopefully that by increasing the remuneration for the Mayor and Councillor's positions this would avoid a situation where West Lincoln would have multiple acclamations like other municipalities in Ontario.

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Terry Bell

1. That, Recommendation Report T-05-2023 regarding the "Elected Officials Remuneration", dated March 20, 2023, be received; and,
2. That, Council is presented with two options regarding Council Remuneration: Option 1 which is a 2023 remuneration of \$30,000 and Option 2, which is a phased in option, which would result in a 2023 remuneration of \$23,900; and,
3. That, Council approve either Option 1 or Option 2 for inclusion in the 2023 Township budget; and,

4. That, a By-Law be presented at the March 27<sup>th</sup>, 2023 Council meeting to address Council Remuneration, based on the recommendation passed.

**Carried as Amended**

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Terry Bell

- (1) That, Recommendation 3 of Report No. RFD-T-05-2023 (Elected Official Remuneration) be amended by removing the words “either” before the words Option 1 and remove the words “or Option 2”; and,
- (2) That, the following additional recommendations be added following Recommendation 3 to read as follows:
  - “4. That, the annual salary for the Mayor of West Lincoln be increased to \$47,000; and,”
  - “5. That, the new Salary Remuneration for Members of Council, as approved, take effect on January 1, 2023; and,”
  - “6. That, the new Council Remuneration and Expense Allowances By-law include a new provision that each Member of Council can choose to opt out of the new remuneration for the duration of the term of this Council by advising the Director of Legislative Services/Clerk in writing by April 15<sup>th</sup>; and,”
- (3) That, Recommendation 4 of Report No. RFD-T-05-2023 be renumbered accordingly to include the noted recommendations above.

**Carried**

### **11.3 ITEM A19-23**

Director of Finance/Treasurer (Donna DeFilippis)

Re: Recommendation Report No. T-08-2023 - 2023 Operating and Capital Budget Final Report

**NOTE:** Councillor William Reilly declared a perceived conflict on this item. (Councillor William Reilly advised that he had a perceived conflict of interest with respect to ITEM A19-23 being Recommendation Report No. T-08-2023 (2023 Operating and Capital Budget Final Report), specifically with respect to the following: (1) The West Lincoln Public Library Budget - his wife was a member of the West Lincoln Public Library Board; and, (2) McNally House Hospice Fundraising Request - he was being considered

for appointment on their Board of Directors; and, (3) ; Paving of Vaughan Road from Caistor Gainsborough Townline Road to Wellandport Road - he had a colleague that lived on this road.)

The Treasurer/Director of Finance reviewed her PowerPoint presentation which is attached as **Schedule A** to these minutes. Specific members of staff then responded to questions regarding but not limited to the following:

- (1) Leisureplex Ball Diamond Lights -
- (2) Vaughan Road Rehabilitation - doing both the 2023 and 2024 road sections in 2023
- (3) What was the blended rate - 6.26%

**ITEM A19-23(A) – RECOMMENDATION A – 2023 BUDGET:**

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Mike Rehner

1. That, Recommendation Report T-08-2023, regarding the “2023 Operating and Capital Budget Final Report”, dated March 20, 2023, be received; and,
2. That, a 2023 tax levy of \$8,996,650, which represents a 5.48% tax levy increase after factoring in assessment growth, be approved; and, (**\*\*NOTE: see Amendment below**)
3. ~~That, the 2023 tax levy above be adjusted by \_\_\_\_\_ based on the recommendation approved through Report T-05-2023 Elected Officials Remuneration; and, (NOTE: see Amendment below)~~
4. ~~That, a 2023 tax levy of \_\_\_\_\_, which includes the amounts approved under recommendation 3 above, be approved; and, (**\*\*NOTE: see Amendment below**)~~
5. That, the 2023 hospital levy of \$176,300 for the West Lincoln Memorial Hospital Rebuild be approved; and,
6. That, the 2023 Urban Service Area Levy of \$188,300 be approved; and,
7. That, the Detailed 2023 Capital Program, attached as Schedules D and E to this report, totaling \$5,170,000 be approved; and,

8. ~~That, Council approve debenture financing of \$1,200,000 in 2023 in order to finance Capital Project 1024 - Paving of Vaughan Road from Caistor Gainsborough Townline Road to Wellandport Road; and,~~  
**(\*\*NOTE: see Amendment below)**
9. That, Council approve debenture financing of \$1,592,600 in 2023 in order to partially finance the replacement of Fire Station 2; and,
10. That, Council delegate authority to the CAO to approve in year 2023 budget amendments up to \$20,000 per item and that the Treasurer report to Council on a monthly basis regarding such amendments; and,
11. That, the balance of Capital and Special Projects for the years 2024 to 2032 as outlined on Schedules F and G to this report be approved in principle; and,
12. That, tangible capital asset amortization estimated at \$3,353,612 and post-employment expenses estimated at \$3,200 be and are hereby excluded from the 2023 Draft Operating and Capital Budget as permitted through regulation 248/09.

**Carried AS AMENDED (\*\*See Below & Bold Highlights in Recommendation above)**

**AMENDMENT #1 TO ITEM A19-23(A) BEING REPORT NO. RFD-T-03-2023 (2023 BUDGET) - CHANGE TAX LEVY AMOUNT AND PERCENTAGE & REMOVE RECOMMENDATIONS 3 AND 4:**

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Joann Chechalk

- (1) That, Recommendation 2 as contained in "Report RFD-T-08-2023, regarding the "2023 Operating and Capital Budget Final Report" be amended by deleting the following "\$8,996,650, which represents a 5.48%" and replacing it with "\$9,081,550, which represents a 6.5%"; and,
- (2) That, Recommendations 3 and 4 as contained in Report RFD-08-2023 be removed.

**Carried**

**ITEM A19-23(B) – RECOMMENDATION B – EXTRACT  
RECOMMENDATION #8 (PAVING OF VAUGHAN ROAD) FROM  
REPORT NO. RFD-T-08-2023 - 2023 BUDGET:**

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Shelley Bradaric

That, due to the perceived conflict of interest declared by Councillor Reilly that Recommendation 8 be extracted from Report No. RFD-T-08-2023 (2023 Budget) and voted separately, which reads as follows:

8. That, Council approve debenture financing of \$1,200,000 in 2023 in order to finance Capital Project 1024 - Paving of Vaughan Road from Caistor Gainsborough Townline Road to Wellandport Road.

**Carried**

**ITEM A19-23(C) – RECOMMENDATION B – EXTRACT LIBRARY BUDGET AND MCNALLY HOUSE HOSPICE FINANCIAL REQUEST FROM THE 2023 BUDGET:**

**Moved By** Councillor Terry Bell

**Seconded By** Councillor Mike Rehner

That the following identified items/projects be extracted from the proposed 2023 Budget and voted on separately due to a declared perceived conflict interest (Councillor Reilly):

1. West Lincoln Public Library Budget
2. McNally House Hospice Financial Request

**Carried**

**12. OTHER BUSINESS**

**12.1 ITEM A20-23**

CAO (Bev Hendry)

Re: Employee Professional Accomplishments

1. Jessica Dyson, Deputy Clerk - Completion of Employment Law & Human Resource Program

The CAO recognized the above noted employee's recent accomplishment.

**12.2 ITEM A21-23**

Members of Committee

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

There were no verbal updates from any Committee Member who were appointed as members to the Township's various Boards and Committees.

**12.3 ITEM A22-23**

Members of Council

Re: Other Business Items of an Informative Nature

- (1) Mayor Cheryl Ganann  
Re: Raising of Meals on Wheels Flag

Mayor Ganann stated that earlier today she raised the Meals on Wheels Flag at the West Lincoln Community Centre and commended staff and the fleet of volunteers who deliver warm and nutritious meals to members of the community that require their services. Mayor Ganann stated that she had the pleasure to accompany a seven-year volunteer who not only delivered meals but spent time to stop and talk with each person who were openly thankful for what she and Meals on Wheels does.

- (2) Councillor Jason Trombetta  
Re: Thank You to Public Works/Operations Staff

With the conclusion of the winter season, Councillor Trombetta thanked Public Works/Operation Staff for providing another year of great service by keeping the roads and sidewalks in great condition during winter/snow events.

**13. ADJOURNMENT**

The Chair to declare the meeting adjourned at the hour of 9:44 p.m.



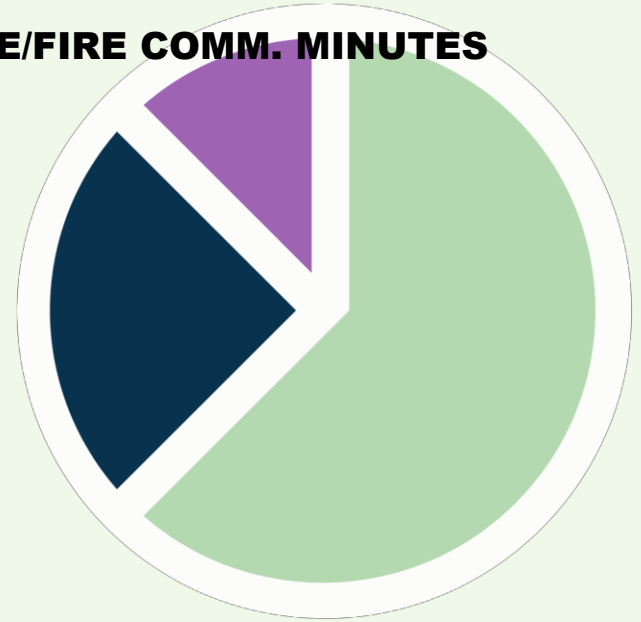
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**JOANNE SCIME, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK**

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**COUNCILLOR JASON  
TROMBETTA, CHAIR**





# Township of West Lincoln

FINAL 2023 OPERATING AND CAPITAL BUDGET

March 20, 2023

# Updates to 2023 Budget

The budget presented at the February 21, 2023 Budget meeting included a tax levy of \$9,177,730, the levy has now been reduced to \$8,996,650, a **reduction of \$181,080**. The items below outline the changes:

- Non-Union Grid Implementation – the implementation has been extended by one year meaning the tax levy will be fully funding this initiative in 2028, as opposed to 2027. Tax levy was **reduced by \$43,500**
- Re-Financing of Planning Projects – 2 projects 452-Smithville Parks and Recreation Master Plan and 455-Smithville and Township Trails and Corridors Master Plan have been re-financed in light of updated information relating to Bill 23. Tax levy was **reduced by \$40,000**
- Re-Financing of Capital Projects – 2 projects 229-Concession 4 resurfacing from Victoria Avenue to Rosedene Rd and 1107 Concession 2 Rd. Slope Stability ( a 2024 project) have been refinanced in light of additional Canada Community-Building Fund grants. Tax levy was **reduced by \$35,000**

# Updates to 2023 Budget-continued

- Group Benefits- calculations have been updated, tax levy has been **reduced by \$22,090**
- Library– Library Board approved a reduction to the transfer to the Library Reserve, the tax levy has been **reduced by \$20,000**
- Vaughan Road– project 1024, Vaughan Road hard-topping from Caistor Gainsborough Road to Wellandport Road has a revised budget of \$1.2 million from the original amount of \$1.4 million. This has resulted in a revised debenture requirement of \$1.2 million. The tax levy has been **reduced by \$19,000** as the required debt repayment has decreased.
- Facility Reserve– staff reviewed all reserve contributions and determined the transfer to the Facility Reserve could be reduced, resulting in a **reduction in the tax levy of \$5,000**
- Parks and Facilities- there have been some adjustments to the operating budgets of parks and facilities resulting in a net **increase to the levy of \$3,510.**

# Budget 2023 – Key Factors

- Due to assessment growth of 1.88%, the first \$187,000 of increase to the overall tax levy has no impact to property owners
- An expenditure increase of \$83,517 equates to a 1% increase in the total tax levy
- A 1% increase to the tax levy equates to an approximate \$14 increase to the West Lincoln portion of taxes for an average residential home with an average assessment of \$386,000
- The Province has deferred the originally planned re-assessment due to the COVID-19 Pandemic. This results in no assessment changes for the majority of property owners. Valuations are based on the assessment date of January 1, 2016, and will be used for both the 2022 and 2023 property tax years.

# 2023 Base Operating and Capital Budget Levy

	2023 Total Taxes	2022 Total Taxes	\$ Change	% Change
<b>Assessment</b>	\$ 386,000.00	\$ 386,000.00	\$ -	0.00%
Municipal	\$ 1,524.50	\$ 1,447.42	\$ 77.08	5.33%
Hospital	\$ 29.87	\$ 21.80	\$ 8.07	37.02%
<b>Total Township</b>	<b>\$ 1,554.37</b>	<b>\$ 1,469.22</b>	<b>\$ 85.15</b>	<b>5.80%</b>
Urban Service Area	\$ 73.64	\$ 73.59	\$ 0.05	0.07%
<b>TOTAL WITH URBAN SERVICE AREA</b>	<b>\$ 1,628.01</b>	<b>\$ 1,542.81</b>	<b>\$ 85.20</b>	<b>5.52%</b>

Projected Property Tax increase of  
\$7.10 a month

# Strong Transportation Connections - \$3,275,500

Project	Department	2023
Miscellaneous Road Equipment	Transportation Services-General	\$6,000
Signs - New & Replacement	Traffic Operations & Roadside Maintenance	\$17,000
East Chipawwa Rd Slope Stability - 175m west of Boyle Rd. Analysis and Design	Roads Paved and Unpaved	\$45,000
Smithville and Township Trails and Corridors Master Plan	Planning & Heritage	\$62,500
Asphalt Hot Box Trailer	Traffic Operations & Roadside Maintenance	\$70,000
Concession 2 Rd Slope Stability - 1.8 kms E. of Smithville Rd (RR14)Analysis & Design	Roads Paved and Unpaved	\$75,000
TWL-ID-B17 Snyder Road Bridge - 0.4 km South of Twenty Rd. (RR69)	Bridges & Culverts	\$80,000
TWL-ID-B04 Campbell Bridge, S.G.Road 16, 0.1 km North of Twenty Rd. Design	Bridges & Culverts	\$100,000
TWL-ID-B23 Pearson Bridge - Boyle Rd, 0.9 kms South of East Chippawa Rd	Bridges & Culverts	\$250,000
Concession 4 Rd - Resurfacing - From Victoria Ave (RR24) to Rosedene Rd	Roads Paved and Unpaved	\$250,000
Young St. - Resurfacing - From South Grimsby Rd 10 to Grassie Rd (RR8)	Roads Paved and Unpaved	\$280,000
Industrial Park Rd. Resurfacing - From Spring Creek Rd. south to railway tracks.	Roads Paved and Unpaved	\$380,000
Concession 3 Rd - Resurfacing - From RR14 to Caistor Centre Rd	Roads Paved and Unpaved	\$460,000
Vaughan Rd - Hard Topping of Gravel Rd From Caistor Gainsborough to Wellandport Rd	Roads Paved and Unpaved	\$1,200,000



## Strategic, Responsible Growth - \$188,100

Project	Department	2023
Cemetery Software Implementation	Cemeteries	\$5,000
Non Network Replacement Computers - Library Branches	Libraries	\$7,000
Addition to Printed Collection - Caistorville Library Branch	Libraries	\$8,800
Addition to Printed Collection - Wellandport Library Branch	Libraries	\$11,000
Addition to Audio Visual Collection - All Library Branches	Libraries	\$15,000
Addition to Printed Collection - Smithville Library Branch	Libraries	\$16,500
Library Strategic Planning	Libraries	\$20,000
Water Meters - New Installation	Water	\$34,800
Smithville Parks and Recreation Master Plan	Planning & Heritage	\$70,000

## Community Health and Safety - \$1,035,000

Project	Department	2023
Miscellaneous Wastewater Equipment	Wastewater	\$5,000
Environmental Monitoring Program (John St. Caistorville)	Planning & Heritage	\$10,000
New Bunker Gear Washer Station 2	Fire	\$20,000
West Lincoln Community Center fencing at train tracks	Parks	\$25,000
Portable Culvert Steamer to replace 2002 Steamer	Transportation Services	\$25,000
Sewage Pump on Trailer	Wastewater	\$25,000
Killins St., Barbara St., Brooks Circle Watermain Replacement Design	Water	\$50,000
Storm Water Management Pond Evaluations	Storm Sewer	\$60,000
Inflow & Infiltration Reduction Program - Remedial Works	Wastewater	\$200,000
Tanker at Station #2	Fire	\$615,000

## SCHEDULE "A" TO THE MARCH 20, 2023 ADMINISTRATION/FINANCE/FIRE COMM. MINUTES

# Efficient, Fiscally Responsible Operations - \$366,400

Project	Department	2023
Replacement Computers - Library Branches	Libraries	\$1,500
Wellandport Firewall Upgrade	Libraries	\$3,000
Miscellaneous Corporate Management Equipment and Furniture	Corporate Services	\$5,000
Miscellaneous Fire Equipment	Fire	\$5,000
Caistorville Library Lock Upgrades	Libraries	\$5,000
Miscellaneous Water Equipment	Water	\$5,000
Updating GPS system	Traffic Operations & Roadside Maintenance	\$6,000
Miscellaneous Recreation Equipment	Parks	\$8,000
Network Hardware - Corporate Management	Corporate Services	\$10,000
Old Fire Hall HVAC upgrades	Corporate Services	\$15,000
Town Hall Roof Top HVAC Replacement	Corporate Services	\$17,000
Onboarding and Training Documentation Software	Corporate Services	\$22,000
Corporate Strategic Plan	Corporate Services	\$20,000
Bunker Gear	Fire	\$25,000
Town Hall LED Conversion	Corporate Services	\$32,000
Replacement Computers - Corporate Services	Corporate Services	\$50,000
Water Meter Replacement Program	Water	\$50,000
Record Management System Implementation	Corporate Services	\$86,900

## Local Attractions - \$305,000

Project	Department	2023
West Lincoln Community Center Parking Lot Fence	Parks	\$10,000
Hank Macdonald Building Upgrades	Recreation Facilities	\$10,000
Street Furniture	Parks	\$15,000
Banner and Basket Arms	Parks	\$15,000
Creekview Park Fencing	Parks	\$15,000
Ball Diamond Lighting (Leisureplex)	Parks	\$240,000

**TOWNSHIP OF WEST LINCOLN**  
**PUBLIC WORKS & RECREATION COMMITTEE**  
**MINUTES**

**MEETING NO. TWO**

**March 20, 2023, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

**Staff:** Bev Hendry, CAO  
Joanne Scime, Director of Legislative Services/Clerk  
Mike DiPaola, Director of Public Works & Recreation  
Vanessa Holm, Library CEO  
Katelyn Hall, Deputy Treasurer  
Kevin Geoghegan, IT Help Desk Analyst  
Brian Treble, Director of Planning & Building  
Donna DeFilippis, Director of Finance/Treasurer

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

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**1. CHAIR - Councillor Mike Rehner**

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

Prior to commencing with the Public Works & Recreation Committee meeting, Chair Rehner read the following announcements:

(1) Comments from the public for a matter that were on the agenda could be

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provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.

(2) For those individuals that are unable to attend this evening's meeting in person, could submit their comments for matters that are on the agenda by either

(1) emailing jscime@westlincoln.ca before 4:30 pm. today. Any comments submitted will be considered as public information and read into public record OR

(2) an individual could contact the Clerk's Department to request a Zoom Link to attend this evening's meeting virtually.

(3) This meeting was being livestreamed. The link to watch the meeting live could be found on the Township's website by selecting the "Township Office" tab at the top of the website, click the Council or Standing Committee meetings tab and scroll down the meeting list to find the link.

(4) This meeting was being recorded and will be available to view by clicking the meeting video link found on the Township's website within 48 hours after the meeting unless otherwise noted.

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

The Chair to read the following:

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-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.

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

There were no changes made with respect to the order of items on the agenda.

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

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

## **5. APPOINTMENTS**

There were no appointments/presentations.



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

The Chair inquired if the IT Help Desk Analyst was aware if there were any members of the public who were 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 was not.

Additionally, the Chair 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, for which the Director of Legislative Services/Clerk confirmed she had not.

**7. CONSENT AGENDA ITEMS**

**7.1 ITEM PW06-23**

**CONSENT AGENDA ITEMS**

**Moved By** Councillor Joann Chechalk

**Seconded By** Mayor Cheryl Ganann

That the Public Works & Recreation Committee hereby approves the following Consent Agenda Items:

1. Items 1 and 2 be and are hereby received for information; and,
2. Items 3 and 4 be and are hereby received and the recommendations contained therein be adopted.

**Carried**

**SUMMARY OF CONSENT AGENDA ITEMS APPROVED:**

1. West Lincoln Age Friendly Committee (WLAFC) - Minutes of February 3, 2023
2. Information Report No. REC-02-2023 - Communities in Bloom 2023 Best Garden Selection Contest
3. Recommendation Report No. PW09-2023 - Appointment of Overall Responsible Operators
4. Recommendation Report No. PW-08-2023 - Appointment of Weed Inspectors

**8. COMMUNICATIONS**

There were no communications.

## **9. STAFF REPORTS**

### **9.1 ITEM PW07-23**

Project Manager (Ray Vachon) and Director of Public Works and Recreation (Mike DiPaola)

Re: Information Report PW-02-2023 - Wellandport Community Centre Shoreline Enhancements and Protection - Project Update

Councillor Bradaric stated she was glad to see this in a public forum, and stated she met with the Director of Public Works & Recreation to brainstorm some ideas for the Wellandport Community Centre Park and it is wonderful that this was making its way through the process to make enhancements, protect the shoreline and showcase this municipal asset and that she was looking forward to further discussions and recommendations with respect to this project.

The Director of Public Works & Recreation stated the Township has worked with the NPCA, and they will come up with a conceptual plan for the property where the focus will be on the dock, fishing accessibility, facilities for boat rentals (kayaks, canoes), fishing platforms as well as parking. The Director also stated that washrooms were in consideration as well for the site; however, staff will report back once they have conceptual designs and a more specific cost breakdown.

Councillor Bradaric inquired into the proximity to the Wellandport Public Library, to see if these two facilities can be interlinked.

Director of Public Works & Recreation stated that this will be something staff will review further down the line.

Councillor Chechalk inquired whether the issues of property lines and encroachment had or will be addressed and/or resolved as she recalled that concerns had come up approximately 6 years ago and she wanted to make sure there would not be problems for the project once construction commenced.

In response to Councillor Chechalk's inquiry, the Director of Public Works & Recreation stated he was not aware of any encroachments of the neighboring property lines at this time, but will be vigilant to this issue as the project continues.

Councillor Reilly inquired whether the Township has heard back from the NPCA regarding the water chestnut removal initiative.

In response to Councillor Reilly's inquiry, the CAO stated that she has not heard anything.

The Director of Public Works & Recreation stated that the NPCA organized a two-day extraction in the previous summer but has not heard anything further on this matter.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Terry Bell

That, Information Report PW-02-2023 regarding "Wellandport Community Centre Shoreline Enhancements and Protection - Project Update", dated March 20 2023, be received for information.

**Carried**

## **10. OTHER BUSINESS**

### **10.1 ITEM PW08-23**

Members of Council

Re: Other Business Items of an Informative Nature

(1) Councillor Joann Chechalk

Re: Marci Cook Memorial Hockey Tournament - Simcoe/Waterford

Councillor Chechalk advised that the Marci Cook Memorial Hockey Tournament was held this past weekend in Simcoe and Waterford with West Niagara Under 11 and Under 15 teams participating, and she was proud to announce that the Under 11 West Niagara team won the tournament for this division.

Mayor Ganann noted that this particular team has also been active in various community fundraisers.

## **11. NEW BUSINESS**

There were no new items of business brought forward.

## **12. CONFIDENTIAL MATTERS**

There were no confidential matters.

## **13. ADJOURNMENT**

The Chair to declare the meeting adjourned at the hour of 6:47 p.m.



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

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**COUNCILLOR MIKE REHNER,  
CHAIR**

**DATE:** March 27, 2023

**REPORT NO:** PD-15-2023

**SUBJECT:** **Recommendation Report – Application for Zoning Bylaw Amendment 8535 Twenty Road Bruinsma (File No. 1601-012-22)**

**CONTACT:** Gerrit Boerema, Senior Planner  
Dave Heyworth, Manager of Planning

**OVERVIEW:**

- An application for zoning bylaw amendment has been submitted by Mr. Steven Rivers of South Coast Planning Consultants and by Ms. Atjse Bruinsma, the sole owner of the subject property being 8535 Twenty Road.
- 8535 Twenty Road is located on the north side of Twenty Road near the intersection of Twenty Road and Caistor Centre Road.
- The subject property is approximately 3 hectares in area and contains a dwelling and another building formerly used to store and sell apples and locally known as Packham Apples. The property is zoned Agricultural 'A', Environmental Protection 'EP' and Agricultural Related 'AR'.
- The application for zoning bylaw amendment has been submitted to permit an agri-tourism use on the subject property, namely a country market retail store, whereas the Township's zoning bylaw does not permit agri-tourism uses as an on-farm diversified use on properties having less than 10 hectares of land area.
- The zoning bylaw amendment application is also requesting to increase the area use on the lot for the agri-tourism business from 1% to 2.2%.
- The application also requests that the requirement for the operator of the agri-tourism/on-farm diversified use to live on the same property as the use, not apply, as the owner and operator of the proposed business does not reside on the subject property.
- A public meeting was held on January 16, 2023. Two written submissions were made by two of the adjacent landowners and no oral comments were made during the public meeting.
- Concerns raised as part of the public consultation process were related to traffic and on-street parking, as well as planning related concerns to the proposed use.
- An off-street gravel parking area has been constructed to remove the need for on-street parking.
- Planning Staff have completed the review of the application and can recommend approval of a modified zoning bylaw amendment as found in attachment 4. The Region has also provided support for the Township staff modified bylaw.
- The approval has been modified from the original application to both limit what can be sold as part of the business on the property and to limit the area in which the business can operate within.

**RECOMMENDATION:**

1. That Recommendation Report PD-15-2023, regarding “Application for Zoning Bylaw Amendment, 8535 Twenty Road, File No. 1601-012-22”, dated March 27th, 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, the application for Zoning Bylaw Amendment 1601-012-22, BE APPROVED, as shown in Attachment 4 and as modified by Staff, and that staff circulate Notice of Decision in accordance with the Planning Act.

**ALIGNMENT TO STRATEGIC PLAN:****Theme #2, #3 & #4**

- **Strategic Responsible Growth**
- **Support for Business and Employment Opportunities for Residents**
- **Local Attractions**

**BACKGROUND:**

An application for zoning bylaw amendment has been submitted by Mr. Steven Rivers of South Coast Planning Consultants on behalf of the property owner of 8535 Twenty Road, Ms. Atjse Bruinsma. 8535 Twenty Road is a three hectare property located on the north side of Twenty Road, directly north of where Caistor Centre Road connects with Twenty Road. The property contains a single detached one storey dwelling adjacent to an older agricultural related building which formerly stored and sold apples. Prior to 2010 the majority of the property was used as an apple orchard, and the agricultural building was used to store and sell apples, among other items. The business was known locally as Packham Apples.

The subject property is currently zoned Agricultural ‘A’ over the area currently being farmed and where the dwelling is located, Environmental Protection ‘EP’ abutting the Twenty Mile Creek, and Agricultural Related ‘AR’ over the agriculturally related building formerly used for the storage and sale of apples. The Agriculturally Related zone permits a variety of uses, but does not permit uses including on-farm diversified uses, agri-tourism uses, retail store or restaurant type business, which the proposed use could fall within. The proposed use has elements of an Agriculturally Related use, however, the sale of non-agricultural products and the sale of produce not produced on the premises is not considered agriculturally related in the Township’s zoning bylaw, as it is not directly related to the agricultural uses on the property or in the area. Additionally, the use is not permitted as an on-farm diversified use or agri-tourism use as the property does not meet the minimum area requirement of 10 hectares within the zoning bylaw, and the operator of the business does not currently reside on the property.

The owner and her agent, Mr. Steven Rivers originally submitted an application for zoning bylaw amendment to permit an agri-tourism use on the subject property, namely a Country Market store which would sell honey produced on the property, fresh flowers grown on the property and from local greenhouses, frozen chicken, take-out ice cream, homemade crafts and décor and wearable items.



The original zoning amendment application is also requesting that the on-farm diversified/agri-tourism use, be permitted on a lot with an area of less than 10 hectares, whereas the zoning bylaw requires a minimum lot area of 10 hectares. Additionally, they have requested an area of 2.2% of the property be used for the on-farm diversified use, whereas the zoning bylaw has a maximum area of the lesser of 1% of the lot area or 0.5 hectares. Finally, the application has requested that the zoning regulation requiring the operator of the agri-tourism use to reside on the property be removed as the proposed operator does not reside on the property.

A public meeting was held on January 16, 2023. A number of issues were identified as part of public and agency comments submitted including traffic and parking concerns from two of the neighbouring residents and planning related concerns from Township staff and the Region of Niagara.

As a result of the public meeting, Mr. Rivers provided the Township and Region with additional information as well as a revised zoning bylaw amendment application now requesting an 'agri-tourism farm produce outlet'. Mr. Rivers has also provided to Township staff what a farm produce outlet is, which is primarily an area of building used for the sale of products to the public including locally grown produced and locally produced crafts, bakery items, imported produce and clothing, locally grown greenhouse and nursery produces and locally make floral products.

Township staff have completed the planning review and have taken into consideration all of the comments made as part of the public consultation process and provide the following summary.

#### **CURRENT SITUATION:**

##### **Provincial Policy Statement 2020 and Guidelines on Permitted Uses in Ontario's Prime Agricultural Area**

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement (PPS) provides the policy foundation for regulating the development and use of land in agricultural areas including Prime Agricultural Areas. The subject lands fall within the Prime Agricultural area designation and are to be protected for long-term agricultural use.

Agricultural uses and normal farm practices shall be promoted within this designation and any new uses in the prime agricultural area shall comply with the minimum distance separation formulae. Non-agricultural uses in Prime Agricultural Areas shall generally not be permitted, only for a limited number of non-residential uses. Impacts from non-agricultural uses shall be mitigated to the extent feasible.

In order to provide more direction on what is and is not permitted in Ontario's Prime Agricultural Areas, the Ontario Ministry of Agriculture, Food and Rural Affairs have created a document entitled *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas*.

The document is structured around four main types of land uses:

*Agricultural Use* – The growing of crops including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre including poultry and fish; aquaculture; apiaries; agroforestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities and accommodation for full time farm labour when the size and nature of the operation requires additional employment.

*Agricultural Related Use* – means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity.

*On-farm diversified Use* – means uses that are secondary to the principle agricultural use of the property that are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

*Non-agricultural Use* – those uses that are not agricultural, agricultural related or on-farm diversified uses.

The zoning bylaw application is requesting to permit an on-farm diversified use, specifically being an agri-tourism use on the subject property. Agri-tourism is defined in the Guidelines on Permitted Uses in Ontario's Prime Agricultural Area as "farm related tourism uses, including limited accommodation such as a bed and breakfast that promote the enjoyment, education or activities related to the farm operation."

Examples of on-farm diversified uses shown in the guidelines include retail uses such as farm markets, antique business and seed supplier.

The key criteria for On-farm diversified uses are as follows:

1. Located on a farm

On-farm diversified uses must be secondary to the principle agricultural use of the property, meaning there has to be active agricultural uses on the subject lands. The lands must be large enough to support an agricultural use and typically smaller lots do not qualify to be considered a farm.

2. Secondary to the principle agricultural use of the property.

Agricultural uses must remain the dominant use of the property. This is measured both spatially, meaning the area used for the on-farm diversified use is limited, and temporally, as in the on-farm diversified use must not interfere with agricultural operations.

3. Limited in Area

On-farm diversified uses should be limited in area to minimize the amount of land taken out of agricultural production, ensure agriculture remains the main land use, and to limit

off site impacts to ensure compatibility with surrounding agricultural operations. The guidelines recommend that a maximum lot coverage of 2% be permitted for on-farm diversified uses to a maximum of 1 hectare.

4. Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products.

The Provincial Policy Statement provides a number of examples of on-farm diversified uses, however there may be more uses that can be considered as on-farm diversified land uses.

5. Shall be compatible with, and shall not hinder, surrounding agricultural operations. On-farm diversified uses that have negative impacts on the farm itself, generate excessive noise and trespass issues, or uses that are better suited for settlement areas may not be located within the Prime Agricultural Area.

Based on staff's review, the application does not appear to meet the criteria set out in the Guidelines for an On-farm diversified business, as the property does not meet the threshold of being a farm, as it is a smaller agricultural parcel, and there is not enough supporting evidence to show that the proposed use is secondary to a principle agricultural use of the property. Although a portion of the property is farmed, the cash cropping operation is not of a sufficient size, or related enough of the proposed use, for the proposed use to be considered secondary.

### **A Place to Grow, Growth Plan for the Greater Golden Horseshoe – 2020 Consolidation**

The A Place to Grow – Growth Plan for the Greater Golden Horseshoe (Growth Plan) builds on the Provincial Policy Statement to establish a unique land use planning framework for the Greater Golden Horseshoe.

Section 4.2.6 of the plan provides policy direction concerning the Agricultural System. Prime Agricultural Areas, as this property is designated, falls within the Agricultural System. The Growth Plan requires that any new non-agricultural land uses within the Prime Agricultural Area need to be compatible with, and/or minimize and mitigate and adverse impacts on the Agricultural System. The PPS and Guidelines on Permitted Uses in Ontario's Prime Agricultural Lands provide more significant policy direction regarding the agricultural area.

### **Greenbelt Plan**

The subject lands are not located within the Greenbelt Plan.

### **Niagara Official Plan, 2022**

On November 4, 2022 the Ministry of Municipal Affairs and Housing approved the Niagara Official Plan. The plan provides a framework of policies to guide growth and development within the Niagara Region to the year 2051.

The Niagara Official Plan designates the subject lands as Prime Agricultural Lands and permits agricultural uses, agriculture-related use and on-farm diversified uses within prime agricultural areas (4.1.7.3), provided they are compatible with, and do not hinder surrounding agricultural operations. On-farm diversified uses shall be located on a farm, secondary to the principle agricultural use on the property, limited in area and compatible with surrounding agricultural operations.

The appropriate scale of on-farm diversified uses may vary depending on the type of use and whether that use is located within a specialty crop area or prime agricultural area. The Niagara Official Plan outlines additional criteria including; whether the use is more appropriate in the settlement area or rural lands, the proximity to the related agricultural operation, the extent of compatibility with farming operations, scale of the activity in relation to the farming practices, consistency of character, potential off-site impacts and water usage (4.1.7.7).

Staff note that the only concern so far raised by members of the public was with respect to traffic and pedestrian safety concerns, and not specifically regarding impacts to surrounding agricultural operations.

The Niagara Official Plan also provides policy on Agriculturally Related uses. Agriculturally Related uses are not required to be located on a farm, as are on-farm diversified uses, as they provide support to, and are compatible with surrounding agricultural operations. They provide products or services that support the surrounding agricultural farms and benefit from being in close proximity to agricultural operations.

The Niagara Official Plan provides a list of criteria when reviewing applications for proposed agriculturally related uses. These include:

- Whether the proposed use is more appropriately located within a settlement area
- Whether the use is required to be in close proximity to agricultural operations
- Whether the use is compatible and complimentary to surrounding agricultural operations
- Whether the scale of the activity is appropriate
- Whether the use is consistent with and maintains the character of the agricultural area
- The generation of potentially conflicting off-site impacts
- The activity does not generate new residential uses
- The use is limited to low water and effluent needs and the site can accommodate private services
- The use does not require significant infrastructure improvements; and
- The use complies with the policies of the Niagara Official Plan.

Based on the submitted Planning Justification Report by Mr. Rivers, there is a desire to use the subject lands for the proposed farm produce outlet/agri-tourism use in support of surrounding agriculture, including the sale of locally grown produce and chicken products produced from the owners poultry operation. The use will therefore in a more indirect manner, provide benefit to surrounding agricultural farm operations and would benefit from a location in close proximity to these agricultural land uses.

The scale of the operation is contained within a portion of the existing building and the associated parking area. Staff are recommending a maximum floor area for the limited retail use to be 120 square metres, which is approximately 35 percent of the floor area of the existing building. Staff have calculated this floor area using the Guidelines for Permitted Uses in Ontario's Prime Agricultural Area, where it provides a suggested cap for floor area being 20% of the permitted 2% lot area to be used for on-farm diversified uses.

**Lot Area X 2% X 20% = Maximum Floor Area for On-Farm Diversified Use**

**3.05 Ha X 2% X 20% = 122 square metres**

An alternative calculation can be carried out based on the Township's zoning requirements for an on-farm diversified use. The bylaw requires that an on-farm diversified use be limited to 1% of the lot area, and that would include the area used for parking and driveway, in addition to the area used for the limited retail store. One percent of the lot area is 305 square meters.

The Agricultural Related use does not have any direct policies on how to maintain size and scale, but staff believe that in this case, using the On-Farm Diversified guidance in the Guidelines provides a suitable area for the limited retail sales.

The proposed use, as stated in the Planning Justification Report, will not generate high water needs or generate high effluent flows. A new septic system has recently been constructed for both the agriculturally related building and the dwelling on the property. Staff will confirm that the septic system and potable water supply for the use are adequate through a future site plan application.

The application also does not require any infrastructure improvements. Parking has been located to the rear of the building and on-street parking is now prohibited through the placement of signage by the Township Public Works Department.

### **Township of West Lincoln Official Plan**

The subject property is designated as Good General Agricultural lands within the Township's Official Plan. Both Agriculture-related and on-farm diversified uses may be permitted in the Good General Agricultural Area in accordance with the following:

- The location of the use imposes no constraints on, or reduction to the efficiency of any existing farm
- The lot has adequate water supply and is able to provide private septic services
- There is adequate drainage, entrances, parking and loading on the property
- There is limited outdoor storage
- Operating times may be restricted through additional planning controls
- The lands are appropriately zoned
- Development on treed areas, and other natural environment features is avoided; and,
- Development may be subject to site plan control.

The criteria is similar to that of the Niagara Official Plan with exception of the first point, that the use does not constrain or reduce the existing farm. The proposed use will not remove any additional farmland out of production and does not further constrain the property, as it makes use of an existing building and existing driveway.

The Township Official Plan, Section 4.6.2 provides further policy direction for on-farm diversified uses. On-farm diversified uses must be secondary to the principle agricultural activity on the property and contribute to the sustainability and viability of the farming operation. As noted previously, the proposed use does not seem to be secondary to a principle agricultural use, as the majority of what is proposed to be sold is not product grown on the property. The use is better described as an Agricultural-Related use as it is not required to be located on a farm, and is permitted to source products and support area farms, not only the subject property farm.

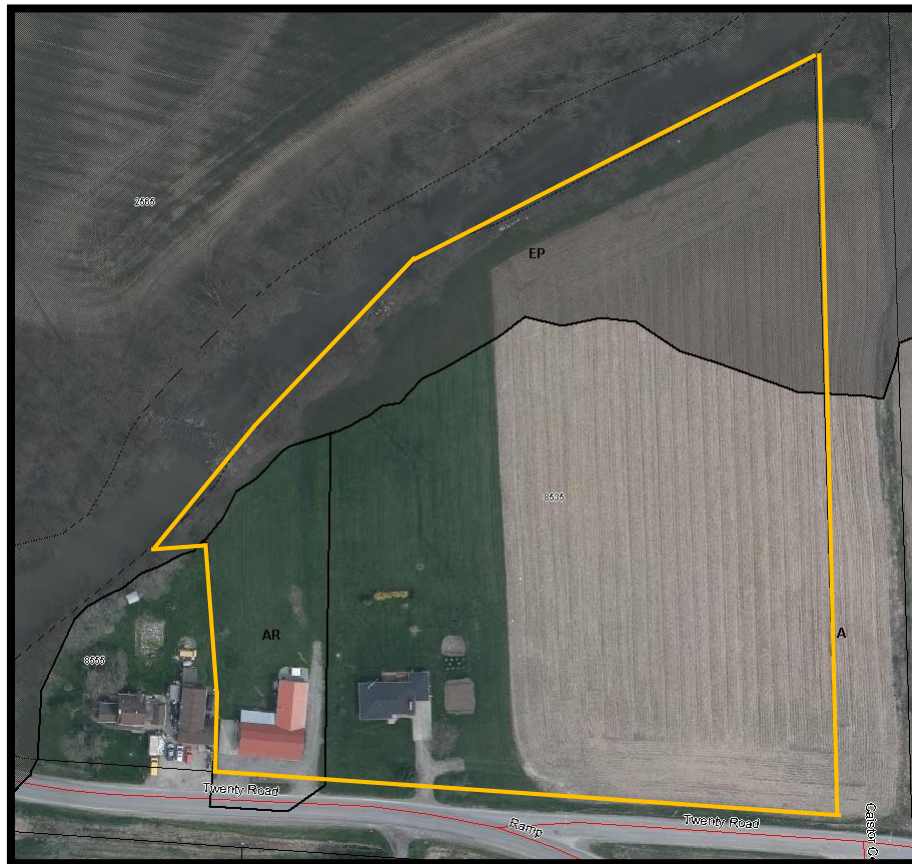
Section 4.6.1 of the Township's Official Plan requires that Agriculture-Related uses service the local agricultural industry as the sole or main business activity.

The sale of agriculturally derived products, such as chicken and ice cream (dairy) can be seen as an agriculturally related activity, provided the raw materials are being sourced locally. The sale of non-agricultural products, or agricultural products that are not sourced locally do not meet the policy requirement for agriculture-related uses. As such, planning staff have modified the zoning bylaw amendment to allow for the retail sale of local agriculturally derived products, such as meat products and ice cream, but have not included the sale of non-agriculturally sourced items or items that are not considered local, such as clothing. Staff would consider locally made clothing or crafts made out of locally sourced agricultural materials, such as sheep's wool, to be an agriculturally derived product, which would be permitted under the recommending zoning bylaw amendment.



## Township of West Lincoln Zoning Bylaw

The subject property is zoned Agricultural 'A', Environmental Protection 'EP' and Agricultural Related 'AR'. Below is an image of the zoning on the subject property:



Neither the Agriculturally related zone or the Agricultural zone permit what is being proposed on the subject property. The Agriculturally Related zone permits a variety of uses, but does not permit a retail store, restaurant or agri-tourism type business, which the propose use would fall under. The proposed use has elements of an Agriculturally Related use, however, the sale of non-agricultural products and the sale of produce not produced on the premises is not considered agriculturally related as it is not directly related to the agricultural uses on the property or in the area. The AR zone was appropriate for the former use of the building as it stored and sold apples that grew on the property until sometime before 2010 when the orchard covering the majority of the property was removed.

The Agricultural 'A' zone only permits a single detached dwelling and accessory uses, one of which is on-farm diversified uses, however, that requires a minimum lot area of 10 hectares, which this property does not have.

The applicants have submitted a revised zoning bylaw amendment request to permit an agri-tourism/farm produce outlet business on the property.

Agri-tourism is defined in combination with Value-added uses in the Township's zoning bylaw:

*Agri-tourism/Value-added use:*

*Means the use of land, buildings or structures for accessory uses to the principal agricultural use of the lot conducted for gain or profit to support, promote and sustain the viability of the agricultural use, including but not limited to agricultural education and research facilities, bed and breakfast establishments, farm markets and the retail sale of farm products, pick your own facilities, farm mazes, special event facilities related to farming, and value-added assembly, fabrication, processing, packing or storage operations.*

Farm Produce Outlet is not a defined use in the Township's Bylaw, but the applicant has provided regulations sourced from another Niagara municipality which permits the retail sale of products to the general public that are locally grown or produced, imported produce and clothing, locally made bakery items, processed fruit, grocery, deli and dairy products, locally grown greenhouse and nursery products and locally made floral products.

The applicants have also requested three additional modifications to the zoning bylaw Section 3.11, which include:

1. The on-farm diversified/agri-tourism/Farm produce outlet use, be permitted on a lot with an area of less than 10 hectares, whereas the zoning bylaw requires a minimum lot area of 10 hectares (3.11, a).
2. An area of 2.2% of the property be used for the on-farm diversified, whereas the zoning bylaw has a maximum area of the lesser of 1% of the lot area or 0.5 hectares (3.11, c) i).
3. The zoning regulation requiring the operator of the agri-tourism use to reside on the property be removed as the proposed operator does not reside on the property (3.11 h).

Staff have completed their review of the zoning amendment application in relation to the zoning bylaw and have identified the following concerns:

- The proposed on-farm diversified/agri-tourism use does not appear to meet the threshold for being directly related and in support of the primary agricultural activity on the property, which appears to be cash cropping. (3.11 d.)
- The sale of non-agriculturally derived or agriculturally supportive products, such as clothing and crafts, do not have a direct relationship or benefit to agricultural operations on the lot or in the area (3.11 d.)
- The subject property is only 3 hectares in size and therefore makes it difficult to meet the definition of 'farm' (3.11 a.).
- The owner and operator of the proposed use does not reside on the property (3.11 h.)

The proposed use is better suited as an agriculturally related use as it provides service and sale of products that support local agriculture as a primary activity on the property. As such, staff have prepared a modified zoning amendment which permits the sale of agriculturally derived products on the property, within a limited area in the existing Agriculturally Related zone.

Staff are recommending the zoning bylaw amendment as found in attachment 4 and below:

**AR-222**

**Permitted Uses:**

As per the parent zone, plus: *Retail store* limited to the sale of local agriculturally derived goods and merchandise, including locally grown produce and meat products, and take out ice cream.

**Regulations:**

As per the parent zone, except: the limited retail store use shall have a maximum floor area of 120 square metres.

The applicants have provided the following information on the proposed areas needed for the proposed use:

- 54 square metre storage garage is strictly for storage, picnic tables, lawn chairs, extra shelving.
- 45 square metre merchandise storage is for extra merchandise, plus a seating area for staff breaks.
- 43 square metre retail area for ice cream, frozen chicken, fruits and vegetables, and flowers.
- 43 square metre freezer/utility room (hot water heater), a bathroom, a washing area (sink and small counter), freezers for the extra ice cream and chicken with
- 15 square metre "hallway" through the freezer/utility room allowing customers to move from the "ice cream etc." retail area to the "craft sales retail" area. This hallway will also be retail space for honey products.
- 39 square metres retail space for craft/home decor items.

Based on the above, the actual retail use component only requires approximately 100 square metres, excluding storage and staff area spaces. In staff's proposed bylaw, the retail store area, where customers are permitted, would be limited to 120 square metres. The additional storage could be located in the Agricultural Related 'AR' zone without being limited by the 120 square metres.

The proposed zoning bylaw amendment as modified by staff also supports what is being requested in the Regional comments, provided on March 24, 2023. The Region has requested that the applicant confirm that only agriculturally related products be sold from the proposed business and that the business be limited in size.

**FINANCIAL IMPLICATIONS:**

There are no financial implications associated with this report except for the potential implications associated with Bill 109, the *More Homes for Everyone Act, 2022*. Bill 109 requires municipalities, starting on July 1<sup>st</sup>, 2023, to provide fee refunds for planning act applications if decisions are not made within the required Planning Act timelines.

The timelines for approval and required fee returns associated with this will require Township Staff to prepare recommendations on a quicker timeline for Council's decisions.

Council must make a decision within 90 days of complete application or they will be required to refund.

	<b>Zoning and Official Plan Combined</b>	<b>Zoning Bylaw Amendment</b>	<b>Site Plan</b>
No refund	Decision is made within 120 days	Decision is made within 90 days	Plans are approve within 60 days
50%	Decision made within 121-179 days	Decision made within 91-149 days	Plans are approved between 61-89 days
75%	Decision made within 180 – 239 days	Decision made within 150 – 209 days	Plans are approved 9 – 119 days
100%	Decision made 240 days and later	Decision made 210 days and later	Plans are approved 120 days and beyond

The current 2023 fee for a standard zoning bylaw amendment is \$9,630.00. If not approved within 90 days, starting on July 1<sup>st</sup>, 2023 the Township would be required to refund the applicant \$4,815.00, at 149 days, \$7,222.50 and after 209 days, the entire fee.

#### **INTER-DEPARTMENTAL AND PUBLIC COMMENTS:**

The notice and application for zoning bylaw amendment was circulated to agencies and the public on December 13, 2022. A notice sign was also placed on the property on December 23, 2022. At the time of writing this report, the Township has received comments from two members of the public.

Comments were received by property owners who live to the east of the property at 8431 Twenty Road. They have no objections to the type of business being proposed, but they do have concern regarding traffic in that location.

This is not the first concern regarding traffic and parking on this site and the Township Public Works Department has also echoed this concern and is looking for an on-site parking plan. This will be captured through a required site plan application.

Comments were also submitted by the property owners west of the subject lands at 8555 Twenty Road. They have provided two sets of comments, the first being in regards to the proposal and the second with respect to a private well on the subject property which services 8555 Twenty Road. Staff have consulted with the owner and have confirmed that it is a private well that is located on the property, between the dwelling and the agriculturally related building which services, by way of easement, in favour of 8555 Twenty Road. The owners of 8555 Twenty Road have provided additional information with regards to this easement, which can be found in Attachment 3. The site plan process will address these issues.

The Township received comments from the Region of Niagara which stated that more information was needed prior to the Region being able to provide a position on the application. Additional information has been provided from the applicants to the Township and Region.

Based on the updated information, the Region has provided updated comments on March 24, 2023. The Region does not object to the application provided that the products sold as part of the use are agriculturally related only and that the scale of the use is limited. Township Staff have provided a modified zoning bylaw amendment found in Attachment 4 that addresses both of the Region's concerns.

**CONCLUSION:**

An application for zoning bylaw amendment has been submitted by Mr. Steven Rivers on behalf of the sole property owner, Ms. Atsje Bruinsma for the property located at 8535 Twenty Road. The application has been submitted to permit a portion of the property and the existing agriculturally related building to be used for an on-farm diversified use, namely an agri-tourism use. As this use is not permitted within the Agriculturally Related 'AR' zone, or the Agricultural 'A' zone, a zoning amendment is required.

The revised application requests to permit an agri-tourism/farm produce outlet use, on a lot that is approximately 3 hectares in area and occupying a total of 2.2% of the lot area, whereas the zoning bylaw requires a minimum lot area of 10 hectares and only permits a maximum of 1% to be used for the on-farm diversified use. The applicant has additionally requested that the requirement to reside on the property be removed. Finally, they have requested that the existing lot area and setbacks for the agricultural related building be recognized through this zoning amendment process.

Upon completing a full review of the application against applicable policies and public comments, Planning Staff are recommending a modified zoning bylaw amendment be approved as found in attachment 4.

**ATTACHMENTS:**

1. Location Map
2. Additional Submission Materials
3. Agency and Public Comments
4. Draft Zoning Bylaw Amendment – Modified by Staff

**Prepared & Submitted by:**



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**Gerrit Boerema**  
**Senior Planner**

A handwritten signature in blue ink, reading "Dave Heyworth".

---

**Dave Heyworth**  
**Manager of Planning**

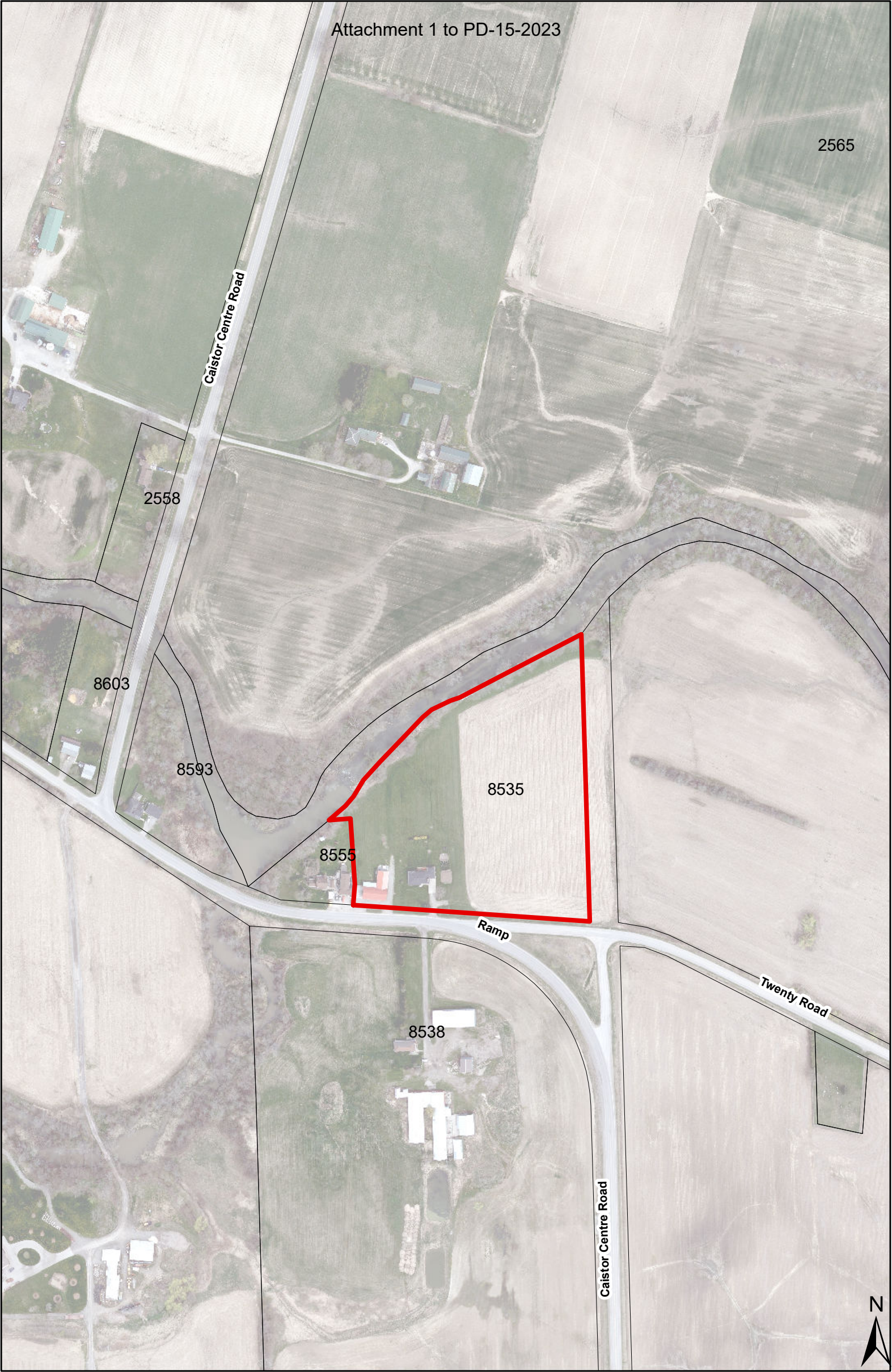
**Approved by:**

A handwritten signature in black ink, reading "Bev Hendry".

---

**Bev Hendry**  
**CAO**





**Location Map**  
**8535 Twenty Road**



**Legend**

 Subject Property



**Gerrit Boerema**

---

**From:** Steven Rivers - South Coast Consulting <steven.p.rivers@gmail.com>  
**Sent:** March 22, 2023 4:33 PM  
**To:** Gerrit Boerema  
**Subject:** Re: 8535 Twenty Road - PARKING AREA LAYOUT

Good afternoon Gerrit,

There is a:

- 54 square metre storage garage is strictly for storage, picnic tables, lawn chairs, extra shelving.
- 45 square metre merchandise storage is for extra merchandise, plus a seating area for staff breaks.
- 43 square metre retail area for ice cream, frozen chicken, fruits and vegetables, and flowers.
- 43 square metre freezer/utility room (hot water heater), a bathroom, a washing area (sink and small counter), freezers for the extra ice cream and chicken with
- 15 square metre "hallway" through the freezer/utility room allowing customers to move from the "ice cream etc." retail area to the "craft sales retail" area. This hallway will also be retail space for honey products.
- 39 square metres retail space for craft/home decor items.

Let me know if you require anything further.

***Steven Rivers***

**South Coast Consulting**  
**Land Use Planning & Development Project Management**  
**189 Clare Avenue**  
**Port Colborne, ON L3K 5Y1**  
**Mobile: 905-733-8843**  
**Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)**

On Tue, 21 Mar 2023 at 11:07, Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)> wrote:

Hi Steven,

We are working on a draft bylaw for this application and we want to place a limitation on the area of the building permitted to be used for the agri-tourism use. Do you know the area that Anja requires to operate the business out of the building on the property?

Gerrit,

**Gerrit Boerema**

---

**From:** Brian Treble  
**Sent:** March 1, 2023 1:16 PM  
**To:** Dave Heyworth  
**Cc:** Gerrit Boerema  
**Subject:** Re: 8535 Twenty Road - PARKING AREA LAYOUT

[REDACTED]

*Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.*



**Brian Treble**  
**Director of Planning & Building**  
Tel: 905-957-3346 ext.5138  
Email: [btreble@westlincoln.ca](mailto:btreble@westlincoln.ca)  
Web: [www.westlincoln.ca](http://www.westlincoln.ca)



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On Feb 27, 2023, at 4:08 PM, Anja Lipiec [REDACTED] wrote:

Hi Steve

I will do my best to provide this information as it is hard to forecast. It will all be determined by how well the gardens do of course as well as the honey the bees produce. These are the main items grown on the property. Obviously the vegetables and flowers cannot be sold until they are ready to harvest and that goes for the honey as well.

I would say that  
45% of what is sold will be ice cream which will be brought in. (again this is seasonal, so this will differ throughout the year)  
30% being sold will be chicken (which is produced just up the road from the shop) and  
20% honey, flowers and vegetables that are grown on the property (again this is seasonal so it will differ depending on the time of year it is)  
5% crafts

If you have any other questions please let me know.

Anja

On Monday, February 27, 2023 at 03:39:36 p.m. EST, Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)> wrote:

Hi Anja,

Can you provide me with the breakdown Gerrit is asking for?

**Steven Rivers**

**South Coast Consulting**

Land Use Planning & Development Project Management

189 Clare Avenue

Port Colborne, ON L3K 5Y1

Mobile: 905-733-8843

Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)

----- Forwarded message -----

From: **Gerrit Boerema** <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>

Date: Mon, 27 Feb 2023 at 15:26

Subject: RE: 8535 Twenty Road - PARKING AREA LAYOUT

To: Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>

Hi Steven,

In our initial technical report we had some questions regarding the proportions of what is being sold and what is being grown on the property. E.g. how much of the market store is selling items grown on the property, versus. selling chicken, versus other items? I don't think I have seen anything from you in regards to that? Can you confirm?

Gerrit,

***Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.***



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged information. Do not disseminate or destroy any copies of this information.

**From:** Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>  
**Sent:** February 21, 2023 3:59 PM  
**To:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>  
**Cc:** Anja Lipiec [REDACTED]  
**Subject:** 8535 Twenty Road - PARKING AREA LAYOUT

Good afternoon Gerrit,

The Parking Layout you requested is attached.

Let me know if you have any questions.

*Steven Rivers*

## South Coast Consulting

### Land Use Planning & Development Project Management

189 Clare Avenue  
Port Colborne, ON L3K 5Y1  
Mobile: 905-733-8843  
Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)



# West

Respec



**Gerrit Boerema**

---

**From:** Steven Rivers - South Coast Consulting <steven.p.rivers@gmail.com>  
**Sent:** March 8, 2023 5:53 PM  
**To:** Gerrit Boerema  
**Subject:** Re: 8535 Twenty Road - FARM PRODUCE OUTLET DEFINITION

Hi Gerrit,

I sent this a couple of days ago.

Plagiarized from Lincoln.

I think it's better because it not only sets the floor space that has to only sell locally grown produce and limits the floor space of other items.

Given the seasonal nature of things, there will probably be lots of ice cream sales in the summer but hardly any in the winter.

Chicken, crafts, and honey (depending on the harvest) will be available all year round

Flowers and vegetables grown on the property are also seasonal and the volume of sales will vary depending on the time of year.

Trying to enforce the zoning based on sales at any given time would be difficult

Let me know if it isn't adequate.

FARM PRODUCE OUTLET means a building or portion thereof wherein the retail sale of the following products are offered for sale to the general public:

- Locally grown produce and locally produced crafts (a minimum of 60 percent of the retail floor area);
- Imported produce and clothing;
- Locally made bakery items and locally processed fruit, grocery, deli and dairy products (a maximum of 60 square metres retail floor area)
- Locally grown greenhouse and nursery products;
- Locally made floral products.

Anja has provided some revised numbers based on sales but I think the floorspace approach is more manageable from a zoning perspective.

**Steven Rivers**

**South Coast Consulting**

**Land Use Planning & Development Project Management**

**189 Clare Avenue**

**Port Colborne, ON L3K 5Y1**

**Mobile: 905-733-8843**

**Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)**

On Wed, 8 Mar 2023 at 15:44, Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)> wrote:



Hi Steven,

There is a desire to have a recommendation report be brought forward to Council this month for a decision. Having said that, It is my understanding that you were going to provide us with some more information/justification regarding the proportions of the business selling a) agricultural products produced on the property, b) agricultural products from the surrounding area, and c) non-agricultural products.

Anja has provided some numbers, but there is a concern at staff level that the non-agricultural sales may be too large proportionally to support this as an agricultural related or on-farm use. If you could provide some more justification with respect to this, that would be helpful.

Brian also mentioned that you would provide us with a few examples and zoning of other similar country markets in the area. Are you able to provide those as well? Anything you can provide me, I will need by the end of the week to ensure that a report can be prepared.

Let me know if you have any questions.

Gerrit,

***Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.***

<b>Gerrit Boerema</b>	
	<b>Senior Planner</b>
	Tel: 905-957-3346 ext.5133
	Email: <a href="mailto:gboerema@westlincoln.ca">gboerema@westlincoln.ca</a>
	Web: <a href="http://www.westlincoln.ca">www.westlincoln.ca</a>
	

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**From:** Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>

**Sent:** March 1, 2023 2:52 PM

**To:** Brian Treble <[btreble@westlincoln.ca](mailto:btreble@westlincoln.ca)>

Cc: Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>; Anja Lipiec [REDACTED]

Subject: 8535 Twenty Road - FARM PRODUCE OUTLET DEFINITION

Good afternoon Brian,

As discussed.

FARM PRODUCE OUTLET means a building or portion thereof wherein the retail sale of the following products are offered for sale to the general public:

- Locally grown produce (a minimum of 60 percent of the retail floor area);
- Imported Produce and clothing
- Bakery items and processed fruit prepared on the premises, grocery, deli and dairy products and locally made crafts (a maximum of 60 square metres retail floor area)
- Locally grown greenhouse and nursery products;
- Locally made Floral Products.

***Steven Rivers***

**South Coast Consulting**

**Land Use Planning & Development Project Management**

**189 Clare Avenue**

**Port Colborne, ON L3K 5Y1**

**Mobile: 905-733-8843**

**Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)**

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**From:** Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>  
**Sent:** March 13, 2023 4:00 PM  
**To:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>  
**Cc:** Anja Lipiec [REDACTED] Brian Treble <[btreble@westlincoln.ca](mailto:btreble@westlincoln.ca)>; Dave Heyworth <[dheyworth@westlincoln.ca](mailto:dheyworth@westlincoln.ca)>  
**Subject:** Re: 8535 Twenty Road - PARKING AREA LAYOUT

Good afternoon Gerrit,

My Supplementary Planning Policy Justification and Impact Analysis Report including a draft Zoning By-law Amendment.

There updated OPINION states

The proposed Zoning By-law Amendment:

- Conforms with the provisions of the Planning Act; Provincial Policy Statement ; Growth Plan; Niagara Region Official Plan; and West Lincoln Official Plan.
- Permits the proposed Agri-tourism farm produce outlet use.

Council can be confident the Zoning By-law Amendment is consistent with the Provincial, Regional, and Township policies. The applicant is required to enter into a Plan Agreement ensuring the development is built and maintained as approved by the Township.

The approval of the proposed Zoning By-law Amendment allows an agri-tourism farm produce outlet use of an underutilized existing building. The proposal is similar to the previous agri-tourism farm produce outlet use of the building. The building was specifically designed for agri-tourism farm produce

outlet use. The proposed use can provide twice as much off-road parking on the subject property while still avoiding the neighbour's well and water line on the subject property. The proposed Planning Act application for a Zoning By-law Amendment is consistent with the policies for permitting and encouraging farm diversification within the Township. The proposed development constitutes good planning.

**Steven Rivers**

## **South Coast Consulting**

### **Land Use Planning & Development Project Management**

189 Clare Avenue  
Port Colborne, ON L3K 5Y1  
Mobile: 905-733-8843  
Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)

On Mon, 13 Mar 2023 at 11:05, Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)> wrote:

Thanks Steven,

Can you take this, the other definition that you sent me for 'Farm Produce Outlet' and what Anja has provided and put it together to provide us with a proposed zoning amendment showing exactly what you are looking for on 8535 Twenty Road? It would be helpful for us for you to provide us with some further planning justification/background of how the zone/site below and the farm produce outlet relate to what you are seeking on the subject property.

Gerrit,

***Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.***



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**From:** Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>  
**Sent:** March 13, 2023 10:20 AM  
**To:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>  
**Cc:** Anja Lipiec [REDACTED] Brian Treble <[btreble@westlincoln.ca](mailto:btreble@westlincoln.ca)>  
**Subject:** Fwd: 8535 Twenty Road - PARKING AREA LAYOUT

Good morning Gerrit,

Further to your email this morning, Anja has provided updated numbers.

The following is the zoning for a similar farm market outlet.

141. A-141 398 Canboro Road (273202001309000)

\*\*\*Amending By-law No. 1998 (1998)\*\*\*

In addition to the permitted uses of the Agricultural A Zone nothing shall prevent the use of the lands indicated as A-141 for the purpose of a seasonal farm market outlet and a tea room subject to the following special regulations:

- (a) Minimum Front Yard 12.5 metres
- (b) Maximum Retail Floor Area 148 square metres including Tea Room
- (c) Parking 20 spaces
- (d) The seasonal farm market outlet and tea room be of a seasonal nature having a duration of 6 months commencing May 1st to November 1st of each calendar year. In addition to the above regulations, the following special definition shall apply:
  - e) "Seasonal Farm Market Outlet"; be defined as a building or portion thereof wherein the retail sale of the following products are offered for sale to the general public:
    - (i) Ontario Grown Produce (a minimum of 70 % of the retail floor area)

- (ii) Bakery items and processed fruit, dli and dairy products and locally hand crafted products (a maximum of 25 square metres of the retail floor area); and;
- (iii) Locally grown greenhouse and nursery products

Anja's proposal is not seasonal. Chicken, greenhouse products, crafts, etc. will be year round.

Let me know if you need anything else.

**Steven Rivers**

## **South Coast Consulting**

### **Land Use Planning & Development Project Management**

**189 Clare Avenue  
Port Colborne, ON L3K 5Y1  
Mobile: 905-733-8843  
Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)**

----- Forwarded message -----

From: **Anja Lipiec** [REDACTED]  
Date: Wed, 1 Mar 2023 at 14:27  
Subject: Re: 8535 Twenty Road - PARKING AREA LAYOUT  
To: Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>

Hi Steven

As per our conversation I have revised the percentages of items sold

These percentages are based on **one whole fiscal year January - December**

30% of what is sold will be ice cream which will be brought in. (again this is seasonal, so this will differ throughout the year) **This would most likely only happen in the months of June - September**

30% being sold will be chicken (which is produced just up the road from the shop) **this will be available all year round**



## Attachment 2 to PD-15-2023

25% honey, flowers and vegetables that are grown on the property (again this is seasonal so it will differ depending on the time of year it is) **my prediction of timing would be August until October**

15% crafts

I hope this revision helps. Let me know if I should change anything else.

Anja

On Wednesday, March 1, 2023 at 01:31:06 p.m. EST, Steven Rivers - South Coast Consulting  
<[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)> wrote:

Good afternoon Anja,

Brian is having trouble with the 45% ice cream.

Can you call me to discuss it?

***Steven Rivers***

### **South Coast Consulting**

**Land Use Planning & Development Project Management**

**189 Clare Avenue  
Port Colborne, ON L3K 5Y1  
Mobile: 905-733-8843  
Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)**

On Mon, 27 Feb 2023 at 16:08, Anja Lipiec [REDACTED] wrote:

Hi Steve

I will do my best to provide this information as it is hard to forecast. It will all be determined by how well the gardens do of course as well as the honey the bees produce. These are the main items grown on the property. Obviously the vegetables and flowers cannot be sold until they are ready to harvest and that goes for the honey as well.

I would say that

45% of what is sold will be ice cream which will be brought in. (again this is seasonal, so this will differ throughout the year)

30% being sold will be chicken (which is produced just up the road from the shop) and

20% honey, flowers and vegetables that are grown on the property (again this is seasonal so it will differ depending on the time of year it is)

5% crafts

If you have any other questions please let me know.

Anja

On Monday, February 27, 2023 at 03:39:36 p.m. EST, Steven Rivers - South Coast Consulting  
<[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)> wrote:

Hi Anja,

Can you provide me with the breakdown Gerrit is asking for?

**Steven Rivers**

## South Coast Consulting

### Land Use Planning & Development Project Management

189 Clare Avenue  
Port Colborne, ON L3K 5Y1  
Mobile: 905-733-8843  
Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)

----- Forwarded message -----

From: **Gerrit Boerema** <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>  
Date: Mon, 27 Feb 2023 at 15:26  
Subject: RE: 8535 Twenty Road - PARKING AREA LAYOUT  
To: Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>

Hi Steven,

In our initial technical report we had some questions regarding the proportions of what is being sold and what is being grown on the property. E.g. how much of the market store is selling items grown on the property, versus selling chicken, versus other items? I don't think I have seen anything from you in regards to that? Can you confirm?

Gerrit,

*Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.*



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**From:** Steven Rivers - South Coast Consulting <[steven.p.rivers@gmail.com](mailto:steven.p.rivers@gmail.com)>  
**Sent:** February 21, 2023 3:59 PM  
**To:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>  
**Cc:** Anja Lipiec [REDACTED]  
**Subject:** 8535 Twenty Road - PARKING AREA LAYOUT

Good afternoon Gerrit,

The Parking Layout you requested is attached.

Let me know if you have any questions.

*Steven Rivers*

## **South Coast Consulting**

### **Land Use Planning & Development Project Management**

189 Clare Avenue  
Port Colborne, ON L3K 5Y1  
Mobile: 905-733-8843  
Email: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)

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

**BY-LAW NO. 2023- XX**

**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 'B3' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lot 34, Plan M89, in the former Township of South Grimsby, in the Township of West Lincoln, Regional Municipality of Niagara, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.

2. THAT Map 'B3' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agriculturally Related 'AR' zone to an Agriculturally Related – 'AR-222' zone with a site specific exception.

3. THAT Part 5 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:

**AR-222**

**Permitted Uses:**

As per the parent zone, plus: *Retail store* limited to the sale of local agriculturally derived goods and merchandise, including locally grown produce and meat products, and take out ice cream.

**Regulations:**

As per the parent zone, except: the limited retail store use shall be have a maximum floor area of 120 square metres.

4. THAT all other provisions of By-law 2017-70 continue to apply.

5. 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  
27 DAY OF MARCH, 2023.**

---

**MAYOR CHERYL GANANN**

---

**JOANNE SCIME, CLERK**



**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2023-XX**

**Location:**

This By-law involves a parcel of land located on the north side of Twenty Road, legally described as Concession 7, Part Lot 11, RP 30R-1419, Part 2 and Part 4, in the former Township of South Grimsby, now in the Township of West Lincoln, municipally known as 8535 Twenty Road.

**Purpose & Effect:**

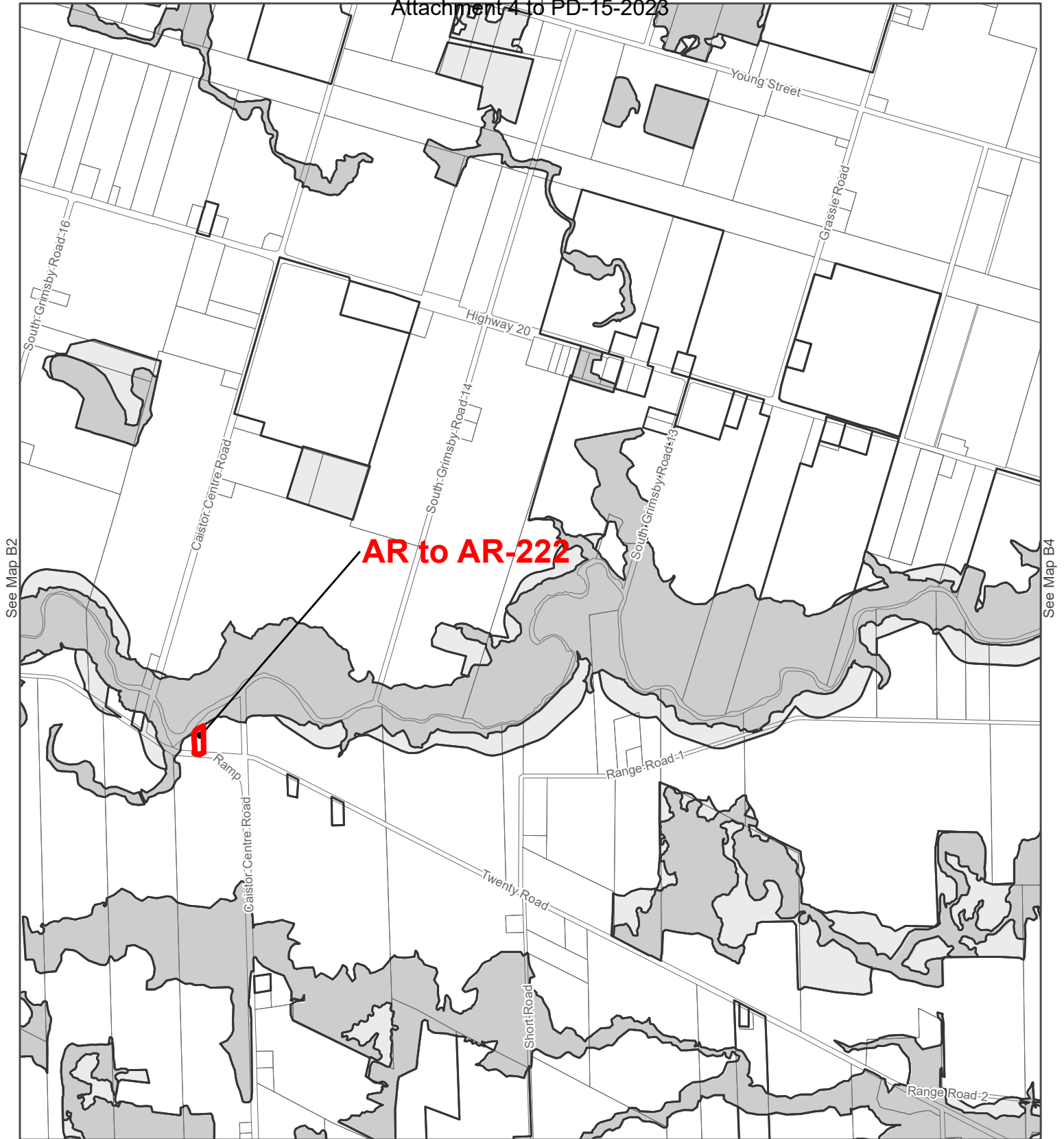
The subject lands were zoned Agricultural ‘A’, Environmental Protection ‘EP’ and Agriculture Related ‘AR’. The Agricultural Related ‘AR’ portion of the has been rezoned to Agricultural Related ‘AR-22#’ with site specific exception to allow for the retail sale of agricultural items on the property.

**Public Consultation:**

The Public Meeting was held on Monday January 16<sup>th</sup> 2023. The Township received written and oral comments from members of the public in regards to this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-012-22  
Applicants: Bruinsma

DRAFT



See Map B2

See Map B4

See Map C3

Township Key Map

**Smithville Key Map**

S1	S2	S3
S4	S5	S6
S7	S8	S9

- Zone Boundary
- EC
- EP
- Waste Management Facility Assessment Area

# **Township of West Lincoln** Schedule A Zoning By-law No.2017-70

1:20,000  
0 500 m  
N  
Last Updated: February 2023

Map  
**B3**

## **Via Email Only**

January 13, 2023

Region File: D.18.12.ZA-22-0101

Jessica Dyson  
Deputy Clerk  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON, L0R 2A0

Dear Ms. Dyson:

**Re: Regional and Provincial Comments  
Proposed Zoning By-law Amendment Application  
Township File: 1601-012-22  
Owner: Atsje Bruinsma  
Agent: Steven Rivers (South Coast Consulting)  
8535 Twenty Road  
Township of West Lincoln**

---

Regional Planning and Development Services staff has reviewed the above-noted Zoning By-law Amendment application to rezone the property located at 8535 Twenty Road in the Township of West Lincoln.

The Zoning By-law Amendment application seeks to permit an agri-tourism use (country market) on the property. This includes both the sale of locally grown products and products not grown or produced on the property or locally. The application is seeking the following exemptions to the permissions for agri-tourism uses as outlined in Section 3.11 of the Township's Zoning By-law:

- Minimum lot area for on-farm diversified use ("OFDU") / agri-tourism use is 10 hectares, whereas only 2.5 hectares is provided;
- Maximum area for OFDU / agri-tourism use is 1%, whereas 2% is requested;
- Exemption to requirement of being operated by persons who reside in the dwelling on the same lot; and
- Recognition of existing deficient building setbacks.

A pre-consultation meeting was held on September 2, 2021 with the Owners, Township staff, Regional staff, and Niagara Peninsula Conservation Authority (“NPCA”) staff in attendance. Regional staff note that the new *Niagara Official Plan, 2022* (“NOP”) was approved with modifications by the Minister of Municipal Affairs and Housing, coming into effect on November 4, 2022 and replacing the *Regional Official Plan* (“ROP”). Given that this application was deemed complete by the Township of West Lincoln prior to the NOP coming into effect, the policies of the ROP continue to apply for this application. The following Provincial and Regional comments are provided to assist the Township in their consideration of the application.

## **Provincial and Regional Policies**

The subject land is located within the ‘Prime Agricultural Area’ under the *Provincial Policy Statement, 2020* (“PPS”) and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (“Growth Plan”), and designated ‘Good General Agricultural Area’ in the ROP.

Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected for long-term agricultural use. The permitted uses within the Prime Agricultural Area / Good General Agricultural Area is for agricultural uses, agriculture-related uses, and OFDUs. Compatible uses, such as forestry and conservation of plant and wildlife is also permitted. ROP Policies 5.B.25 and 5.B.26 outline criteria to be utilized when evaluating agri-tourism uses, which are uses to be secondary to the farm operation, including that the scale of the operation is limited and appropriate to the site and surrounding area, that the use has minimal impact on and does not interfere with surrounding agricultural and rural land uses, can accommodate the use on private services, and does not generate off-site impacts related to infrastructure and transportation.

The Ministry of Agriculture, Food and Rural Affairs (“OMAFRA”) Publication 851 *Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas* provides guidance on agricultural uses, agriculture-related uses, and OFDUs to assist in explaining the intent of the PPS policies and definitions. In accordance with the PPS, as outlined in Publication 851, the following criteria is to be met in order to qualify as an OFDU:

1. Located on a farm property that is actively in agricultural use.
2. Secondary to the principal agricultural use of the property
3. Limited in area - up to 2% of the property coverage to a maximum of 1 ha (10,000 m<sup>2</sup>) and up to 20% of the gross floor area of buildings utilized for on-farm diversified uses.
4. Includes, but is not limited to, home occupations, agri-tourism uses, and uses that produce value-added agricultural products. Agri-tourism uses are defined as farm-related tourism uses, including limited accommodation such as bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

5. Shall be compatible with, and shall not hinder, surrounding agricultural operations.

Staff has reviewed the *Preliminary Policy Justification Report and Impact Analysis* ("PJR"), prepared by South Coast Consulting (dated September 6, 2022). The PJR highlights that an agri-tourism use is being proposed in order to permit the Creekside Country Market (formerly an apple store) to sell produce grown on the property, honey from hives on the property, fresh flowers grown on the property and from local greenhouses, frozen chicken products from chicken produced on the Applicant's farm property located at 7706 Twenty Road, take-out ice cream, homemade crafts, décor and wearable items.

Based on the PJR and correspondence with the Township and Agent (dated January 10, 2023), it is unclear to Regional staff what the primary agricultural use on the property is. The PJR highlights that produce, fresh flowers and field crops are to be grown and honey is to be produced from hives on the property. The PJR identifies that the applicant owns and operates a poultry farm located at another property within the Township and the agri-tourism use business is part of that farm. Staff require more detail with respect to the agricultural use on the property at 8535 Twenty Road in order to ensure that the property is in active agricultural use, as identified as a requirement through both Provincial and Regional policy.

Staff has reviewed the Survey (dated November 25, 1975) and Site Plan (dated June 9, 2022), included within the Appendix of the PJR. It is unclear based on the Survey, Site Plan, and details contained with the PJR what the exact size of the property is as each plan identifies a slightly different size. Staff recommend the PJR be updated to clearly identify the size of the property in order to calculate the acceptable size of OFDU for this property. In this regards, the PJR highlights that the size of the property is approximately 28, 620 m<sup>2</sup> (or 2.862 ha). Based on Regional staff's calculations 2% of the property would be 572.4 m<sup>2</sup> and 20% would be 114.48 m<sup>2</sup>. The PJR highlights that 605 m<sup>2</sup> (approximately 2.1% of the property) would be taken out of agricultural use, which counts the existing barn at 169 m<sup>2</sup> (50% in accordance with Provincial Publication 851) and the new parking area at 436.5m<sup>2</sup>. Staff require that the Site Plan be updated to include the size of the septic system and the PJR be updated to include the septic system area for the overall OFDU calculation.

Staff observe that the proposal will not take significant land out of agricultural production, given that the use is to be contained within an existing structure on-site, which is located at the front of the property along Twenty Road. The portion to be taken out is primarily behind the existing structure to accommodate parking. While acknowledging this, staff require more detailed information with respect to the primary agricultural use on the property to confirm the use would be considered as an OFDU.

## Natural Heritage

The subject property is impacted by the Region's Core Natural Heritage System ("CNHS"), consisting of the Lower Twenty Mile Creek Provincially Significant Wetland (PSW) Complex, Significant Woodland and Type 1 (Critical) Fish Habitat. The property is also mapped as part of the Growth Plan Provincial Natural Heritage System ("PNHS"). As such, these features are considered Key Natural Heritage Features (KNHF) and Key Hydrologic Features ("KHF"), and the natural heritage policies identified in the Growth Plan apply.

The applicant proposes to make changes within the agriculturally related zone to allow for an agri-tourism use (on-farm diversified use). The environmental features identified above are currently appropriately zoned Environmental Protection ("EP"), and no changes are proposed to the EP zone. As such, staff has no concerns or requirements from a natural heritage perspective.

## Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Corporate Waste Collection Policy. The proposed development is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following curbside limits are met:

- Recycling: Weekly Collection of Unlimited Blue/Grey Boxes;
- Organics: Weekly Collection of Unlimited Green Bins;
- Garbage: Bi-Weekly Collection of 2 Garbage Bags/Cans;
- Curbside collection only.

If the site is unable to comply with the requirements of Niagara Region's Corporate Waste Collection Policy then waste collection services would be the responsibility of the owner through a private waste collection contractor and not the Niagara Region. Notwithstanding the above comments the site remains eligible for Regional curbside recycling and green been collection.

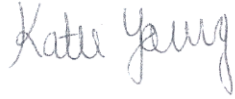
## Conclusion

Regional Planning and Development Services staff require additional information through an updated and finalized Planning Justification Report, completed by a Registered Professional Planner to address the above-noted comments with respect to the primary agricultural use on the property and calculations of the agri-tourism use (on-farm diversified use) in order to determine consistency with the *Provincial Policy Statement* and conformity to Provincial and Regional plans.



Should you have any questions related to the above comments, please contact the undersigned at [Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca), or Pat Busnello, Manager of Development Planning at [Pat.Busnello@niagararegion.ca](mailto:Pat.Busnello@niagararegion.ca). Please send a copy of the staff report and notice of Council's decision on this application.

Kind regards,

A handwritten signature in cursive script that reads "Katie Young".

Katie Young, MCIP, RPP  
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region  
Adam Boudens, Senior Environmental Planner / Ecologist, Niagara Region  
Susan Dunsmore, P.Eng., Manager of Development Engineering, Niagara Region  
Gerrit Boerema, MCIP, RPP, Senior Planner, Township of West Lincoln

**Darrell Patzalek & Eda Martini**  
8555 Twenty Road, R.R.# 1  
Smithville, Ontario, LOR 2A0, Canada

Email: [REDACTED]

5th January 2023

**Gerrit Boerema, MCIP RPP,**  
Senior Planner, Planning/Building/Environmental  
The Township of West Lincoln  
318 Canborough St., P.O. Box 400  
Smithville, ON LOR 2A0

**RE: File No. and Name: 1601-012-22– 8535 Twenty Road – Bruinsma**

Dear Gerrit,

**SUBJECT MATTER: Supporting Documents of Water Well Easement:**

- ☐ Enclosed herein:
- ☐ The survey, dated 25 Nov 1995, 2 pages
- ☐ Indenture, Deed, dated 27th February 1980
- ☐ MLS Real Estate Listing, dated 7th January 2021

Herein, is documented proof of easement for our well and piping over on 8535 Twenty Road to our address of 8555 Twenty Road. Which I feel is self-explanatory.

Also included, is Darrell's lawyers' application for Land Ownership Deed to Darrell Patzalek, dated 1980 27th February. If I could bring to your attention to paragraph 2, at the bottom of the page, where it is written clearly about easements which we claim.

Finally, I've enclosed a copy of the original MLS Real Estate Listing, which was used at the time of sale to A. Bruinsma & Pamela H., (now only by A. Bruinsma).

Yours Respectfully,



**Darrell Patzalek & Eda Martini**

DM: em

Enclosures

1944

Attachment 3 to PD-15-2023  
File No. and NAME. 1601-012-22-8535 TWENTY ROAD -  
BRUINSMA  
Pg 3 of 4

ENCL: #18

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## Barich Grenkie Surveying Ltd.

Edward J. Grenkie, O.L.S., S.L.S.  
President

---

Unit C, 28 King St. E  
P.O. Box 66703  
Stoney Creek, ON L8G 5E6  
Bus: (905) 662-6767  
Fax: (905) 517-9947  
CULVERT FEB/2005



# This Indenture

94 of 6

made in duplicate the 27th day of February  
one thousand nine hundred and eighty

In Pursuance of the Short Forms of Conveyances Act:  
Between

DAVID BRUCE COX, of the Township of West  
Lincoln, in the Regional Municipality of  
Niagara, and HELEN COX, his wife, of the  
same place,

hereinafter called the Grantors of the FIRST PART

DARRELL PATZALEK, of the Town of Stoney Creek,  
in the Regional Municipality of Hamilton-  
Wentworth, and NANCY KIRKWOOD, of the same  
place,

and the sum of ONE----- (\$1.00)----- dollar of  
lawful money of Canada now paid by the said grantees to the said grantors (the receipt  
whereof is hereby by them acknowledged) they the said grantors DO

GRANT unto the said grantee in fee simple as joint  
tenants and not as tenants in common.

ALL and Singular that certain parcel or tract of land and premises, situate, lying and  
being in the Township of West Lincoln, in the Regional Municipality  
of Niagara, and the Province of Ontario, and being composed of  
part of Lot Eleven (11) in the Seventh Concession of the said  
Township of Caistor, and designated as Part 1, according to a  
Reference Plan deposited in the Registry Office for the Registry  
Division of Niagara North as Plan 30R-1419;

Together with the exclusive right and easement in perpetuity of  
using the water from the existing dug Well situate on that part  
of said Lot Eleven, designated as Part 3, on said Plan 30R-1419,  
to be appurtenant to and for the benefit of said Part 1, with the  
right and easement to enter upon the said Part 3 for the purpose  
of repairing and cleaning the said Well and the waterline and  
pipes leading therefrom on said Part 3 to said Part 1.

File No. and Name: 160-012-22-8535 Twenty Road - BRUINSMA  
Attachment 3 to PD-15-2023

HAZELL, GAY & WHITE  
Barristers - Solicitors - Notaries  
20 HUGHSON STREET SOUTH  
HAMILTON, ONTARIO

Pg 5 of 6.

WILLIAM HAZELL, Q.C., B.A. - 1920 - 1962  
LESLIE W. GAY, Q.C. - 1921 - 1958  
WILLIAM J. C. WHITE, Q.C., B.A.  
—  
ERIC H. PALMER, B.A., LL.B.

TELEPHONE: 522-4611  
MAILING ADDRESS:  
P. O. BOX 906  
HAMILTON, ONTARIO  
L8N 3P6


27th February, 1980

Mr. Frank Vine  
Barrister & Solicitor  
272 Kenilworth Avenue North  
Hamilton, Ontario  
L8H 4S9

Dear Sir:

Re: Cox sale to Patzalek and Kirkwood  
Regional Road #6, Smithville  
Our file #50 - 80P

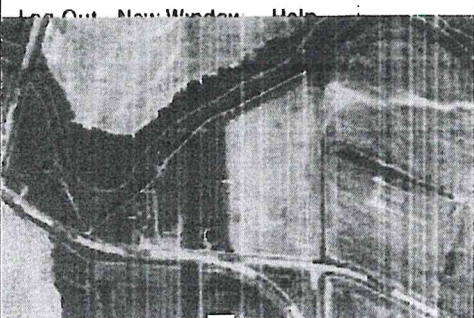
At this time we enclose herewith draft deed in the above matter.

Yours very truly,  
HAZELL, GAY & WHITE  
Per 

EHP:jn  
Encls.



File No. and Name: 1601-012-22-8535 TWENTY ROAD-BRUINSMA

	8535 Twenty Rd		Sold: \$875,000	Pg 6 of 6
	West Lincoln Ontario LOR 2A0		List: \$999,900	
	West Lincoln Niagara			
	Taxes: \$1,706.00 /2020	For: Sale	% Dif: 88	
	SPIS: N	Last Status: Sld		
	Con 7 Pt Lot Rp 30R1419 Part 2 Part 4		DOM: 34	
	Detached	Fronting On: N	Rms: 6	
	Link: N	Acreage: 5-9.99	Bedrooms: 3	
	Bungalow	Lot: 607.67 x 736.69	Washrms: 1	
	Irreg: Easement For	Feet	1x4xMain	
	Well			
	Dir/Cross St: Caistor Centre Rd			

MLS#: X5055948

Seller: Thomas Howard Packham

Occupancy: Owner

PIN#: 460560275

ARN#: 260201000235900

Contact After Exp: N

Holdover: 90

Kitchens: 1	Exterior: Brick / Stone	Zoning: A2
Fam Rm: N	Drive: Private	Cable TV: Hydro:
Basement: Finished / Full	Gar/Gar Spcs: Attached / 1	Gas: Phone:
Fireplace/Stv: Y	Drive Pk Spcs: 20	Water: Well
Heat: Water / Oil	Tot Pk Spcs: 21	Water Supply: Cistern
A/C: Central Air	UFFI:	Sewer: Septic
Central Vac:	Pool: None	Waterfront: Direct
Apx Age: 51-99	Prop Feat: Golf,	Retirement:
Apx Sqft: 1100-1500	Grnbelt/Conserv, Library, Park, Place	Farm/Agr: Other
Assessment: 197000 / 2016	Of Worship, River/Stream	Oth Struct: Workshop
POTL:		Spec Desig: Other
Laundry lev:		

#	Room	Level	Length (ft)	Width (ft)	Description
1	Foyer	Main	12.82	x 6.82	
2	Kitchen	Main	12.66	x 10.99	
3	Living	Main	10.99	x 8.66	
4	Dining	Main	17.42	x 12.76	
5	Master	Main	12.33	x 11.15	
6	2nd Br	Main	12.23	x 9.15	
7	3rd Br	Main	13.25	x 9.74	
8	Rec	Bsmt	23.75	x 11.32	
9	Laundry	Bsmt	16.66	x 12.23	
10	Workshop	Bsmt	16.5	x 12.17	
11	Games	Bsmt	18.73	x 15.25	
12	Utility	Bsmt		x	

Client Remks: Picturesque 7.6 Acre Hobby Farm Backing Onto Twenty Mile Creek. 60' X 24' Barn That Includes Storage Area, Two Cooler Rooms, Large Storage Loft Plus A 34' X 12' Lean-To Behind The Shop. Connected To The Barn Is A 44' X 24' Shop With One Bay Heated By A Woodstove, Plus Another Double Bay For Storage. Shop/Barn Is Serviced By 100 Amp Service & Water Line From The Cistern. Approx 4 Acres Rented By A Neighbouring Farmer For \$300/Year On A Year-Year Basis.

Extras: Propane Tnk, Irrigat Pmp, Ss Fridge, Stove, Bi Mw, Bi Dw, W & D, All Win Cover & Blinds, Garage Door Op, Work Bnches, Woodstve In Shop, Air Compressor, Weider, 220 Heater. (All in As is Condition On Closing). Chest Freezer And Fridge in Basem Brkage Remks: Attach Sch B & 801. 24 Hours Irrev. Co List W Schilstra. "1% + Hst Reduction To Cooperating Broker Commission If Buyer (Or Buyer's Family) Is Shown By Listing Brokerage & Brings Successful Offer (Oh Excl)

List: RE/MAX ESCARPMENT REALTY INC., BROKERAGE Ph: 905-573-1188 Fax: 905-573-1189

CONRAD GUY ZURINI, Broker of Record 905-573-1188

Co-Op: NON-TREB BOARD OFFICE, BROKERAGE

Member Non-Treb, Staff

Contract Date: 12/03/2020

Sold Date: 1/06/2021

Leased Terms:

Expiry Date: 2/27/2021

Closing Date: 2/12/2021

Original: \$999,900

Last Update: 1/07/2021

CB Comm: 2.5% Plus Hst

905.957.1188

TOWNSHIP OF WEST LINCOLN

**RECEIVED**

JAN 04 2023

PER 

SMITHVILLE, ONTARIO

**Darrell Patzalek & Eda Martini**  
8555 Twenty Road, R.R.# 1  
Smithville, Ontario, L0R 2A0, Canada

3rd January 2023

**Mayor Cheryl Ganann,**  
Counselor Mike RehnerMCEO,  
The Township of West Lincoln 123 Address St  
318 Canborough St., P.O. Box 400  
Smithville, ON L0R 2A0  
Canada

**RE: File No. and Name: 1601-012-22 - 8535 Twenty Road - Bruinsma**

Dear Mayor & Counselor,

**SUBJECT MATTER: Request for an extension**

Due to the lack of time to thoroughly examine and prepare written comments with regard to above noted File, it is only fair to grant an extension of twenty (20) business days. Only seven (7) business days have been given at this time.

- The Township of West Lincoln received South Coast Consulting Package on October 18th, 2022.
- Notification to 8555 Twenty Road from West Lincoln Township was postmarked December 13, 2022, and received by 8555 Twenty Road residence late afternoon of Friday, December 16th, 2022.
- The Township of West Lincoln and other bodies that need to be contacted were all closing for the holidays. Closures began Friday 23rd December at 4 pm and were not reopening until today's date of 3rd January 2023.

We have several concerns that need addressing, such as whether was there ever a building permit attained when 8535 Twenty Road, the new owner's, changed the type, moved from the original location, and made larger and closer to the protected water, (CNHS) Core Natural Heritage Wetland Complex. Then there is the rear parking lot, on the north side of the existing barn, (proposed commercial business of marketplace), an area that they have made into a parking lot. This area is located immediately horizontal to the east of my back door, approximately 10 meters, right on the property line.

Then there is the issue of 8555 Twenty Road's Well that supplies our water being located way over on 8535 Twenty Road by the driveway on the east

*Eda  
of Septic management*

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side of the barn, proposed grocery store, and slightly northwest of the home. This easement was clearly noted on the original surveys and at the time of severance of the mid-1960s, then finally at the time of sale and purchase of 8535 Twenty Road property in 2022. The increased driveway on the east side of the proposed grocery, and the newly formed parking lot on the north side of the proposed grocery store now extend, we believe, into the 120 metre protection zone of the KNHF, NHE, and over top of our water pipes from the well to our home.

These are just a few of the very urgent issues that must be addressed, before moving forward with this **HYBRID PUBLIC MEETING**, January 6th, 2023 cutoff, and the meeting itself scheduled for Monday, January 16th, 2023 at 6:30 PM.

We respectfully request full transparency on behalf of the Township of West Lincoln by granting us this extension.

Yours Respectfully,

The image shows two handwritten signatures in blue ink. The top signature is 'Darrell Patzalek' and the bottom signature is 'Eda Martini'. Both signatures are fluid and cursive.

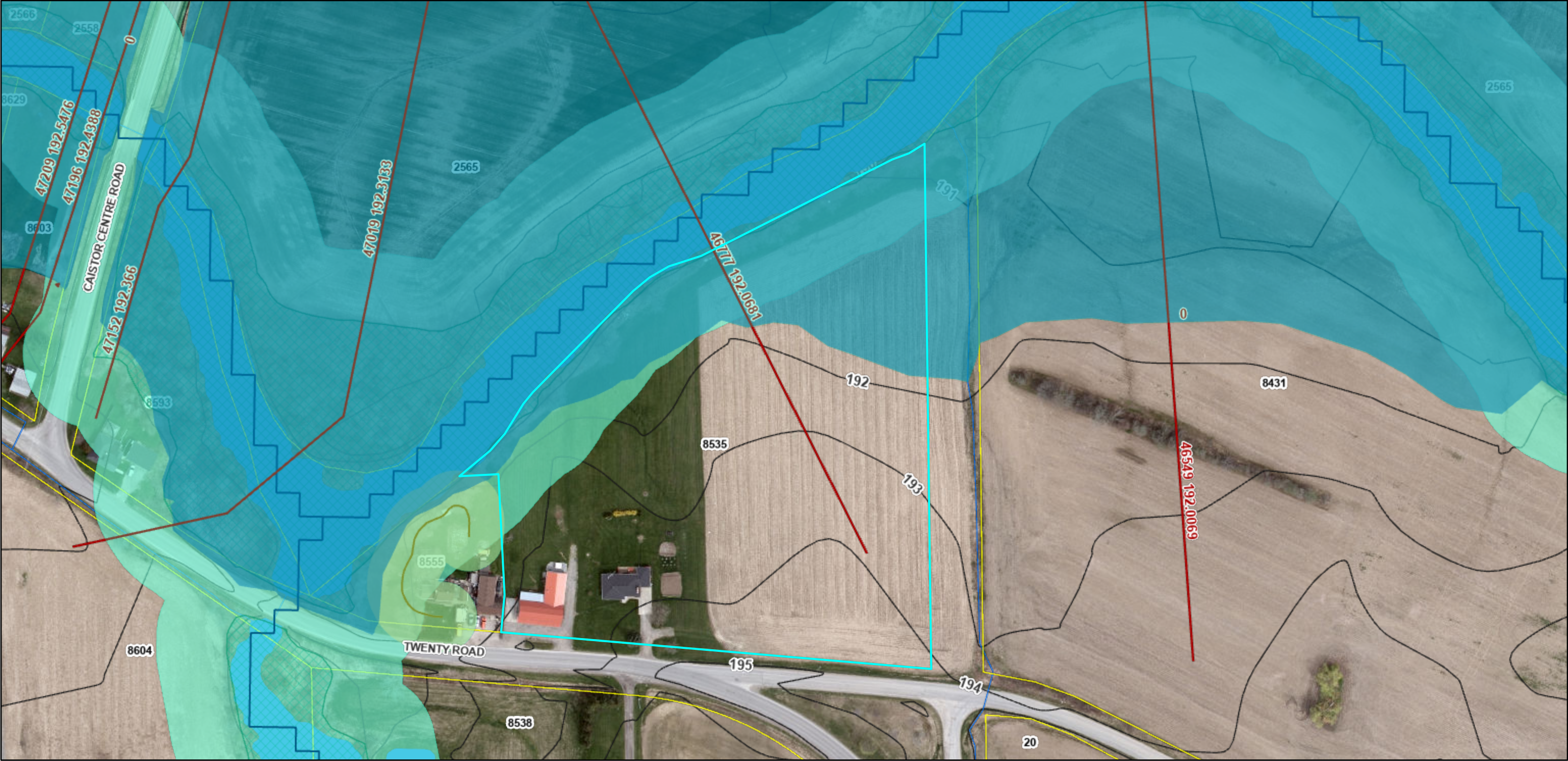
**Darrell Patzalek & Eda Martini**

DM: em

Cc: Gerrit Boerema, MCIP RPP, Senior Planner

Email: [gboere@westlincoln.ca](mailto:gboere@westlincoln.ca)





1/5/2023, 4:31:11 PM

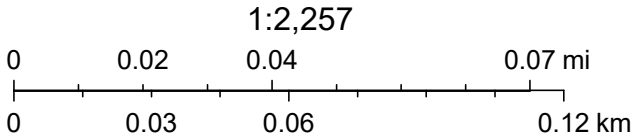
SWOOP 2020 NPCA

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3
- Roads

- NPCA APPROXIMATE REGULATION LANDS
- Regulation Wetlands
- Evaluated-Provincial
- Wetland Allowance
- Top of Slope Allowance

- Top of Slope Features
- Stable
- Reaches Draining 125ha Requiring FPM
- Regulated Floodplain Extent
- Regulated

- Cross Sections Inventory
- Cross Section
- Assessment Parcels
- 2K Hydrography
- 2K HydroPoly



NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



**Gerrit Boerema**

---

**From:** Jessica Dyson  
**Sent:** January 3, 2023 3:19 PM  
**To:** Gerrit Boerema  
**Cc:** Brian Treble; Jeni Fisher  
**Subject:** FW: Document shared with you: "Copy of WestLincolnFile#1601\_012\_22"  
**Attachments:** imaged47d01.PNG

FYI

*Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.*



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

**From:** [REDACTED]  
**Sent:** January 3, 2023 3:01 PM  
**To:** Jessica Dyson <[jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca)>  
**Subject:** Re: Document shared with you: "Copy of WestLincolnFile#1601\_012\_22"

Hello Jessica,

I would like to add clarification to the first paragraph after the three bullets regarding the timing of notices and public meeting.

Where I wanted to inquire to see if the new owners applied for a building permit to relocate, enlarge, move the location, and changed the type of "Septic system" they did in early spring of 2021.

I wasn't clear that it was the "Septic system", so herein is the necessary information.

Thank you for your time and prompt response.

Yours respectfully

Darrell Patzalek &

Eda Martini

8555 Twenty Rd, Smithville, ON L0R 2A0, CA

On Tue, Jan 3, 2023, 2:44 p.m. Jessica Dyson <[jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca)> wrote:

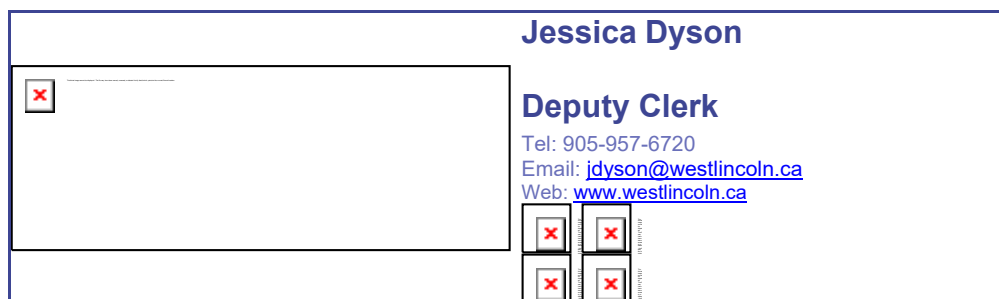
Good afternoon,

This is to advise that your comments with respect to the Public Meeting (File No. 1601-012-22 have been received.

Thank you,

Jessica

***Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.***



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

---

**From:** [REDACTED]  
**Sent:** January 3, 2023 12:29 PM  
**To:** Jessica Dyson <[jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca)>  
**Cc:** Gerrit Boerema <[gboerema@westlincoln.ca](mailto:gboerema@westlincoln.ca)>; Mike Rehner <[mrehner@westlincoln.ca](mailto:mrehner@westlincoln.ca)>  
**Subject:** Document shared with you: "Copy of WestLincolnFile#1601\_012\_22"

[REDACTED]





Xendogz M ( [REDACTED] ) has invited you to **edit** the following document:



File No. and Name: 1601 012 22- 8535 Twenty Road - Bruinsma.



Copy of WestLincolnFile#1601\_012\_22



This email grants access to this item without logging in. Only forward it to people you trust.



Open

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA  
You have received this email because [emartinilucky13@gmail.com](mailto:emartinilucky13@gmail.com) shared a document with you from Google Docs.

Google™

**Gerrit Boerema**

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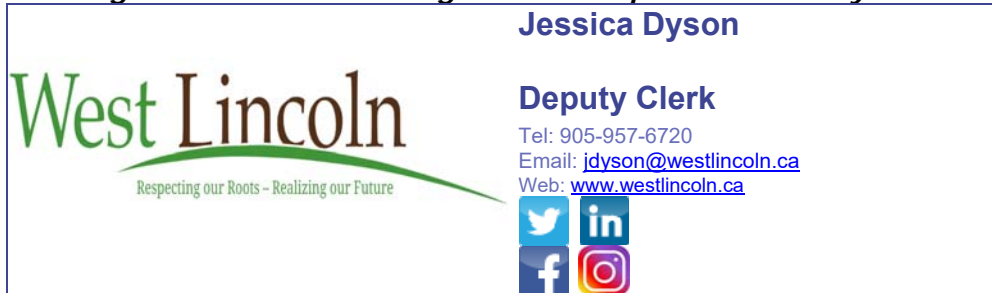
**From:** Jessica Dyson  
**Sent:** January 3, 2023 9:56 AM  
**To:** Gerrit Boerema  
**Cc:** Stephanie Pouliot; Brian Treble; Jeni Fisher  
**Subject:** FW: File No. 1601-012-22

Good morning

Please see comments below with respect to the Twenty Rd Public Meeting.

Thank you  
Jess

***Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.***



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

**From:** Jason Bouwman [REDACTED]  
**Sent:** December 26, 2022 4:02 PM  
**To:** Jessica Dyson <[jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca)>  
**Subject:** File No. 1601-012-22

We're writing to share a concern over the intent to permit a country market at 8535 Twenty Road. While we have no issues with the type of business being proposed we do worry about the traffic safety at the adjacent intersection of Twenty Road and Caistor Centre Road. This intersection is already tricky to navigate for many motorists. Increased flow of traffic due to a retail operation + vehicles slowing to turn into the parking area + vehicles entering the flow of traffic from a market's parking area + people that choose to park their vehicles on the shoulders of Twenty Road will potentially exacerbate the problem. Please give due consideration to this issue when deciding on this application.

respectfully,  
Jason and Debra Bouwman

Jason Bouwman



**compass**creative



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## Memo

**To:** Gerrit Boerema, Planner II, Jessica Dyson, Deputy Clerk  
**From:** Jennifer Bernard, Coordinator of Engineering Services  
**Date:** December 22, 2022  
**Re:** File 1601-012-22 – 8535 Twenty Road - Bruinsma

---

A review has been completed of this application for a Zoning By-law Amendment to rezone the property at 8535 Twenty Road to permit an agri-tourism use, specifically a country market.

Public Works has no objections to this application however the Township has previously received complaints, and has concerns about vehicles stopping/parking on Twenty Rd that are visiting this property. Staff would like to see the owner address this issue by providing adequate on-site parking for the business.

## **Planning and Development Services**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7  
905-980-6000 Toll-free: 1-800-263-7215

---

### **Via Email Only**

March 24, 2023

Region File: D.18.12.ZA-22-0101

Gerrit Boerema, MCIP, RPP  
Senior Planner  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON, L0R 2A0

Dear Mr. Boerema:

**Re: Regional and Provincial Comments  
Proposed Zoning By-law Amendment Application  
Township File: 1601-012-22  
Owner: Atsje Bruinsma  
Agent: Steven Rivers (South Coast Consulting)  
8535 Twenty Road  
Township of West Lincoln**

---

Regional Planning and Development Services staff has reviewed the above-noted Zoning By-law Amendment application to rezone the property located at 8535 Twenty Road in the Township of West Lincoln. A pre-consultation meeting was held on September 2, 2021 with the Owners, Township staff, Regional staff, and Niagara Peninsula Conservation Authority ("NPCA") staff in attendance. Regional staff note that the new *Niagara Official Plan, 2022* ("NOP") was approved with modifications by the Minister of Municipal Affairs and Housing, coming into effect on November 4, 2022 and replacing the *Regional Official Plan* ("ROP"). Given that this application was deemed complete by the Township of West Lincoln prior to the NOP coming into effect, the policies of the ROP continue to apply for this application. Regional staff received the Notice of Public Meeting on December 13, 2022 and provided Regional comments on the proposal January 13, 2023.

The Zoning By-law Amendment application has been revised since Regional comments were initially provided. The application initially sought to permit an agri-tourism use (on-farm diversified use) in the form of a country market on the property. This includes both the sale of locally grown products and products not grown or produced on the property or locally. The application sought the following exemptions to the permissions for agri-tourism uses as outlined in Section 3.11 of the Township's Zoning By-law:

- Minimum lot area for on-farm diversified use (“OFDU”) / agri-tourism use is 10 hectares, whereas only 2.5 hectares is provided;
- Maximum area for OFDU / agri-tourism use is 1%, whereas 2% is requested;
- Exemption to requirement of being operated by persons who reside in the dwelling on the same lot; and
- Recognition of existing deficient building setbacks.

The proposal has since been revised by the applicant following the public meeting held on January 16, 2023 to amend the existing Agriculture Related ‘AR’ zone on the property to permit an ‘agri-tourism farm produce outlet use’ (“the Creekside Country Market”), which was formerly an agri-tourism farm market outlet associated with an existing apple orchard. The intent of this permission is to sell Ontario grown produce and locally produced crafts, imported produce and clothing, locally made bakery items, locally and Ontario grown produce and/or processed fruit, grocery, deli, and dairy products; Ontario grown greenhouse and nursery products, and locally made floral products.

The following Provincial and Regional comments are provided to assist the Township in their consideration of the application.

### **Provincial and Regional Policies**

The subject land is located within the ‘Prime Agricultural Area’ under the *Provincial Policy Statement, 2020* (“PPS”) and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (“Growth Plan”), and designated ‘Good General Agricultural Area’ in the ROP.

Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected for long-term agricultural use. The permitted uses within the Prime Agricultural Area / Good General Agricultural Area is for agricultural uses, agriculture-related uses (“ARUs”), and OFDUs. Compatible uses, such as forestry and conservation of plant and wildlife is also permitted. ROP Policies 5.B.17 – B.5.27 recognize and permit a range of diversified uses. Policy 5.B.19 outlines that farm diversification uses shall be consistent with the applicable provisions of the PPS. Policy 2.3.3.1 of the PPS identifies that criteria for proposed ARUs and OFDUs may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

The Ministry of Agriculture, Food and Rural Affairs (“OMAFRA”) Publication 851 *Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas* provides guidance on agricultural uses, ARUs, and OFDUs to assist in explaining the intent of the PPS policies and definitions. In accordance with the PPS, as outlined in Publication 851, the following criteria is to be met in order to qualify as an OFDU:

1. Located on a farm property that is actively in agricultural use.
2. Secondary to the principal agricultural use of the property
3. Limited in area - up to 2% of the property coverage to a maximum of 1 ha (10,000 m<sup>2</sup>) and up to 20% of the gross floor area of buildings utilized for on-farm diversified uses.



4. Includes, but is not limited to, home occupations, agri-tourism uses, and uses that produce value-added agricultural products. Agri-tourism uses are defined as farm-related tourism uses, including limited accommodation such as bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.
5. Shall be compatible with, and shall not hinder, surrounding agricultural operations.

Through previous Regional comments provided (dated January 13, 2023), staff requested additional information be provided with respect to the primary agricultural use of the property in order to qualify the market as 'secondary' to the principal agricultural use of the property, in alignment with the criteria for an OFDU. Staff also had concerns with respect to the limited in area calculation as the size of the property was unclear between the survey, site plan, and details in the PJR and the calculations did not include the septic system area within the overall calculation. Staff, utilizing a property size of approximately 28,620 m<sup>2</sup> (2.862 ha), as detailed through the PJR, identified that the 2% calculation of the property would be 572.4 m<sup>2</sup> and 20% would be 114.48 m<sup>2</sup> to meet the limited in area criteria for an OFDU.

Staff has reviewed the *Supplementary Planning Policy Justification Report and Impact Analysis* ("PJR"), prepared by South Coast Consulting (dated March 13, 2023). The updated PJR has been provided to amend the existing Agriculture Related 'AR' zone to permit an 'agri-tourism farm produce outlet' on the property known as Creekside Country Market. The applicant has provided a draft Zoning By-law Amendment, which defines 'Agri-tourism use farm produce outlet' as a building or portion thereof wherein the retail sale of the following products are offered for sale to the general public:

- a) Ontario grown produce and locally produced crafts (a minimum of 60% of the retail floor area);
- b) Imported produce and clothing;
- c) Locally made bakery items;
- d) Locally and Ontario grown produce and/or processed fruit, grocery, deli, and dairy products (a maximum of 60 m<sup>2</sup> retail floor area);
- e) Ontario grown greenhouse and nursery products; and,
- f) Locally made floral products.

Staff has also reviewed modified language provided by Township staff (dated March 21, 2023) to permit the sale of agriculturally derived products only on the property and limit the maximum floor area of the retail store to 120 m<sup>2</sup> (20% gross floor area on the basis that the property is 3 ha in size)

In accordance with the PPS, as outlined in Publication 851, the following criteria is to be met in order to qualify as an ARU:

1. Farm related commercial and farm related industrial use, which may include the retailing of agriculture-related products;
2. Shall be compatible with, and shall not hinder, surrounding agricultural operations;
3. Directly related to farm operations in the area;
4. Supports agriculture;

5. Provides direct products and/or services to farm operations as a primary activity; and,
6. Benefits from being in close proximity to farm operations.

Respecting criterion 1, staff observe that the market could meet the farm-related commercial criteria, which includes the retailing of agriculture-related products should the products be related to agriculture only, as recommended by Township staff. Respecting criterion 2, staff observe that the proposal will not take significant land out of agricultural production or hinder surrounding agricultural operations given that the use is to be contained within an existing structure on-site, which is located at the front of the property along Twenty Road. The portion to be taken out is primarily behind the existing structure to accommodate parking. Respecting criterion 3, based on the PJR, some of the products would be directly related to farms in the area, such as produce, honey hives, and flowers grown on the property and from local greenhouses, and frozen chicken products from chicken produced on the Applicant's farm. Staff concur with Township staff that products sold should be those directly related to farms in the area in order to qualify as an ARU. Respecting criterion 4, the retail sale of agricultural products grown in the area will support agriculture. Respecting criterion 5, staff do not believe the proposed use meets this criterion as the use is not providing direct products and/or services to farm operations as a primary activity. Respecting criterion 6, the proposed use may meet this criterion as the use would benefit from being within close proximity to the farm operations for which products are being sold from.

Based on correspondence with Township staff, Regional staff understand that the recommendation is to have the scale of the market be limited to meet the 'limited in area' provisions of an OFDU. Subject to confirmation from the applicant that products sold are to be related to agriculture only and the scale of the retail component being limited, staff offer no objection to the proposal, subject to the below comments.

### **Natural Heritage**

The subject property is impacted by the Region's Core Natural Heritage System ("CNHS"), consisting of the Lower Twenty Mile Creek Provincially Significant Wetland (PSW) Complex, Significant Woodland and Type 1 (Critical) Fish Habitat. The property is also mapped as part of the Growth Plan Provincial Natural Heritage System ("PNHS"). As such, these features are considered Key Natural Heritage Features (KNHF) and Key Hydrologic Features ("KHF"), and the natural heritage policies identified in the Growth Plan apply.

The applicant proposes to make changes within the agriculturally related zone to allow for an 'agri-tourism use farm produce outlet'. The environmental features identified above are currently appropriately zoned Environmental Protection ("EP"), and no changes are proposed to the EP zone. As such, staff has no concerns or requirements from a natural heritage perspective.

### **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Corporate Waste Collection Policy. The proposed development is eligible to receive Regional curbside waste and recycling

collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following curbside limits are met:

- Recycling: Weekly Collection of Unlimited Blue/Grey Boxes;
- Organics: Weekly Collection of Unlimited Green Bins;
- Garbage: Bi-Weekly Collection of 2 Garbage Bags/Cans;
- Curbside collection only.

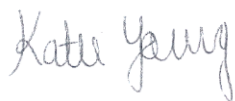
If the site is unable to comply with the requirements of Niagara Region's Corporate Waste Collection Policy then waste collection services would be the responsibility of the owner through a private waste collection contractor and not the Niagara Region. Notwithstanding the above comments the site remains eligible for Regional curbside recycling and green been collection.

### **Conclusion**

Regional Planning and Development Services staff offer no objection to the proposed use, subject to confirmation from the Agent/Applicant that the products to be sold will be related to agriculture only, and the scale of the retail component will be limited as provided by Township staff. Provided this can be addressed, the proposal is consistent with the PPS and conforms to the ROP.

Should you have any questions related to the above comments, please contact the undersigned at [Katie.Young@niagararegion.ca](mailto:Katie.Young@niagararegion.ca). Please send a copy of the staff report and notice of Council's decision on this application.

Kind regards,



Katie Young, MCIP, RPP  
Development Planner

cc: Diana Morreale, MCIP, RPP, Director, Development Approvals  
Adam Boudens, Senior Environmental Planner / Ecologist  
Susan Dunsmore, P.Eng., Manager of Development Engineering

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

**BY-LAW NO. 2023-18**

**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 27<sup>TH</sup> DAY OF FEBRUARY, 2023 AND ITS SPECIAL MEETING HELD ON THE 1<sup>ST</sup> DAY OF MARCH, 2023.**

**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 fifth meeting, regular, held on the 27<sup>th</sup> day of February, 2023 and of the sixth meeting, special, held on the 1<sup>st</sup> day of March, 2023, 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  
27<sup>th</sup> DAY OF MARCH, 2023.**

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**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**

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

**BY-LAW NO. 2023-19**

**A BY-LAW TO PROVIDE FOR PAYING REMUNERATION  
AND EXPENSE ALLOWANCES TO THE MEMBERS OF  
COUNCIL**

**WHEREAS** Section 283(1) of the Municipal Act, SO 2001, c. 25, provides that, a municipality may pay any part of the remuneration and expenses of the members of any local board of the municipality and of the officers and employees of the local board.

**AND WHEREAS** Section 283(2) of the Municipal Act, SO 2001, c. 25, provides that despite any Act, a municipality may only pay the expenses of the members of its council or of a local board of the municipality and of the officers and employees of the municipality or local board if the expenses are of those persons in their capacity as members, officers or employees and if,

- (a) the expenses are actually incurred; or
- (b) the expenses are, in lieu of the expenses actually incurred, a reasonable estimate, in the opinion of the council or local board, of the actual expenses that would be incurred. 2001, c. 25, s. 283 (2);

**AND WHEREAS** Section 283(4) of the Municipal Act, SO 2001, c. 25, provides that no part of the remuneration of a member of a council or local board paid under this section is deemed to be for expenses incidental to his or her duties as a member and a municipality or local board shall not provide that any part of the remuneration is for such deemed expenses.

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

1.
  - (a) The Mayor of the Corporation of the Township of West Lincoln shall be paid, for his/her services as head of the Council an annual remuneration in the amount of **\$47,000** as of January 1, 2023 and such annual remuneration may be paid in bi-weekly instalments and shall be modified in accordance with negotiated CUPE Local 1287 (Canadian Union of Public Employees) cost of living adjustments.
  - (b) Councillors of the Township of West Lincoln shall be paid an annual remuneration of **\$30,000** as of January 1, 2023 and such annual remuneration may be paid in bi-weekly instalments and shall be modified in accordance with negotiated CUPE Local 1287 (Canadian Union of Public Employees) cost of living adjustments.
  - (c) Each Member of Council shall be eligible to participate in the Township of West Lincoln's Group Benefit Plan.
  - (d) Each Member of Council can choose to opt out of the new remuneration for the duration of the term of this Council by advising the Clerk in writing by April 15th;
  - (e) Each Member of Council can choose not to accept annual cost of living adjustments as set out in this by-law by opting out in writing to the Clerk by April 1<sup>st</sup> or within ten (10) days of any remuneration adjustment approvals.
2. That, By-law 2022-49 be and is hereby repealed as of March 27, 2023.
3. That, this by-law shall be effective on March 27, 2023 and remain in force and effect until amended or repealed by Council direction.

READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 27<sup>th</sup>  
DAY OF MARCH 27, 2023.

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MAYOR CHERYL GANANN

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JOANNE SCIME, CLERK



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

**BY-LAW NO. 2023-20**

**TO APPOINT WEED INSPECTORS FOR THE  
TOWNSHIP OF WEST LINCOLN**

**WHEREAS** it is deemed expedient to appoint Weed Inspectors in the Township of West Lincoln to enforce the Weed Control Act, R.S.O. 1990, Chapter W.5, amendments and regulations thereto.

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

1. That, Atrayu (Tray) Benish and Dave Lane be and are hereby appointed Weed Inspectors in the Township of West Lincoln, until their successors are appointed.
2. That, By-law 2018-110 be and is hereby repealed.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>th</sup> DAY OF MARCH, 2023.**

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**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**  
**BY-LAW NO. 2023-21**

**BEING A BY-LAW TO APPOINT ATRAYU (TRAY) BENISH AS  
“OVERALL RESPONSIBLE OPERATOR” AND BOB DENISON AS  
ALTERNATE “OVERALL RESPONSIBLE OPERATORS” FOR THE  
CORPORATION OF THE TOWNSHIP OF WEST LINCOLN (WATER  
AND WASTEWATER)**

**WHEREAS** the *Municipal Act*, S.O. 2001, c.25, confers authority upon the municipality to conduct its affairs as it considers necessary and appropriate;

**AND WHEREAS** Section 23(1) of Ontario Regulation 128/04, relating to the Safe Drinking Water Act, 2002, states that the owner or operating authority of a municipal residential subsystem shall designate as overall responsible operator of the subsystem an operator who holds a certificate for that type of subsystem and that is of the same class as or higher than the class of that subsystem.

**AND WHEREAS** Section 17(5) of Ontario Regulation 129/04, being the Licensing of Sewage Works Operators Regulation under the Ontario Water Resources Act R.S.O. 1990, states that the owner of a facility shall designate as overall responsible operator of the facility an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility

**AND WHEREAS** Tray Benish and Bob Denison have the required qualifications;

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

1. That, Atrayu (Tray) Benish be and is hereby appointed as “Overall Responsible Operator” for the Corporation of the Township of West Lincoln.
2. That, in the absence of Mr. Atrayu (Tray) Benish, Mr. Robert Denison be and is hereby appointed as Alternate “Overall Responsible Operator(s)”.
3. That, this By-Law shall come into effect on the date of its passing thereof.
4. That, By-law 2017-131 be and is hereby repealed.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>th</sup> DAY OF MARCH, 2023.**

---

**MAYOR CHERYL GANANN**

---

**JOANNE SCIME, CLERK**

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

**BY-LAW NO. 2023-22**

**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 'S5' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lot 17, Plan M92, in the former Township of South Grimsby, in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 197 Griffin Street, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'S5' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from a Core Commercial 'C1' zone to a Core Commercial 'C1-221' zone with site specific exceptions.
3. THAT Part 5 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:  
C1-221  
Permitted Uses:  
As per the parent zone.  
Regulations:  
As per the parent zone, except:
  - maximum *ground floor area* for *accessory dwelling unit* entrance – 75 m<sup>2</sup>
  - Minimum width of driveway for double traffic lane for travel in two directions for residential and non-residential uses – 3.3 m
  - No maximum driveway coverage for the required side and rear yards
  - No maximum garage width for private garages within the rear yard
4. THAT all other provisions of By-law 2017-70 continue to apply.
5. 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  
27<sup>th</sup> DAY OF MARCH, 2023.**

---

**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**

## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2023-22**

### **Location:**

This By-law involves a parcel of land located on the west side of Griffin Street, legally described as Lot 17, Plan M92, in the former Township of South Grimsby, in the Township of West Lincoln, Settlement area of Smithville, municipally known as 197 Griffin Street.

### **Purpose & Effect:**

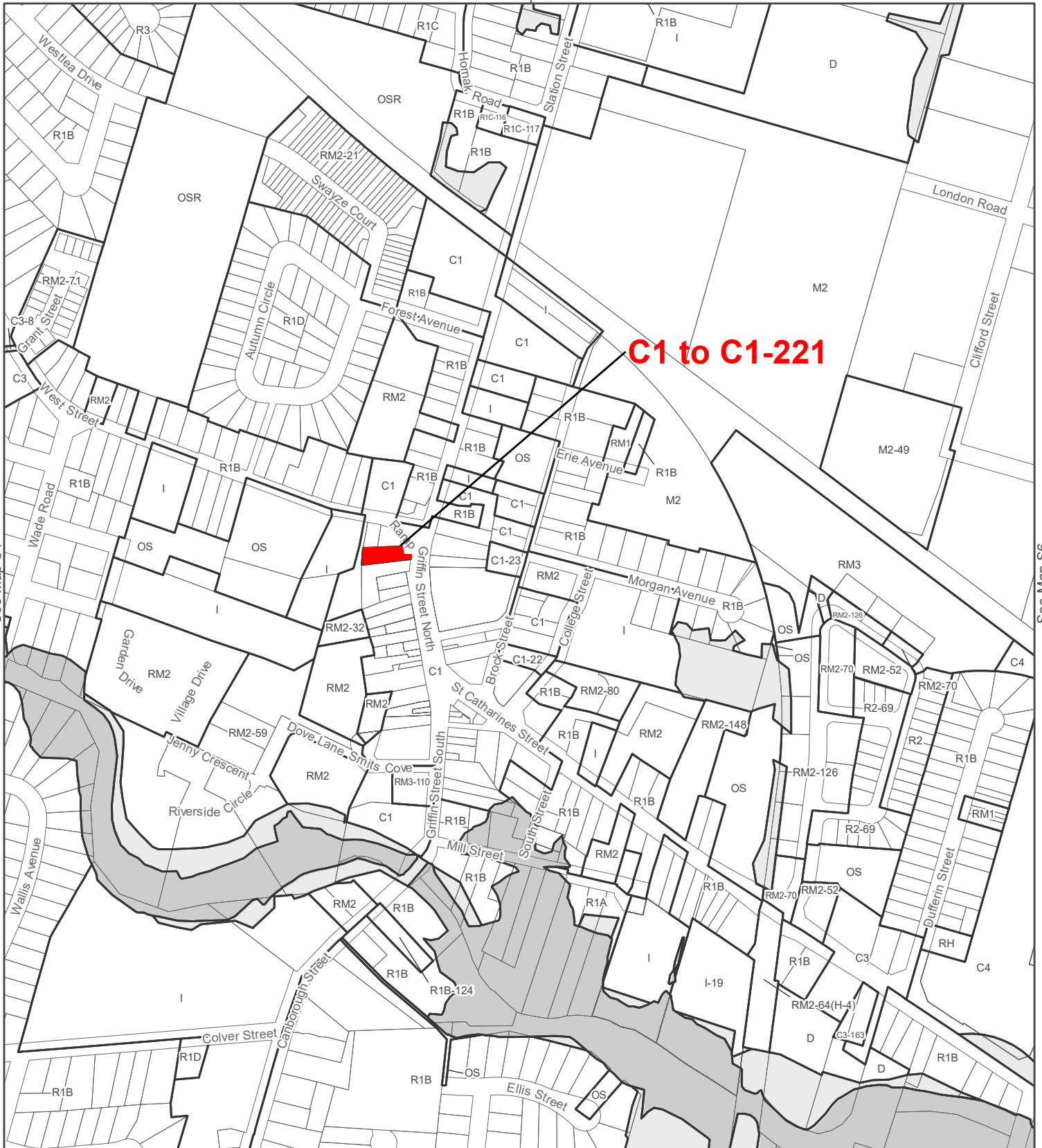
The subject lands were zoned Core Commercial 'C1' and have been rezoned to Core Commercial 'C1-221' with site specific exception to allow for a maximum ground floor area for the accessory dwelling unit entrance of 75 square metres, a minimum driveway width of 3.3 metres, and that the maximum driveway coverage for the required side and rear yard of 50% does not apply.

### **Public Consultation:**

Two Public Meetings were held on Monday April 11, 2022 and Monday January 16<sup>th</sup> 2023. The Township received three written comments and three oral comments from members of the public in regards to this application. All written and oral comments were considered in the making of the decision by Council.

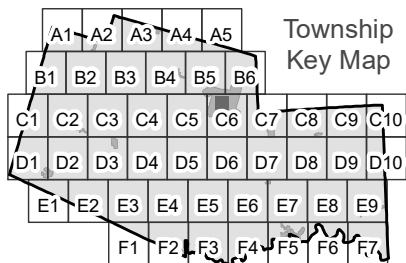
File: 1601-005-22

Applicants: C A Real Estate Holdings Inc.

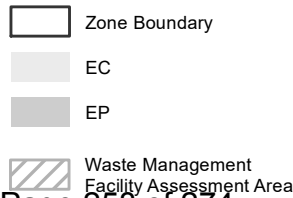
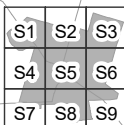


See Map S4

See Map S6



**Smithville Key Map**



**Township of West Lincoln**  
Schedule A  
Zoning By-law No.2017-70

1:6,000  
0 150 m  
N  
Last Updated: February 2023

Map  
**S5**

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2023-23

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 AND 39 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 ‘C2’ to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 6, Part lot 16, Township of West Lincoln, municipally known as 9275 Concession 5 Road, shown as the subject lands on Schedule ‘A’ attached hereto and forming part of this By-law.
2. THAT Map ‘C2’ 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 ‘A’ zone to an Agricultural zone with a site specific temporary use number A(T-11).
3. THAT for the purpose of this By-law a garden suite shall be defined as follows:

Garden Suite: A one-unit detached residential structure containing bathroom and kitchen facilities, ancillary to an existing residential structure and is designed to be portable.
4. THAT Part 5 of Zoning By-law 2017- 70, as amended, is hereby amended by adding the following to Part 13.3:

Temporary Use Provision #11	Map #	Parents Zone(s)	Property Description	Permitted Temporary Use	Regulations	Start Date	Expiry Date
T-11	C2	A	Concession 6, Part Lot 16	Garden Suite	As per the parent zone.	##, 2023	##, 2043

5. AND THAT this By-law shall become effective from and after the date of passing hereof.

READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27 DAY OF MARCH, 2023.

MAYOR CHERYL GANANN

JOANNE SCIME, CLERK



## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2017-70**

### **Location:**

The subject lands are located on the north side of Concession 5 Road, situated west of Abingdon Road. The lands are described as Concession 6, Part Lot 16, formerly in the Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara, and municipally known as 9275 Concession 5 Road.

### **Purpose & Effect:**

This By-law has been enacted to permit a garden suite to facilitate common living. This By-law provides for such use for a temporary period commencing MARCH 27, 2023 and expiring MARCH 27, 2043.

Any extension to the time limit set out in this By-law will require the passage of a further By-law by the Council for the Township of West Lincoln. Such request for an extension must be made in writing to the Township no later than 3 months prior to the expiration of this By-law.

### **Public Consultation:**

The Public Meeting will be held on February 13<sup>th</sup>, 2023. The Township has not received any written comments to date regarding this application. Any oral or written comments received at the Public Meeting will be considered in the making of the decision by Council.

File: 1601-015-22

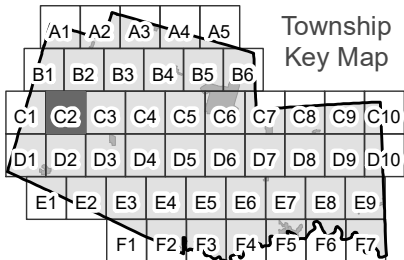
Applicants: Ed and Cornelia Redekop

**A to A (T-11)**

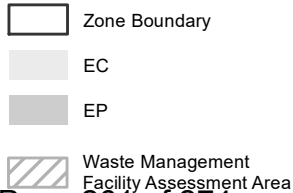
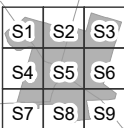
See Map C1

See Map C3

See Map D2



**Smithville Key Map**



# Township of West Lincoln

## Schedule A

### Zoning By-law No.2017-70

1:20,000

0 500 m

Last Updated: February 2023

Map  
**C2**

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW NO. 2023-24

### A BY-LAW TO REGULATE THE DELIVERY OF GRAPHIC IMAGES IN THE TOWNSHIP OF WEST LINCOLN.

**WHEREAS** subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (“Municipal Act, 2001”) provides that a municipal power shall be exercised by by-law;

**AND WHEREAS** subsection 11(2)(6) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting the “Health, safety and well-being of persons”;

**AND WHEREAS** section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of a municipality passed under that *Act* is guilty of an offence;

**AND WHEREAS** section 434.1(2) of the *Municipal Act* provides that the purpose of a system of administrative penalties, and the *Provincial Offences Act*, R.S.O. 1990, c. P.33, shall be to assist the municipality in promoting compliance with its by-laws;

**AND WHEREAS** the Council is satisfied that the unregulated delivery of graphic images to dwelling units or businesses does cause harm and deems it expedient to pass a by-law regulating the delivery of graphic images in the Township of West Lincoln;

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

#### **Purpose**

The purpose of this by-law is to regulate the unsolicited delivery of a graphic image to any dwelling unit or business, so that recipients have an opportunity to choose whether they wish to view such images.

#### **Definitions**

In this by-law the following words shall be defined as:

“**Business**” means the place of commercial, merchandising, industrial activity or undertaking, a professional office, or, a place where the providing of goods or services occurs;

“**Deliver**” means to leave the graphic image material anywhere on the property or mailbox associated with a dwelling unit or business, whether or not the graphic image is handed to a person, and the “Delivery” has a corresponding meaning;

“**Dwelling Unit**” means a place of residence containing one or more habitable rooms with separate kitchen and bathroom facilities for the private use of a single housekeeping unit, but does not include a cabin, cottage, hotel/motel, boarding/rooming house room(s), mobile home, recreational vehicle, tent or trailer;

“**Graphic Image**” means an image or photograph showing, or purporting to show, a fetus or any part of a fetus;

“**Person**” includes a corporation

## **Regulation of Deliveries**

1. No person, shall deliver or participate in the delivery of a graphic image to any dwelling unit or business, unless:
  - i. the graphic image is fully concealed within a sealed envelope or package; and,
  - ii. the sealed envelope or package containing the graphic image is marked with the name and address of the person who is responsible for delivery of the graphic image; and,
  - iii. a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people.
2. This By-law does not apply to:
  - i. mail that is delivered to a dwelling unit or business by Canada Post,
  - ii. material that is delivered to a dwelling unit or business at the request or with the consent of the addressee.

## **Enforcement**

3. Any person who contravenes a provision of this by-law is guilty of an offence and upon conviction is liable:
  - i. To pay the Township an administrative penalty specified and in accordance with the applicable Schedule of the Township of West Lincoln's Administrative (Non-Parking) Penalty By-law, as amended from time-to-time.
  - ii. On conviction, to a maximum fine of \$5,000.00
4. Notwithstanding section 3 above, where the person convicted is a Corporation, the penalty that may be imposed is:
  - i. An administrative penalty specified and in accordance with the applicable Schedule of the Township of West Lincoln's Administrative (Non-Parking) Penalty By-law, as amended from time-to-time.
  - ii. On conviction, to a maximum fine of \$10,000.00
5. This by-law shall come into force and effect on the day it is passed.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>th</sup> DAY OF MARCH, 2023.**

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**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**

**SCHEDULE “H”  
TO BY-LAW 2021-84**

**TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY (NON-PARKING)  
BY-LAW – DESIGNATED BY-LAW PROVISIONS**

**REGULATE THE DELIVERY OF GRAPHIC IMAGES BY-LAW 2023-24**

1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Delivery of Graphic Images By-law 2023-24 that are hereby designated for the purposes of this By-law.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

<b>ITEM</b>	<b>Column 1 Designated Provision</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Administrative Penalty</b>
1	1(i)	A person failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$350.00
2	1(ii)	A person failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$350.00
3	1(iii)	A person failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$350.00
4	1(i)	A corporation failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$700.00
5	1(ii)	A corporation failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$700.00
6	1(iii)	A corporation failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$700.00

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

PART III OF THE PROVINCIAL OFFENCES ACT

By-Law 2023-24: Delivery of Graphic Images

Set fines

ITEM	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Penalty
1	1(i)	A person failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$350.00
2	1(ii)	A person failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$350.00
3	1(iii)	A person failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$350.00
4	1(i)	A corporation failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$700.00
5	1(ii)	A corporation failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$700.00
6	1(iii)	A corporation failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$700.00

**Note:** The general penalty provision for the offences listed above are sections 3(ii) and 4(ii) for By-law 2023-24, a certified copy of which has been filed.



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

## **BY-LAW NO. 2022-25**

**BEING A BY-LAW TO AMEND BY-LAW NO. 2020-54, AS AMENDED, A BY-LAW TO REGULATE SIZE, USE, LOCATION AND MAINTENANCE OF SIGNS IN THE TOWNSHIP OF WEST LINCOLN**

**WHEREAS** the Township of West Lincoln has adopted By-law No. 2020-54, as amended, being a By-law to regulate size, use, location and maintenance of signs in the Township of West Lincoln;

**WHEREAS** the Township of West Lincoln considers it desirable and necessary to amend By-law No. 2020-54, as amended (by By-law 2021-72, 2021-91 and 2022-68), being a by-law to regulate size, use, location and maintenance of signs in the Township of West Lincoln, to add the sentence/subsection 2.1.1(12) as outlined below;

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

1. That By-law No. 2020-54, as amended, being a By-law to Regulate Size, Use, Location and Maintenance of Signs in the Township of West Lincoln, be further amended by adding the following section:

**2.1.1**

**(12) any sign which violates in any way any statute, regulation or bylaw of the government of Canada, the Province of Ontario, the Region or the Township.**

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>th</sup> DAY OF MARCH 2023.**

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**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**

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

**BY-LAW NO. 2023-26**

**A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO SIGN A LEASE AGREEMENT BETWEEN KEN BRUNACCIONI (DOG GOT IT – HOT DOG CART) AND THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN FOR 2023 AND 2024.**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln deems it expedient to enter into a Lease Agreement with Ken Brunaccioni (Dog Got It – Hot Dog Cart) for 2023 and 2024 for lands, being Part of Lot 20, Plan M-91, and more particularly shown on Schedule “A” attached to this By-law.

**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 a Lease Agreement with Ken Brunaccioni (Dog Got It – Hot Dog Cart) for 2023 and 2024 for lands, being Part of Lot 20, Plan M-91, and more particularly shown on Schedule “A” attached to this By-law; 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 27<sup>th</sup> DAY OF MARCH, 2023.**

\_\_\_\_\_  
**MAYOR CHERYL GANANN**

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

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

**BY-LAW NO. 2023-27**

**A BY-LAW TO AUTHORIZE AN AGREEMENT  
BETWEEN THE CORPORATION OF THE  
TOWNSHIP OF WEST LINCOLN AND SAFETEK  
FOR THE SUPPLY OF A 2023/2024 TANKER  
APPARATUS**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln  
deems it expedient to enter into an agreement with SafeTek for the supply of a  
2023/2024 tanker apparatus;

**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 SafeTek for the supply of a 2023/2024 tanker  
apparatus.
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 27<sup>th</sup>  
DAY OF MARCH, 2021.**

\_\_\_\_\_  
**MAYOR CHERYL GANANN**

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

# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

## BY-LAW NO. 2023-28

### BEING BY-LAW TO AMEND 2021-84, AS AMENDED, A SYSTEM OF ADMINISTRATIVE PENALTIES FOR NON- PARKING OFFENCES WITHIN THE TOWNSHIP OF WEST LINCOLN

**WHEREAS** the Township of West Lincoln has adopted By-law 2021-84, as amended being a By-law as a System of Administrative Penalties for Non-Parking Offences within the Township of West Lincoln;

**AND WHEREAS** the Township of West Lincoln now deems it expedient to add Schedule “H” to By-law 2021-84 which sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions to Regulate the Delivery of Graphic Images.

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

1. That, By-law 2021-84, as amended, be further amended by adding Schedule “H” and inserting the attached new Schedule “H” in lieu thereof.
2. This by-law shall come into force on April 1, 2023

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 27<sup>th</sup>  
DAY OF MARCH, 2023.**

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**CHERYL GANANN, MAYOR**

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**JOANNE SCIME, CLERK**

**SCHEDULE “H”  
AS AMENDED TO BY-LAW 2021-84**

**TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW**

**REGULATE THE DEVLIVERY OF GRAPHIC IMAGES BY-LAW**

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Delivery of Graphic Images By-law 2023-24 that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Penalty
1	1(i)	A person failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$350.00
2	1(ii)	A person failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$350.00
3	1(iii)	A person failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$350.00
4	1(i)	A corporation failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$700.00
5	1(ii)	A corporation failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$700.00
6	1(iii)	A corporation failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$700.00

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN  
PART III OF THE PROVINCIAL OFFENCES ACT

By-Law 2023-24: Delivery of Graphic Images

Set fines

ITEM	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Penalty
1	1(i)	A person failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$350.00
2	1(ii)	A person failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$350.00
3	1(iii)	A person failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$350.00
4	1(i)	A corporation failed to comply – without the graphic image being fully concealed within a sealed envelope or package	\$700.00
5	1(ii)	A corporation failed to comply – without the sealed envelope or package being marked with the name and address of the person who is responsible for delivery of the graphic image	\$700.00
6	1(iii)	A corporation failed to comply – without a warning that the envelope or package contains a graphic image that may be offensive or disturbing to some people	\$700.00

**Note:** The general penalty provision for the offences listed above are sections 3(ii) and 4(ii) for By-law 2023-24, a certified copy of which has been filed.



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

**BY-LAW NO. 2023-29**

**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 'B3' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lot 34, Plan M89, in the former Township of South Grimsby, in the Township of West Lincoln, Regional Municipality of Niagara, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'B3' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agriculturally Related 'AR' zone to an Agriculturally Related – 'AR-222' zone with a site specific exception.
3. THAT Part 5 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2:

**AR-222**

**Permitted Uses:**

As per the parent zone, plus: *Retail store* limited to the sale of local agriculturally derived goods and merchandise, including locally grown produce and meat products, and take out ice cream.

**Regulations:**

As per the parent zone, except: the limited retail store use shall be have a maximum floor area of 120 square metres.

4. THAT all other provisions of By-law 2017-70 continue to apply.
5. 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  
27 DAY OF MARCH, 2023.**

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**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**

## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2023-XX**

### **Location:**

This By-law involves a parcel of land located on the north side of Twenty Road, legally described as Concession 7, Part Lot 11, RP 30R-1419, Part 2 and Part 4, in the former Township of South Grimsby, now in the Township of West Lincoln, municipally known as 8535 Twenty Road.

### **Purpose & Effect:**

The subject lands were zoned Agricultural 'A', Environmental Protection 'EP' and Agriculture Related 'AR'. The Agriculture Related 'AR' portion of the has been rezoned to Agriculture Related 'AR-222' with site specific exception to allow for the retail sale of agricultural items on the property.

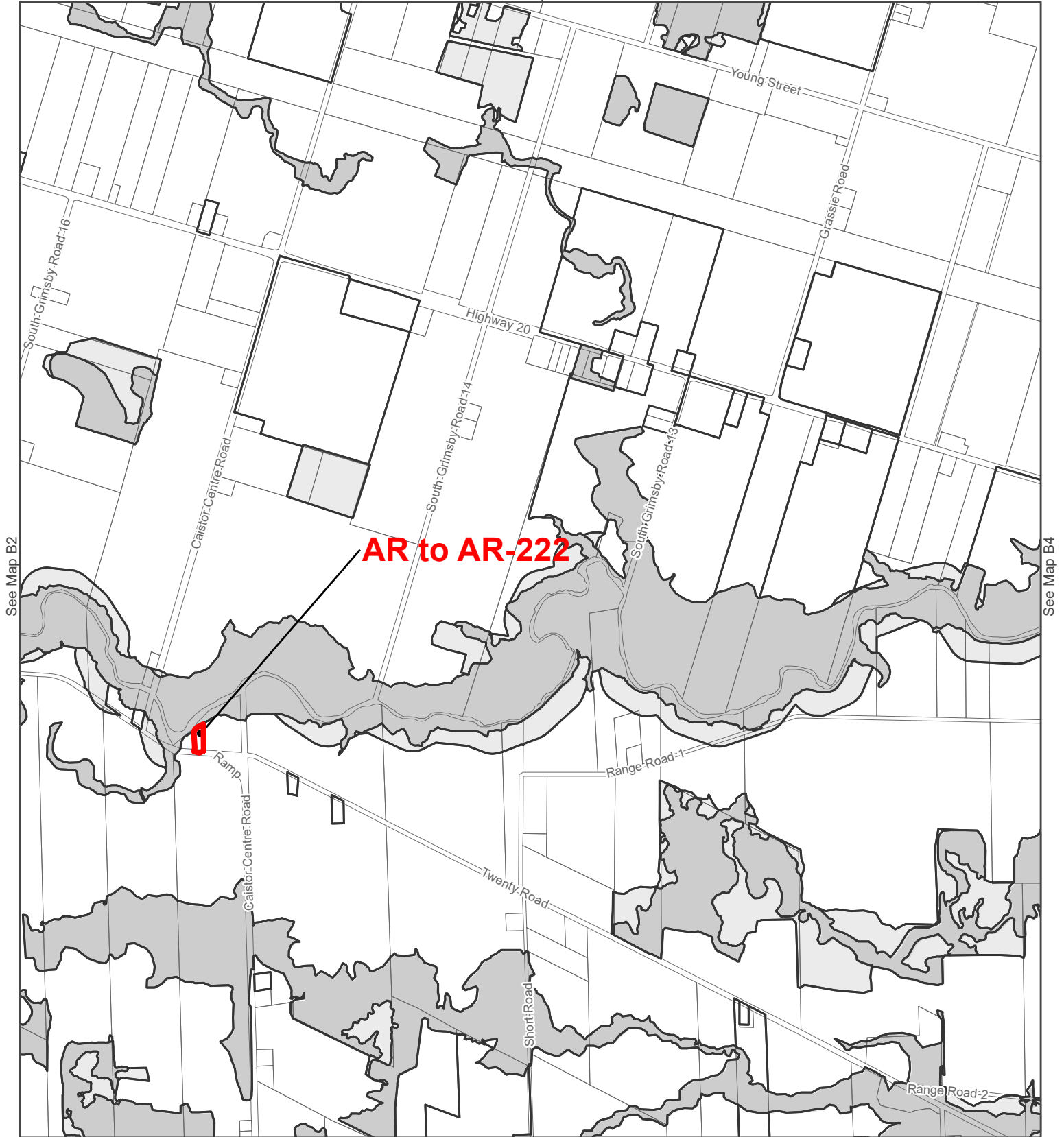
### **Public Consultation:**

The Public Meeting was held on Monday January 16<sup>th</sup> 2023. The Township received written and oral comments from members of the public in regards to this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-012-22

Applicants: Bruinsma

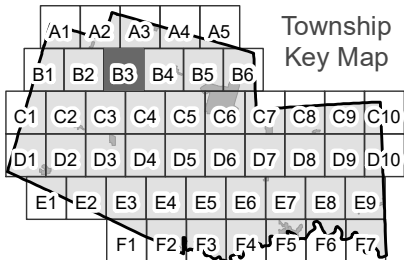
See Map A3



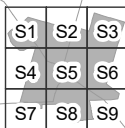
See Map B2

See Map B4

See Map C3



Smithville Key Map



Zone Boundary

EC

EP

Waste Management Facility Assessment Area

Township of West Lincoln  
Schedule A  
Zoning By-law No.2017-70

1:20,000

0 500 m



Last Updated: February 2023

Map

B3