

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN COUNCIL AGENDA

MEETING NO. TWO

Monday, January 29, 2024, 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.

Pages

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

Prior to commencing with the Council meeting, Mayor Ganann will provide 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
 - a. emailing 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,
 - b. by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
3. Tonight's Council Meeting will be livestreamed as well as recorded and available on the Township's website by visiting [events.westlincoln/meetings](https://events.westlincoln.meetings)

2. **LAND ACKNOWLEDGEMENT STATEMENT**

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-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 Shelley Bradaric

4. CHANGE IN ORDER OF ITEMS ON AGENDA

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

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

NOTE: Requests to address items on the agenda are restricted to specific items as follows per Section 6.7 of the Procedural By-law:

6.7 Public Comment at Council

There shall be no comments from the public permitted at Council unless:

- (a) a specific appointment has been scheduled; or,
- (b) an item is included under the “Other Business” or “Communications” or “Appointments” section of the agenda and relates to a matter which would normally be dealt with at Committee.

Chair to inquire if there are any members of the public present who wish to address a specific item on the agenda as permitted by Section 6.7 of the Procedural By-law.

7. APPOINTMENTS/PRESENTATIONS

7.1 John Netherway, Board of Director - Alzheimer Society of Niagara Region 7
Re: Alzheimer Awareness Month
POWERPOINT PRESENTATION

7.2 Elisabeth Zimmermann, Executive Director - YWCA Niagara Region 17
Re: Coldest Night of the Year West Niagara

8. REGIONAL COUNCILLOR'S REMARKS

9. CONFIRMATION OF MINUTES

9.1 Council Meeting - Regular 18
Re: Minutes - December 11, 2023
Confidential Minutes Under Separate Cover

Moved By Councillor Mike Rehner

1. That, the minutes of the open session portion of the December 11, 2023 regular Council 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 December 11, 2023 regular Council meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in Section 239 of the Municipal Act.

9.2 Public Meeting Under the Planning Act
Re: January 15, 2024

29

Moved By Councillor William Reilly

1. That, the minutes of the public meeting held on January 15, 2024 under Section 34 of the Planning Act with respect to:
 - i. Zoning By-law Amendment - 4813 Canborough Road (Ben and Pam Heaslip) (File No. 1701-003-23OPA & 1601-004-23 ZBA); and,
 - ii. Zoning By-law Amendment - 5909 Regional Road 20 (Sharon and John Molnar) (File No.: 1601-009-23); and,
 - iii. Zoning By-law Amendment - 9127 Regional Road 20 (Larry Pomerantz) (File No.: 1601-010-23)

be accepted.

9.3 Public Meeting - Street Naming for Thrive Subdivision (Marz Homes)
Re: Minutes of January 15, 2024

Moved By Councillor Joann Chechalk

That, the minutes of the Public Meeting held on January 15, 2024 with respect to the street naming for two private streets within Marz Homes Thrive Subdivision, pursuant to the Township's Procedure By-law (2003-48), as amended, be accepted.

10. COMMUNICATIONS

- 10.1 Councillor William Reilly
Re: Support of Resolution from the Town of Lincoln calling for a provincial commitment to provide municipalities necessary infrastructure funding to support housing as a result of the impacts of Bill 23 and other legislation.

51

Moved By Councillor William Reilly

That, the correspondence received from Julie Kirkelos, Town Clerk of the Town of Lincoln , dated December 14, 2023, be received and supported.

11. MAYOR'S REMARKS

12. REPORT OF COMMITTEE

12.1 All Committees Meeting (Including Public Meetings)

55

Re: Minutes - January 15, 2024

Confidential Minutes under Separate Cover

Moved By Councillor Shelley Bradaric

1. That, the minutes of the open session portion of the January 15, 2024 All Committees Meeting (Including Public Meetings), 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 January 15, 2024 All Committees Meeting (Including Public Meetings) be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

13. RECONSIDERATION

("Definition") This section is for a Member of Council to introduce a motion to reconsider action taken at this Council Meeting or the previous regular Council meeting. A motion to reconsider must be made by a Council Member who voted in the majority on the matter to be reconsidered. The Chair may rule that a motion to reconsider will be dealt with at the next following Council Meeting if for some reason it cannot be dealt with at this meeting.

14. NOTICE OF MOTION TO RESCIND

("Definition") This section is for Council Members to serve notice of intent to introduce a motion to rescind action taken previously by Council. Notice served at this meeting will be for a motion to rescind at the next regular meeting.

15. OTHER BUSINESS

15.1 TABLED ITEM (March 28, 2022 Council Meeting)

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-36-2022 - Smithville Landowners Group request for support of Minister's Zoning Order (MZO)

15.2 Members of Council

Re: Council Remarks

16. NEW ITEMS OF BUSINESS

NOTE: Only for items that require immediate attention/direction from Council and must first approve a motion to introduce a new item of business.

17. BY-LAWS

Moved By Councillor Jason Trombetta

1. That, leave be granted to introduce By-laws # 2024-01, 2024-02, 2024-03, 2024-04, 2024-05, 2024-06 and 2024-07 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.

SUMMARY OF BY-LAWS

17.1	BY-LAW 2024-01 By-law to adopt, confirm and ratify matters dealt with by Council resolution.	69
17.2	BY-LAW 2024-02 Being a By-law to amend By-law 2023-03 which confirmed various appointments and/or recommendations for appointments to boards, committees & municipal positions.	70
17.3	BY-LAW 2024-03 Being a By-law to establish Parts 1 and 2 on Reference Plan No. 30R-16079 on Concession 3 Road as public highway, in the former Township of Caistor, now Township of West Lincoln, Regional Municipality of Niagara.	74
17.4	BY-LAW 2024-04 Being a By-law to establish Part 1 on Reference Plan No. 30R-16164 on Concession 3 Road as public highway, in the former Township of Caistor, now Township of West Lincoln, Regional Municipality of Niagara.	75
17.5	BY-LAW 2024-05 A By-law to amend Zoning By-law 2017-70, as amended, of the Township of West Lincoln (Heaslips).	76
17.6	BY-LAW 2024-06 A By-law to amend Zoning By-law 2017-70, as amended, of the Township of West Lincoln (Molnar).	80
17.7	BY-LAW 2024-07 Being a By-law to appoint an Acting Clerk for the Corporation of the Township of West Lincoln (Nancy Fiorentino).	84

18. CONFIDENTIAL MATTERS

Moved 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:

18.1 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Personnel Matter - CAO Recruitment Process
FOR DISCUSSION

Applicable closed session exemption(s):

- personal matters about an identifiable individual, including municipal or local board employees;
- labour relations or employee negotiations

18.2 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Personnel Matter - Identifiable Individual
FOR DISCUSSION

Applicable closed session exemption(s):

- personal matters about an identifiable individual, including municipal or local board employees;
- labour relations or employee negotiations
- Advice that is subject to Solicitor-Client Privilege, including communications necessary for that purpose;

Moved By Councillor Shelley Bradaric

That, this Council meeting now resume in open session at the hour of _____ p.m.

18.1 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Personnel Matter - CAO Recruitment Process
FOR DISCUSSION

18.2 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Personnel Matter - Identifiable Individual
FOR DISCUSSION

19. ADJOURNMENT

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

Request to Speak at a Meeting

If you are interested in appearing in person at a Council or Standing Committee meeting to present information or an opinion on a matter, please fill in the form below.

Please note: Your request must be submitted by 4:30 p.m. 10 days prior to the Committee or Council meeting.

Full Name: *

Teena Kindt

Who are you representing? *

Self

Group/Organization

Group or Organization Name: *

Alzheimer Society of Niagara Region

Street Address: *

403 Ontario Street

Town/City: *

St. Catharines

Postal Code: *

L2N 1L5

How would you like us to contact you? *

Email

Telephone

Email Address: *

tkindt@alzheimer
niagara.ca

Presentation Details

Which meeting would you like to present at? * 

Council

Requested Meeting Date: *

1/29/2024



What is the presentation topic? *

Board of Director to present Alzheimer Awareness Month, see details below

Do you have a presentation (slide deck)? *

Yes No

Have you presented before on this topic? *

Yes No

Please provide details on your presentation. Include questions or requests of the Committee or Council. *

January is Alzheimer Awareness Month - A member of our Board of Directors will be speaking to Alzheimer's disease, the programs and services of the Alzheimer Society, and that we are looking for Board members. The name of the speaker will be provided closer to the date. Please note that the Alzheimer Society has spoken to council over the years about programs and services but such information changes and we wish to provide general awareness.

Collection of Personal Information

Personal information on this form is collected under the authority of Section 6 of the Township of West Lincoln's Procedural By-Law for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before a Committee or Council.

Any questions about the collection, use and disclosure of personal information should be addressed to the Township Clerk:

- Email: clerk2@westlincoln.ca
- Telephone: 905-957-3346

Thank You

Thank you for your submission. Please be advised that you will be contacted by email or by phone by a member of the Clerk's Department to confirm your appointment, provide further details and/or clarify any issues.

JANUARY IS AWARENESS MONTH

The Alzheimer Society of Niagara Region The Alzheimer Society Niagara Foundation

#1-403 Ontario Street
St. Catharines, ON
905-687-3914

www.alzheimerniagara.ca





LANDMARK STUDY



In 2020, 597,300 individuals are living with dementia in Canada. By 2030, we can expect this number will reach close to 1 million.



350,000

care partners for people with dementia in 2020, giving an average of 26 hours of care per week.



21%

of Niagara's population is over 65. In comparison, for Canada, the proportion of seniors was 19.0% in 2021.



Dementia affects about 15% of Canadians aged 65 and older

61.8%

Persons Living with Dementia who are women in Canada

x3

The number of Canadians over the age of 85 is expected to triple by 2046



7%

People diagnosed in Ontario under the age of 65



In 2020, 10,333 people were diagnosis per month; 348 per day; 15 every hour

Programs and Services in Niagara

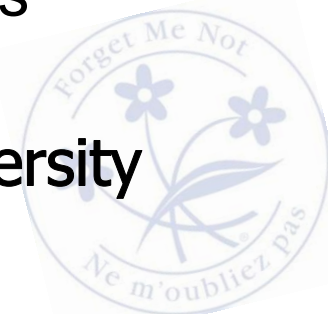
FIRST LINK PROGRAM

Connecting persons living with dementia and their care partners to information, support and services that they need as soon as possible and throughout their journey with dementia

www.alzheimerniagara.ca

- Counselling
- Education
- Support Groups
- Social & Recreation Programs
- Wellness Programs

Join us for IG Walk for Alzheimer's Brock University
On May 26, 2024



Board Recruitment Campaign

How can you help?

We are looking for Leadership across the Region

Do you have a connection to our mission?

Do you want to make a difference?

Do you want to enhance your own skills?

1. Download an application and fill in today

www.alzheimerniagara.ca

2. Attend an information session in late March

(More information available after completing application)



Any Questions??



BOARD RECRUITMENT CAMPAIGN



**WE ARE LOOKING
FOR LEADERSHIP
ACROSS THE REGION**

How Can You Help?

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- Do you want to make a difference?
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Simply:

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#1-403 ONTARIO STREET, ST. CATHARINES, ON



905-687-3914



niagara@alzheimerniagara.ca

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www.alzheimerniagara.ca



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x3

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61.8%

Persons Living with Dementia who are women in Canada



YWCA NIAGARA REGION
Hope for Homeless Women and their Families since 1927



coldest
***night**
OF THE YEAR
WEST NIAGARA



WE WANT YOU AT THE YWCA NIAGARA REGION'S COLDEST NIGHT OF THE YEAR 2024!

JOIN US BY...

- * Registering to walk by scanning the QR code
- * Starting a team or joining the YW Warriors!
- * Volunteering to help support CNOY 2024
- * Donating to a neighbour in need by visiting cnoy.org/westniagara



2024 Toques!

About CNOY

The Coldest Night of the Year is a winterrific family-friendly walk to raise money for local charities serving people experiencing hurt, hunger, and homelessness. Team up, fundraise, walk, and take a moment to look closer... because it's cold out there.

**MOUNTAINVIEW CHURCH, GRIMSBY
FEBRUARY 24TH, 2024**



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

MEETING NO. NINETEEN

December 11, 2023, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

Staff: Bev Hendry, CAO*
Jessica Dyson, Director of Legislative Services/Clerk
Mike DiPaola, Director of Public Works and Recreation*
Brian Treble, Director of Planning and Building*

Other Members: Regional Councillor Witteveen*
Bruce Harris, WeeStream
Tom Hanrahan, Legal Counsel (Sullivan Mahoney LLP)*
Michael Bonomi, Legal Counsel (Sullivan Mahoney LLP)*

***IN ATTENDANCE PART-TIME**

1. SINGING OF "O CANADA" - Smithville Christian High School

Prior to commencing with the Council meeting, Mayor Ganann will provide 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.
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- a. emailing 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,
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3. Tonight's Council Meeting will be livestreamed as well as recorded and available on the Township's website by visiting [events.westlincoln/meetings](http://events.westlincoln.meetings)

2. LAND ACKNOWLEDGEMENT STATEMENT

Mayor Ganann read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the 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 Terry Bell

4. CHANGE IN ORDER OF ITEMS ON AGENDA

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

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

There were no pecuniary interests and/or conflicts of interest disclosed.

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

7. APPOINTMENTS/PRESENTATIONS

There were no appointments/presentations.

8. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Witteveen read from a prepared statement which is attached as Schedule "A" to the minutes.

Councillor Reilly inquired to Regional Councillor Witteveen if the Region was able to figure out who vandalized the speed cameras, which he noted created a safety hazard, and if he is aware of what safeguards will be put in place going forward to maintain the cameras and protect the public. In response to Councillor Reilly's inquiry, Regional Councillor Witteveen explained that the vandals were not able to be found and held accountable, because the camera only triggers by traffic driving over the speed limit.

9. CONFIRMATION OF MINUTES

9.1 Council Meeting – Regular
Re: Minutes - November 27, 2023
Confidential Minutes Under Separate Cover

RECOMMENDATION:

Moved By Councillor Jason Trombetta
Seconded By Councillor William Reilly

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

Carried

10. COMMUNICATIONS

10.1 Ernie Sibbett, Chair (Crime Stoppers of Niagara)
Re: January 2024 Crime Stoppers Month

RECOMMENDATION:

Moved By Councillor Joann Chechalk
Seconded By Councillor Jason Trombetta

That, the correspondence received from Ernie Sibbett, Chair (Crime Stoppers of Niagara), regarding "January 2024 Crime Stoppers Month", dated October 26, 2023, be received for information.

Carried

11. MAYOR'S REMARKS

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

12. REPORT OF COMMITTEE

12.1 All Committees Meeting (Including Public Meetings)

Re: Minutes - December 4, 2023

RECOMMENDATION:

Moved By Councillor Mike Rehner

Seconded By Councillor Joann Chechalk

That, the minutes of the December 4, 2023 All Committees (Including Public Meetings) meeting, be accepted, and the recommendations contained therein, be approved;

with the exception of Item #10.1

Carried

In response to Councillor Chechalk's inquiry regarding future zoning and secondary plan amendments to address zoning changes for other properties that are not included in amendment in question, the Director of Planning and Building explained that the area covered in this item has been contentious for several decades at this point. The secondary plan was created many years ago to allow for transition use of this land, but since then Township staff have come back and reconsidered the potential uses for this area. The Director of Planning & Building stated that report item 10.1, was meant to broaden the permitted uses of the land in this area beyond typical employment uses, but would still provide services to the community.

In response to Councillor Chechalk's further inquiry regarding a housekeeping amendment with respect to the permitted uses of the subject land, the Director of Planning and Building, explained that there is a need to make at least one change to the Zoning By-law to deal with AODA compliance issues that have been brought to the Township's attention.

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Mike Rehner

That, the recommendations as outlined in item 10.1 within the All Committees (Including Public Meetings) minutes regarding “Amendments to Permitted Uses of Spring Creek Secondary Plan (OPA 57) File No. 1701-006-19”, be approved.

Carried

13. RECONSIDERATION

There were no items put forward for reconsideration.

14. NOTICE OF MOTION TO RESCIND

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

15. OTHER BUSINESS

15.1 TABLED ITEM (March 28, 2022 Council Meeting)
Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-36-2022 - Smithville Landowners Group request for support of Minister's Zoning Order (MZO)

15.2 Director of Finance/Treasurer (Donna DeFilippis)
Re: Memorandum - 2024 Interim Tax By-law

RECOMMENDATION:

Moved By Councillor Terry Bell

Seconded By Councillor William Reilly

That, the Memorandum regarding the "2024 Interim Tax By-law", dated December 11th, 2023, be received for information.

Carried

15.3 Director of Planning & Building (Brian Treble)
Re: Recommendation Report PD-63-2023 - Naming of Dennis Drive and Brandon Lane by By-law and Issuance of Certificate of Completion & Assumption of Streets & Works for Old Towne Gateway Estates/Smithville Station Plan of Subdivision, Developer: Marz Homes (Smithville Station) Inc.

RECOMMENDATION:

Moved By Councillor Jason Trombetta

Seconded By Councillor Terry Bell

1. That, Recommendation Report PD-63-2023, regarding "Naming of Dennis Drive and Brandon Lane by By-law and Issuance of Certificate of Completion & Assumption of Streets & Works for Old Towne Gateway Estates/Smithville Station Plan of Subdivision, Developer: Marz Homes (Smithville Station) Inc.", dated December 11, 2023, be RECEIVED; and,

2. That, a Final Certificate of Completion be issued for Old Towne Gateway Estates/Smithville Station Plan of Subdivision 30M-446; and,
3. That, the Township pass a By-law to name Dennis Drive and Brandon Lane and also assume the Old Towne Gateway Estates/Smithville Station, Plan of Subdivision, 30M-446, and all related works, services and the park, in accordance with Schedule 'A' of the attached draft By-Law.

Carried

15.4 Councillor William Reilly

Re: Niagara Transit Commission Public Advisory Committee

Councillor Reilly explained that the initial date had passed to nominate a member of the public from West Lincoln to the Niagara Transit Commission Public Advisory Committee. Because no interest had been expressed from the public prior to the initial deadline, this motion to set a new deadline to gather applications and then put forward a nominee is being voted on tonight.

Mayor Ganann provided further explanation that this motion was spurred on by a member of the public who reached out to the Township expressing their interest in filling the position. It was at this time that the Township discovered that the initial deadline had passed without any applicants, and so now it is recommended in this motion that the application period be reopened in order to fill the committee seat to represent West Lincoln on this regional committee.

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Shelley Bradaric

1. That, staff be and are hereby directed to notify the public regarding accepting applications to sit on the Niagara Transit Commission Public Advisory Committee immediately; and,
2. That, all applications be submitted prior to end of day on January 8th 2024 and,
3. That, recommendations for appointment be presented at the January 15th, 2024 All Committees Meeting.

Carried

15.5 Mayor Cheryl Ganann

Re: Regional Governance Review as overseen by the Ministry of Municipal Affairs and Housing

FOR INFORMATION

Mayor Ganann explained that the government structure of the Niagara Region is still a priority of the provincial government, noting that the Provincial Government Standing Committee will be meeting in an undisclosed location on Wednesday, January 10th in the City of St. Catharines. Mayor Ganann shared that Niagara municipalities must register and be approved in order to speak at this meeting.

Mayor Ganann expressed that there is support primarily amongst the Niagara business community for a single City of Niagara, noting that most of the municipal government community are arguing for the creation of four cities of Niagara. Mayor Ganann stressed that none of these ideas are publicly held positions of any body, but they have been shared in discussion and represent the known options being considered in the restructuring the Niagara Region, along with making no change.

Mayor Ganann shared that the Township of West Lincoln has applied to appear at the standing committee meeting in St. Catharines in January, and stated that the application has been received, but has not been approved as of yet.

Councillor Rehner expressed his dismay over the media representation of those who took part in the Tri-Council meeting on August 10th, 2023, as being in support of government restructuring in Niagara when that was not the case. Councillor Rehner expressed his desire for the current government structure to be maintained. Mayor Ganann explained that no position was taken at that Tri-Council meeting, but that it simply was made to facilitate discussion and participants showed a broad desire to consider future discussions of the potential for government restructuring in the Niagara Region.

Councillor Reilly inquired to Mayor Ganann about how the Township and Township Council can express to the public that taking part in the standing committee meeting, if the application to participate is approved, does not constitute support for restructuring of the Niagara Region and its municipalities. In response to Councillor Reilly's inquiry, Mayor Ganann explained that the mayor's of the Niagara municipalities will coordinate their message to tell the province what they would prefer to see if restructuring is inevitable.

Councillor Chechalk expressed her thoughts on the issue of municipal restructuring and spoke to the nature of the Tri-Council meeting from this past summer, and the value of working and speaking with other local municipalities. She encouraged the Council to embrace participation in this consultation process.

Councillor Trombetta expressed his thoughts on the issue of municipal restructuring in Niagara. He thanked Mayor Ganann for putting this issue on the agenda so that Council could publicly express their thoughts and opinions on the matter, while still recognizing that a decision on this restructuring will be made outside of their control and regardless of their personal positions on it.

15.6 Members of Council
Re: Council Remarks

1. Various Council Members
Re: Happy Holidays

Various Members of Council wished the rest of Council, staff, and residents of West Lincoln Happy Holiday's and Happy New Year.

2. Mayor Ganann
Re: Mayor's New Year's Levee

Mayor Ganann informed everyone that she will be hosting the first ever West Lincoln Mayor's New Year's Levee. It will be on Saturday, January 6th, 2024 from 2:00 p.m. to 4:00 p.m. and will include free public skating and light refreshments.

16. NEW ITEMS OF BUSINESS

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

17. BY-LAWS

RECOMMENDATION:

Moved By Councillor Mike Rehner

Seconded By Councillor Joann Chechalk

1. That, leave be granted to introduce By-law #s 2023-85, 2023-86, 2023-87, 2023-88, 2023-89 and 2023-90, 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

17.1 BY-LAW 2023-85

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 27th day of November, 2023.

17.2 BY-LAW 2023-86

Being a By-law to amend By-law 97-2030 which designates private roadways as fire routes along which no parking of vehicles shall be permitted.

17.3 BY-LAW 2023-87

Being a By-law adopt Amendment No. 57 (Re-designation of Spring Creek Heights Secondary Plan) to the Official Plan for the Township of West Lincoln.

17.4 BY-LAW 2023-88

Being a by-law to establish Dennis Drive and Brandon Lane, Plan 30M-446, Township of West Lincoln, as public highways and to assume public services.

17.5 BY-LAW 2023-89

Being a By-law to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest of fifteen percent.

17.6 BY-LAW 2023-90

A By-law to consolidate Fees and Charges and to establish user fees and charges for services, activities or the use of property within the Township of West Lincoln.

18. CONFIDENTIAL MATTERS

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Jason Trombetta

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:

18.1 Director of Planning & Building (Brian Treble) & Director of Public Works & Recreation (Mike DiPaola)

Re: Legal/Solicitor-Client Privilege - Development & Front-Ending Agreements

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

18.2 Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) - Proposed Official Plan Amendment (OPA) No. 63 (File No.22-0035)

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

18.3 Human Resources Coordinator(Cassandra Carey) & Director of Legislative Services/Clerk (Jessica Dyson)

Re: CAO Performance Review - Report to CAO & Council

Applicable closed session exemption(s):

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

Carried

RECOMMENDATION:

Moved By Councillor Jason Trombetta

Seconded By Councillor Terry Bell

That, this Council meeting now resume in open session at the hour of 10:53 p.m.

Carried

18.1 Director of Planning & Building (Brian Treble) & Director of Public Works & Recreation (Mike DiPaola)

Re: Legal/Solicitor-Client Privilege - Development & Front-Ending Agreements

VERBAL UPDATE

Council rose without reporting.

- 18.2 Director of Planning and Building (Brian Treble)
Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) -
Proposed Official Plan Amendment (OPA) No. 63 (File No.22-0035)

VERBAL UPDATE

Council rose without reporting.

- 18.3 Human Resources Coordinator (Cassandra Carey) & Director of
Legislative Services/Clerk (Jessica Dyson)
Re: CAO Performance Review - Report to CAO & Council

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Joann Chechalk

That, the CAO's Performance Review Report for the 2023, as part of the
CAO Performance Review Policy, be received for information.

Carried as Amended (see below)

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor William Reilly

That, the recommendation regarding the CAO Performance Review –
Report to CAO & Council be amended to add the following:

That, the Mayor be authorized to proceed as directed in closed session.

Carried

19. ADJOURNMENT

The Mayor to declare this meeting adjourned at the hour of 10:55 p.m.

**JESSICA DYSON, DIRECTOR OF
LEGISLATIVE SERVICES/CLERK**

MAYOR CHERYL GANANN



TOWNSHIP OF WEST LINCOLN

PUBLIC MEETING UNDER THE PLANNING ACT MINUTES

January 15, 2024, 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 with Regrets: Councillor Terry Bell – Notification Provided

Staff: Brian Treble, Director of Planning and Building
Jessica Dyson, Director of Legislative Services/Clerk
Donna DeFilippis, Director of Finance/Treasurer
Mike DiPaola, Director of Public Works and Recreation
Dennis Fisher, Fire Chief
Katelyn Repovs, Deputy Director of Finance/Treasurer
Tim Hofsink, Deputy Fire Chief
Gerrit Boerema, Manager of Planning
Kevin Geoghegan, IT Help Desk Analyst
Susan Smyth, Senior Planner
Vanessa Holm, CEO, West Lincoln Public Library

Other Members: Regional Councillor Albert Witteveen
WeeStream
Jared Marcus
Sharon Molnar
Larry Pomerantz
Sandra Magnini
William Lowe
Ronda Tucket
Alex Jovic
John Vuckovic

Lillian Jovic
Peter Jovic
Sylvia Jovic

Thrive Subdivision (Marz Homes) - Street Naming

1. Application for Street Naming

The Chair advised that this public meeting for the street naming of the Marz Homes Thrive Subdivision was held in accordance with the Municipal Act S.O. 2001, Chapter 25 and the Township of West Lincoln's Procedural By-law and Street Naming Policy, being Policy POL-PD-01-11.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

The Township of West Lincoln is undertaking the process of public consultation for a street naming, subject to the Street Naming Policy POL-PD 01-11. The proposed street names for the subdivision have been selected from the Township's reserve list. The proposed name for Street A is Atkinson Street and for Street B is Daniels Street.

2. Purpose of the Public Meeting

The Chair stated that the purpose of this meeting was to give an opportunity for the public and Council Members to provide comments and/or ask questions regarding the Street Naming.

The Chair also stated that the Planning/Building/Environmental Committee of the Township of West Lincoln intends to approve the street names for the Marz Homes Thrive Subdivision, and so therefore if any Members of the Public in attendance want to make comments and/or provide written comments, they need to do so at this Public Meeting.

3. Public Meeting

The Chair stated that the Township of West Lincoln's Procedural By-law states that any matter pertaining to the naming of a highway and/or private road in a plan of subdivision or plan of condominium, for which notice is required to be given, notice shall be published at least once, the date of the publication being at least seven days prior to the Council Meeting indicated in the notice.

The Chair inquired to the Director of Legislative Services/Clerk, Jessica Dyson, about the method and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, the Director of Legislative Services/Clerk, Jessica Dyson, advised that proper notice was given by way of circulating the

notice to applicable agencies, advertising on the Township's website, as well as in the local newspaper on December 14, 2023.

The Chair inquired to Senior Planner, Susan Smyth, to explain the purpose and reason for the proposed street naming application.

In response to the Chair's inquiry, Senior Planner, Susan Smyth provided an overview of the application and Technical Report PD-02-2024.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

Jared Marcus (Agent)
Arcadis Inc., 360 James Street North, Hamilton ON

Mr. Marcus, the authorized agent of Marz Homes, explained that he and Marz Homes have no issues with the report and the proposed name changes, but that he is in attendance at the public meeting to answer any potential questions that may arise, from Council or Members of the Public.

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

There were no oral or written submissions from any members of the public that wished to provide comments with respect to the street naming.

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

Councillor Trombetta inquired to the Director of Planning and Building, Brian Treble, as to whether these street names being proposed were in line with the list of names from the Heritage Committee.

In response to Councillor Trombetta's inquiry, Director of Planning and Building, Brian Treble, explained that both of the proposed street names come from the list provided by the Heritage Committee.

Councillor Chechalk inquired to the Director of Planning and Building, Brian Treble, about how to add names to the Heritage Committee's list of potential street names, and adjusting the priority of names already on the list.

In response to Councillor Chechalk's inquiry, Director of Planning and Building, Brian Treble, explained that this desire to reassess the order of potential street names on the list could be expressed directly to the Heritage Committee for their consideration, as well as potential additions to the list.

Councillor Chechalk further inquired to Councillor Bradaric as to whether the Heritage Committee could ensure that they gather youth input on the list of potential street names going forward.

Councillor Bradaric explained that the Heritage Committee has connected with the local high school and as a result of that community connection, they were able to get four students to attend the last Heritage Committee meeting. Councillor Bradaric will ensure that gathering youth input for the potential street names list is put on the agenda for the next committee meeting.

The Chair stated that a Technical Report was being considered by Council later, as part of this evening's Committee meeting and that a recommendation report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the street naming application and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Jessica Dyson at jdyson@westlincoln.ca.

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

4. Adjournment

The Chair declared the meeting adjourned at the hour of 6:59 p.m.

1. Application for Zoning By-law Amendment

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34 of the Planning Act to fulfill a condition of consent for severance file B07/2023WL.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

The purpose of this Zoning By-Law Amendment application is to re-zone a recently-severed farm property, as a condition of the severance.

The effect of the Zoning By-law Amendment application would be that the newly-severed farm dwelling property must be re-zoned to a rural residential zone, and the retained agricultural land must be re-zoned to an agricultural purposes-only zone.

The amendment is also proposing to recognize a deficient lot area on the agricultural retained lands that is 34 hectares, while 39 hectares is currently required in the Zoning By-law.

Lastly, the amendment is looking to recognize lot coverage deficiency for agricultural buildings on the severed residential parcel.

2. Purpose of the Public Meeting

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

The Chair further stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed Zoning By-law Amendment.

The Chair further stated that no decision has been made on the proposed amendment and any comments received will be taken into account by Council in their consideration.

3. Public Meeting

The Chair inquired to the Director of Legislative Services/Clerk, Jessica Dyson, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Director of Legislative Services/Clerk, Jessica Dyson, explained that proper notice was given by way of email circulation to

agencies and mail circulation to all residents within 120 metres of the subject property on December 11, 2023. Public notice was also posted to the subject property on December 26, 2023.

The Chair stated that the Planning Act requires through Section 34 (13) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Ontario Land Tribunal (OLT).

The Chair inquired to the Manager of Planning, Gerrit Boerema, to explain the purpose and reason for the proposed Zoning By-law Amendment.

In response to the inquiry from the Chair, Manager of Planning, Gerrit Boerema, explained the purpose and reason for the proposed Zoning By-law Amendment.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

The applicant or their authorized agent were not present to speak to the application.

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

There were no oral or written submissions from any members of the public that wished to provide comments with respect to the Zoning By-law Amendment.

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

There were no oral or written submissions from any members of the Committee that wished to provide comments with respect to the Zoning By-law Amendment.

The Chair stated that a Technical Report was being considered by Council later, as part of this evening's Committee meeting and that a recommendation report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Jessica Dyson at jdyson@westlincoln.ca.

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

4. Adjournment

The Chair declared the meeting adjourned at the hour of 7:05 p.m.

5909 Regional Road 20 (Sharon and John Molnar) - Zoning By-law Amendment

1. Application for Zoning By-law Amendment

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34 of the Planning Act to consider an application for a Temporary Use By-law.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

The Temporary Use Application is requesting to temporarily permit a mobile home (garden suite) on the property zoned Agricultural 'A', and Environmental Conservation 'EC', for a maximum of 20 years. (File No.: 1601-009-23).

2. Purpose of the Public Meeting

The Chair stated that the Planning Act requires in Section 34(12) and Section 39 that before passing a Zoning By-law Amendment and a Temporary Use By-law, Council must hold at least one public meeting for the purpose of informing the public in respect of the amendment.

The Chair further stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed Zoning By-law Amendment.

The Chair further stated that no decision has been made on the proposed amendment and any comments received will be taken into account by Council in their consideration.

3. Public Meeting

The Chair stated that the Planning Act requires through Section 34 (13) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Ontario Land Tribunal (OLT).

The Chair inquired to the Director of Legislative Services/Clerk, Jessica Dyson, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Director of Legislative Services/Clerk, Jessica Dyson, explained that proper notice was given by way of email circulation to agencies and mail circulation to all residents within 120 metres of the subject property on December 12, 2023. Public notice was also posted to the subject property on December 20, 2023.

The Chair inquired to the Manager of Planning, Gerrit Boerema, to explain the purpose and reason for the proposed Zoning By-law Amendment.

In response to the inquiry from the Chair, Manager of Planning, Gerrit Boerema, explained the purpose and reason for the proposed Zoning By-law Amendment.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

Sharon Molnar
Hamilton, Ontario

Ms. Molnar currently lives in Hamilton, but is hoping that this application is successful, as it would allow her to live closer to her family to more easily provide care for her grandchildren.

Ms. Molnar said that all of the necessary information is included in the application, and that if any members of the public or members of the Committee have any questions or concerns that she would be happy to address those.

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

There were no oral or written submissions from any members of the public that wished to provide comments with respect to the Zoning By-law Amendment.

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

Councillor Rehner inquired to the Manager of Planning, Gerrit Boerema, as to what the requirements and standards are that must be met when applying for a Temporary Use By-law with the Township of West Lincoln.

In response to Councillor Rehner's inquiry, Manager of Planning, Gerrit Boerema, explained that most properties are able to justify a garden suite, so long as they could identify the need for such a garden suite. Another condition is that the property would be able to accommodate the additional septic load. While this property is under one acre, they have provided information on their septic to show that it can be located on the property. Another criteria is the need to enter into an agreement with the Township. As per local planning regulation, garden suites are intended for use by family and not as rental properties. Provincial regulation does not make this distinction.

Councillor Rehner further inquired to the Manager of Planning, Gerrit Boerema, as to how close the familial relation must be to meet this requirement.

In response to Councillor Rehner's further inquiry, Manager of Planning, Gerrit Boerema, explained that the Official Plan does not specify the level of familial relation required.

In response to Councillor Rehner's further inquiry, Director of Planning and Building, Brian Treble, explained that it was intended for close family connections.

Councillor Rehner further inquired to the Manager of Planning, Gerrit Boerema, about the potential for the garden suite to be used as a loophole to provide rental lodging to a distant family member. Additionally, Councillor Rehner inquired about the required size of the lot in order to approve the addition of a garden suite.

In response to Councillor Rehner's further inquiry, Manager of Planning, Gerrit Boerema, explained that there is no maximum or minimum lot size required for the addition of a garden suite, but that the lot must be able to accommodate the additional septic load.

Councillor Rehner inquired further to the Manager of Planning, Gerrit Boerema, as to whether the garden suite is required to connect to the existing septic system, or if the addition of a new septic system for the garden suite is required.

In response to Councillor Rehner's further inquiry, Manager of Planning, Gerrit Boerema, explained that the regulation used to be that they had to make use of the existing septic system or create a new single septic system for both the principal dwelling and the garden suite. However, that rule has been changed to allow for the addition of a secondary septic system in circumstances where that is more feasible.

Councillor Rehner further inquired to the Manager of Planning, Gerrit Boerema, if the addition of a garden suite may only occur at the property owner's primary residence, or if a property owner would be allowed to add a garden suite to any of their residential properties if they own more than one.

In response to Councillor Rehner's further inquiry, Manager of Planning, Gerrit Boerema, explained that garden suites are most commonly only added to the primary residence of the property owner, for the purpose of housing close family members.

In response to Councillor Rehner's further inquiry, Director of Planning and Building, Brian Treble, explained that he cannot think of any time a garden suite has been approved in any other instance as he described over the course of his career.

Councillor Chechalk inquired to the Manager of Planning, Gerrit Boerema, as to the number of dwellings allowed on an urban residential lot.

In response to Councillor Chechalk's inquiry, Manager of Planning, Gerrit Boerema, explained that in addition to the primary dwelling, two additional or secondary units are allowed on an urban residential lot.

Councillor Chechalk further inquired to Manager of Planning, Gerrit Boerema, about how many additional dwellings are allowed on rural residential lots.

In response to Councillor Chechalk's further inquiry, Manager of Planning, Gerrit Boerema, explained that the township does allow a secondary unit on a rural residential lot, which could include a garden suite.

Councillor Chechalk further inquired to the Manager of Planning, Gerrit Boerema, if this allowance of secondary dwellings on residential lots is part of the provincial effort to intensify housing development and density.

In response to Councillor Chechalk's further inquiry, Manager of Planning, Gerrit Boerema, explained that allowing for secondary dwelling units to intensify urban residential lots is certainly of interest to the provincial government. It has yet to be seen, however, if the province will push for more intensification in rural residential areas. He does see rural intensification as being generally appropriate, so long as the additional dwellings are of reasonable size and are placed in appropriate spots on residential lots.

In response to Councillor Chechalk's further inquiry, Director of Planning and Building, Brian Treble, explained that the only changes made recently concerning rural intensification of residential lots has been to allow the addition of a second septic system where necessary or appropriate. This change was made to reflect updated provincial requirements and desires and is being monitored on an ongoing basis.

The Chair stated that a Technical Report was being considered by Council later, as part of this evening's Committee meeting and that a recommendation report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Jessica Dyson at jdyson@westlincoln.ca.

The Chair stated that anyone who is interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend applicable meetings and suggested the public watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The Chair advised that agendas for meetings are posted on the Township's website after 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the Township's website for the public to view. The Chair stated that

anyone wishing to receive notices by email, should contact the Township Clerk to advise of their request and include their email address along with their mailing address and phone number.

4. Adjournment

The Chair declared the meeting adjourned at the hour of 7:22 p.m.

9127 Regional Road 20 (Larry Pomerantz) - Zoning By-law Amendment

1. Application for Zoning By-law Amendment

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34 of the Planning Act to consider an application for a Temporary Use By-law.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

The Temporary Use Application is requesting to permit a portion of the lands approximately 9,712.45 square metres (0.97 hectares/2.4 acres) or 2% of the total lot area for outside storage of rain barrels/composters. (File No.: 1601-010-23).

2. Purpose of the Public Meeting

The Chair stated that the Planning Act requires in Section 34(12) and Section 39 that before passing a Zoning By-law Amendment and a Temporary Use By-law, Council must hold at least one public meeting for the purpose of informing the public in respect of the amendment.

The Chair further stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed Zoning By-law Amendment.

The Chair further stated that no decision has been made on the proposed amendment and any comments received will be taken into account by Council in their consideration.

3. Public Meeting

The Chair stated that the Planning Act requires through Section 34 (13) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Ontario Land Tribunal (OLT).

The Chair inquired to the Director of Legislative Services/Clerk, Jessica Dyson, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Director of Legislative Services/Clerk, Jessica Dyson, explained that proper notice was given by way of email circulation to agencies and mail circulation to all residents within 120 metres of the subject property on December 12, 2023. Public notice was also posted to the subject property on December 19, 2023.

The Chair inquired to Senior Planner, Susan Smyth, to explain the purpose and reason for the proposed Zoning By-law Amendment.

In response to the inquiry from the Chair, Senior Planner, Susan Smyth, explained the purpose and reason for the proposed Zoning By-law Amendment.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

Larry Pomerantz
Hamilton

Mr. Pomerantz thanked staff for their help with and support of his application.

Mr. Pomerantz explained that his business has operated in West Lincoln for ten years and is currently growing, in spite of wider economic conditions. Mr. Pomerantz assured that the rain barrels need to be stored at this location due to the growing demand his business is facing, and that once they are shipped out, nobody will be able to know they were there. The storage of the rain barrels at this location will greatly support his growing business and its distribution needs. There is no ulterior motive or hidden agenda at play here.

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

Sandra Magnini
Regional Road 20

Ms. Magnini lives right next door to the property that is the subject of Mr. Pomerantz' application.

Ms. Magnini inquired to the Director of Planning and Building, Brian Treble, about what is meant by "Temporary Use" and where exactly on the west side that the rain barrels would be stored. Ms. Magnini also expressed her concern over the requested height of 16 ft. at which the barrels would be stored.

In response to Ms. Magnini's inquiry, Director of Planning and Building, Brian Treble, explained that "Temporary Use" allows for use for up to three years, though the exact amount of time is determined by Committee. After the temporary use that is allowed expires, the applicant would have to submit another temporary use application if they wanted to extend their temporary use on the property. On the west side of the property, the proposed area is behind the barn. The proposed storage height of 16 feet is in compliance with the height provisions of the zone as they are currently written, which is 32 feet.

William Lowe
Regional Road 20

Mr. Lowe explained that his basement has flooded twice since the addition of a berm on the neighboring property, which is the subject of the application. The original watershed goes to the back of the property to a creek, which Mr. Lowe notes has not been cleaned out, but that this has been interrupted by the newly built berm.

Director of Planning and Building, Brian Treble, explained that this is the third time that he has heard of a drainage concern in relation to this property. He does not believe that this temporary use will make this drainage any worse, but that this is a secondary plan-related issue that will require analysis through the secondary plan to address.

Ronda Tucket
Regional Road 20

Ms. Tucket inquired about the details of the application which state that only two trucks a day worth of rain barrel deliveries will occur during regular business hours, and that only two per cent of the property would be used for rain barrel storage, and how this would be enforced.

In response to Ms. Tucket's inquiry, Director of Planning and Building, Brian Treble, explained that the Township will be able to easily regulate the percentage of land used for the rain barrel storage, but that the question regarding the delivery of the rain barrels should be directed toward the applicant.

Mr. Pomerantz responded to Ms. Tucket's inquiry that the number of deliveries of barrels is limited by the production capacity of the company who is supplying the

barrels to Mr. Pomerantz. The area that will store the rain barrels on the property has already been created, and that area represents approximately two per cent of the property.

Alex Jovic
Niagara-on-the-Lake

Mr. Jovic owns the property adjacent to the property of the applicant. Mr. Jovic inquired to the Director of Planning and Building, Brian Treble, who the current owner of the property is.

In response to Mr. Jovic's inquiry, Director of Planning and Building, Brian Treble, explained that the owner is listed as Giovanni Diflavio, while Mr. Pomerantz is the agent speaking to the application.

Mr. Jovic responded further, saying that he was confused because Mr. Pomerantz told him that he was the owner of the property.

In response to Mr. Jovic's comment, the Chair explained that an agent will quite often represent a property owner at a public meeting.

Mr. Jovic inquired further to the Chair if an agent is required to be legal counsel.

In response to Mr. Jovic's further inquiry, the Chair explained that an agent is not required to be legal counsel.

Mr. Jovic further inquired about whether the land would only be used to store rain barrels, and if only two per cent of the land was truly all that was going to be used, as Mr. Jovic was skeptical of the need for that much land for rain barrels, and what else may be going on across the rest of the property, based on private conversations he had with either the landowner or Mr. Pomerantz.

In response to his further inquiry, the Chair was not able to answer the question, as it was not directly relevant to the information contained in the application and involved speculation on the part of Mr. Jovic.

Mr. Jovic expressed his concerns over the unsightly nature of the rain barrels stacked on top of each other up to 16 feet high, and the potential impact on his property value.

In response to Mr. Jovic's concerns, the Director of Planning and Building, Brian Treble, explained that the secondary plan process for this area in question, which is meant to be a rural, low water use industrial park, will address issues like what Mr. Jovic is bringing up. This application is just for a temporary use to address this request from Mr. Pomerantz ahead of the secondary plan process.

John Vuckovic
Regional Road 20

Mr. Vuckovic is a tenant farmer across from the property that is the subject of this temporary use application. Mr. Vuckovic inquired about the impact of a potential fire and if there are any safety provisions or precautions in place to mitigate the risks of a fire, as this could result in the rain barrels burning, and the plastic contaminants from the rain barrels negatively impacting the land that he farms nearby.

In response to Mr. Vuckovic's inquiry, the Director of Planning and Building, Brian Treble, explained that through the secondary plan process, which is forthcoming, there will be some policy written into the development with respect to fire cisterns or whatever else may be required on the land for fire prevention. Additionally, the Director of Planning and Building, Brian Treble explained that they will be sure to speak with the Fire Chief ahead of the creation of a recommendation report regarding this specific temporary use application.

Mr. Vuckovic expressed similar concerns to Mr. Lowe regarding the improperly redirected watershed and the drainage issues that this has created, which has legal and insurance implications for Mr. Vuckovic and the land upon which he farms as a tenant.

In response to Mr. Vuckovic's concerns, Director of Planning and Building, Brian Treble explained that in the secondary plan, planning process, they will look at rectifying the issue of the redirected watershed in this area that was allegedly done by the owner of the property that is the subject of this temporary use application.

Lillian Jovic
Regional Road 20

Ms. Jovic is the owner of the 9031 Regional Road 20 property, and is looking to build a house on a section of the property. Ms. Jovic is a retired school teacher, and is against the potential problem of this temporary use application. Ms. Jovic is similarly concerned about the number of trucks that will be coming by each day. Ms. Jovic has seen Mr. Pomeranz' property and was not impressed by its appearance and is not excited about the potential view from her future house of the stacked rain barrels on the property. Ms. Jovic is also concerned about the potential fire risks if the rain barrels were to catch fire. Ms. Jovic would like to see a storage building constructed for the rain barrels on the property rather than having them stored outside. Ms. Jovic is also concerned about the existing

drainage problem caused by the alleged improper rerouting of the watershed on the subject property.

Peter Jovic
Stoney Creek

Mr. P. Jovic spoke with Mr. Pomerantz, who wanted to buy land in the area near the subject property of this application. Mr. P. Jovic declined the offer, and alleged that Mr. Pomerantz misrepresented his plans in the area. Mr. P. Jovic went to check out the subject property, and he believes that it looks like a dump. His concern is the appearance of the land, and its impact it will have on the value of his land and the land of his family members who own neighbouring lots and who are interested in building houses on their properties.

Alex Jovic
Niagara-on-the-Lake

Mr. Jovic inquired as to what is being done to prevent the misuse of the land for other unstated business purposes.

In response to Mr. Jovic's inquiry, the Director of Planning and Building, Brian Treble, explained that the potential misuse of the property brought forward by Mr. Jovic would not be permitted nor approved by Council, and that if anyone were to believe or have suspicions that the land was being misused in this way, they should reach out to the Township by-law enforcement.

Larry Pomerantz
Hamilton

Mr. Pomerantz thanked all members of the public for their comments this evening. Mr. Pomerantz also was optimistic that drainage issues caused by the rerouted watershed would be addressed through the upcoming secondary plan process. Mr. Pomerantz explained that in ten years of operation in Smithville, his business has never had a fire and that storage of the rain barrels outside is safest in regards to fire, because a building presents multiple potential sources of a fire, primarily through the electrical wiring. Mr. Pomerantz explained that the subject property has a large berm, and so between the berm and the main building on the property, the rain barrels will not be visible from the road or from any adjacent properties. Mr. Pomerantz also explained that the existing property is home to multiple other businesses, including a scrap metal company and a few others, which are unrelated to Mr. Pomerantz and his rain barrel business.

The Chair asked if any Members of the Committee had any oral or written submissions on the Zoning By-law Amendment. The Chair advised that this may

be the only Public Meeting being held with respect to this application; therefore, he noted that if any Members of the Committee have any comments they should state them now as the Ontario Land Tribunal (OLT) may not consider comments made during any other Council and/or Committee meetings.

Councillor Chechalk inquired to Mr. Pomerantz about how many people are employed at their current location, and how many would be employed at the subject property.

In response to Councillor Chechalk's inquiry, Mr. Pomerantz explained that seven people are employed at their current location, and that no permanent employees would be present at the subject property, but that four employees would move to the location temporarily to load and unload trucks of rain barrels each business day.

Councillor Chechalk further inquired to Mr. Pomerantz about how his current property is zoned.

In response to Councillor Chechalk's further inquiry, Mr. Pomerantz explained that while he is not entirely sure how it is zoned, he believes it is industrial.

Director of Planning and Building, Brian Treble, explained that he is not sure of the zoning of Mr. Pomerantz' current business property, though he would expect that it was grandfathered in because the land would have been zoned a long time ago.

Councillor Chechalk further inquired about the potential impact of high winds could have on the safe storage of the rain barrels.

In response to Councillor Chechalk's inquiry, Mr. Pomerantz explained that they are designed to stack together securely in a way that makes them unable to be swayed in high winds. Additionally, Mr. Pomerantz reiterated the presence of the berm on the subject property, which would block winds from reaching the rain barrels.

Councillor Chechalk further inquired to Mr. Pomerantz about the rain barrels and if they are modified, customized or processed on site or if they will be altered on the site of the subject property.

In response to Councillor Chechalk's further inquiry, Mr. Pomerantz explained that the rain barrels are repurposed food grade containers, but they are not modified in any way on property, nor would they be on the subject property.

Councillor Chechalk inquired to the Director of Planning and Building, Brian Treble, about who would be responsible for any issues that occurred as a result

of Mr. Pomerantz' business on the property, as he is not the owner of the property.

In response to Councillor Chechalk's inquiry, Director of Planning and Building, Brian Treble, explained that the property owner would be responsible and liable legally for any issues that may arise, at least in regards to the involvement of the township. The legal relationship between the property owner and Mr. Pomerantz as a tenant would be between them alone, but in terms of the Township, only the property owner would be responsible and held accountable for any issues that arise.

Councillor Chechalk further inquired to Mr. Pomerantz about the location of his business in Smithville.

In response to Councillor Chechalk's further inquiry, Mr. Pomerantz explained that his business is currently located at 9093 Regional Road 20.

Councillor Chechalk commented that the Committee should consider allowing for temporary use for less than the allowed three year maximum, in order to allow for a test of this type of use of this land, and due to the upcoming secondary use planning, as well as the drainage and watershed issue with this property.

Director of Planning and Building, Brian Treble, explained that the zoning of 9093 Regional Road 20, is A-5, which is an agricultural zone with an exception that allows a salvage yard.

Councillor Chechalk inquired to the Director of Planning and Building, Brian Treble, if the agricultural zoning of Mr. Pomerantz current property limits the number of employees that can be working at that location.

In response to Councillor Chechalk's inquiry, Director of Planning and Building, Brian Treble, explained that no, the exemption for a salvage yard in the zoning of this land is a full exemption from all agricultural land use restrictions, as the zoning is old and has been grandfathered in.

Councillor Rehner inquired to the Director of Planning and Building, Brian Treble, about if the watershed change and drainage issue can be addressed in the secondary plan, and secondly, if the water running into waterways from the site can be monitored by the Ministry of Environment to determine if it is contaminated or not.

In response to Councillor Rehner, Director of Planning and Building, Brian Treble, explained that they will investigate these issues as part of the secondary plan process.

Councillor Rehner further inquired to the Director of Planning and Building, Brian Treble, if the Township can check out and try and address issues with the drainage and watershed issue now ahead of the secondary plan.

In response to Councillor Rehner, Director of Planning and Building, Brian Treble, assured that the issue is now in staff's hands and the appropriate departments will be in discussion on this issue and look to do what they can.

Councillor Trombetta inquired to Mr. Pomerantz as to the length of the temporary use exception that he applied for.

In response to Councillor Trombetta's inquiry, Mr. Pomerantz explained that he applied for a three year temporary use exception.

Councillor Trombetta commented further that he will not support a full three-year temporary-use exception because of a history of issues with compliance with previous temporary use applicants. Additionally, Councillor Trombetta echoed the concerns of the public who have made comments previously in the meeting. Councillor Trombetta further commented that residents have raised concerns to him about the state of the property that Mr. Pomerantz' business is currently located on, which gives him further concern in granting a three-year temporary use.

Councillor Bradaric inquired to Mr. Pomerantz as to whether he is the owner or the agent of the property.

In response to Councillor Bradaric, Mr. Pomerantz explained that he currently is not the owner but is the agent. He is in the process of purchasing the property and is interested depending on how the secondary use plan plays out.

Councillor Bradaric further commented that both the property that Mr. Pomerantz' company operates on currently and the subject property of this meeting are both eye sores, and that gives her some concern.

Mayor Ganann inquired to Mr. Pomerantz as to whether the current owner of the property is aware of this temporary use application.

In response to Mayor Ganann's inquiry, Mr. Pomerantz explained that yes the current owner is aware of this application and even signed it.

Mayor Ganann further inquired to Mr. Pomerantz if his intention is to have the rain barrels on the subject property, whether he is able to purchase that property or not.

In response to Mayor Ganann's further inquiry, Mr. Pomerantz explained that yes he does want to have the rain barrels on the property for the full temporary use

period whether he owns the property or not. He continued that he is interested in taking part in the secondary use planning process, but that his use of this property and the future with it will be up to the Township to decide.

Mayor Ganann further commented that this property is an eye sore. Mayor Ganann then inquired to Mr. Pomerantz if the business is no longer as successful as it is now, who will be responsible for disposing of the remaining rain barrels.

In response to Mayor Ganann's inquiry, Mr. Pomerantz explained that he purchases all of the rain barrels on the property, and he feels he would have no problem selling them, whether as rain barrels or to recycling plants for the plastic, even at the lowest market price, to liquidate leftover rain barrels.

Director of Planning and Building, Brian Treble, explained that the Township has faced complaints about the current property that Mr. Pomerantz' property operates on, but Mr. Pomerantz has been very helpful on a couple of occasions in regards to the issues on the site and he has helped to rectify those issues.

The Chair inquired to the Director of Planning and Building if a shorter temporary use period could be brought forward to the Committee to vote on. Additionally, the Chair asked if a security deposit, to be provided by Mr. Pomerantz, could be included as part of the application process.

In response to the Chair's inquiry, Director of Planning and Building, Brian Treble, explained that this has been done in the past and so staff could definitely look into such options in this case as well.

The Chair stated that a Technical Report was being considered by Council later, as part of this evening's Committee meeting and that a recommendation report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Jessica Dyson at jdyson@westlincoln.ca.

The Chair stated that anyone who is interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend applicable meetings and suggested the public watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The Chair advised that agendas for meetings are posted on the Township's website after 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the Township's website for the public to view. The Chair stated that

anyone wishing to receive notices by email, should contact the Township Clerk to advise of their request and include their email address along with their mailing address and phone number.

4. Adjournment

The Chair declared the meeting adjourned at the hour of 8:40 p.m.

JESSICA DYSON, DEPUTY CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1

905-563-8205

December 14, 2023

SENT VIA EMAIL: premier@ontario.ca

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

RE: Town of Lincoln Council Resolution – Provincial commitment to provide municipalities necessary infrastructure funding to support housing as a result of the impacts of Bill 23 and other legislation

Please be advised that the Council of the Corporation of the Town of Lincoln at its Council Meeting held on December 13, 2023, passed the following motion regarding Provincial commitment to provide municipalities necessary infrastructure funding to support housing as a result of the impacts of Bill 23 and other legislation:

Resolution No.: RC-2023-159

Moved by Councillor Greg Reimer; Seconded by Councillor Adam Russell

WHEREAS Town of Lincoln Council is committed to doing their part to reduce barriers and find solutions to meet the development demand imposed by the Province under Bill 23, More Homes Built Faster Act, 2022; and

WHEREAS Bill 23, More Homes Built Faster Act, 2022, aims to build 1.5 million new homes by 2031 and to accomplish this goal, the Bill seeks to eliminate or reduce a range of processes, fees, and regulations that have the potential to slow or inhibit development; and

WHEREAS municipalities play a vital role in fostering community development, providing essential services, and maintaining local infrastructure; and

WHEREAS in 2019, the National Housing Strategy recognized housing as a human right and under Bill 23, implemented two strategies focused on affordability and attainability respectively; and

WHEREAS the Town of Lincoln recognizes the importance of financial tools to raise funds and support programs and services; and

WHEREAS on October 23, 2023, the Minister of Municipal Affairs and Housing, released a statement introducing legislation that would reverse the official plan decisions and wind back provincial changes to official plans and official plan amendments, except in circumstances where construction has begun or where doing so would contravene existing provincial legislation and regulation, including changes to urban boundaries; and

WHEREAS the Minister of Municipal Affairs and Housing will be asking impacted municipalities to submit changes and updates to those plans to ministry staff within 45 days of today, including information on projects that are already underway and in recognition of the costs incurred by municipalities arising out of this decision, the province will work with impacted municipalities to assist with related planning and staffing costs; and

WHEREAS the Province released their 2023 Fall Economic Statement to the Ontario's Big City Mayors (OBCM), whereby it was noted that that the statement did not provide an update on the government's efforts to address the financial impacts of Bill 23; and

WHEREAS Bill 23 includes changes to the Development Charges Act which is estimated to have an impact on municipalities, in terms of foregone collection of development charge fees, totalling \$1 billion annually across the province, even though the Province has committed to ensuring that municipalities are kept whole for any impact on their ability to fund housing enabled infrastructure because of the Bill; and

WHEREAS smaller municipalities will need to work with the Province to potentially create and approve new revenue tools to fund the various municipal operations and capital investments needed to meet the targets as set out in Bill 23; and

WHEREAS without revenue tools and provincial programs and supports, the ability to build the infrastructure required to support the creation of new homes, roads, sewer, water systems, supports and delivery of services such as fire and police, are exacerbated; and

WHEREAS under the current climate of inflation and rising construction cost, municipalities will have to undertake less infrastructure, especially without significant provincial program intakes and funding streams; and

WHEREAS municipalities already have limited cost recovery avenues within asset management plans and existing legislation, resulting in a growing provincial and Canada wide infrastructure funding gap.

THEREFORE, BE IT RESOLVED THAT the Town of Lincoln Council:

1. Request support for all municipalities that are challenged to fulfill their growth targets by the financial burden imposed by the Province of Ontario with Bill 23; and
2. Urge the Minister of Municipal Affairs and Housing to work with all municipalities and establish long-term sustainable critical funding programs to fill the infrastructure gaps, including opening up more intakes for infrastructure funding; and
3. Emphasize the importance of the provincial governments commitment to looking forward as municipalities deal with the outcomes of Bill 23, and that should municipalities require funding to be made whole, that the government address these funding shortfalls; and
4. Forward a copy of this motion to each of the 12 Local Area Municipalities in Niagara; and
5. That a copy of this motion be circulated to Premier of Ontario, Minister of Municipal Affairs and Housing, Provincial opposition parties, Niagara's four MPs; Niagara's four MPPs; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); Mayors and Regional Chairs of Ontario (MARCO); and Ontario's Big City Mayors (OBCM) and local area municipalities.

CARRIED

If you require any additional information, please do not hesitate to contact the undersigned.

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

JK/dp

C.c. Minister of Municipal Affairs and Housing
Provincial Opposition Parties
Niagara Area MPs and MPPs
Association of Municipalities of Ontario (AMO)
Federation of Canadian Municipalities (FCM)

Mayors and Regional Chairs of Ontario (MARCO)
Ontario's Big City Mayors (OBCM)
Local Area Municipalities

**TOWNSHIP OF WEST LINCOLN
ALL COMMITTEES (INCLUDING PUBLIC MEETINGS)
MINUTES**

MEETING NO. ONE

Monday, January 15, 2024, 4:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

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

Staff: Donna DeFilippis, Treasurer/Director of Finance
Jessica Dyson, Director of Legislative Services/Clerk
Mike DiPaola, Director of Public Works and Recreation
Brian Treble, Director of Planning and Building
Dennis Fisher, Fire Chief
Tim Hofsink, Deputy Fire Chief
Vanessa Holm, Library CEO
Gerrit Boerema, Manager of Planning
Katelyn Repovs, Manager of Finance/Deputy Treasurer
Susan Smyth, Senior Planner
Kevin Geoghegan, IT Help Desk Analyst

Other Members: Regional Councillor Witteveen*
Bruce Harris, WeeStream

***IN ATTENDANCE PART-TIME**

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

There were no pecuniary interests and/or conflicts of interest disclosed for confidential matters.

2. CONFIDENTIAL MATTERS

RECOMMENDATION:

Moved By Councillor Joann Chechalk

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:

2.1 Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) - Proposed Official Plan Amendment (OPA) No. 63 (File No.22-0035)

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.

2.2 Director of Planning & Building (Brian Treble)

Re: Property Matter/By-law Enforcement Matter - Cannabis Enforcement Matter

VERBAL UPDATE

Applicable closed session exemption(s):

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

2.3 Director of Legislative Services/Clerk (Jessica Dyson)

Re: Citizen Appointments on Boards and Committees

1. Mayor's Youth Advisory Committee
2. Age Friendly Advisory Committee
3. Transit Commission Public Advisory Committee

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employee(s).

2.4 Director of Legislative Services/Clerk (Jessica Dyson)

Re: Personnel Matter - CAO Recruitment Process

FOR DISCUSSION

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employee(s);
- Labour relations or employee negotiations.

Carried

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor William Reilly

That, this All Committees Meeting (Including Public Meetings) now resume in open session at the hour of 6:41 p.m.

Carried

- 2.1 Director of Planning & Building (Brian Treble)
Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) - Proposed Official Plan Amendment (OPA) No. 63 (File No.22-0035)

VERBAL UPDATE

Council rose without reporting.

- 2.2 Director of Planning & Building (Brian Treble)
Re: Property Matter/By-law Enforcement Matter - Cannabis Enforcement Matter

VERBAL UPDATE

Council rose without reporting.

- 2.3 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Citizen Appointments on Boards and Committees

1. Mayor's Youth Advisory Committee
2. Age Friendly Advisory Committee
3. Transit Commission Public Advisory Committee

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

1. That, the following persons be and are hereby appointed to serve on the following Committees and/or Boards until their successors are appointed:
 1. Mayor's Youth Advisory Committee
 - a. Giselle Karaban

2. Age Friendly Advisory Committee
 - a. Stuart Lord
3. Transit Commission Public Advisory Committee (Niagara Region)
 - a. Stuart Lord
2. That, Ann-Marie Norio, Regional Clerk, be advised of Stuart Lord's appointment as the Township of West Lincoln citizen representative for the Transit Commission Public Advisory Committee; and,
3. That, a by-law be presented at the January 29th, 2024 Council meeting to to amend By-law 2023-03, being the appointment by-law for Boards and Committees, specifically Schedule A - West Lincoln Age Friendly Advisory Committee and Schedule D – Mayor's Youth Advisory Committee.

Carried

- 2.4 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Personnel Matter - CAO Recruitment Process
FOR DISCUSSION

Moved By Councillor Mike Rehner

Seconded By Councillor Jason Trombetta

1. That, the Mayor and Clerk be are hereby authorized to proceed as directed in closed session with respect to a personnel matter as it relates to the appointment of an Interim CAO; and,
2. That, the Hiring Committee for the position of CAO be comprised of Mayor Cheryl Ganann, the Deputy Mayor, Councillor Shelley Bradaric, the Director of Legislative Services/Clerk and the Human Resources Coordinator as a non-voting member

Carried

3. CHAIR - Mayor Ganann

Prior to commencing with the All Committees (including Public Meetings) Meeting agenda, the Mayor will note the following:

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
 - a. emailing 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,

- b. by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
3. Tonight's open portion of the All Committees Meeting will be livestreamed as well as recorded and available on the Township's website by visiting events.westlincoln.com/meetings.

4. LAND ACKNOWLEDGEMENT STATEMENT

Mayor Ganann read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of the 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. CHANGE IN ORDER OF ITEMS ON AGENDA

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

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

There were no pecuniary interests and/or conflicts of interest disclosed.

7. PUBLIC MEETING(S) - Chair Councillor William Reilly

Public Meetings to commence at 6:30 p.m.

- 7.1 Street Naming Public Meeting - Marz Homes Thrive Subdivision
Re: Public meeting to consider the street naming for two private streets within Marz Homes Thrive Subdivision, pursuant to the Township's Procedure By-law (2003-48), as amended.
- 7.2 Zoning By-law Amendment - 4813 Canborough Road (Heaslip)
Re: An application for a Zoning By-law Amendment has been made to rezone the property municipally known as 4813 Canborough Road, to fulfill a condition of consent for severance file B07/2023WL. The previous consent application severed (Parcel 1 - 0.63 hectares) from Parcel 2 (34.0 hectares). (File No. 1601-008-23)
- 7.3 Zoning By-law Amendment - 5909 Regional Road 20 (Molnar)
Re: An application for a Temporary Use By-law has been made by Sharon and John Molnar and Yannis Waldron to add a temporary use to

the property legally municipally known as 5909 Regional Road 20. The Temporary Use Application is requesting to temporarily permit a mobile home (garden suite) on the property zoned Agricultural 'A', and Environmental Conservation 'EC', for a maximum of 20 years. (File No.: 1601-009-23)

7.4 Zoning By-law Amendment - 9127 Regional Road 20 (Pomerantz - Agent) (Diflavio - Owner)

Re: An Application for a Temporary Use By-law has been made for the property municipally referred to as 9127 Regional Road 20. The Temporary Use Application is requesting to permit a portion of the lands approximately 9,712.45 square metres (0.97 hectares/2.4 acres) or 2% of the total lot area for outside storage of rain barrels/composters. (File No.: 1601-010-23)

8. APPOINTMENTS

There were no appointments/presentations.

9. REQUEST TO ADDRESS ITEMS ON THE AGENDA

There were no requests to address items on the agenda.

10. CONSENT AGENDA ITEMS

NOTE: All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

10.1 CONSENT AGENDA ITEMS:

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

That, the following Consent Agenda items be and are hereby approved:

1. Items 1, 2, 3, 4, 5, 6, 7, 8 and 9 be and are hereby received for information; and,
2. Item 10 be and is hereby received and the recommendations contained therein be adopted
with the exception of Items #(s) 6 & 8

Carried

ALL COMMITTEES MEETING (Including Public Meetings) - MINUTES - January 15, 2024

1. Mayor's Youth Advisory Committee (MYAC) - Minutes of November 1, 2023
 2. West Lincoln Age Friendly Advisory Committee (WLAFAC) - Minutes of October 13, 2023, November 10, 2023, and December 8, 2023
 3. West Lincoln Santa Claus Parade Committee - Minutes of September 6, 2023; September 20, 2023; November 1, 2023; November 9, 2023; November 21, 2023; and, November 29, 2023
 4. West Lincoln Public Library Board - Minutes of October 10, 2023
 5. West Lincoln Public Library Board - Minutes of November 21, 2023
 7. Technical Report PD-02-2024 – Proposed Street Names for Thrive Subdivision Plan of Subdivision Lot 9 and Part of Lot 8, Plan M-98, as confirmed by 30BA-1695 Marz Homes (Smithville West) Inc. (File No. 2000-90-20)
 9. Information Report WLFD-01-2024 - Monthly Update - December 2023
 10. Recommendation Report C-01-2024 - Approval of Multi-Year Accessibility Plan
6. Technical Report PD-01-2024 – Application for Temporary Use Zoning By-law Amendment for 9127 Regional Road 20 (File No. 1601-010-23)

Councillor Chechalk commented that she wants to watch this report closely and that while a temporary-use approval can be considered, the Councillor would like the temporary use exemption to be shortened from the maximum of three years.

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Mike Rehner

1. That, Information Report PD-01-2024, regarding “Technical Report – Application for Temporary Use Zoning By-law Amendment for 9127 Regional Road 20 (File No. 1601-010-23)”, dated January 15, 2024, be received; and,
2. That, a Recommendation Report be submitted to a future Planning/Building/Environmental Committee meeting or Council meeting once a full staff and agency review has been completed.

Carried

8. Information Report PD-05-2024 – 2023 Results of Monitoring at 702 John Street Property, Caistorville

In response to Councillor Bradaric's inquiry, regarding ownership of the property, the Director of Planning and Building explained that there is a private property owner listed, however, for all intents and purposes it is effectively abandoned, though it is in private ownership. Reports should come forward in the future outlining how the Township can take control of the property, but for now it is in private ownership.

RECOMMENDATION:

Moved By Councillor Shelley Bradaric

Seconded By Councillor Joann Chechalk

That, Information Report PD-05-2024 regarding “Information Report – 2023 Results of Monitoring at 702 John Street Property, Caistorville”, dated January 15th, 2024, be received.

Carried

11. COMMUNICATIONS

11.1 Councillor William Reilly

Re: Support of Resolution from Tay Township regarding Provincial Cemetery Management Support Request

Councillor Reilly expressed his support for this resolution from Tay Township, as the Township of West Lincoln has supported similar resolutions like this in the past, and so for the sake of consistency, Councillor Reilly brought this resolution forward.

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

That, the correspondence received from Katelyn Johns, Municipal Clerk of Tay Township, dated December 21, 2023, be received and supported.

Carried

11.2 Nicole Scime, Committee Member

Re: Resignation from the West Lincoln Santa Claus Parade Committee

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

1. That, the email received on November 29, 2023 from Nicole Scime advising of their resignation from the West Lincoln Santa Claus Parade Committee be received with regrets; and,
2. That, By-law 2023-03, being the appointment by-law for Boards and Committees, be amended to remove Nicole Scime from Schedule C (West Lincoln Santa Claus Parade Committee).

Carried

- 11.3 Joel Scime, Committee Member
Re: Resignation from the West Lincoln Santa Claus Parade Committee

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Shelley Bradaric

1. That, the email received on November 29, 2023 from Joel Scime advising of their resignation from the West Lincoln Santa Claus Parade Committee be received with regrets; and,
2. That, By-law 2023-03, being the appointment by-law for Boards and Committees, be amended to remove Joel Scime from Schedule C (West Lincoln Santa Claus Parade Committee).

Carried

- 11.4 Scott Crawford, Committee Member
Re: Resignation from the West Lincoln Santa Claus Parade Committee

Councillor Reilly explained that being a part of the Santa Claus Parade Committee involves a great amount of work and involvement, and all three individuals indicated above, who have resigned from the Committee, have been a part of it since the beginning. Councillor Reilly thanked all three of them for all of the work that they have done volunteering on the Santa Claus Parade Committee.

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Shelley Bradaric

1. That, the email received on December 2, 2023 from Scott Crawford advising of their resignation from the West Lincoln Santa Claus Parade Committee be received with regrets; and,

2. That, By-law 2023-03, being the appointment by-law for Boards and Committees, be amended to remove Scott Crawford from Schedule C (West Lincoln Santa Claus Parade Committee).

Carried

- 11.5 Director of Legislative Services/Clerk (Jessica Dyson)
Re: Niagara Region - Municipal Representatives on Regional Committee -
Transportation Strategy Steering Committee

FOR DISCUSSION

The Director of Legislative Services/Clerk, explained that this is a new committee of Regional Council, noting that while it may appear similar to a number of other boards and committees that have been introduced in the last year or so related to the Niagara Transit Commission, this is a unique committee.

In response to Councillor Trombetta's inquiry regarding what time this committee would meet at on a regular basis, Councillor Reilly stated that that he was not sure when the committee meeting would be held, but other transit committee meetings have been held during the work day.

Councillor Chechalk volunteered to sit on the committee in the interim, until Councillor Trombetta is able to find out if it will work with his schedule.

RECOMMENDATION:

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

That, Councillor Chechalk be appointed as the Township of West Lincoln's representative on the Transportation Strategy Steering Committee for the Niagara Region for the current term of Council (ending November 2026).

Carried

12. STAFF REPORTS

- 12.1 Planner (Stephanie Pouliot), Manager of Planning (Gerrit Boerema)
and Director of Planning & Building (Brian Treble)
Re: Recommendation Report PD-03-2024 - Zoning Bylaw Amendment -
B and A Heaslip Farms Ltd. (File No. 1601-008-23)

RECOMMENDATION:

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

1. That, Recommendation Report PD-03-2024, regarding “Application for Zoning By-law Amendment for 4813 Canborough Road (File No. 1601-008-23)”, dated January 15th 2024, be received; and,
2. That, the application for Zoning By-law Amendment submitted by Ben and Pam Heaslip owners of 4813 Canborough Road, be approved in accordance with the attached Zoning By-law Amendment with the site-specific regulations, and that Council authorize the Mayor and Clerk to sign the necessary by-laws; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the Planning Act.

Carried

- 12.2 Senior Planner (Madyson Ettl) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD-04-2024 - Application for Temporary Use Zoning Bylaw Amendment for 5909 Regional Road 20 (File No. 1601-011-23)

RECOMMENDATION:

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

1. That, Recommendation Report PD-04-2024, regarding “Application for Zoning By-Law Amendment (Temporary Use By-Law) – Sharon Molnar & John Molnar Garden Suite Application File No. 1601-011-23”, dated January 15th 2024, be received; and,
2. That the Draft By-law included as Attachment 4 to this report, be approved with the site specific regulations; and,
3. That Council authorize the Mayor and Clerk to enter into a Temporary Use Agreement for the Garden Suite; and,
4. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the *Planning Act*.

Carried

- 12.3 Engineering Services Coordinator (Jennifer Bernard) and Director of Public Works & Recreation (Mike DiPaola)
Re: Recommendation Report PW-01-2024 – 7330 Concession 3 Road – Land Transfer Declaration as a Public Highway

RECOMMENDATION:

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

1. That, Recommendation Report PW-01-2024, re: “7330 Concession 3 Road – Land Transfer Declaration as a Public Highway”, dated January 15, 2024 be received; and,
2. That, a By-law be passed to declare Parts 1 and 2 on Reference Plan No. 30R-16079 on Concession 3 Road as Public Highway.

Carried

- 12.4 Engineering Services Coordinator (Jennifer Bernard) and Director of Public Works & Recreation (Mike DiPaola)
Re: Recommendation Report PW-02-2024 - 8214 Concession 3 Road - Land Transfer Declaration as a Public Highway

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

1. That, Recommendation Report PW-02-2024, re: “8214 Concession 3 Road – Land Transfer Declaration as a Public Highway”, dated January 15, 2024 be received; and,
2. That, a By-law be passed to declare Part 1 on Reference Plan No. 30R-16164 on Concession 3 Road as Public Highway.

Carried

- 12.5 Director of Finance/Treasurer (Donna DeFilippis)
Re: Recommendation Report T-01-2024 - 2024 Draft Capital Budget

Director of Finance/Treasurer, Donna DeFilippis, provided a PowerPoint presentation (attached as Schedule “A” to the minutes) providing a greater detailed explanation of Recommendation Report T-01-2024, 2024 Draft Capital Budget.

RECOMMENDATION:

Moved By Councillor Mike Rehner

Seconded By Councillor Jason Trombetta

1. That, Recommendation Report T-01-2024, regarding the “2024 Draft Capital Budget” dated January 15, 2024, be received; and
2. That, \$500,000 of the projected 2023 operating surplus be transferred to the Capital Reserve.

Carried

- 12.6 Director of Finance/Treasurer (Donna DeFilippis)
Re: Information Report T-02-2024 - 2024 Budget Staffing Review

Director of Finance/Treasurer, Donna DeFilippis, spoke briefly to Recommendation Report T-02-2024, 2024 Budget Staffing Review.

RECOMMENDATION:

Moved By Councillor William Reilly

Seconded By Councillor Jason Trombetta

That, Information Report T-02-2024, regarding the “2024 Budget Staffing Review” dated January 15, 2024, be received.

Carried

13. OTHER BUSINESS

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

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

- 13.2 Members of Council
Re: Other Business Items of an Informative Nature

1. Mayor Ganann

Re: ROMA, Bowling, and Coldest Night of the Year

Mayor Ganann, Regional Councillor Witteveen, and Councillor Chechalk will be attending ROMA on behalf of the Township of West Lincoln. They will be talking about the Escarpment Crossing, and the Public Libraries Act.

Mayor Ganann asked members of Council if any of them were interested in joining the Township of West Lincoln bowling team for the Big Brothers & Big Sisters annual bowling fundraiser, Bowl for Kids Sake, which will take place on February 27, 2024.

Mayor Ganann also asked members of Council if any of them would be interested in joining the Township of West Lincoln group who will be attending the West Niagara Coldest Night of the Year Walk, hosted by YWCA Niagara Region on February 24, 2024.

2. Councillor Chechalk

Re: Kiwanis Trivia Night

Councillor Chechalk invited members of Council and the Mayor to attend the Kiwanis of West Lincoln Trivia Night, which is taking place on February 24, 2024. It will be held at the Smithville Legion, will also include a silent auction, games of chance, as well as food and beverages. There is information on Facebook regarding how to get tickets.

3. Councillor Trombetta

Re: Mayor's Levee

Councillor Trombetta spoke about his appreciation for the recent Mayor's New Years Levee that took place January 6th, noting that he was impressed by the turnout and enjoyed speaking with members of the public.

14. NEW BUSINESS

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

15. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 9:58 p.m.

**JESSICA DYSON, DIRECTOR OF
LEGISLATIVE SERVICES/CLERK**

MAYOR CHERYL GANANN

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-01

A BY-LAW TO ADOPT, CONFIRM AND RATIFY MATTERS DEALT WITH BY COUNCIL RESOLUTION

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 a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 11(2) of the said Act provides that a lower tier municipality may pass by-laws respecting matters within the spheres of jurisdiction as set out in the said Act;

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 actions of the Council at its regular meetings of December 11, 2023 and January 29, 2024 in respect of which recommendations contained in the reports of the committees considered at each meeting and in respect of each motion, resolution and other action taken by the Council at its meeting are, except where the prior approval of the Ontario Land Tribunal or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
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.
4. That, this By-law shall come into force and take effect on the date of its final passing.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JANUARY, 2024.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-02

**BEING A BY-LAW TO AMEND BY-LAW 2023-03
WHICH CONFIRMED VARIOUS APPOINTMENTS
AND/OR RECOMMENDATIONS FOR APPOINTMENTS
TO BOARDS, COMMITTEES & MUNICIPAL
POSITIONS.**

WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 2023-03 which confirmed various appointments and/or recommendations for appointments to Boards, Committees and Municipal positions;

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

That, the persons named in the following Schedules attached hereto and forming part of this By-law be and are hereby appointed, and/or recommended for appointment, as a member(s) of the Boards and/or Committees or municipal positions as designated on the Schedule and for the term so designated; and,

1. That, Schedule A of By-law 2023-03 be deleted and replaced with the attached revised Schedule A:
2. Schedule A – West Lincoln Age Friendly Advisory Committee
(adding of Stuart Lord)
3. That, Schedule C of By-law 2023-03 be deleted and replaced with the attached revising Schedule C:
4. Schedule C - West Lincoln Santa Claus Parade Committee,
(By removal of Nicole Scime, Joel Scime and Scott Crawford)
5. That Schedule D of By-law 2023-03 be deleted and replaced with the attached revised Schedule D
6. Schedule D of By-law 2023-03 – Mayor's Youth Advisory Committee
(adding of Giselle Karaban)

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JANUARY, 2024.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

**SCHEDULE "A" TO BY-LAW 2023-03
(amended by By-law 2024-02)**

**APPOINTMENT TO THE WEST LINCOLN AGE FRIENDLY ADVISORY
COMMITTEE (WLAFAC)**

That, the following persons be and are hereby appointed to serve on the West Lincoln Age Friendly Advisory Committee (WLAFAC) for the Township of West Lincoln for the 2022-2026 term, or until their successors are appointed:

Lisa Maychak
Sue Langdon
Linda Sivyer
Antoinette (Toni) Mills
John Ganann
Kitty McGrail
Karen Parker
Martina (Tina) Jol
Debbie Thomas
Stuart Lord

Council Representative: Councillor Terry Bell

**SCHEDULE "C" TO BY-LAW 2023-03
(amended by By-law 2024-02)**

APPOINTMENTS TO THE WEST LINCOLN SANTA CLAUS PARADE COMMITTEE

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

1. Leslie Clark
2. Jane Rogers
3. Peggy Cook
4. Martina (Tina) Jol Wendy Beaty – Township Liaison

Councillor William Reilly

**SCHEDULE “D” TO BY-LAW 2023-03
(amended by By-law 2024-02)**

APPOINTMENTS TO THE MAYOR’S YOUTH ADVISORY COMMITTEE

That, the following persons be and are hereby appointed to serve on the Mayor’s Youth Advisory Committee until their successors are appointed:

- 1. Carter Pataran
- 2. Carson McFarlane
- 3. Reighan Van Duzen
- 4. Seth Chechalk
- 5. Tamas Hunter
- 6. Sydney Kivell
- 7. Joshua Harkin
- 8. George Witt
- 9. Joshua Reilly
- 10. Giselle Karaban

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-03

BEING A BY-LAW TO ESTABLISH PARTS 1 AND 2 ON REFERENCE PLAN NO. 30R-16079 ON CONCESSION 3 ROAD AS PUBLIC HIGHWAY, IN THE FORMER TOWNSHIP OF CAISTOR, NOW TOWNSHIP OF WEST LINCOLN, REGIONAL MUNICIPALITY OF NIAGARA.

WHEREAS a condition of the application of consent B13/2021WL required that lands depicted as Parts 1 and 2 on Reference Plan No. 30R-16079 be transferred to the Township for the purposes of a road widening on Concession 3 Road;

AND WHEREAS the Township is now in receipt of the subject lands and deems it expedient to establish the lands as Public Highway.

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

1. That, Parts 1 and 2 on Reference Plan No. 30R-16079 on Concession 3 Road, in the former Township of Caistor, now in the Township of West Lincoln, be and is hereby established as a public highway; and
2. That, the Township's Solicitor be and is hereby authorized and instructed to register a copy of this By-law in the Land Titles Office.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JANUARY, 2024**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-04

BEING A BY-LAW TO ESTABLISH PART 1 ON REFERENCE PLAN NO. 30R-16164 ON CONCESSION 3 ROAD AS PUBLIC HIGHWAY, IN THE FORMER TOWNSHIP OF CAISTOR, NOW TOWNSHIP OF WEST LINCOLN, REGIONAL MUNICIPALITY OF NIAGARA.

WHEREAS a condition of the application of consent B03/2023WL required that lands depicted as Part 1 on Reference Plan No. 30R-16164 be transferred to the Township for the purposes of a road widening on Concession 3 Road;

AND WHEREAS the Township is now in receipt of the subject lands and deems it expedient to establish the lands as Public Highway.

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

1. That, Part 1 on Reference Plan No. 30R-16164 on Concession 3 Road, in the former Township of Caistor, now in the Township of West Lincoln, be and is hereby established as a public highway; and
2. That, the Township's Solicitor be and is hereby authorized and instructed to register a copy of this By-law in the Land Titles Office.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th DAY OF JANUARY, 2024**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-05

**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, AS AMENDED;

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

1. THAT Schedule 'A' Map 'E8' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Part of Lot 17; Part of Lot 18, Concession 1 Road, being Parcel 1 and 2 shown on Consent Sketch, 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 'E8' to Schedule 'A' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Parcel 1 (Severed Lands) shown on Schedule 'A', attached hereto and forming part of this By-law from Agriculture Zone to Rural Residential 'RuR' with Exception (RuR-230).
3. THAT Part 6 of Zoning By-law 2017- 70, as amended, is hereby amended by adding the following to Part 13.2:
RuR-230
Permitted Uses:
As per the parent zone.

Regulations:
All regulations of the RuR zone except:
 - a) Maximum lot coverage of 305 square metres for all accessory buildings/structures on lot
 - b) An existing accessory building with a ground floor area no greater than 232 square metres
4. THAT Map 'E8' to Schedule 'A' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Parcel 2 (Retained Lands) shown on Schedule 'A', attached hereto and forming part of this By-law from an Agriculture Zone to an Agricultural Purposes Only Zone with Exception (APO-231).
5. THAT Part 5 of Zoning By-law 2017- 70, as amended, is hereby amended by adding the following to Part 13.2:

APO-231

Permitted Uses:

As per the parent zone.

Regulations:

All regulations of the APO zone except:

- a) Minimum lot area of no less than 34 hectares

6. THAT all other provisions of By-law 2017-70 continue to apply.
7. 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 29 DAY OF
JANUARY, 2024.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2024-05

Location:

This By-law involves a parcel of land legally known Part of Lot 17; Part of Lot 18, Concession 1, being Parcel 1 and 2 (on Consent Sketch, File #B07/2023WL), Township of West Lincoln, Regional Municipality of Niagara.

Purpose & Effect:

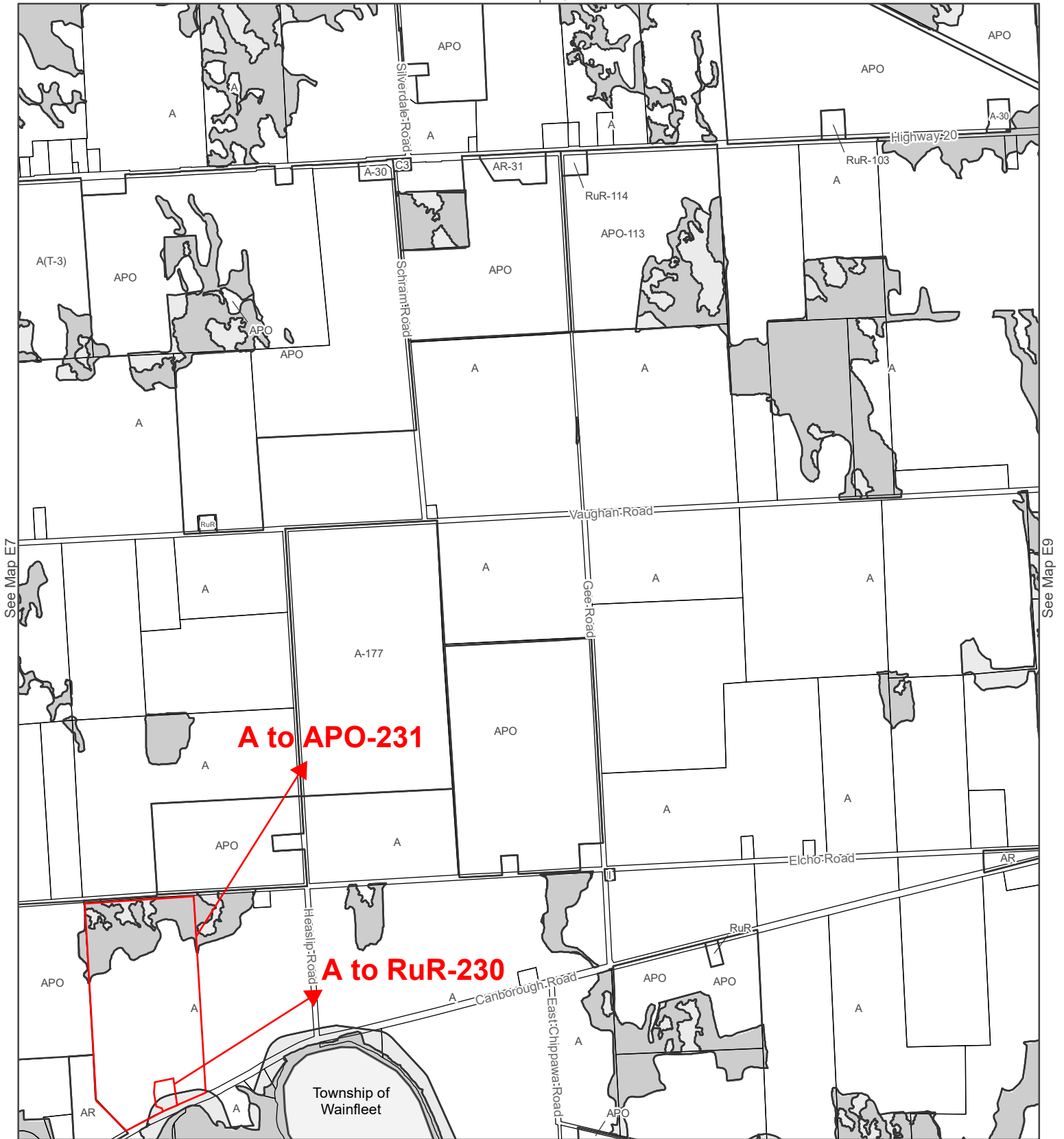
The purpose of the Zoning By-law Amendment is to change the zoning from an Agriculture 'A' zone to Rural Residential with exception 'RuR-230' for Parcel 1 (0.63 hectares/ 1.56 acres) to recognize two zoning deficiencies for a Rural Residential zone, being a maximum lot coverage of 305 square metres for all accessory buildings and structures on the lot and to recognize an accessory building with a maximum ground floor area of 232 square metres as shown on Schedule 'A' attached. Additionally, the purpose of this Zoning By-law Amendment is to rezone Parcel 2 (34.0 hectares/ 84.02 acres) to an Agricultural Purposes Only with exception 'APO-231' to recognize the resulting zoning deficiency, being the reduced lot area of 34.0 hectares (84.02 acres).

Public Consultation:

The Public Meeting was held on January 15th, 2024. All written and oral comments will be considered in the making of the decision by Council. Agency comments regarding this application has been included in the amending bylaw.

File: 1601-008-23

Applicant: Ben and Pam Heaslip (B & A Heaslip Farms Ltd).



See Map E7

See Map E9

Township Key Map

A1	A2	A3	A4	A5					
B1	B2	B3	B4	B5	B6				
C1	C2	C3	C4	C5	C6	C7	C8	C9	C10
D1	D2	D3	D4	D5	D6	D7	D8	D9	D10
E1	E2	E3	E4	E5	E6	E7	E8	E9	
F1	F2	F3	F4	F5	F6	F7			

Smithville Key Map

S1	S2	S3
S4	S5	S6
S7	S8	S9

- Settlement Area Boundary
- Zone Boundary
- EC
- EP
- Waste Management Facility Assessment Area

Township of West Lincoln
 Schedule A
 Zoning By-law No.2017-70
 Map
E8

1:20,000
 0 500 m
 Last Updated: July 2019

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024- 06

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, AS AMENDED;

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

1. THAT Schedule 'A' Map 'C6' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 6, PT LOT 28 & Road Allowance RP30R6552 Part 3 RP30R9528 Part 1, 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 'C6' 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-12).
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	Map #	Parent Zone(s)	Property Description	Permitted Temporary Use	Regulations	Start Date	Expiry Date
T-12	C6 C7	A	Concession 6, PT LOT 28 (5909 Regional Road 20)	Garden Suite	As per the parent zone. Except: That the owner enters into a Temporary Use Agreement prior to the	January 29, 2024	January 29, 2044

					placement of the garden suite.		
--	--	--	--	--	--------------------------------------	--	--

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 29th DAY OF
JANUARY, 2024.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2024-06

Location:

This By-law involves a parcel of land legally known as Concession 6, PT LOT 28 & Road Allowance RP30R6552 Part 3 RP30R9528 Part 1, in the Township of West Lincoln, Regional Municipality of Niagara, and municipally known as 5909 Regional Road 20.

Purpose & Effect:

This By-law has been enacted to permit a garden suite on the subject property to facilitate common living. This By-law provides for such use for a temporary period commencing January 2024 and expiring January 2044.

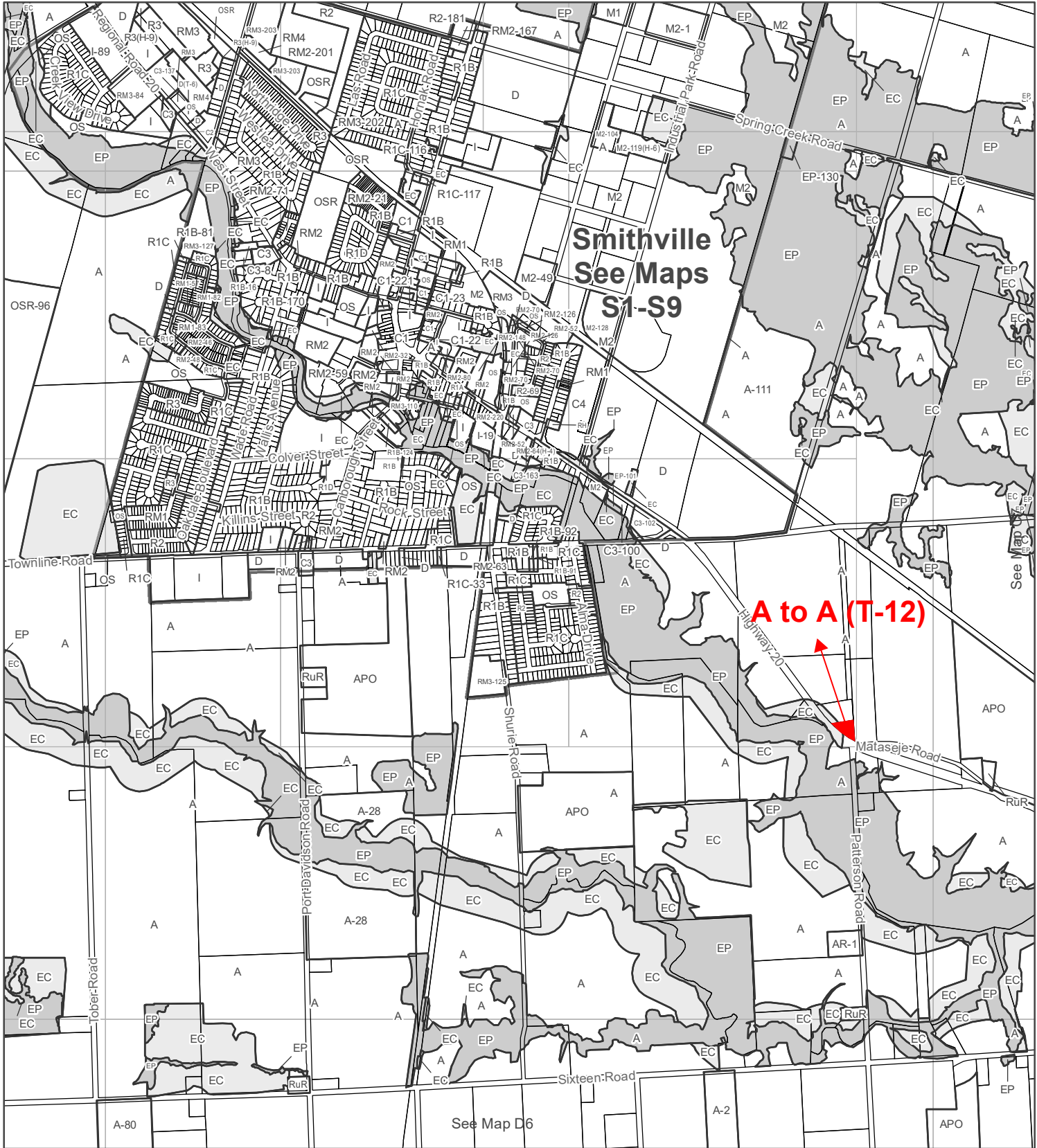
Any extension to the time limit set out in this By-law will require the passage of a further By-law by the Council for the Township of West Lincoln. Such request for an extension must be made in writing to the Township no later than 3 months prior to the expiration of this By-law.

Public Consultation:

The Public Meeting was held on January 15th, 2024. All written and oral comments will be considered in the making of the decision by Council. Agency comments regarding this application has been included in the amending bylaw.

File: 1601-011-23

Applicant: Sharon and John Molnar



See Map C5

See Map C5

Township Key Map

A1	A2	A3	A4	A5					
B1	B2	B3	B4	B5	B6				
C1	C2	C3	C4	C5	C6	C7	C8	C9	C10
D1	D2	D3	D4	D5	D6	D7	D8	D9	D10
E1	E2	E3	E4	E5	E6	E7	E8	E9	
F1	F2	F3	F4	F5	F6	F7			

Smithville Key Map

S1	S2	S3
S4	S5	S6
S7	S8	S9

- Settlement Area Boundary
- Zone Boundary
- EC
- EP
- Waste Management Facility Assessment Area

Township of West Lincoln
 Schedule A
 Zoning By-law No.2017-70
 Map
C6

1:20,000
 0 500 m
 Last Updated: July 2019

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW 2024-07

**BEING A BY-LAW TO APPOINT AN ACTING
CLERK FOR THE CORPORATION OF THE
TOWNSHIP OF WEST LINCOLN.**

WHEREAS subsection 228(1) of the Municipal Act, 2001, S.O. 2001, c. 25 “Municipal Act, 2001” or “the statute” provides that a municipality shall appoint a Clerk;

AND WHEREAS by enactment of By-law 2023-40 the Council of the Corporation of the Township of West Lincoln appointed Jessica Dyson as Clerk for the Township of West Lincoln, effective June 26, 2023;

AND WHEREAS the Clerk will be taking a parental leave;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it necessary to appoint an Acting Clerk to exercise the powers prescribed by section 228(1) of the statute in the interim; and

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

1. That, Nancy Fiorentino be and is hereby appointed as Acting Clerk for the Corporation of the Township of West Lincoln effective January 30th, 2024;
2. That, the duties of the Acting Clerk shall be as set out regarding the position of Clerk in the Municipal Act, 2001, other statutes dealing with matters of municipal administration and as provided by by-laws, resolutions and directions of Council;
3. That, this by-law shall be repealed on the date that the appointee ceases to be an employee of the Township of West Lincoln;
4. That, this Appointment By-law shall come into force and effect on January 30th, 2024.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
29th, DAY OF JANUARY, 2024.**

MAYOR CHERYL GANANN

JESSICA DYSON, CLERK