

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

MEETING NO. ONE

February 12, 2024, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

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

Staff: Donna DeFilippis, Interim CAO/Treasurer
Brian Treble, Director of Planning and Building
Gerrit Boerema, Manager of Planning

Justin Paylove, Deputy Clerk
Nancy Fiorentino, Interim Director of Legislative Services/Clerk
Kevin Geoghegan, IT Help Desk Analyst

Attendees: Blake Landry, Manager, Economic Research & Analysis -
Niagara Region*
Katie Boyko, Economic Development Officer – Niagara Region*

*Attended Part-Time

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

1.1 Recommendation Report PD0-06-2024 - Temporary use By-Law Application 8399 Concession 2 Road

The Property in question abuts his own property.

2. CONFIDENTIAL MATTERS

Moved By Mayor Cheryl Ganann

Seconded By Councillor Joann Chechalk

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

2.1 Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege -Ontario Land Tribunal (OLT) - Legal update for Official Plan Amendment (OPA) 63

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 and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Legal update for Ontario Land Tribunal (OLT) - File No. OLT-24-000030

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.

2.3 Interim CAO/Treasurer (Donna DeFilippis)

Re: Personnel Matter - Finance Personnel Update

VERBAL UPDATE

Applicable closed session exemption(s):

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

- Labour relations or employee negotiations.

Carried

Moved By Mayor Cheryl Ganann

Seconded By Councillor Mike Rehner

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

Carried

2.1 ITEM P01-24

Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Ontario Land Tribunal (OLT) - Legal update for Official Plan Amendment (OPA) 63

VERBAL UPDATE

2.2 ITEM P02-24

Director of Planning and Building (Brian Treble)

Re: Legal/Solicitor-Client Privilege - Legal update for Ontario Land Tribunal (OLT) - File No. OLT-24-000030

2.3 ITEM P03-24

Interim CAO/Treasurer (Donna DeFilippis)

Re: Personnel Matter - Finance Personnel Update

VERBAL UPDATE

3. CHAIR - Councillor William Reilly

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

1. Comments can be made from members of the public for a matter that is on the agenda by advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
2. The public may submit written comments for matters that are on the agenda to jpaylove@westlincoln.ca before 4:30 pm on the day of the meeting. Comments submitted will be considered as public information and will be read into the public record.
3. This meeting will be livestreamed as well as recorded and available on the Township's website.

4. 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.

5. APPOINTMENTS

5.1 ITEM P04-24

Blake Landry, Manager, Economic Research & Analysis - Niagara Region
Re: West Lincoln Agricultural Profile

POWERPOINT PRESENTATION

Blake Landry, Manager, Economic Research & Analysis for the Niagara Region, gave a presentation on West Lincoln's agricultural profile, as was requested by the Director of Planning & Building, Brian Treble.

The presentation provided by Mr. Landry is attached as Schedule "A" to the minutes.

6. PUBLIC MEETING(S)

6.1 Backyard Chickens (Township of West Lincoln) - Public Consultation

Re: A public consultation about the appropriateness of permitting chickens on a small scale basis accessory to residential use. This is often referred to as 'backyard chickens'. (Item No.: 1601-002-24)

6.2 Update of Accessible Parking Regulations (Township of West Lincoln) - Zoning By-Law Amendment

Re: An application for a Zoning By-law Amendment has been made to update the Township's accessible parking regulations in order to make them in accordance with Ontario Regulations 413/12, which updated parking standards for accessible parking spaces per number of mandated parking spaces. (Item No.: 1601-001-24)

6.3 1738 Caistor Gainsborough Townline Road (Brad Snippe) - Zoning By-Law Amendment

Re: An application for a Zoning By-law Amendment has been made to rezone the property legally described as Concession 5, Part Lot 1 30R8445 Part 1, in the former Township of Caistor now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 1738 Caistor Gainsborough Road. (Item No.: 1601-009-23)

6.4 8399 Concession 2 Road (James Smith) - Zoning By-Law Amendment and Temporary Use By-Law

Re: An application for a Temporary Use By-law has been made by James Smith to add a temporary use to the property legally described as Caistor Concession 3 Part Lot 10 RP;30R14841 Part 1, formerly in the Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 8399 Concession 2 Road. The Temporary Use Application is requesting to temporarily permit a 53.51 square meter mobile home (garden suite) on the property zoned Rural Residential 'RUR', for a maximum of 20 years to allow family members to reside on the property. (Item No.: 1601-012-23)

7. CHANGE IN ORDER OF ITEMS ON AGENDA

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

8. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue (some exceptions apply). A response may not be provided and the matter may be referred to staff. A person who wishes to discuss a planning application or a matter that can be appealed, will be permitted to speak for ten (10) minutes.

Chair to inquire if there are any members of the public present who wish to address any items on the Planning/Building/Environmental Committee agenda.

There were no requests to address items on the agenda.

9. CONSENT AGENDA ITEMS

There were no consent agenda items.

10. COMMUNICATIONS

There were no communications.

11. STAFF REPORTS

11.1 ITEM P05-24

Senior Planner (Susan Smyth)

Re: Recommendation Report PD-07-2024 - Application for Temporary Use Zoning By-law Amendment for 9127 Regional Road 20 (File No. 1601-010-23)

Councillor Trombetta inquired to the Director of Planning and Building, Brian Treble, about the berm being constructed on the property and what it is expected to look like and how it will be situated on the property.

In response to Councillor Trombetta's inquiry, Director of Planning and Building, Brian Treble, explained that the berm that is anticipated is likely shown on Schedule "B", the conceptual site plan, and it is an angular berm that contains the approximately two acres for rain barrel storage on the property. He is not aware if they have permissions to import soil, so he believes it is relocated from the site.

Councillor Trombetta further inquired to the Director of Planning and Building, Brian Treble, if they were working on this berm before the application was approved.

In response to Councillor Trombetta's further inquiry, Director of Planning and Building, Brian Treble, explained that site alteration is part of the previous issues that have been under review with the Township as imported soil relates to this property.

Councillor Trombetta shared his concerns about this property and the owner or agent altering the site prior to the approval of this application, making it unfair to applicants who follow the rules.

Councillor Chechalk expressed her similar concerns with the site and alterations that are taking place prior to the application being approved. In response to that concern, Councillor Chechalk introduced an amendment to the resolution to reduce the temporary use period being approved to 12 months instead of 18 months.

Councillor Trombetta expressed concern with the whole project, regardless of the amount of time provided by with the temporary use by-law.

Councillor Rehner agreed with Councillor Trombetta.

Mayor Ganann inquired to the Director of Planning and Building, Brian Treble, about what would happen if Council were to not pass this resolution and who would appeal that decision.

In response to Mayor Ganann's inquiry, Director of Planning and Building, Brian Treble, explained that the owner would have to appeal the decision, and the agent could again act as the agent of the owner.

Mayor Ganann further inquired to the Director of Planning and Building, Brian Treble, for staff's opinion on the reduced time period for the temporary use approval.

In response to Mayor Ganann's further inquiry, Director of Planning and Building, Brian Treble, explained that staff would still support reducing the length of the temporary use approval, and leaving the door open to an additional temporary use resolution at the end of the 12 month approval period for the current application, if required.

Councillor Bradaric inquired to the Director of Planning and Building, Brian Treble, about the cleanup of the property and what that process will look like, if it is known.

In response to Councillor Bradaric's further inquiry, Director of Planning and Building, Brian Treble, explained that he can only share that progress is being made. Any further detail is confidential.

Councillor Chechalk explained her reasoning for introducing her amendment to the resolution and made a case for voting in favour of this amended resolution.

Director of Planning and Building, Brian Treble, shared that Council could refer the application back to staff with direction that they speak to the owner and/or the agent about their issues/concerns.

Councillor Trombetta inquired to the Director of Planning and Building, Brian Treble, about what occurs in cases where a site plan is not yet approved and site alteration occurs anyways.

In response to Councillor Trombetta's inquiry, the Director of Planning and Building, Brian Treble, explained that the Ontario Land Tribunal does not tend to get hung up on the existing nature of the site and any sort of by-law infractions. They are more directly concerned with the application as proposed.

Chair Reilly inquired to the Director of Planning and Building, Brian Treble, about the possibility of collecting an additional security deposit.

In response to Chair Reilly's inquiry, the Director of Planning and Building, Brian Treble, explained that while that is not included in the recommendation, it will be part of the site plan that the Township would be collecting a security deposit to ensure the use ceases, especially if the secondary plan, when completed, does not consider this use appropriate.

Chair Reilly further inquired to the Director of Planning and Building, Brian Treble, about what the dollar amount that this security deposit would be.

In response to Chair Reilly's further inquiry, Director of Planning and Building, Brian Treble, said that it would likely be around \$5,000, like the garden suite security deposit.

Chair Reilly asked if any Committee member would be interested in amending the resolution on his behalf to include a \$5,000 security deposit. There was no response.

Councillor Chechalk explained her opposition to including the \$5,000 security deposit, and reiterated her concern for this application and with the property.

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

1. That, Recommendation Report PD-07-2024, regarding "Application for Temporary Use Zoning By-law Amendment for 9127 Regional Road 20", dated February 12, 2024 be received; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, Planning Staff will require a Temporary Use Agreement and Site Plan that requires the Owner to work towards site clean-up over time; and,
4. That, application for Temporary Zoning By-law 1601-010-23 submitted by Larry Pomerantz (Agent) on behalf of Mr. Giovanni Diflavio (Owner) and as presented in the attached bylaw for a period of 12 months be approved.

Carried

Moved By Councillor Joann Chechalk
Seconded By Mayor Cheryl Ganann

That, the original motion be amended to reduce the length of the Temporary Use by-law from 18 months, to period of 12 months.

Carried

11.2 ITEM P06-24

Manager of Planning (Gerrit Boerema)

Re: Information Report PD-09-2024 - Site Plan and Development Agreement Approval Update

Moved By Councillor Jason Trombetta
Seconded By Councillor Mike Rehner

That, Information Report PD-09-2024, regarding "Site Plan and Development Agreement Approval Update", dated February 12, 2024, be received.

Carried

11.3 ITEM P07-24

Director of Planning & Building (Brian Treble)

Re: Report PD-10-2024 - Confirmation of Road Closing Between Lots 33 and 34 Concession 6, Gainsborough Ward, Township of West Lincoln

Director of Planning and Building, Brian Treble, explained the reason for this recommendation report.

Moved By Mayor Cheryl Ganann
Seconded By Councillor Joann Chechalk

1. That, Report PD-10-2024, regarding "Confirmation of Road Closing Between Lots 33 and 34 Concession 6, Gainsborough Ward, Township of West Lincoln", dated February 12, 2024 be received; and,
2. That, a By-law be passed, such as the draft by-law found at Schedule 2 to this report, to confirm the closing of the road allowance between lots 33 and 34 Concession 6, former Township of Gainsborough and now described as Parts 5, 6, and 7 RP 30R-6275 on a survey dated February 22, 1990; and,

3. That, staff be instructed to approach the other three affected property owners to the north to confirm closing of the road allowance adjacent to or on their lands as well; and,
4. That, costs of registration of the confirming by-law be borne by the Township of West Lincoln.

Carried

11.4 ITEM P08-24

Director of Planning & Building (Brian Treble)

Re: Recommendation Report PD-12-2024 - Zoning By-law Amendment for Updating Accessible Parking Regulations

Moved By Councillor Shelley Bradaric

Seconded By Councillor Mike Rehner

1. That, Recommendation Report PD-12-2024, regarding “Zoning By-law Amendment for Updating Accessible Parking Regulations”, dated February 12, 2024 be received; and,
2. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the *Planning Act*; and,
3. That, a By-law be passed, such as the draft by-law found at Schedule 1 to this report.

Carried

11.5 ITEM P09-24

Planner (Stephanie Pouliot)

Re: Recommendation Report PD-08-2024 - Application for Zoning By-law Amendment for 1738 Caistor-Gainsborough Townline Road

Moved By Councillor Joann Chechalk

Seconded By Councillor Jason Trombetta

1. That, Recommendation Report PD-08-2024, regarding “Application for Zoning By-law Amendment for 1738 Caistor-Gainsborough Townline Road”, dated February 12, 2024 be received; and,
2. That, the application for Zoning By-law Amendment submitted by Brad Snippe owner of 1738 Caistor-Gainsborough Townline 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

11.6 ITEM P10-24

Senior Planner (Madyson Ettl)

Re: Recommendation Report PD-06-2024 - Temporary Use By-Law Application 8399 Concession 2 Road

Councillor Mike Rehner declared a conflict on this item. (The Property in question abuts his own property.)

Moved By Councillor Shelley Bradaric

Seconded By Councillor Joann Chechalk

1. That, Recommendation Report PD-06-2024, regarding "Application for Temporary Use Zoning By-Law Amendment for 8399 Concession 2 Road", dated February 12, 2024 be received; and,
2. That a bylaw, such as the Draft By-law attached in Schedule B, be approved; and,
3. That, the Director of Planning and Building be authorized to enter into a Temporary Use Agreement with the owners; 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

11.7 ITEM P11-24

Director of Planning & Building (Brian Treble)

Re: Technical Report PD-11-2024 - Backyard Chickens

Moved By Mayor Cheryl Ganann

Seconded By Councillor Mike Rehner

1. That, Technical Report PD-11-2024, regarding "Backyard Chickens", dated February 12, 2024 be received; and,

2. That, a Recommendation Report be submitted to a future Planning/Building/Environmental Committee once all public and agency comments have been taken into account and a full staff and agency review has been completed.

Carried

12. OTHER BUSINESS

12.1 ITEM P12-24

Members of Committee

Re: Other Business Matters of an Informative Nature

Mayor Ganann

Re: Mayor's Cup Hockey Tournament

Mayor Ganann congratulated the Township of West Lincoln staff on winning the B Division of the Mayor's Cup Hockey Tournament last week.

13. NEW BUSINESS

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

There were no motions to introduce a new item of business.

14. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 9:08 p.m.

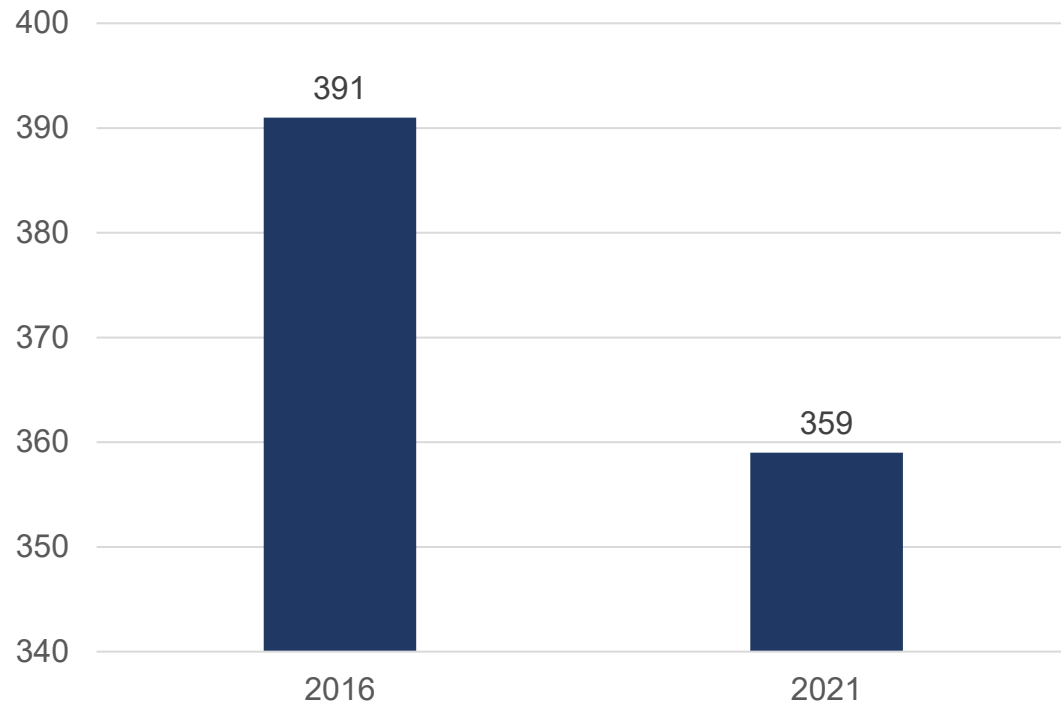
JUSTIN PAYLOVE, DEPUTY
CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR

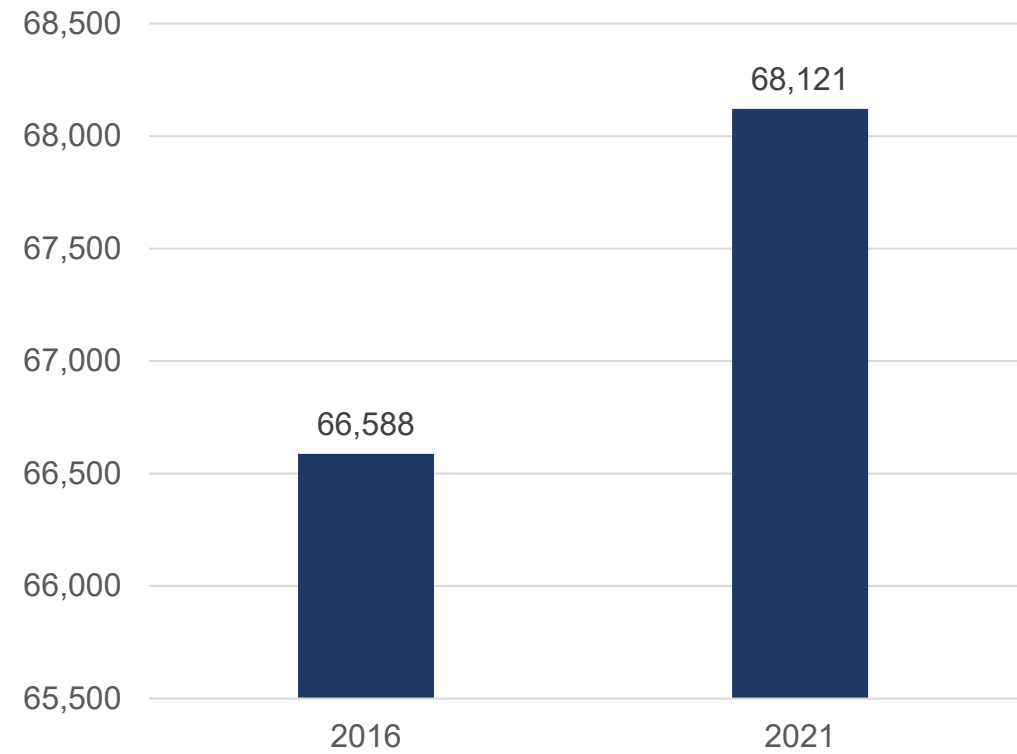
NIAGARA REGION ECONOMIC DEVELOPMENT

CONNECT | EXPAND | GROW

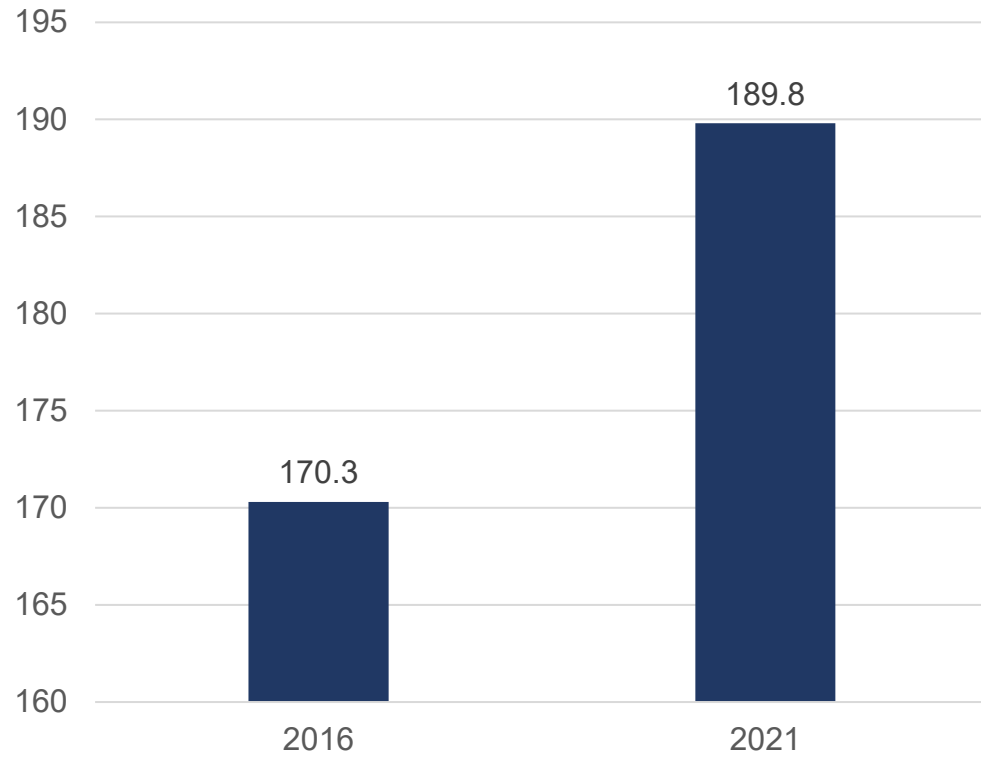
Total Farms, West Lincoln



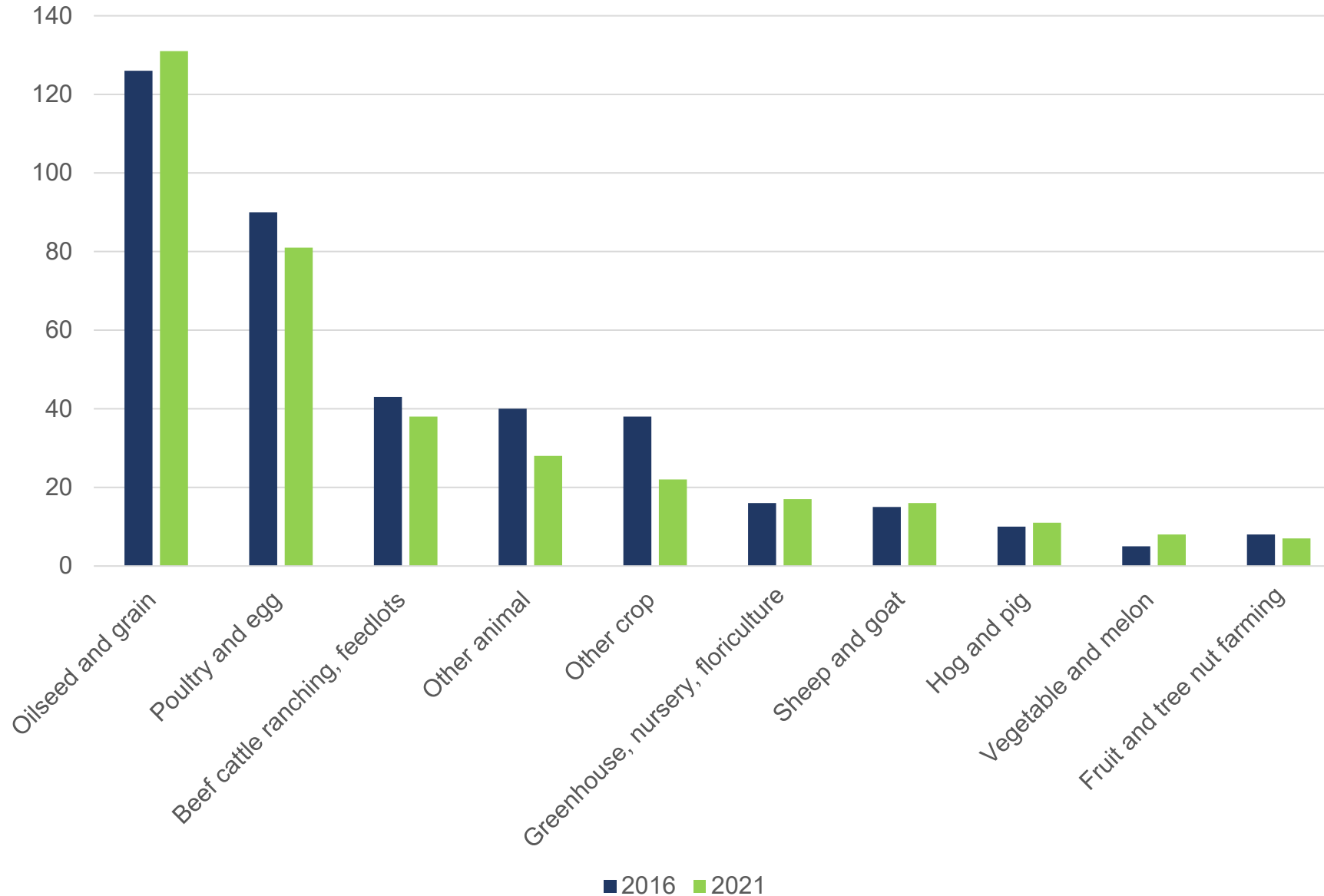
Farmland Area (Acres), West Lincoln



Average Farm Size (Acres), West Lincoln

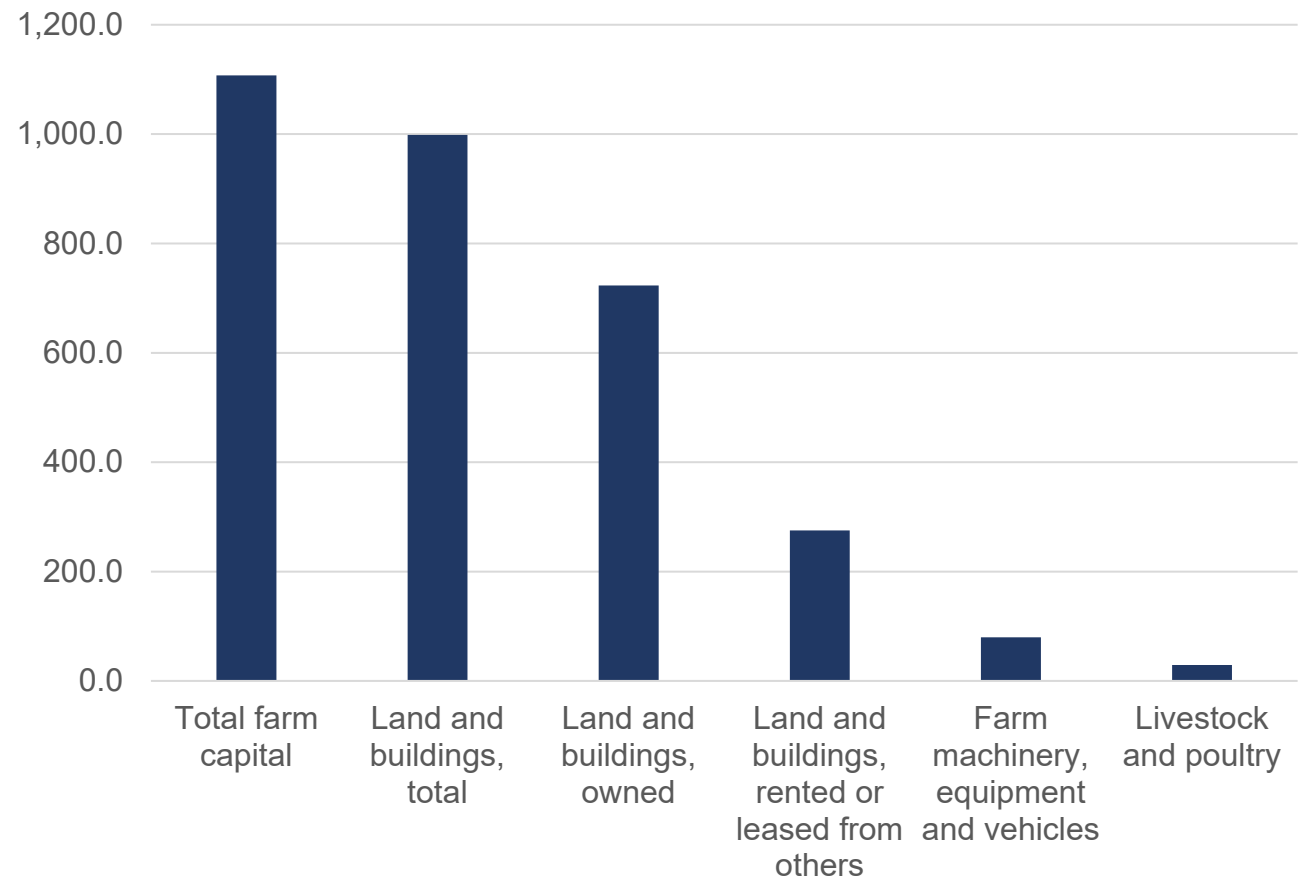


Farms by Type, West Lincoln

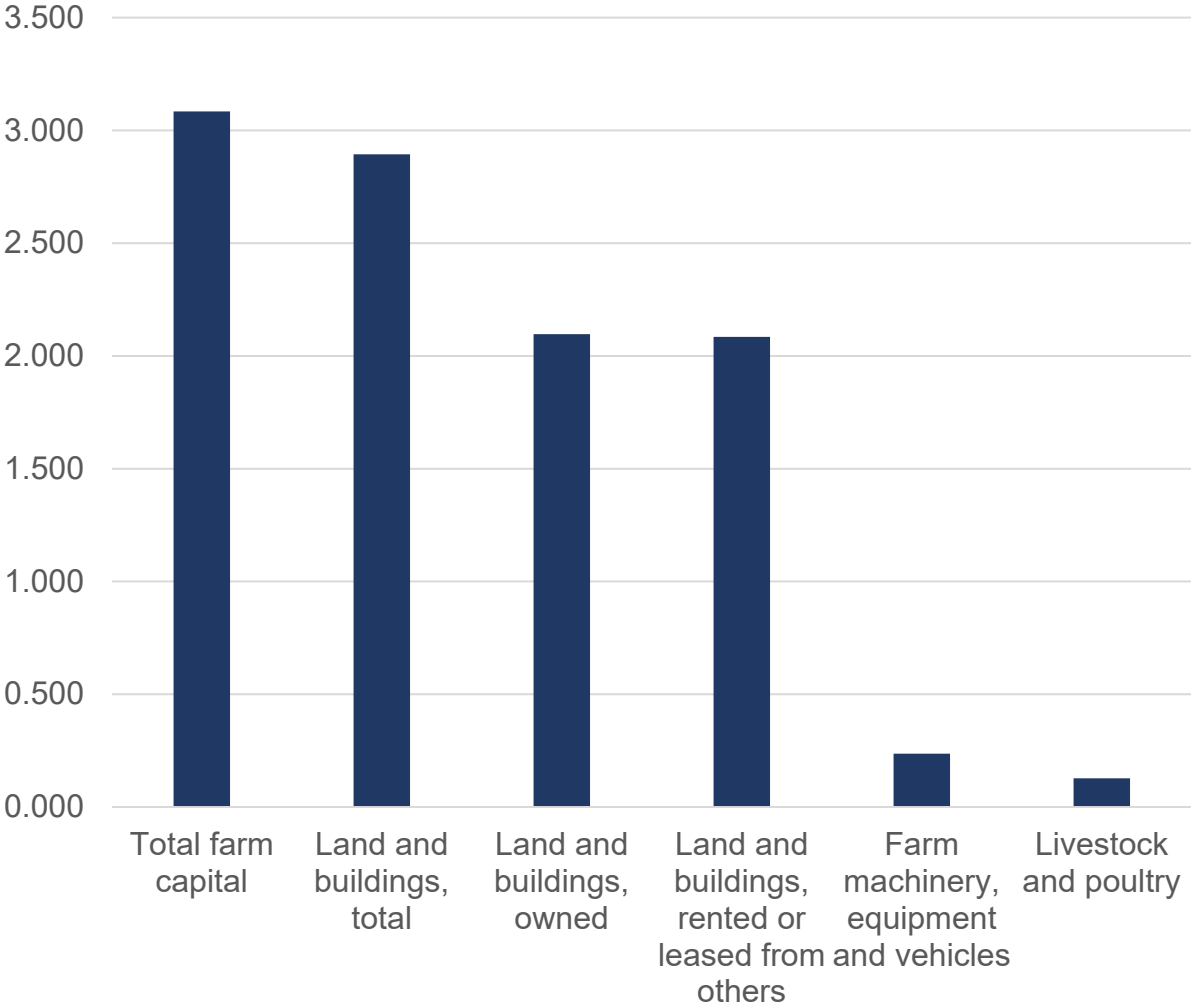




Total Farm Capital (\$ Millions), West Lincoln

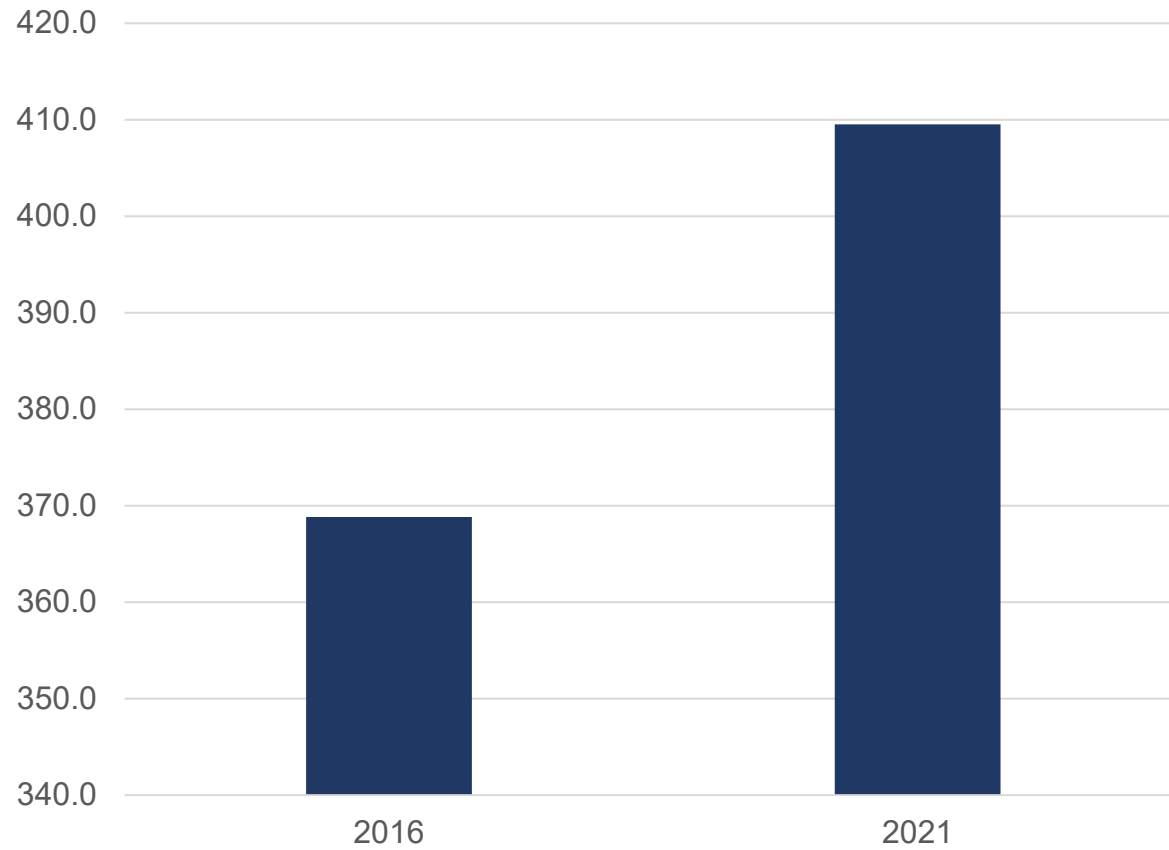


Average Farm Capital (\$ Millions), West Lincoln



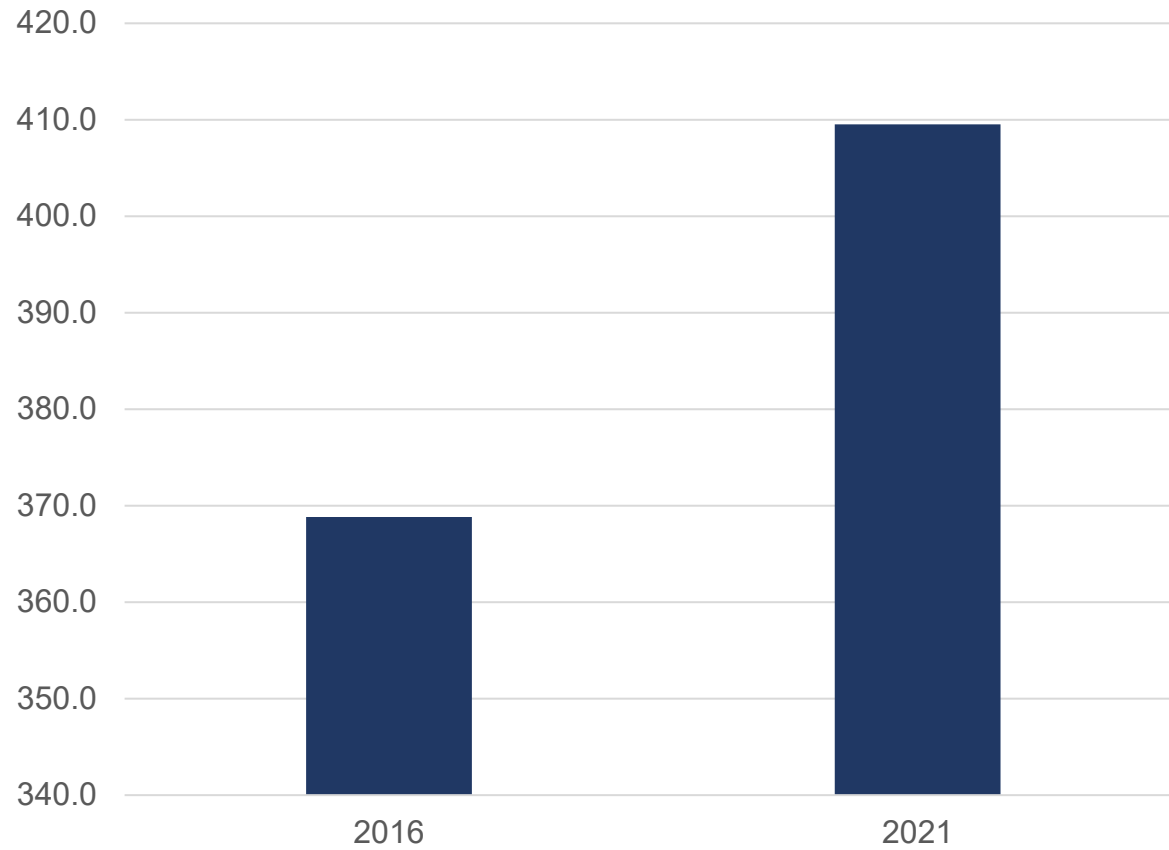


Average Farm Revenue (\$ Thousands), West Lincoln

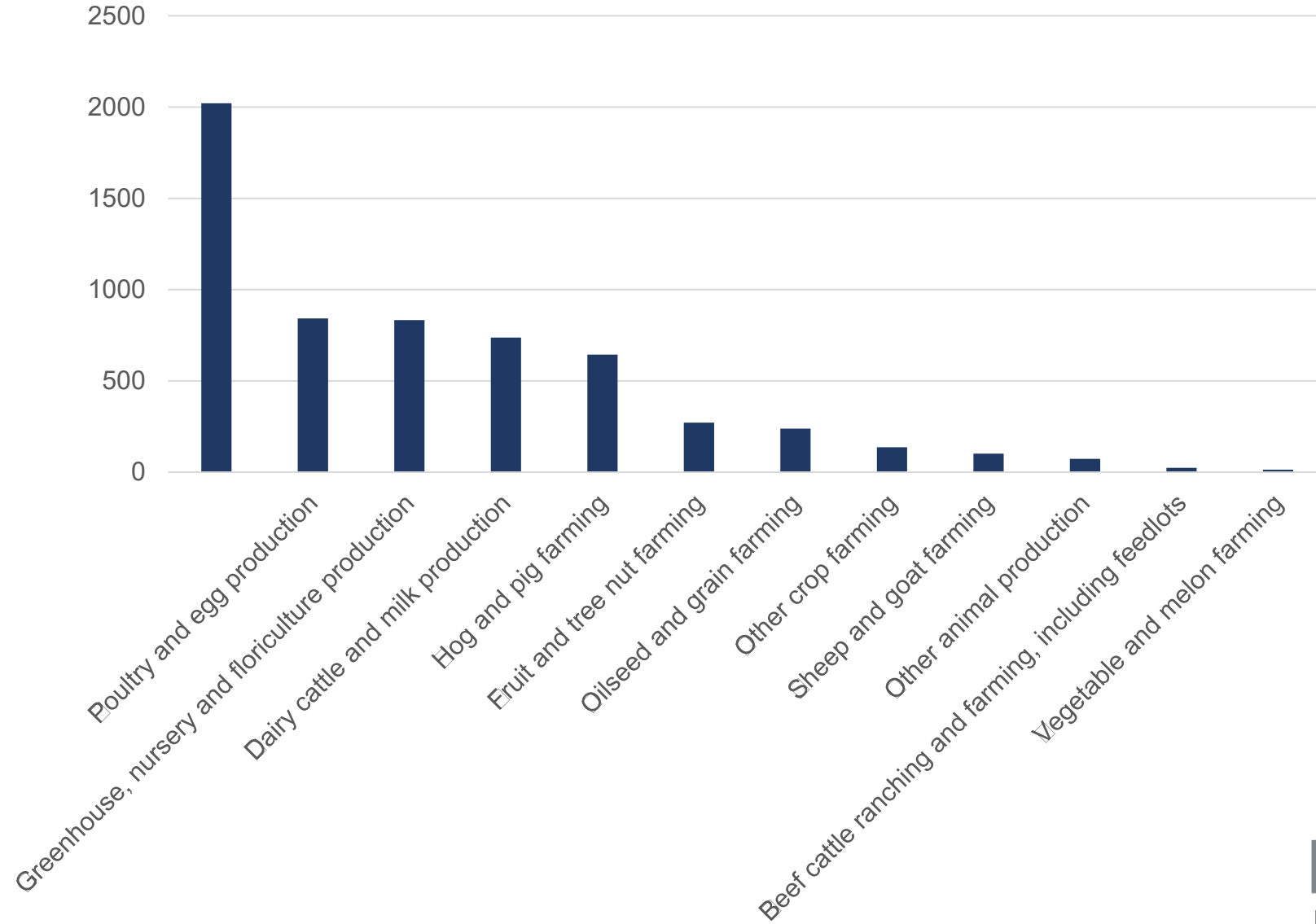




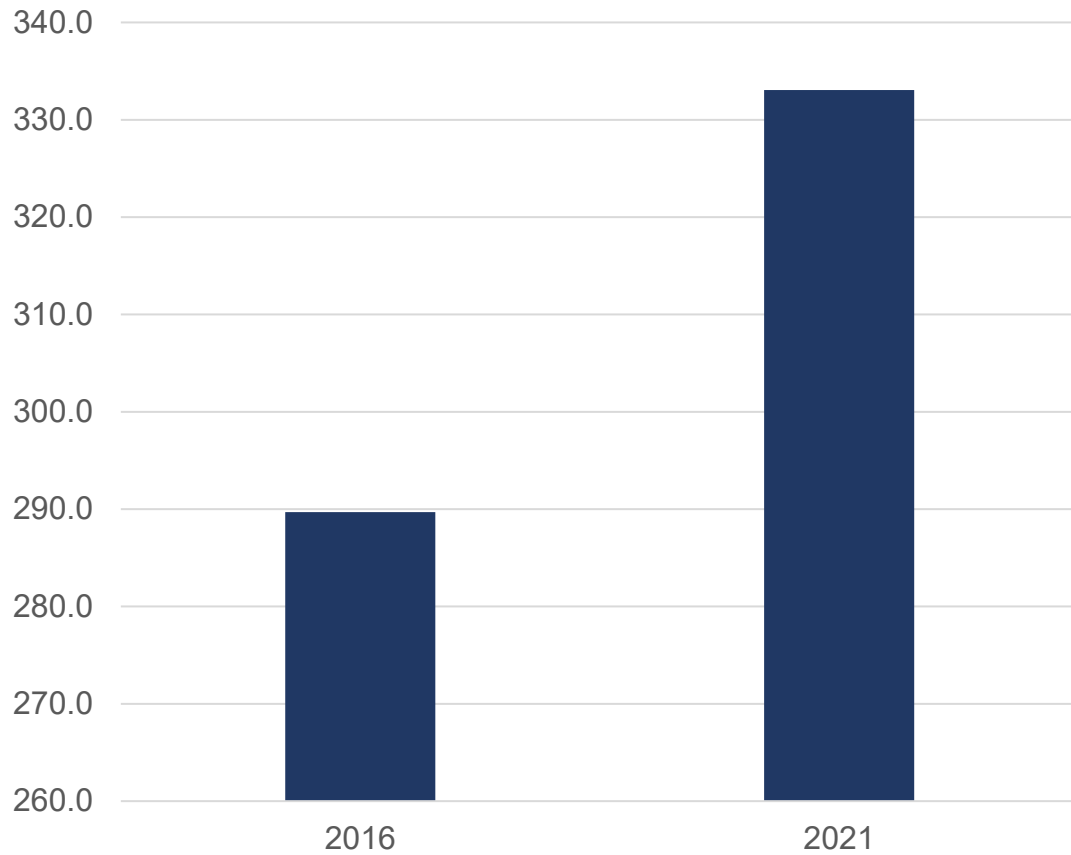
Average Farm Revenue (\$ Thousands), West Lincoln



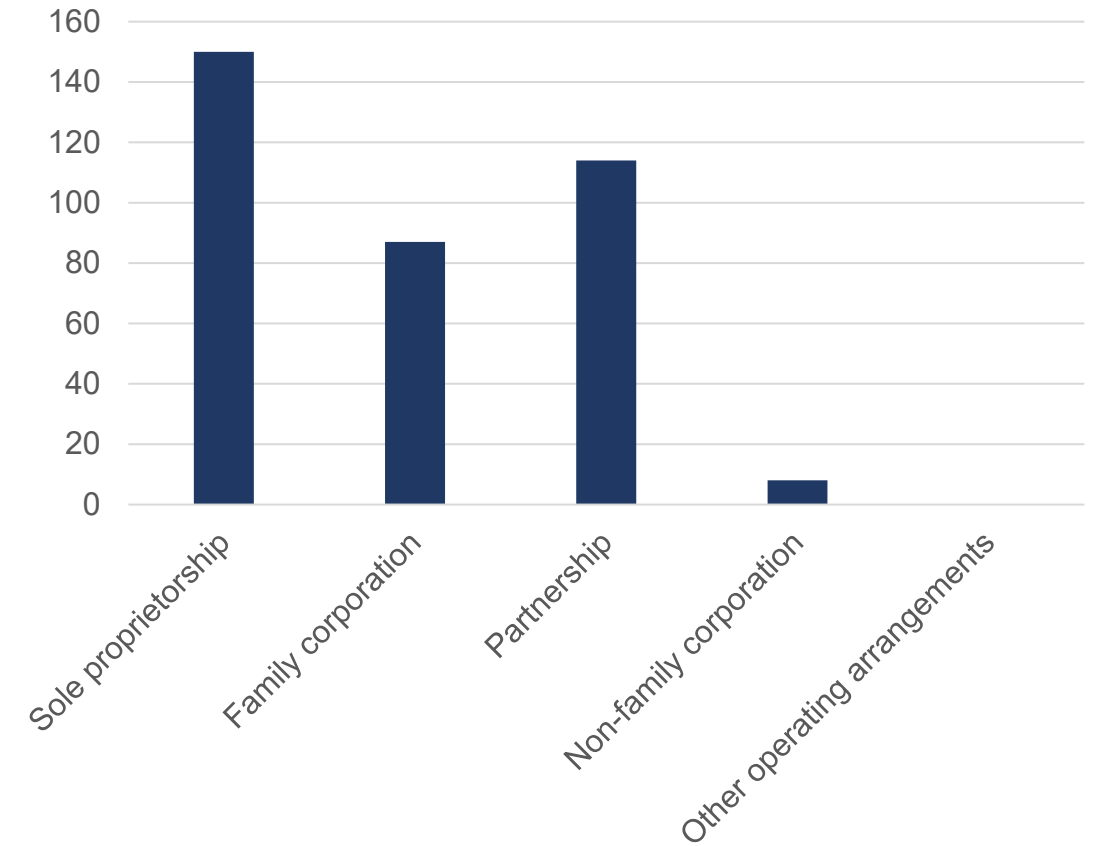
Average Revenue by Farm Type (\$ Thousands), West Lincoln



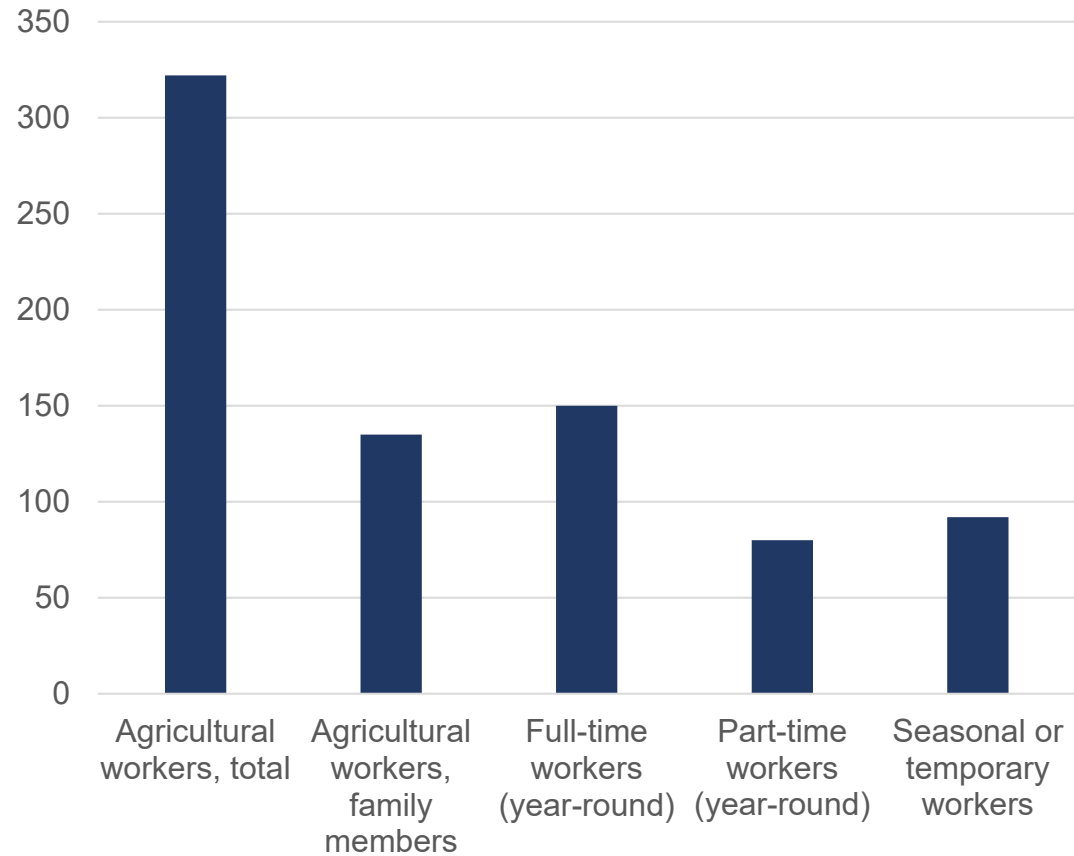
Average Farm Expenses (\$ Thousands), West Lincoln



Farms by Business Structure, West Lincoln

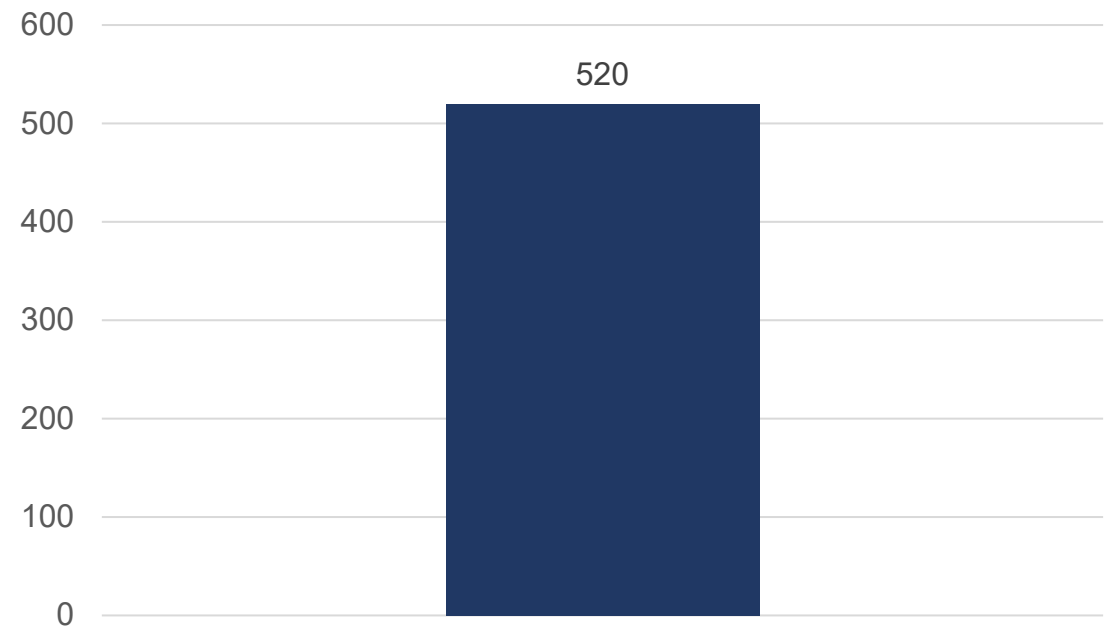


Paid Agricultural Workers, West Lincoln

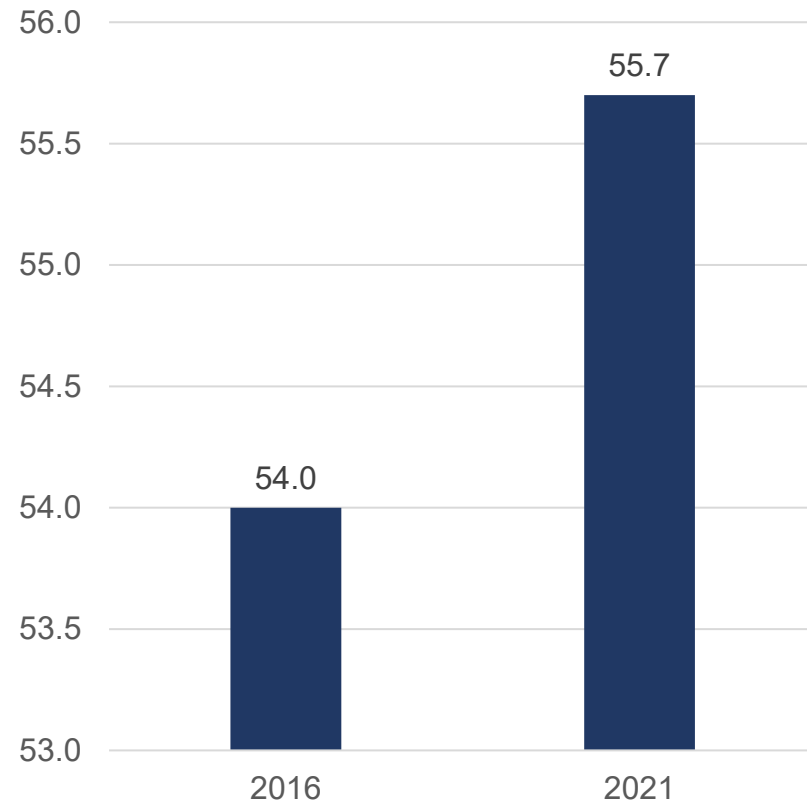




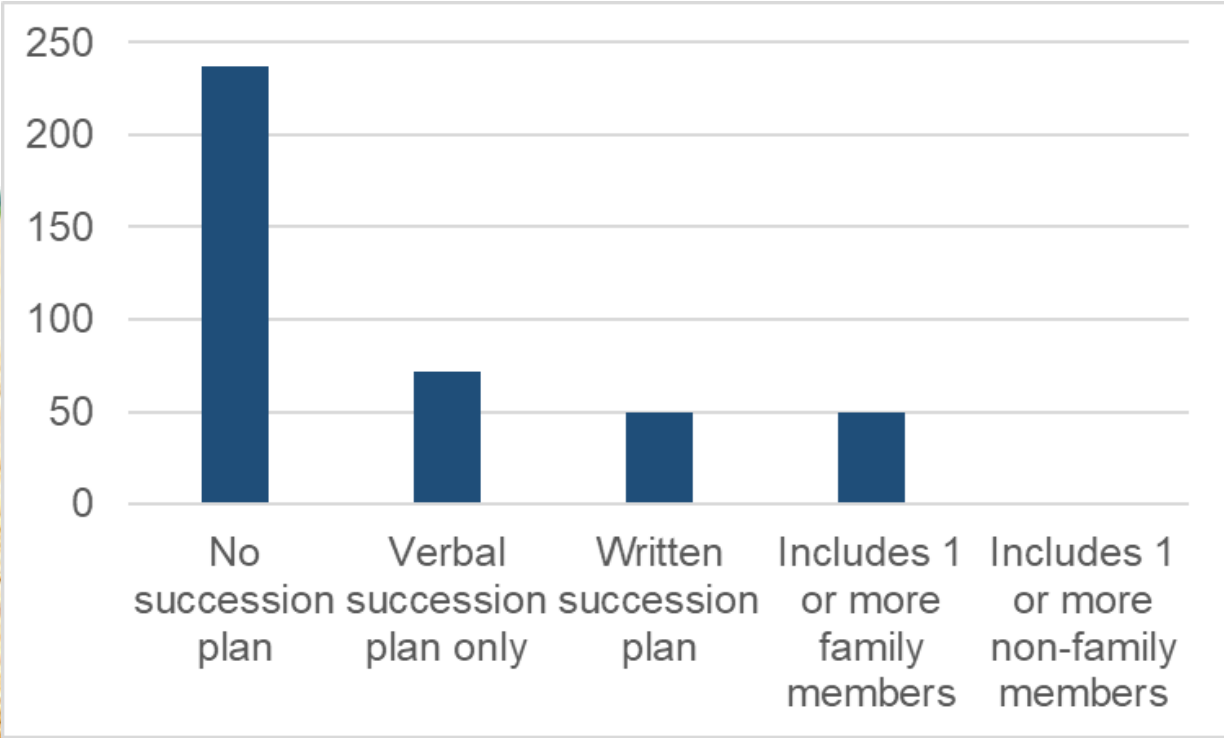
Farm Operators, West Lincoln



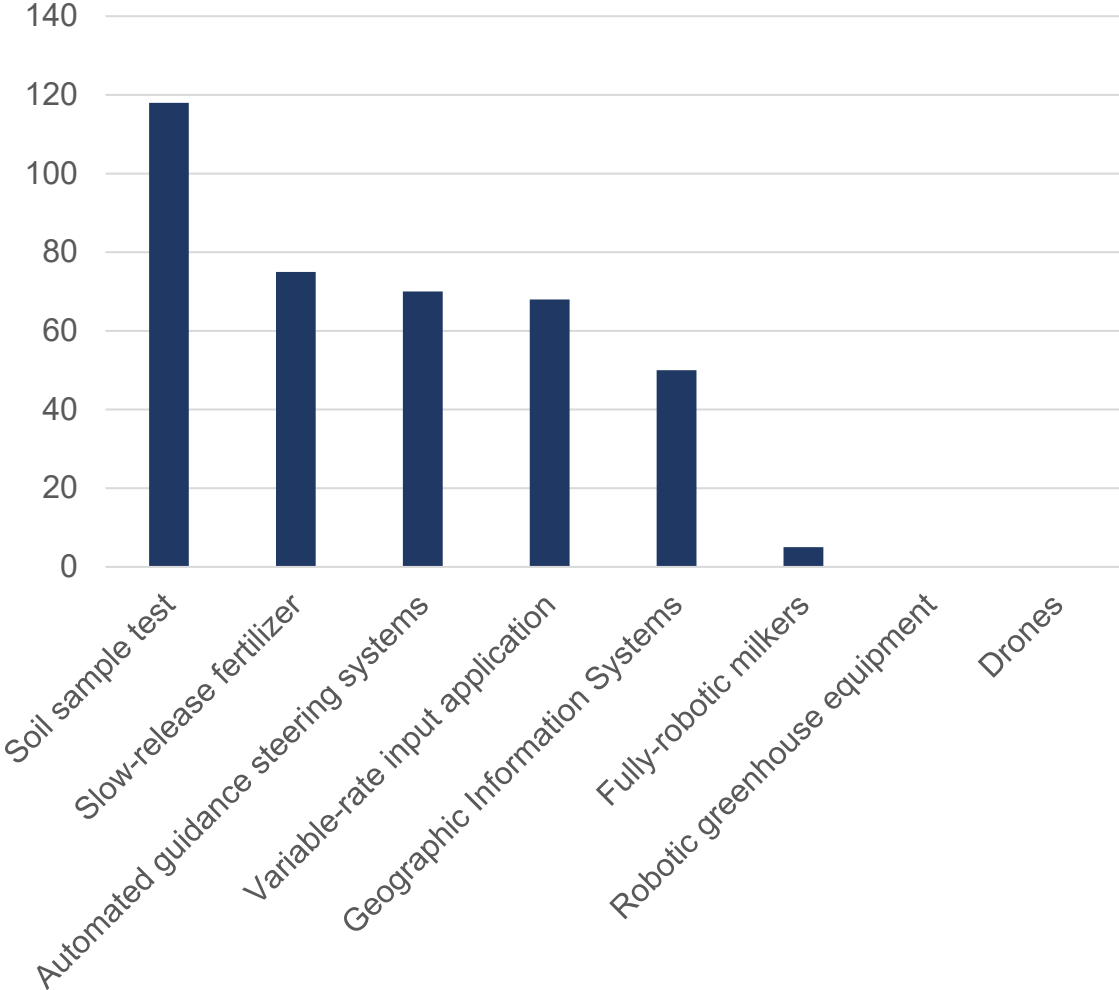
Farm Operator Average Age, West Lincoln



Farm Succession Planning, West Lincoln

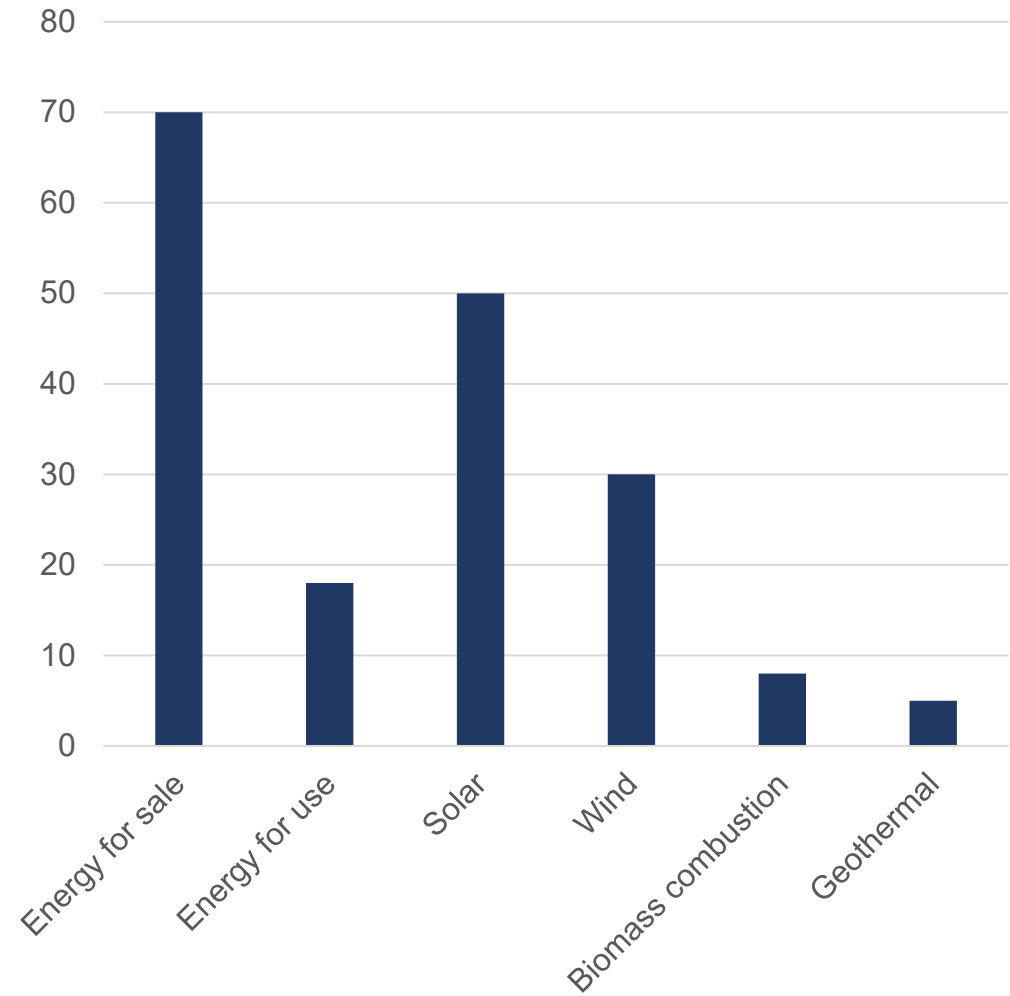


Farm Technology Adoption, West Lincoln

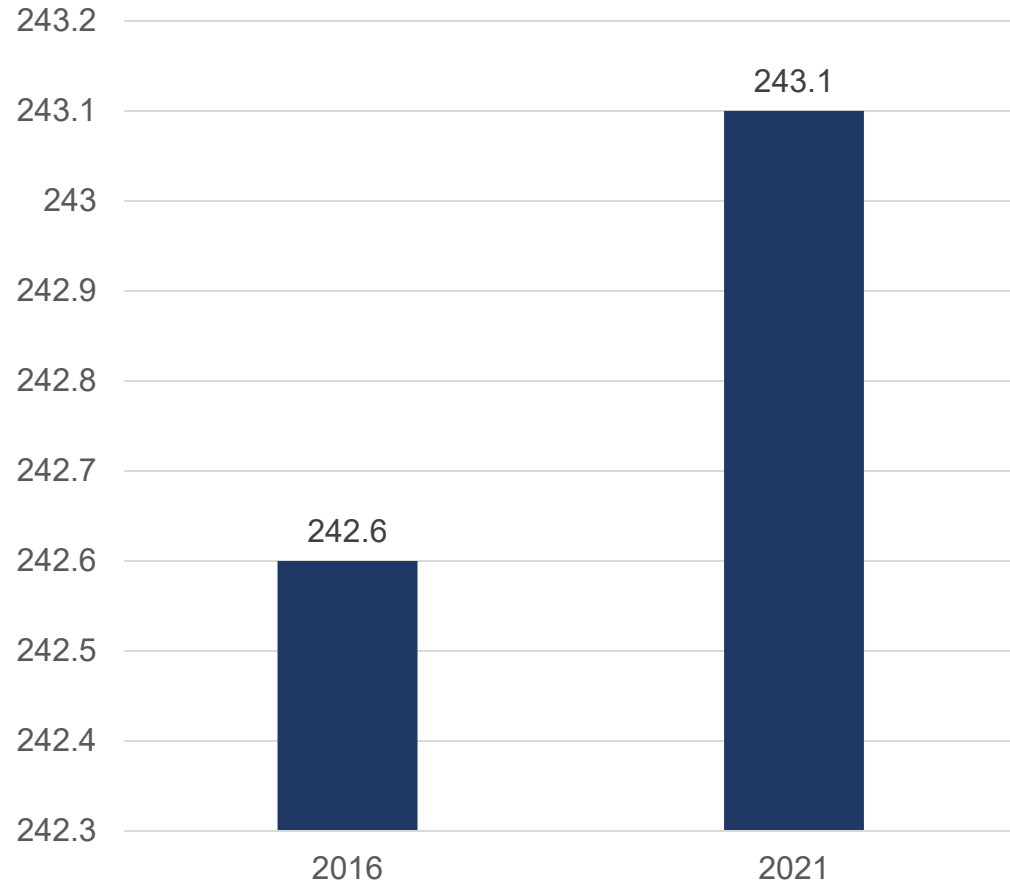




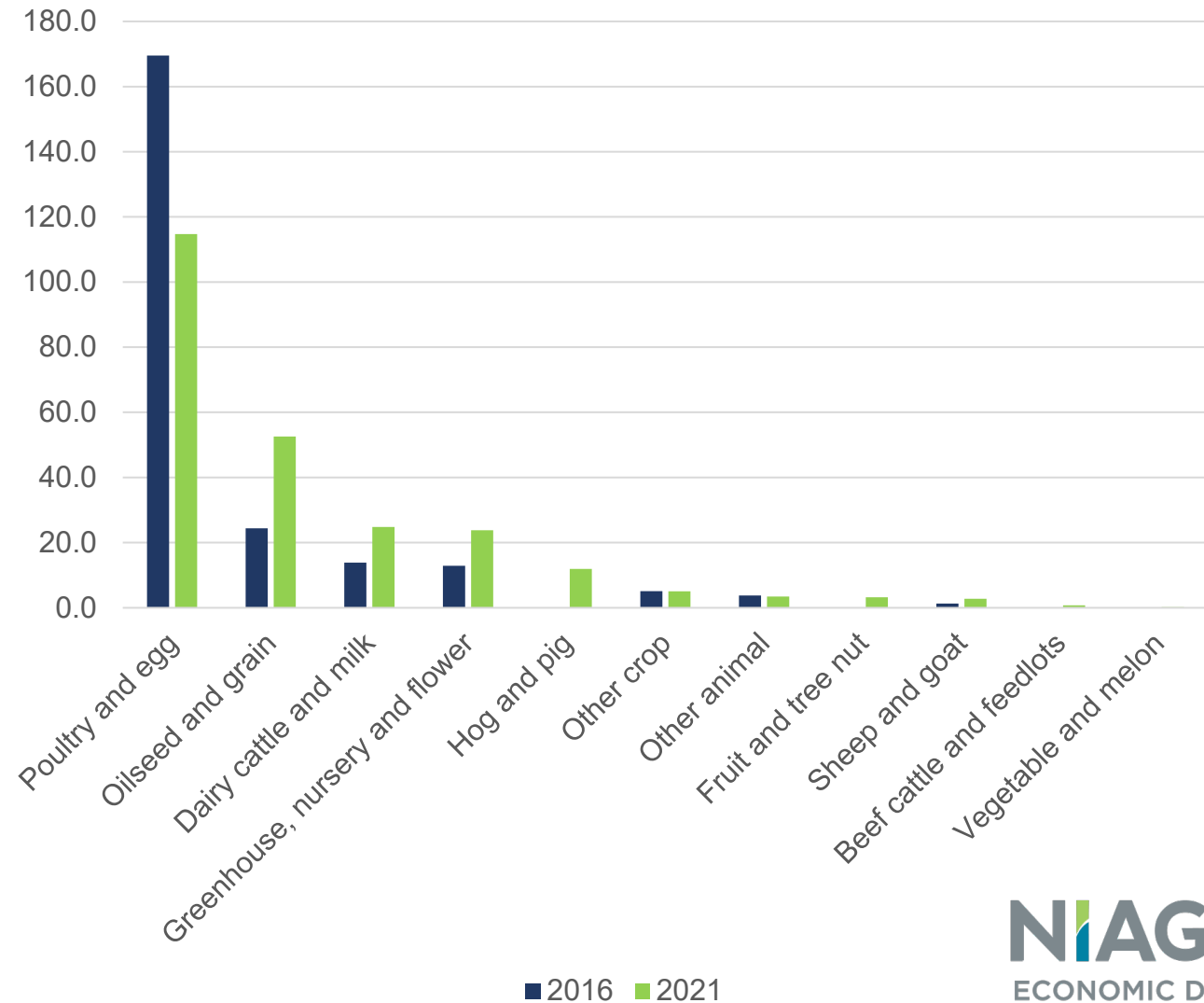
Renewable Energy Adoption, West Lincoln



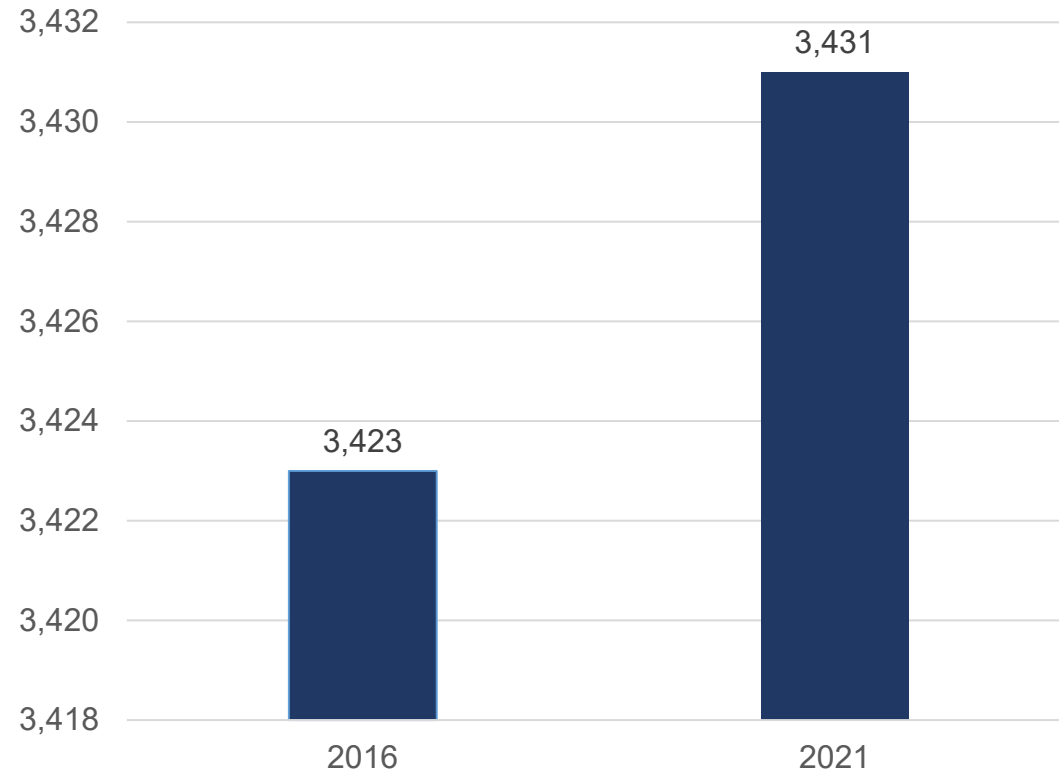
Agriculture Gross Domestic Product Impact (\$ Millions), West Lincoln



Gross Domestic Product Impact (\$ Millions) by Farm Type, West Lincoln



Agriculture Jobs Impact, West Lincoln



Download the full report: niagaracanada.com/data/reports

