

# West Lincoln

Your Future Naturally

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

### MEETING NO. FOUR

Monday, February 26, 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.

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### 1. **SINGING OF "O CANADA" - SMITHVILLE CHRISTIAN HIGHSCHOOL**

1. Comments from the public for a matter that is on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
2. For those individuals that are unable to attend the meeting in person, you may submit comments for matters that are on the agenda by either
  1. emailing [nfiorentino@westlincoln.ca](mailto:nfiorentino@westlincoln.ca) before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record; OR,
  2. by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.
3. 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.ca/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 Joann Chechalk**

**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 Steven Soos**

Re: Matters pertaining to mental health, addiction, and homelessness

**7.2 Cathy Lasby, Ontario Plowmans Association**

Re: 2025 International Plowing Match and Rural Expo

**POWERPOINT PRESENTATION**

**8. REGIONAL COUNCILLOR'S REMARKS**

**9. CONFIRMATION OF MINUTES**

**9.1 Council Minutes**

Moved By Councillor Mike Rehner

- 1. That, the minutes of the open session portion of the January 29, 2024 regular Council Meeting, and the recommendations contained therein, be accepted; and,
- 2. That, the confidential minutes relating to the closed session portion of the January 29, 2024 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 Special Council Minutes**

Moved By Councillor Joann Chechalk

- 1. That, the minutes of the February 5, 2024 Special Council Meeting (Draft Operating and Capital Budget), and the recommendations contained therein, be accepted; and,
- 2. That, the confidential minutes relating to the closed session portion of the

February 5, 2024 Special Council Meeting (Draft Operating and Capital Budget) 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.

9.3 Public Meeting Under the Planning Act

Moved By Councillor William Reilly

That, the minutes of the public meeting held on February 12, 2024 under Section 34 of the Planning Act with respect to:

1. Backyard Chickens (Township of West Lincoln) - Public Consultation; and,
2. Update of Accessible Parking Regulations (Township of West Lincoln) - Zoning By-Law Amendment; and,
3. 1738 Caistor Gainsborough Townline Road (Brad Snippe) - Zoning By-Law Amendment; and,
4. 8399 Concession 2 Road (James Smith) - Zoning By-Law Amendment and Temporary Use By-Law

be accepted.

**10. COMMUNICATIONS**

**11. MAYOR'S REMARKS**

**12. REPORT OF COMMITTEE**

12.1 Planning/Building/Environmental Committee

Moved By Councillor William Reilly

1. That, the minutes of the February 12, 2024 Planning/Building/Environmental Committee meeting, and the recommendations contained therein, be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the February 12, 2024 Planning/Building/Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

12.2 Administration/Finance/Fire Committee

Moved By Councillor Jason Trombetta

That, the minutes of the February 20, 2024 Administration/Finance/Fire Committee meeting, and the recommendations contained therein, be accepted.

12.3 Public Works & Recreation Committee

Moved By \_\_\_\_\_

That, the minutes of the February 20, 2024 Public Works & Recreation Committee meeting, and the recommendations contained therein, be accepted.

**13. STAFF REPORTS**

- 13.1 Fire Chief (Dennis Fisher)  
Re: Information Report WLFD-04-2024 - West Lincoln Fire Station 2 Update

Moved By \_\_\_\_\_

That, Information Report WLFD-04-2024, regarding “West Lincoln Fire Station # 2 Update”, dated February 26, 2024, be received for information.

- 13.2 Interim CAO and Treasurer (Donna DeFilippis) & Interim Director of Finance (Katelyn Repovs)  
Re: Recommendation Report T-05-2024 - 2024 Operating and Capital Budget Final Report

Moved By \_\_\_\_\_

1. That, Recommendation Report T-05-2024, regarding the “2024 Operating and Capital Budget Final Report”, dated February 26, 2024, be received; and,
2. That, a 2024 tax levy of \$9,709,110, which represents a 6.55% tax levy increase after factoring in assessment growth, be approved; and,
3. That, the 2024 hospital levy of \$226,500 for the West Lincoln Memorial Hospital Rebuild be approved; and,
4. That, the 2024 Urban Service Area Levy of \$186,320 be approved; and,
5. That, the Detailed 2024 Capital Program, attached as Schedules C and D to this report, totalling \$10,282,100 be approved; and,
6. That, Council approve debenture financing of \$1,000,000 in 2024 in order to finance Capital Project 941 – West St & Wade Rd Water Main Replacement which has a total budget of \$2,000,000; and,
7. That, Council approve debenture financing of \$3,000,000 in 2024 in order to partially finance the Township’s Contribution towards the West Lincoln Memorial Hospital Rebuild; and,
8. That, Council delegate authority to the CAO to approve in year 2024 budget amendments up to \$20,000 per item and that the Treasurer report to Council on a regular basis regarding such amendments; and,
9. That, the balance of Capital and Special Projects for the years 2025 to 2033 as outlined on Schedules E and F to this report be approved in principle; and,
10. That, tangible capital asset amortization estimated at \$3,545,692 and post-employment expenses estimated at \$22,800 be and are hereby excluded from the 2024 Operating and Capital Budget as permitted through Ontario Regulation 248/09.

**14. RECONSIDERATION**

**(“Definition”)** This section is for a Member of Council to introduce a motion to reconsider action taken at this Council Meeting or the previous regular Council meeting. A motion to

reconsider must be made by a Council Member who voted in the majority on the matter to be reconsidered. The Chair may rule that a motion to reconsider will be dealt with at the next following Council Meeting if for some reason it cannot be dealt with at this meeting.

**15. NOTICE OF MOTION TO RESCIND**

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

**16. OTHER BUSINESS**

16.1 Members of Council  
Re: Council Remarks

**17. NEW ITEMS OF BUSINESS**

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

**18. CONFIDENTIAL MATTERS**

Moved By \_\_\_\_\_

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 and Building (Brian Treble)  
Re: Legal/Solicitor-Client Privilege -Ontario Land Tribunal (OLT) - Legal update for Official Plan Amendment (OPA) 63 received February 22, 2024

**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.

18.1 Director of Planning and Building (Brian Treble)  
Re: Legal/Solicitor-Client Privilege -Ontario Land Tribunal (OLT) - Legal update for Official Plan Amendment (OPA) 63 received February 22, 2024

**VERBAL UPDATE**

**19. BY-LAWS**

Moved By Councillor Jason Trombetta

1. That, leave be granted to introduce By-laws # 2024-09, 2024-10, 2024-11, 2024-12, 2024-13, and 2024-14 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**

- 19.1 By-law 2024-09  
A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln. (James Smith)
- 19.2 BY-LAW 2024-10  
A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln.(Larry Pomerantz (Agent) and Giovanni Diflavio (Owner))
- 19.3 BY-LAW 2024-11  
A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln. (Brad Snippe)
- 19.4 BY-LAW 2024-12  
A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln. (Accessible Parking Update)
- 19.5 BY-LAW 2024-13  
A By-law to permanently close part of the Municipal Road Allowance between Lots 33 & 34, Concession 6, being Parts 5, 6 and 7 or 30R-6275 former Township of Gainsborough, now in the Township of West Lincoln, extending from Sixteen Road Northerly toward Townline Road (PIN 46076-0134(LT))
- 19.6 BY-LAW 2024-14  
A By-law to adopt, confirm and ratify matters dealt with by Council Resolution.

**20. ADJOURNMENT**

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