



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

MEETING NO. THREE

Tuesday, April 9, 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. 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.

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. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

Public Meeting(s)

4. PUBLIC MEETING(S)

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

4.1 3118 Grassie Road (Sikender Gulacha) - Site Alteration Application

A site alteration application has been made to alter the grading of a site on a new residential build (File NO: 3000-001-24).

5. CHANGE IN ORDER OF ITEMS ON AGENDA

6. APPOINTMENTS

There are no appointments.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

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

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.

8. CONSENT AGENDA ITEMS

There are no Consent Agenda Items.

9. COMMUNICATIONS

9.1 ITEM P16-24

5

Regional Engineer (Jason Rice)

Re: Smithville PCB Site Remediation - 2022 and 2023 Site Operations Summary Report

RECOMMENDATION:

That, the correspondence received from Jason Rice, Regional Engineer (West Central Region) regarding "Smithville PCB Site Remediation - 2022 and 2023 Site Operations Summary Report" dated February 12, 2024, be received for information.

10. STAFF REPORTS

10.1 ITEM P17-24

20

Chief Building Official (John Bartol) and Director of Planning & Building

(Brian Treble)

Re: Technical Report - Site Alteration Application - 3118 Grassie Road – Sikander Gulacha, File No.3000-001-24

RECOMMENDATION:

1. That, Technical Report PD-20-24, titled “Technical Report - Site Alteration Application - 3118 Grassie Road – Sikander Gulacha, File No.3000-001-24”, dated April 9th, 2024, be received; and
2. That, a recommendation report be provided at a future Council or Committee meeting.

10.2 ITEM P18-24

26

Manager of Planning (Gerrit Boerema) and Director of Planning and Building (Brian Treble)

Re: Information Report PD-19-2024 - Temporary Use Agreement Registration

RECOMMENDATION:

That Information Report PD-19-2024 titled, “Information Report, Temporary Use Agreement Registration”, dated April 9th, 2024, be received for information.

10.3 ITEM P19-24

29

Chief Building Official (John Bartol) and Director of Building and Planning (Brian Treble)

Re: Recommendation Report PD-21-2024 - Amendment to the Building By-law 2019-83 Regarding Building Deposits and Fees

RECOMMENDATION:

1. That, Recommendation Report PD-21-2024, titled “Recommendation Report – Amendment to the Building By-law 2019-83 Regarding Building Deposits and Fees.”, dated April 9th 2024, be received; and
2. That, a By-law to Amend By-law 2019-83, being a By-law under the Building Code Act respecting Construction, Demolition, Change of Use, Occupancy Permits, Transfer of Permits, Inspections and Associated Fees, be passed.

10.4 ITEM P20-24

33

Chief Building Official (John Bartol) and Director of Planning (Brian Treble)

Re: Recommendation Report PD-22-2024 – New Parking of Motor Vehicles Not on Highways’ By-law and Amendment to Parking Related AMPS By-law

RECOMMENDATION:

1. That Recommendation report PD-22-2024, titled

“Recommendation Report – New Parking of Motor Vehicles ‘Not on Highways’ By-law and Amendment to Parking Related AMPS By-law”, dated April 9th, 2024, be received; and

2. That a draft By-law attached as Schedule “A”, being a By-law to Regulate Private Property Parking, be passed; and
3. That a draft By-law attached as Schedule “B”, to amend By-law 2014-67 by adding Schedule G, be passed.

11. OTHER BUSINESS

11.1 ITEM P21-24

Director of Planning and Building (Brian Treble)

Re: OLT Case No. OLT-24-000030 - 2173 Regional Road 20 - Mizra Chaudhary (2594092 Ontario Inc.)

VERBAL UPDATE

11.2 ITEM P22-24

Members of Committee

Re: Other Business Matters of an Informative Nature

12. 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).

13. CONFIDENTIAL MATTERS

There are no confidential items.

14. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of _____.

Ministry of the Environment,
Conservation and Parks
Drinking Water and Environmental
Compliance Division
West Central Region

119 King Street West, 12th Floor
Hamilton, Ontario L8P 4Y7
Tel.: 905 521-7640
Fax: 905 521-7820

Ministère de l'Environnement de la
Protection de la nature et des Parcs
Division de la conformité en matière
d'eau potable et d'environnement
Direction régionale du Centre-Ouest

119 rue King Ouest, 12^e étage
Hamilton (Ontario) L8P 4Y7
Tél.: 905 521-7640
Télééc.: 905 521-7820



February 12, 2024

Ms. Beverly Hendry, CAO
Township of West Lincoln
318 Canborough Street
P.O. Box 400
Smithville, ON
L0R 2A0

Dear Ms. Hendry:

RE: Smithville PCB Site Remediation – 2022 and 2023 Site Operations Summary Report

Please find enclosed a copy of the annual report titled "*Smithville PCB Site (Former CWML Site), 2789 Thompson Road, Smithville Phase IV Bedrock Remediation Program, 2022 and 2023 Site Operations Summary Report*" prepared by the Ministry of the Environment, Conservation and Parks. The report is provided as part of the ministry's commitment to open communications with the Township of West Lincoln.

If you have any questions regarding the operations at the Smithville PCB Site, please contact me at (289) 244-2421.

Sincerely,

A handwritten signature in black ink that reads "Jason Rice".

Jason Rice
Regional Engineer
West Central Region

Cc
Kim Groombridge, Ministry of the Environment, Conservation and Parks
Sam Sianas, Ontario Clean Water Agency
Brian Treble, Township of West Lincoln
Phill Lambert, Niagara Region
Joe Tonellato, Niagara Region
Jason Oatley, Niagara Region

Encl.

**Smithville PCB Site (Former CWML Site)
2789 Thompson Road, Smithville
Smithville Phase IV Bedrock Remediation Program
2022 and 2023 Operations Summary Report**

Prepared by: Ontario Ministry of the Environment, Conservation and Parks
West Central Region Office
12th Floor, 119 King Street West
Hamilton, Ontario L8P 4Y7
Telephone: 1-800-668-4557

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1. BACKGROUND

Chemical Waste Management Limited (CWML) was licensed in 1978 to operate a hazardous waste transfer site at 2789 Thompson Road in the Smithville industrial park. The facility received used electrical equipment and dielectric fluids containing polychlorinated biphenyls (PCBs) and chlorobenzene. The used equipment and waste liquids containing PCBs were stored at the site for export to the United States. The facility operated from 1978 to 1985 and received an estimated 434,000 litres of liquid waste. The site is referred to today as the Smithville PCB Site (site).

In 1980 the export of PCB waste to the United States was banned. The site was then used for temporary storage of PCB waste. In 1985, it was discovered that CWML's poor waste management practices led to waste liquids containing PCBs and other chlorinated organic contaminants seeping into the site soil, migrating into bedrock and contaminating groundwater. CWML declared bankruptcy in 1985 and the Ministry of the Environment, now the Ministry of Environment, Conservation and Parks (ministry) assumed control of the site. The ministry implemented emergency clean-up measures at the site and initiated a four-phase site clean-up and remediation program.

When it was discovered that the groundwater contamination was threatening the municipal drinking water supply, the municipal water supply well was shut down, and the ministry funded \$3 million to construct a municipal water supply pipeline from Grimsby (Lake Ontario) to provide Smithville with a safe and reliable drinking water supply. The ministry obtained site ownership and constructed a groundwater pump and treatment system in 1989 to prevent further off-site migration of contaminated groundwater.

By 1993 the first three phases of the four-phase remediation program were completed and the primary goal of protecting human and environmental health and safety had been accomplished. The stored wastes, contaminated materials and surface soil impacts were destroyed using a temporary on-site incinerator that operated under a Certificate of Approval (Air). However, contamination remained in the bedrock and groundwater beneath the site and adjacent lands in the Smithville industrial park.

In 1994, the ministry and the Township of West Lincoln (Township) agreed to work co-operatively in the search for a solution to remediate the subsurface. The Minister appointed a six-member Managing Board of Directors (Board) with an equal number of representatives from the public, elected municipal council and ministry. The Board examined a long list of subsurface remediation technologies and conducted extensive investigations of the site geology, hydrogeology and issues associated with contaminant transport in bedrock.

Between 1995 and 1999, the site and adjacent lands underwent extensive characterization work, including numerous hydraulic tests, tracer tests, bedrock geological properties studies and dense non-aqueous phase liquid (DNAPL) physical and chemical characterization. The Board took almost eight years and spent close to \$6 million to arrive at today's understanding of the

site and the assessment and selection of remedial options for the dissolved phase groundwater impacts in bedrock.

In 2001, the Board issued the remediation recommendations report. The Board reported the only suitable measure was to contain the bedrock contamination. There was no proven or economically viable mass removal or reduction technologies suitable for application in the fractured bedrock at the Smithville PCB Site. The Board was confident the groundwater pump and treatment technology was the best option, as it was technically sound, environmentally safe and fiscally responsible. The groundwater pump and treatment system was effectively managing the contamination and protecting the public health, safety and the environment. The Board recommended that the ministry continue to utilize the groundwater pump and treat technology to manage the subsurface contamination. The Board was dissolved in 2002 and the ministry remained responsible for the Site remediation and monitoring program.

Between 1985 and 2023, the ministry spent approximately \$71.4 million managing the Smithville PCB Site and implementing the four-phase remediation program. The ministry continues to manage the site, subsurface groundwater contamination in bedrock to ensure the continued protection of public health, safety and the environment. The ministry is committed to keeping West Lincoln informed of site remedial activities by providing annual operations summary reports to the Township.

2. INTRODUCTION

The ministry continues to manage the Smithville PCB site and the associated groundwater collection and treatment (pump and treat) system to ensure the continued protection of public health, safety and the environment. The Ontario Clean Water Agency (OCWA), under contract to the ministry, is responsible for the day-to-day operations of the groundwater pump and treatment system, waste management, management of on-site facilities, maintenance of the on and off-site groundwater monitoring network and the collection and analysis of groundwater monitoring and treatment system samples.

This report summarizes the Phase IV program activities and site operations for the period of 2022 and 2023.

3. SITE OPERATIONS

3.1 Groundwater Pump and Treatment System

Groundwater remediation involves the collection and treatment of contaminated groundwater from shallow bedrock at the Smithville PCB Site. Contaminated groundwater is collected through a series of eight recovery wells (RWS1 to RWS8) that have been in operation since 1989, in accordance with the current Permit To Take Water (PTTW) Number 6567-AZGL95

issued June 11, 2018. The groundwater recovery wells are located along the east side of the site; and, on the Township-owned properties located to the east and south sides of the site. The purpose of the groundwater pump and treatment system is to control further migration of contaminated groundwater in bedrock from the source area, collect and treat the dissolved contaminants (PCBs) which have migrated into the shallow bedrock aquifer. Groundwater extraction wells impose a hydraulic capture zone around the contaminated groundwater source area at the site to prevent lateral migration of the contaminants beyond the source area.

The contaminated groundwater is conveyed through an above ground pipe network to the raw water storage tanks located in the on-site treatment building. The groundwater treatment system is owned and operated by Sanexen Environmental (an OCWA subcontractor) and consists of the following equipment:

- One pressurized sand filter to remove the organics;
- Two cotton media filters to treat hydrophobic chemicals such as the PCBs; and,
- Two granular activated carbon filters for final treatment of the contaminated water.

Following treatment, the water is collected in the storage tanks located inside the on-site treatment building and tested for total PCBs prior to batch discharge to the Township's sanitary sewer in accordance with the Region of Niagara's Sewer Use By-law.

Since the operation of the groundwater collection and treatment system began in 1989, the treatment system was designed to treat groundwater from the site to less than 1.0 micrograms per liter or parts per billion ($\mu\text{g/L}$ or ppb) total PCBs prior to discharge to the municipal sanitary sewer. In addition, starting in 2021 batch discharges of treated water from the site are to be in accordance with Niagara Region's site-specific Batch Discharge Permit (effective January 11, 2021). Niagara Region's Batch Discharge Permit issued on April 7, 2022 revoked the previous permit, allowing discharge to the sanitary sewer if the treated water grab sample result for total PCBs does not exceed $0.10 \mu\text{g/L}$.

Raw (Pre-Treated) Water Concentrations

As of 2019, raw (pre-treated) water samples are collected from each of the eight recovery wells (RWS1 to RWS8) for PCB analysis on an annual basis. In previous years, the raw water samples were collected on a quarterly basis.

The annual groundwater samples were collected from the eight recovery wells in the spring (April or May) of 2022 and 2023. The concentration of total PCBs in groundwater samples collected from the eight recovery wells ranged from 0.17 to $39 \mu\text{g/L}$ or ppb. The average concentration of total PCBs for the samples collected from the eight recovery wells in 2022 and 2023 was 9.0 and $4.3 \mu\text{g/L}$, respectively. The PCB concentrations are similar to sampling data from recent years. The concentration of total PCBs in the groundwater samples collected from the eight recovery wells in 2022 and 2023 for each of the eight recovery wells is provided in **Table 1**.

Treated Water Concentrations

Treated groundwater from the on-site treatment system is stored in the above ground storage tanks located inside the treatment building and sampled for total PCBs prior to batch discharge to the municipal sanitary sewer in accordance with the Region of Niagara's Sewer Use By-law and the new Batch Discharge Permit established for the site in January 2021. Niagara Region's Batch Discharge Permit issued on April 7, 2022 (which revoked the permit issued in 2021), allows discharge to the sanitary sewer if the treated water grab sample result for total PCBs does not exceed 0.10 µg/L, or as approved on a case-by-case basis by Niagara Region. On behalf of the ministry, OCWA samples the treated water and reports the monthly sanitary sewer discharge volumes in a letter to the Township on a quarterly basis.

During the period of 2022 and 2023, a total of 10,019,000 litres and 10,053,000 litres, respectively of groundwater was collected from the eight recovery wells, treated on-site and batch discharged to the municipal sanitary sewer system following testing for total PCBs. The 2022 total treated discharge volume was a decrease of 2.2 percent to the 2021 discharge volume of 10,242,000 litres. The 2023 total treated discharge volume was an increase of 0.3 percent to the 2022 discharge volume of 10,019,000 litres.

In 2022, total PCBs were either below (not detected) or detected at the laboratory method detection limit of 0.01 µg/L in 38 of the 47 treated water samples (81 percent of the samples). Total PCBs were detected above 0.01 µg/L in 9 treated water samples ranging from 0.03 to 0.04 µg/L. **Table 2** provides a summary of the monthly PCB concentrations for treated effluent discharges, and the total monthly volume of treated effluent in 2022.

In 2023, total PCBs were either below (not detected) or detected at the laboratory method detection limit of 0.01 µg/L in 42 of the 47 treated water samples (89 percent of the samples). Total PCBs were detected above 0.01 µg/L in 5 treated water samples ranging from 0.02 to 0.04 µg/L. **Table 3** provides a summary of the monthly PCB concentrations for treated effluent discharges, and the total monthly volume of treated effluent in 2023.

All samples for the 47 treated water batches in 2022 and 2023 met the original treatment criteria of less than 1.0 ug/L (in place since the beginning of the groundwater collection and treatment system operation in 1989), and met Niagara Region's Batch Discharge Permit of 0.10 µg/L. Treated water from the site was conveyed to the Niagara Region's Baker Road wastewater treatment plant.

The volume of groundwater recovered and treated will continue to be monitored and reported to the Township and Niagara Region in 2024.

3.2 Groundwater Monitoring Program

The Smithville PCB Site groundwater monitoring program was first developed in 1988, prior to the operation of the groundwater pump and treatment system. The primary objective was to

protect human health (i.e. users of private domestic wells at the time) and to determine and monitor the extent of the groundwater contamination.

At one time there was a total of 122 groundwater monitoring wells (prior to the Phase IV Bedrock Remediation Program) established in 74 boreholes at 60 different drilling locations on and around the Smithville PCB Site. The boreholes and monitoring wells have been used to gather information on the geology, hydrogeology, contaminant distribution and /or performance of the groundwater pump and treatment system. Included in the 122 groundwater monitoring wells are the eight recovery wells (RWS1 to RWS8) used for the collection of contaminated groundwater from the shallow bedrock.

Groundwater monitoring wells are arranged in "rings" used to track contaminant trends and migration of the dissolved-phase contaminant plume from the site. The monitoring well rings were designed to monitor the contaminant plumes in the shallow (Upper Eramosa) and deep (Vinemount) bedrock aquifers. A review of past reports and data reveals that the dissolved-phase contaminant plume extends to most of the inner ring monitors for both aquifers. Monitoring of "inner ring" wells continues to track contaminant trends in the impacted area. The outer-most monitoring ring is intended to act as an "early warning system" to protect potential receptors downgradient of the Site.

There are currently 75 groundwater monitoring wells on and around the Smithville PCB Site. Refinements to the performance monitoring program have been implemented over the years based on groundwater monitoring data and contaminant trend analysis. The ministry's 2021 and 2023 groundwater monitoring programs included 9 monitoring wells near the site and all 8 groundwater recovery wells. These wells are currently sampled by OCWA on an annual basis to confirm the containment of the DNAPL dissolved phase plume at the site. The ministry's 2022 groundwater monitoring program included samples from wells on both the annual program as well as the wells on the biennial (every two years) program. The 2024 groundwater monitoring program will include samples from wells on both the annual program and the wells on the biennial program.

The groundwater monitoring data generally indicates the site-specific contaminants (PCBs and select chlorinated VOCs) in groundwater monitoring wells located upgradient and downgradient of the DNAPL source area have decreased significantly since 1988 and the groundwater plumes of dissolved phase contaminants are generally either stable or shrinking. This progress may be due to the combined effects of the groundwater pump and treatment system and natural attenuation processes.

In addition to the current groundwater monitoring program on and around the Smithville PCB Site, the ministry historically sampled select nearby domestic wells in West Lincoln to confirm that the contamination associated with the Smithville PCB Site is not migrating and impacting drinking water quality. None of the chemical parameters attributed to the contamination from the Smithville PCB Site have ever exceeded the Ontario Drinking Water Quality (ODWQ) Standards for samples collected from any of the domestic wells.

Over time, the domestic well sampling in West Lincoln has been reduced due to the on-going operation of the pump and treatment system, the collection of data from the groundwater monitoring network at the site and surrounding area, abandonment of nearby domestic wells by private landowners, and accessibility to private properties that the wells are located. Of the list of historical private wells near the site, only one domestic private well site was accessible for sampling in 2018 and the results confirmed that the well water quality is unaffected by the subsurface contamination at the Smithville PCB Site. The property owner decommissioned the well in 2018 as part of the property re-development. No domestic well water samples were collected since 2018.

3.3 Monitoring Well Inspections

OCWA conducts regular inspections of all the groundwater monitoring wells associated with the Smithville PCB Site to ensure they remain secure and damage free. No significant repairs were required for the groundwater monitoring wells in 2022 and 2023.

From time to time, the ministry receives requests from property owners to conduct alterations to ministry monitoring wells located on their property in the Smithville industrial park. The ministry received no property owner requests in 2022 and 2023.

3.4 500-Metre Exclusion Zone

The ministry's interests related to the Smithville PCB Site, including the on-going remediation and monitoring of groundwater impacts in a portion of the Smithville industrial park are protected through Section 6.10.4 Employment Area Policies, subsection (g) of the Township's Official Plan, as follows:

"All designated employment lands within 500 metres of the intersection of Spring Creek Road and Thompson Road, as shown on the land use plan shall be subject to the following provision: drilling, vibration, blasting, bedrock excavation and taking of groundwater shall be restricted and may only be undertaken subject to a professional assessment of such activities and the approval of the Ministry of Environment."

In 1997, the 500-metre groundwater extraction exclusion zone from the intersection of Spring Creek Road and Thompson Avenue was implemented for the Smithville PCB site through an amendment to the Official Plan.

Site Plan Application Reviews

The ministry assists the Township with reviews of Site Plan Applications for properties located in or near the Smithville industrial park. The purpose of the ministry's review is to identify development restrictions for water taking and disturbance of bedrock to ensure that the development does not pose a risk to the groundwater contamination and the on-going pump and treatment system at the site.

The ministry has continued to support the Township with Site Plan Application reviews associated with properties in or near the Smithville Industrial Park in 2022 and 2023.

Smithville Master Community Plan

In 2023, the ministry supported Niagara Region and West Lincoln Township by providing environmental data (e.g., monitoring well stratigraphy logs, groundwater quality, etc.) associated with the Smithville PCB Site. Portions of the planned infrastructure work for the installation of a new watermain and sanitary sewer is proposed to be located in or near the 500-metre exclusion zone. The ministry's input on the project will continue into 2024.

3.5 PCB Storage Inventory & Site Inspections

The storage and off-site disposal of materials containing PCBs is done so in accordance with the Government of Canada's PCB Regulations (SOR/2008-273) and Ontario Regulation 362 *Waste Management – PCBs*. The PCB storage building at the site complies with the requirements for a PCB storage facility in Ontario.

The storage of materials contaminated or suspected to be contaminated with PCBs is limited to materials generated at the site as part of the on-going operation of the pump and treat system, such as groundwater pumps, rags, gloves, wastewater treatment filters and sludge. PCB solid waste is stored in a metal 45-gallon drum located inside the PCB storage building. The inventory of the on-site PCB storage building as of December 31, 2022 and December 31, 2023 is summarized in **Table 4**. The PCB inventory is updated and reported on a quarterly basis to the ministry's Niagara District Office. The PCB inventory and off-site destruction records are also reported by the ministry to the Government of Canada on an annual basis.

Access to the facility is restricted to authorized personal. The site is secured by a fenced perimeter and locked entrance gate. OCWA conducts monthly inspections to confirm the site is secure and that the integrity of the material storage containers has not been compromised. The inspections performed by OCWA during the 2022 and 2023 period confirmed that there were no breaches in containment or spills of stored materials or site security issues.

4. INITIATIVES TO IMPLEMENT BOARD RECOMMENDATIONS

In March of 2002, the Minister of the Environment wrote to the Chair of the Managing Board of Directors of Management of the Smithville Phase IV Bedrock Remediation Program (Board), accepting the Board's recommendations presented in the Phase IV Step 10 Recommendation Report (October 2001). The ministry continues forward with its commitments to implement the Board's recommendations, including:

- Monitoring research on remediating fractured bedrock sites to search for an eventual remedial solution;

- Considering research projects at the site to further site knowledge or to test new technically sound technologies; and,
- Optimizing the groundwater pump and treatment system.

4.1 Bedrock Research Studies

The ministry's Environmental Science and Standards Division (ESSD) provided \$213,000 in funding to sponsor research projects from 2005 to 2011 on contamination and remediation in fractured rock. No further research studies were conducted by the ministry in 2022 and 2023.

4.2 Site Hydrogeologic Investigations

From 2005 to 2012, several hydrogeologic research investigations have been completed at the Smithville PCB Site:

- 1) In 2005, Queens University provided site hydrogeologic information in eight report deliverables, as per a previous agreement with the Phase IV Board. The deliverables included:
 - a. Development of a groundwater flow model at the Smithville PCB site;
 - b. Calibration of the model with site-specific data;
 - c. Examination of the effects of groundwater pumping (water taking) near the pump and treatment system (in the vicinity of the DNAPL source zone);
 - d. Evaluation of the hydraulic capture (source containment) of the pump and treatment system;
 - e. Optimization of the groundwater monitoring well network;
 - f. Assessment of the need for optimization of the groundwater capture zone; and,
 - g. Assessment of impact of recharge above the former lagoons on the performance of the pump and treatment system (hydraulic containment).
- 2) In 2007 - 2012, the University of Waterloo completed a hydrogeologic study of the Smithville PCB Site to update our understanding of the contaminant source zone and depletion of contaminants over time at the site. The study included field sampling as well as source zone and contaminant transport modelling.

Hydrogeologic research investigations were not conducted at the Smithville PCB Site in 2022 or 2023.

4.3 Treatment System & Monitoring Programs

Treatment Plant

From 2010 to 2013, the ministry completed several phases of treatment plant optimizations, including the following construction projects:

- 1) Installation of new raw water treatment tanks in the warehouse, constructing secondary containment and piping structures for these tanks and some building repairs;
- 2) Installation of a new warehouse roof;
- 3) Building upgrades for new final treatment tanks and the upgrading of electrical services;
- 4) Installation of the new final treatment tanks; and,

- 5) Movement of the treatment plant inside the warehouse building and subsequent connection to the new final treatment tanks.

The demolition and removal of the old final treatment tanks, the old pump house and the cleanup of the old treatment building was completed in 2010. The office building relocation was completed in 2011. In September 2013, the remaining old treatment tanks were removed from the site. Groundwater treatment plant optimizations were not required at the Smithville PCB Site in 2022 or 2023.

Groundwater Monitoring

In 2012, seven unused groundwater monitoring wells on Township lands to the south of the Site, which is leased by the ministry, were decommissioned in accordance with Ontario Regulation 903 and removed from the monitoring program. An additional 17 groundwater monitoring wells in three geographic locations to the north, east and west of the site, were decommissioned in 2014-15.

The multi-level groundwater monitoring well systems (Westbay systems) included 11 monitoring wells installed in angled wellbores that were installed from 1995 to 1998 for the Phase IV Bedrock Remediation Program. Some of the Westbay wells were intended to provide regional background data for past research projects for the Smithville PCB Site and used for vertical characterization evaluations of the bedrock formations. One Westbay well (BH 64) was decommissioned as part of the ministry's risk management measures in January 2015 as the well integrity was compromised. The multi-level Westbay monitoring wells are not currently being used by the ministry.

In 2017-18, the ministry initiated a review of the groundwater monitoring program to assess opportunities for improvement and to provide recommendations for on-going monitoring for the Smithville PCB Site. Based on the evaluation, the ministry developed a new monitoring program that was first implemented in 2019 at the site and nearby properties in the Smithville industrial park. The monitoring program currently includes annual groundwater sampling for nine monitoring wells and the eight recovery wells; and, biennial groundwater sampling for 17 monitoring wells. Since the 2017-18 monitoring program review, the ministry has made some minor adjustments (e.g., switching sampling of select wells from biennial to annual frequency) based on the review of the groundwater data.

The ministry's groundwater monitoring program continues to provide information regarding contaminant plume migration and changes in chemical concentrations at appropriate monitoring locations, enabling to verify that contaminants are not endangering potential receptors.

4.4 Next Steps

Former Research Excavation Pit

There is an open excavation pit surrounded by a chain-link fence along the northern portion of the Smithville PCB Site. The excavation pit is located at the former location of CWML's stormwater lagoon. In 1991, PCB contaminated soil was excavated down to bedrock in the area where the excavation pit currently exists. The contaminated soil was incinerated on-Site and subsequently stockpiled on-Site. The excavation pit was used for hydrogeological studies in past years.

In 2017, the ministry initiated a review of past studies associated with the excavation pit. The ministry is considering backfilling the excavation pit. Currently, the excavation pit fills from groundwater and surface water inflow and is periodically pumped out and treated by the on-site groundwater treatment system.

The ministry collected surface soil samples from the on-site stockpiled soil for chemical analysis to evaluate the soil quality for possible re-use as backfill in the excavation pit. The findings of the soil sampling program were evaluated in 2018. Based on the 2017 soil sample data, the on-site soil piles are appropriate for use as backfill in the excavation pit; all of the samples collected from the post-incinerated soil piles are below appropriate generic soil standards (i.e. Ontario Regulation 153/04 generic soil standards for industrial property use). The ministry will be reviewing the on-going management of the excavation pit and potential for backfilling the pit.

Table 1: 2022 and 2023 Groundwater Recovery Wells PCB Concentrations

Sample Dates	Recovery Well Names and PCB Concentrations (µg/L or ppb)								
	RWS1	RWS2	RWS3	RWS4	RWS5	RWS6	RWS7	RWS8	Average PCB Concentration
April 12 or 21, 2022	0.54	39	6.5	3.4	2.5	5.4	14	0.54	9.0
May 9, 10, 11 or 12, 2023	0.71	14	5.4	1.5	2.9	2.9	7.2	0.17	4.3

Note: As of 2019, the sampling frequency of the groundwater recovery wells RWS1 to RWS8 for total PCBs was changed from quarterly to annually.

Table 2: 2022 Treated Water Effluent Discharges

Quarter	Month	Treated Effluent Total PCB Concentration (µg/L or ppb)	Total Sanitary Sewer Discharge Volume (Litres)
1 st	January 2022	<0.01 to 0.01	635,000
	February 2022	<0.01 to 0.03 (PCBs detected in 1 of 3 samples)	637,000
	March 2022	0.01 to 0.03 (PCBs detected in all 5 samples)	1,065,000
2 nd	April 2022	<0.01 to 0.04 (PCBs detected in 3 of 4 samples)	851,000
	May 2022	<0.01 to 0.01	854,000
	June 2022	<0.01 to 0.03 (PCBs detected in 3 of 4 samples)	852,000
3 rd	July 2022	<0.01 to 0.01	853,000
	August 2022	Non-detect (<0.01)	853,000
	September 2022	Non-detect (<0.01)	858,000
4 th	October 2022	Non-detect (<0.01)	853,000
	November 2022	Non-detect (<0.01)	853,000
	December 2022	Non-detect (<0.01)	855,000
2022 Total Sanitary Discharge Volume (Litres)			10,019,000

Notes:

Analytical Method Reportable Detection Limit (RDL) is less than (<)0.01 µg/L.

Niagara Region's Batch Discharge Permit issued April 7, 2022 allows discharge to the sanitary sewer if the treated water grab sample result for total PCBs does not exceed 0.10 µg/L.

Table 3: 2023 Treated Water Effluent Discharges

Quarter	Month	Treated Effluent Total PCB Concentration (µg/L or ppb)	Total Sanitary Sewer Discharge Volume (Litres)
1 st	January 2023	0.01 to 0.04	1,046,000
	February 2023	<0.01 to 0.01	857,000
	March 2023	<0.01 to 0.01	1,071,000
2 nd	April 2023	<0.01 to 0.01	856,000
	May 2023	Non-detect (<0.01)	858,000
	June 2023	<0.01 to 0.02 (PCBs detected in 1 of 3 samples)	644,000
3 rd	July 2023	Non-detect (<0.01)	642,000
	August 2023	Non-detect (<0.01)	858,000
	September 2023	Non-Detect (<0.01)	861,000
4 th	October 2023	<0.01 to 0.01 (PCBs detected in 1 of 3 samples)	644,000
	November 2023	Non-Detect (<0.01)	855,000
	December 2023	Non-Detect (<0.01)	861,000
2023 Total Sanitary Discharge Volume (Litres)			10,053,000

Notes:

Analytical Method Reportable Detection Limit (RDL) is less than (<)0.01 µg/L.

Niagara Region's Batch Discharge Permit issued April 7, 2022 allows discharge to the sanitary sewer if the treated water grab sample result for total PCBs does not exceed 0.10 µg/L.

Table 4: 2022 and 2023 PCB On-Site Waste Storage Summary

Year	Storage Containers	Contents	Approximate Mass (kilograms)
2022 (as of December 31, 2022)	Quatrex storage container	Treatment system bag filters, plastic packaging & safety equipment (gloves, Tyvek suits)	None (0 kg)
	Metal drum	Treatment system waste sludge	None (0 kg)
	Metal drum	OCWA waste materials (plastic, nitrile gloves, rubber, paper, steel, wood, rope, well pumps, wire)	None (0 kg)
2023 (as of December 31, 2023)	-	None	None (0 kg)

DATE: April 9, 2024

REPORT NO: PD-20-2024

SUBJECT: **Technical Report - Site Alteration Application - 3118 Grassie Road – Sikander Gulacha - File No. 3000-001-24**

CONTACT: John Bartol, Chief Building Official
Brian Treble, Director of Planning & Building

OVERVIEW:

- During the fall of 2023 Mr. Gulacha approached the Township about importing fill to 3118 Grassie Road.
- The fill is proposed to accommodate a submitted grading plan that accompanied a building permit application. The building permit has been issued but the extent of work proposed on the grading plan has not been approved with the building permit approval. The proposed grades are being submitted to accommodate the overland drainage flow from the new house on the agricultural lot. The proposed grades are intended to keep the new and intensified overland water drainage to the residential area as well as a storm water pond which is intended to keep the new and intensified water flows off of the agricultural lands as there is an intent to utilize these lands in the future for the purpose of agriculture. The affected lands are zoned Agricultural 'A' at 3118 Grassie Road. The 'A' Zone permits agricultural uses plus uses accessory to the agricultural use and a single detached dwelling.
- An application for a site alteration permit was submitted on October, 25 2022. Notice was mailed to all affected agencies and neighbouring properties on March 8th, 2024.
- A proposed grading plan has been prepared for the property and was submitted with the building permit application.
- Under this application, up to 462 truckloads (4617m³) is proposed.
- If this application is approved, a security deposit of \$7,000.00 will be required along with a signed site alteration agreement. The deposit is required to ensure that all conditions are completed to the satisfaction of the Township, including the use of the land for agricultural purposes and proof thereof and to ensure there is no road damage, etc.

RECOMMENDATION:

1. That, Technical Report PD-20-24, titled “Technical Report - Site Alteration Application - 3118 Grassie Road – Sikander Gulacha, File No.3000-001-24”, dated April 9th, 2024, be received; and
2. That, a recommendation report be provided at a future Council or Committee meeting.

ALIGNMENT TO STRATEGIC PLAN:

- **Build** – a safe, connected, caring and active community.

BACKGROUND:

Township staff first received an inquiry that site alteration work was proposed at 3118 Grassie Road in the fall of 2022. Township staff have met with Mr. Sikander Gulacha and their project manager in office and corresponded during the building permit application process. It was noted that the requirements on the grading plan exceeds the amount of fill permitted within the site alteration by-law. Mr. Gulacha has submitted an engineer’s stamped plan outlining the placement of the proposed grades. Mr. Gulacha has expressed a request to in addition to the 4617 m³ imported amount of fill to bring in additional loads to construct rolling hills not to exceed 1 metre in height around the proposed pond.

Construction has commenced on the newly proposed dwelling, the requirement of a Site Alteration permit was noted on the proposed grading plan as part of the building permit issued drawings. Mr. Gulacha and his agent have been very patient and diligent in working with staff through this process and as of this date has not proceeded with any work outside of his permitted permits.

CURRENT SITUATION:

A site alteration permit application has been submitted for review. The application was received on October, 25th, 2022. Though the application date is from more than a year ago works including the submission of the building permit as well as lot grading and drainage plan had been delayed and were required to be submitted prior to the submission for the Site Alteration Permit. The applicant proposes to import additional fill onto the agricultural lands to accommodate the new storm and overland water flows being caused by the construction of the new Single Detached Dwelling. The new dwelling is large in size and placed farther back into the lot than the original dwelling was, this is in accordance with the current Township of West Lincoln Zoning By-law. The size of the dwelling as well as with its placement poses an increase to the expected storm water flows due to an increase in hard scape area on the lot. The proposed grading plan is planning on utilizing fill to create overland drainage swales to direct the new water flows to a storm water pond on the property. This storm water pond and the proposed grading plan are being utilized to divert water from the remaining agricultural area on the lot roughly 8.22 acres so that the agricultural lands are still workable for future planting cycles.

Existing drainage swales surrounding the property will remain and the relocation of the existing pond will be placed in front of the new dwelling closer to Grassie Road as to not interfere with the rear yard agricultural area.

In addition to the grading plan cut/fill requirements, Mr. Gulacha has expressed to Township staff the need for small hills surrounding the pond. The amount of additional fill required for these hills has not yet been calculated but would be reflected in the future recommendation report. The required fill to accommodate these hills would be minimal as they are small in area and will not exceed 1 metre in height.

In total, up to 4617m³ (462 truckloads) of soil is proposed to be imported for the alteration outlined in the proposed grading plan. Site Alteration By-law 2016-41 (as amended) permits up to 500m³/year of fill with no permit required. Between 500m³ and 1000m³ of soil being imported required a permit approved by Township staff; with anything more than 1000m³ of fill requiring approval of Township Council. The importation of less than 1000m³ of topsoil is exempt from the by-law.

Staff have been on site and have observed the site from the road as well. The main area where fill will be placed is located directly around and in front of the dwelling as to not interfere with the rear yard agricultural area. The drainage will be controlled by swales. All drainage created by the construction of the dwelling is to be contained on this lot.

The lands zoned 'A' (General Agriculture) are permitted to be used for agricultural purposes. The levelling of the land is permitted should agricultural improvements result. It is staff's opinion that the compliance with zoning is maintained, so long as the fields are able to be farmed again. Evidence that this can occur (crop can grow) will be required before the security deposit is returned.

Staff have concern surrounding the increase to the total amount of fill required to accommodate the proposed hills around the ponds. Staff will require an updated grading plan prior to the submission of the recommendation report being brought forward.

This technical report is written in order to consider comments from neighbours, agencies, and Council before a recommendation report is prepared.

FINANCIAL IMPLICATIONS:

If approval is ultimately granted, a security deposit for a total of \$7,000.00 will be required to be provided by the owners and will be held, should approval be granted, until the work is completed and an as built grading plan is submitted.

INTER-DEPARTMENTAL COMMENTS:

The Township of West Lincoln Public Works department is currently the only regulating body providing comment on the application. In which the Township's Public Works department has raised concerns on;

- The proposed truck route.
- A road damage deposit.
- Load restrictions based on time of year.
- Placement of mud-mat(s) at the entrance and exit to the site.
- Silt fencing installation.

All of the noted comments will be incorporated into the proposed site alteration agreement and into the future recommendation report.

PUBLIC COMMENTS

There have not been any public comments as of this time.

AGENCY COMMENTS

Planning staff circulated the Notice of this application to the following agencies on April 15, 2020:

- NPCA
- Hydro One
- Town of Grimsby
- Region of Niagara
- Township Planning
- Township Building and By-law Department
- Township Public Works
- Township Fire Department

There have been no comments from any of these agencies.

CONCLUSION:

This technical report is provided in response to a site alteration application that was received on October, 25, 2022. Notice was circulated to agencies and public on March 8th, 2024. To date, no public comments have been received. A recommendation report will follow once the completion of the public meeting has occurred.

SCHEDULES:

1. Location Map

Prepared & Submitted by:

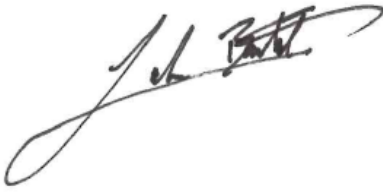


Brian Treble
Director of Planning & Building

Approved by:



Donna DeFilippis
Interim CAO

A handwritten signature in black ink, appearing to read "John Bartol", written in a cursive style.

John Bartol
Chief Building Official



DATE: April 9, 2024
REPORT NO: PD-19-2024
SUBJECT: Information Report Temporary Use Agreement Registration
CONTACT: Gerrit Boerema, Manager of Planning
Brian Treble, Director of Planning & Building

OVERVIEW:

- When a development agreement, including subdivision, condominium or site plan agreement is executed between a property owner, mortgagee and the Township, it is often registered on title to ensure that future owners and mortgagees of the property are bound by the same agreement.
- Without registration of these agreements on title, future owners and mortgagees are not bound by these agreements and may not be aware of their existence.
- The Township has also registered temporary use agreements, including agreements for garden suites on title to the property.
- There have been recent changes at the Ontario Land Register Office based on an interpretation of the Planning Act which has led to greater limitations on what type of agreements can now be registered on title.
- The Township can no longer register temporary use agreements, such as those done for Garden Suites and as permitted by Section 39.1(1) of the Planning Act.

RECOMMENDATION:

That Information Report PD-19-2024 titled, “Information Report, Temporary Use Agreement Registration”, dated April 9th, 2024, be received for information.

ALIGNMENT TO STRATEGIC PLAN:

Theme #

- Champion strategic and responsible growth

BACKGROUND:

When the Township enters into a planning or development related agreement with a property owner, such as a subdivision or site plan agreement, those agreements are then registered on the subject property following execution. The purpose of registration is to ensure that the agreement becomes binding on future owners and successors to the

property ensuring that the terms of the agreement are followed through.

As an example, if a property subject to a site plan agreement were to default on their mortgage, and the bank took position of the property, the bank and future owners would only be bound to the site plan agreement if it was registered on title.

CURRENT SITUATION:

Up until recently, the Township would register the following agreements on title:

- Subdivision Agreements
- Condominium Agreements
- Site Plan Agreements
- Development agreements tied to a severance
- Removal of Part Lot Control Agreements
- Temporary use agreements, including agreements for Garden Suites

Last year, under the Provincial Bill 23, municipalities are no longer permitted to require site plan agreements or their registration for residential developments of 10 or less units.

Additionally, changes at the Ontario Land Register has limited the Township's ability to have other agreements registered as well, such as temporary use agreements, unless they are specifically referred to in the Planning Act as being able to be registered on title.

This has resulted in the last few garden suite temporary use agreements not being registered including those for 9397 Twenty Road (Merritt), 3775 Canborough Road (Sims), 8399 Concession 2 Road (Griffin) & 5909 Regional Road 20 (Molnar). The Temporary Use Agreement that was approved at 9127 Regional Road 20 (Larry Pomerantz) was converted to a site plan agreement so that it could be registered on title (currently underway).

The difference with temporary use agreements related to garden suites is that the agreements themselves name the specific occupants, and that the temporary use bylaw is only in place subject to the agreement. Therefore, if there was a change of ownership, the new owners would be required to enter into a new agreement with the Township to maintain the validity of the temporary use bylaw. Township staff believe that there is very little risk to the Township in not being able to register agreements tied to Garden Suites.

An alternate way to track agreements with property owners is already in place with the Clerks Department who currently tracks all agreements and bylaws and their date of expiry.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with the changes to registration or this report.

INTER-DEPARTMENTAL COMMENTS:

There are no inter-departmental comments.

CONCLUSION:

As changes continue to occur at a Provincial level impacting the ability of the Township to enter into and register agreements relating to development, Township Planning Staff will continue to work towards ensuring that the Township's interests remain protected and that Committee and Council are informed accordingly.

Prepared & Submitted by:

Approved by:



Gerrit Boerema
Manager of Planning



Brian Treble
Director of Planning & Building



Donna DeFilippis
Interim CAO and Treasurer

DATE: April 9, 2024

REPORT NO: PD-21-2024

SUBJECT: **Recommendation Report - Amendment to the Building By-law 2019-83 Regarding Building Deposits and Fees**

CONTACT: John Bartol, Chief Building Official
Brian Treble, Director of Planning & Building

OVERVIEW:

- A substantial amount of open building permits (in excess of 150) dating prior to 2016 have been noted by both the Building and Finance Departments. Each one of these open building permits has an associated deposit with them.
- This report is written to recommend further amendments to by-law 2019-83 (Building By-law) to support the Township Finance Department and the Building Department. This amendment will allow authorized staff and department heads to authorize the reclamation and forfeiture of Building Permit Deposits that are older than seven (7) years based on criteria outlined in the By-law. Through this process the building permit(s) on lands subject to forfeiture will remain open and in their current state of review, however, the deposits will be forfeited and brought into revenue. Any revenue in excess of expenditure will be transferred into the Building Reserve.
- This amendment is prepared in conjunction with discussions through Chief Building Officials of Niagara. This amendment will permit the Township of West Lincoln to act in similar means to that of our surrounding municipalities Lincoln and Port Colborne. These forfeited deposits will ensure proper support of the building department through the “follow-up” process that will be required to ensure each of these building permits is accurately and appropriately handled in accordance with the Ontario Building Code and Building Code Act.

RECOMMENDATION:

1. That, Recommendation Report PD-21-2024, titled “Recommendation Report – Amendment to the Building By-law 2019-83 Regarding Building Deposits and Fees.”, dated April 9th 2024, be received; and
2. That, a By-law to Amend By-law 2019-83, being a By-law under the Building Code Act respecting Construction, Demolition, Change of Use, Occupancy Permits, Transfer of Permits, Inspections and Associated Fees, be passed.

ALIGNMENT TO STRATEGIC PLAN:

- **Build** – a safe, connected, caring and active community.
- **Advance** – Organizational Capacity and Effectiveness.

BACKGROUND:

The Building Department received notification of outstanding Building Permit deposits from the Finance Department in the Fall of 2023. The Building department has conducted an internal review of a majority of the outstanding and open Building permits that these deposits pertain to. It has been found that the majority of these permits remain open due to minor issues found at inspection or a lack of submitted final documents. The Finance Department inquired if these outstanding deposits could somehow be brought into revenue. The Chief Building Official took this matter to the local area Chief Building Officials meeting to discuss. Through this process the proposed amendment has been drafted where it is included in other local area municipal Building By-laws for the same effect. Staff believe that the amendment to this by-law will assist in facilitating the closure of a majority of the open building permits that are beyond 7 years old.

CURRENT SITUATION:

There are currently in excess of 150 open permits dating prior to 2016. Each one of these open permits have an associated building permit deposit as well as some having an additional grading deposit. The intent of this amendment is to facilitate having applicants come back into the Township and provide the documentation, revisions or recall inspections required to close and return these deposits. The individuals that do not attend the Township to provide the closing documentation, recall inspections or revisions will not have their building permits closed or canceled as these activities pertain directly to the Ontario Building Code and Ontario Building Code Act. Such permits will be required to remain open only on the Building Department end, this will also be cause for subsequent building department follow-up. Additional inspections may have to occur to either witness the completion of the permit or that active construction is still occurring. The individuals who do not respond or do not actively attempt to close their permits will have the associated Building Permit deposits forfeited to the Township. These funds will be transferred into revenue and subsequently transferred into the

Building Department Reserve. Currently there is an outstanding amount of building deposits in excess of \$150,000.00.

These deposits were historically taken to assist or ensure final inspection is called for, it is in the opinion of staff that these deposits will be serving their due function by adding the proposed amendment to the Building By-law.

FINANCIAL IMPLICATIONS:

The proposed amendment will only have a financial impact in the cases where the deposits are forfeited. In those cases the outstanding deposits will be taken into revenue, resulting in a positive impact to the Building Department Reserves.

INTER-DEPARTMENTAL COMMENTS:

This report was initiated through discussions with the Finance Department.

CONCLUSION:

Staff recommends the amendments to the Building By-law 2019-83 be approved at the next Council meeting scheduled for April 22nd, 2024.

SCHEDULES:

1. Draft By-law to amend By-law 2019-83, as amended.

Prepared & Submitted by:

Approved by:



Brian Treble
Director of Planning & Building

Donna DeFilippis
Interim CAO



John Bartol
Chief Building Official

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-XX

**A BY-LAW TO AMEND BY-LAW 2019-83 BEING A BY-LAW UNDER
THE BUILDING CODE ACT RESPECTING CONSTRUCTION,
DEMOLITION, CHANGE OF USE, OCCUPANCY PERMITS,
TRANSFER OF PERMITS, INSPECTIONS AND ASSOCIATED FEES.**

WHEREAS pursuant to the *Building Code Act 1992, S.O. 1992, c .23* as amended, the Lieutenant Governor in Council has established a *Building Code* which is in force throughout Ontario;

AND WHEREAS Section 7 of the *Building Code Act 1992, S.O. 1992, c .23* as amended, empowers Council to pass by-laws respecting construction, demolition, change of use, transfer of *permits*, inspections, required documentation and submission of such with an application for *permit*, and setting and refunding of fees;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln now deems it expedient to amend Section 5.7 of By-law 2019-83 which sets out the process for administering refunds under By-law 2019-83

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN HEREBY enacts as follows:

1. That, By-law 2019-83, as amended, be further amended by adding thereto the following:
 - a. 5.7.4 “Where monies paid under a deposit remain unclaimed for a period of not less than seven (7) years, the *Township* may send notice to the permit applicant’s last known address advising such applicant that the *Township* holds unclaimed funds in the form of a building permit deposit and such funds may be subject to forfeiture. The applicant may within forty-five (45) days of receiving the notice provide in writing claims to such deposit and provide proof and evidence of completion of work for which the deposits were taken to the satisfaction of the *Chief Building Official*. The *Township* shall also advertise a general notice on the *Township’s* website and through applicable local newspapers where available and social media that, in the opinion of the *Chief building official* or Director of Planning and Building Or the *Township Treasurer* that sufficient general circulation throughout the *Township*, stating that permit deposits being held by the *Township* for a period of more than seven (7) years or more will be considered forfeit by the applicants if such deposits have not been claimed within forty-five (45) days. If through no fault of the *Township*, the deposit has not been refunded after the expiry of the forty-five (45) day period, the *Township* may without further notice declare the deposit forfeited, whereupon the deposit shall become the property of the *Township* free of all claims.
2. That this new By-law take effect on April xxth, 2024.

**READ A FIRST, SECOND
AND THIRD TIME AND
FINALLY PASSED THIS 22nd
DAY OF APRIL, 2024.**

MAYOR CHERYL GANANN

NANCY FIORENTINO, CLERK

DATE: April 9, 2024

REPORT NO: PD-22-2024

SUBJECT: Recommendation Report – New Parking of Motor Vehicles “Not on Highways” By-law and Amendment to Parking Related AMPS By-law

CONTACT: John Bartol, Chief Building Official
Brian Treble, Director of Planning & Building

OVERVIEW:

- This report is written to recommend the adoption of the new By-law to regulate Parking “Not on Highways” and to amend the Parking Related AMPS By-law to support electric vehicle parking enforcement requirements as noted in Public Works staff report PW-01-24. This will allow staff to regulate the use of the newly proposed Electric Vehicle Charging Stations proposed on Township of West Lincoln lands and allow further enforcement of a similar nature on any additional future Electric Vehicle Charging Stations on Township of West Lincoln lands. Enforcement will occur periodically on a daily basis or actively through a complaint.
- Staff propose that the draft Private Property Parking By-law and the amendment to the Parking Related AMPS By-law be brought forward at the next Council meeting for adoption, following consideration of any comments or questions that Council may have covered at this committee meeting.

RECOMMENDATION:

1. That Recommendation report PD-22-2024, titled “Recommendation Report – New Parking of Motor Vehicles ‘Not on Highways’ By-law and Amendment to Parking Related AMPS By-law”, dated April 9th, 2024, be received; and
2. That a draft By-law attached as Schedule “A”, being a By-law to Regulate Private Property Parking, be passed; and
3. That a draft By-law attached as Schedule “B” to amend By-law 2014-67 by adding Schedule G, be passed.

ALIGNMENT TO STRATEGIC PLAN:

- **Build** – a safe, connected, caring and active community.
- **Advance** – Organizational Capacity and Effectiveness.

BACKGROUND:

The By-law to regulate Parking “Not on Highways” is established to regulate parking on private lands being initially and primarily lands owned by the Township of West Lincoln. The driving factor for the initial implementation of this by-law is derived from Public Works staff report PW-01-24 in which new Electric Vehicle Charging Stations are proposed to be installed on Township owned land. The Township of West Lincoln currently lacks an authorizing By-law to regulate parking on privately owned land including our own properties. The currently implemented Parking By-law 89-2000 only authorizes Township staff to enforce, ticket and regulate *Highways* as defined by the *Ontario Highway Traffic Act*.

The proposed amendment to the Parking Related Administrative Monetary Penalty Systems By-law is being proposed so that staff can utilize existing By-laws and Provincial Legislation In lieu of Provincial Offence Notices for regulation of inappropriately parked vehicles at Electric Vehicle Charging Stations as well as other routine infractions on private property. This is in an effort to administer the provisions of these By-laws as amended at a Municipal level and to reduce the workload being sent to Provincial Offences Court. The well-established process the Township of West Lincoln has administered for Administrative Penalty Notices will be utilized to effectively implement and enforce the proposed amendments.

CURRENT SITUATION:

Currently the Township of West Lincoln has no authorizing By-law to establish the regulation of parking infractions on privately owned land, including our own land. The proposed adoption of the By-law to Regulate Parking “Not on Highways” is to establish an authorizing By-law to enforce parking provisions initially on Township owned land but leave an open door for other property owners to permit Township Staff to administer parking provisions on other private land. The initial implementation is only for the enforcement authorization of the Electric Vehicle Charging Stations proposed in Public Works staff report PW-01-24. The other provisions of this by-law will only be enforced when a formal complaint is submitted and only on Township of West Lincoln Lands initially. Examples of the additional provisions are stop/stand/park not within designated space, park to interfere with snow removal, stop/stand/park longer than 24 hours etc.

With the adoption of the By-law to Regulate Parking “Not on Highways”, a new schedule to By-law 2014-67 must be added to incorporate the new enforcement provisions. The amendment to By-law 2014-67 will allow Township staff to utilize an existing and proven Administrative Monetary Penalty System to enforce the newly proposed by-law.

With current staffing resources the By-law Department is prepared to actively regulate the Electric Vehicle Charging Stations on a pro-active daily basis. The other provisions will be dealt with on a complaint basis and will only be enforced when formal complaints are submitted as per the already established report a concern submission process offered by the Township. Staff will monitor the impact on routine by-law response times and adjust the enforcement of the Electric Vehicle Parking Station provisions accordingly.

FINANCIAL IMPLICATIONS:

The proposed draft by-law and by-law amendments adjust the parking regulation to incorporate minor additions to the scope of enforcement, any additional stops or enforcement measures would be seen as routine and would not raise any new financial implications for current staffing levels.

INTER-DEPARTMENTAL COMMENTS:

Modifications to these by-laws are in accordance with Public Works staff Report PW-01-24 and apply only proactively to the enforcement of Electric Vehicle Charging Stations and complaint driven enforcement of routine regulations on Township owned lands.

CONCLUSION:

Staff recommends that the draft By-law and the amendments to add Schedule “G” to by-law 2014-67 as attached be given consideration by Township Council. Once Staff have addressed any comments or concerns that are received, then the new By-law to Regulate Parking “Not on Highways” and the amendment to add Schedule “G” to By-law 2014-67 be forwarded to the next Council meeting, scheduled April 22, 2024, for adoption and that the subsequent effective date be set for May 1, 2024.

SCHEDULES:

1. Draft By-law to establish a By-law to regulate Parking Not on Highways
2. By-law to add Schedule “G” to By-law 2014-67, as amended.


Prepared & Submitted by:

Approved by:



Brian Treble
Director of Planning & Building

Donna DeFilippis
Interim CAO

A handwritten signature in black ink, appearing to read "John Bartol". The signature is written in a cursive style with a large loop at the beginning and a flourish at the end.

John Bartol
Chief Administration Officer

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-XX

BEING A BY-LAW TO REGULATE THE PARKING OF MOTOR VEHICLES ON LANDS WHICH ARE NOT HIGHWAYS

WHEREAS Section 11(3) of the *Municipal Act, 2001*, authorizes municipalities to pass by-laws respecting parking, on highways;

AND WHEREAS Subsection 11(3)(8) of the *Municipal Act, 2001*, provides that the power of a municipality to pass a by-law under subsection (3) with respect to parking except on highways does not include the power to pass a by-law respecting parking except on highways provided by any person other than the municipality, except where otherwise provided;

AND WHEREAS Section 100, of the *Municipal Act, 2001*, provides that a local municipality may, in respect of land not owned or occupied by the municipality that is used as a parking lot, regulate or prohibit the parking or leaving of motor vehicles on that land without the consent of the owner of the land or regulate or prohibit: traffic on that land if a sign is erected at each entrance to the land clearly indicating the regulation or prohibition;

AND WHEREAS Subsection 100.1(1) of the *Municipal Act, 2001*, provides that a local municipality may, in respect of land not owned or occupied by the municipality, which is not a parking lot, regulate or prohibit the parking or leaving of motor vehicles without the consent of the owner of the land;

AND WHEREAS Subsection 101(1) of the *Municipal Act, 2001*, provides that if a municipality passes a by-law regulating or prohibiting the parking or leaving of a motor vehicle on land, it may provide for the removal and impounding or restraining and immobilizing of any vehicle, at the vehicle owner's expense, parked or left in contravention of the by-law and section 170 (15) of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, applies with the necessary modifications to the by-law;

AND WHEREAS Subsection 101(2) of the *Municipal Act, 2001*, provides that a municipality may enter on land at reasonable times for the purposes described in section 101 (1);

AND WHEREAS Subsection 101(3) of the *Municipal Act, 2001*, provides that, if signs are erected on land specifying conditions on which a motor vehicle may be parked or left on the land or regulating or prohibiting the parking or leaving of a motor vehicle on the land, a motor vehicle parked or left on the land contrary to the condition or prohibition shall be deemed to have been parked or left without consent;

AND WHEREAS the *Highway Traffic Act* section 30 provides the restriction and penalties for Electric Vehicles and Electric Vehicle Charging Stations;

AND WHEREAS Section 102.1 of the *Municipal Act, 2001*, provides that if a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-law respecting the parking, standing or stopping of vehicles;

AND WHEREAS Ontario Regulation 333/07 under the *Municipal Act, 2001* ("the Regulation") provides that a municipality shall not require a person to pay an administrative penalty under section 102.1 of the *Municipal Act, 2001* unless the municipality has met the requirements of "the Regulation";

AND WHEREAS the Corporation of the Township of West Lincoln has established a system of administrative penalties in accordance with section 102.1 of the *Municipal Act, 2001* and the regulation;

AND WHEREAS council of the corporation of the Township of West Lincoln deems it necessary and desirable to enact this By-law;

Now Therefore the Council of the Corporation of the Township of West Lincoln enacts as follows:

1. SHORT TITLE.

This By-law Shall be known as the “Private Property Parking By-law”.

2. DEFINITIONS

In this by-law.

“**By-law Enforcement Officer**” means an appointed By-law Enforcement Officer of the Township of West Lincoln.

“**Electric Vehicle**” has the same meaning as in the *Highway Traffic Act*.

“**Electric Vehicle Charging Station**” has the same meaning as in the *Highway Traffic Act*.

“**Emergency Service Vehicle**” means an ambulance, fire truck or other fire department vehicle, a police vehicle or a vehicle of the Ontario Ministry of Transportation.

“**Highway**” has the same meaning as in the *Highway Traffic Act*.

“**Motor Vehicle**” has the same meaning as in the *Highway Traffic Act*.

“**Officer**” means any provincial offences officer or police officer authorized to enforce this By-law, the *Highway Traffic Act* and any other applicable legislation.

“**Park**” means the standing of a Motor Vehicle, whether it is occupied or not, except standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise, passengers and the terms “**Parked**” and “**Parking**” have corresponding meanings.

“**Parking Space**” means an area of Township Property or Private Property set aside for the temporary Parking of one (1) Motor Vehicle and normally designated by lines or other suitable markings painted or marked on the land surface;

“**Person**” means and individual, corporation, partnership or association.

“**Private Property**” means a lot, parcel or otherwise designated piece of land that is privately owned and in which the owner provides in writing, legal authorization for the Township to exercise parking enforcement on the aforementioned lands as published in Schedule “A” of this By-law.

“**Township**” means the Corporation of the Township of West Lincoln.

“**Township Property**” means any land or property owned or occupied by the Township, other than a Highway, that is intended for the temporary Parking of Motor Vehicles and on which there are one (1) or more Parking Spaces.

3. GENERAL PROHIBITIONS

- 3.1 No person shall park or leave a *Motor Vehicle* or permit a *Motor Vehicle* to be Parked or left on any land or property owned by the Township other than on *Township Property*.
- 3.2 No Person shall park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or Permit a *Motor Vehicle* to be Parked or left on *Township Property* or *Private Property* except in accordance with this By-law.

4. PARKING ON TOWNSHIP PROPERTY or PRIVATE PROPERTY

- 4.1 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* without the consent of the Township.
- 4.2 A *Motor Vehicle* that is Parked or Left on *Township Property* contrary to any provision of this By-law shall be deemed to have been parked or left without the consent of the *Township*.
- 4.3 Where the *Township* has posted one or more signs stating conditions on which a *Motor Vehicle* that is *Parked* or left on *Township property*, contrary to any such conditions shall be deemed to have been *Parked* or left without the Consent of the *Township*.
- 4.4 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* other than in a Parking Space and in conformity with signs and markings.
- 4.5 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in such a manner that it is not wholly within a Parking Space.
- 4.6 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in any Parking Space that is occupied by another *Motor Vehicle*.
- 4.7 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in any Parking Space that is temporarily closed.
- 4.8 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in such a manner as to interfere with the clearing of snow or other maintenance or repair of the Township Property.
- 4.9 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in such a manner as to obstruct or interfere with the ability of other *Motor Vehicles* to access or travel through the Township Property.
- 4.10 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in any Parking Space for which the Township has posted signs reserving the use of the Parking Space for specific Persons or *Motor Vehicles*.

- 4.11 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* for a consecutive period longer than twenty-four (24) hours.
- 4.12 No person shall Park or leave a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be parked or left on *Township Property* or *Private Property* in a designated Electric Vehicle Charging Station space that is identified by a sign unless the *Motor Vehicle* is an Electric Vehicle and the Electric Vehicle is attached to the Electric Vehicle Charging Station's charging equipment.
- 4.13 To the extent that the *Township By-law Nos. (Accessible parking By-law Number) and/or (Fire route parking by-law number)* apply to *Township Property* or *Private Property*, no *Person* shall *Park* or *Leave* a *Motor Vehicle* on *Township Property* or *Private Property* or permit a *Motor Vehicle* to be *Parked* or left on *Township Property* in a manner that contravenes said *By-law(s)*.
- 4.14 No *Person* that *Parks* or leaves a *Motor Vehicle* on *Township Property* or *Private Property* or that permits a *Motor Vehicle* to be *Parked* or left on *Township Property* or *Private Property* shall injure, encumber, obstruct or foul the *Township Property* or *Private Property* by placing, discarding or leaving any object, material, substance, debris, item or thing in or upon the *Township Property* or *Private Property* or permit the *Township Property* or *Private Property* to be injured, encumbered, obstructed or fouled by the placing, discarding or leaving of any object, material, substance, debris, item or thing in or upon the *Township Property* or *Private Property*.

5. EXEMPTIONS

- 5.1 Where compliance with this By-law would be impractical, this By-law shall not apply to *Motor Vehicles* operated by or on behalf of the *Township* and engaged in *Township* operations including but not limited to inspection, maintenance or repair of *Township property* and by-law enforcement.
- 5.2 Where compliance with this By-law would be impractical, this by-law shall not apply to any *Emergency Service Vehicle* while carrying out its lawful duties.

6. ENFORCEMENT

- 6.1 This By-law shall be administered and enforced by the *Township*, a *By-law Enforcement officer* and/or an *Officer*.
- 6.2 A *By-law Enforcement Officer* and/or an *Officer* may, for the purpose of enforcing this By-law, exercise any power, authority or remedy granted to the *Township* pursuant to the *Municipal Act, 2001* and/or the *Highway Traffic Act*.
- 6.3 No *Person* shall obstruct or hinder, or attempt to obstruct or hinder, any *By-law Enforcement Officer* and/or an *Officer* in the exercise of a power or the performance of a duty under this By-law.

7. PENALTY

- 7.1 Any offence created by this By-law is not subject to the Penalty Provisions of the *Provincial Offences Act, R.S.O. 1990, c. P. 33*.
- 7.2 Subject to Section 7.1, any *Person* who contravenes any provision of this By-law is guilty of an offence and upon Conviction is Liable to such Penalties as are provided for in the *Municipal Act, 2001* and the *Highway Traffic Act*.

- 7.3 Administrative Penalty System By-law No. 2016-67 applies to each administrative penalty issued pursuant to this By-law.
- 7.4 Every *Person* who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty System By-law No. 2016-67, be liable to pay to the Township an administrative penalty in accordance with that By-law.
- 7.5 For greater certainty, both the driver and the owner of a *Motor Vehicle* are liable to the penalties prescribed by section 7.3 and section 7.4 of this By-law unless, at the time of the offence or By-law Contravention, the *Motor Vehicle* was in the possession of a *Person* other than the owner without the consent of the Owner.
- 7.6 A *By-law Enforcement Officer* and/or an *Officer*, upon the discovery of a *Motor Vehicle Parked* or left in contravention of this By-law may cause the *Motor Vehicle* to be moved or taken to and placed or stored in a suitable place, and all costs and charges for the removal, care and storage thereof, if any, are a lien upon it that may be enforced in a manner provided by the *Repair and Storage Liens Act*.
- 7.7 Notwithstanding any other provision of this By-law, a *By-law Enforcement Officer* may, before removing or causing to be removed the *Motor Vehicle* as provided for in this By-law, issue and attach to the *Motor Vehicle* a *Township Parking Infraction Notice* alleging that the provisions of this By-law have been contravened.

8. GENERAL

- 8.1 If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 8.2 If there is a conflict between a provision of this By-law and a provision of any other By-law of the Township, the provision that establishes the higher standard shall prevail.
- 8.3 This By-law shall be read with all changes in number or gender as are required by context.
- 8.4 Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 8.5 The Township Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

9. EFFECTIVE DATE

- 9.1 This By-law shall come into force and effect on May 1st, 2024.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
22nd DAY OF APRIL, 2024.**

MAYOR CHERYL GANANN

NANCY FIORENTINO, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

By-law No. 2024 - XX

A BY-LAW TO AMEND BY-LAW 2014-67, BEING A BY-LAW TO ESTABLISH A SYSTEM FOR ADMINISTRATION PENALTIES RESPECTING THE STOPPING, STANDING AND PARKING OF VEHICLES

WHEREAS the Township of West Lincoln has adopted By-law No. 2014-67 being the Administrative Penalty By-law which applies administrative penalties in respect of the parking, standing or stopping of vehicles;

AND WHEREAS the Province adopted the “Administrative Penalties” regulation, O. Reg 333/07 pursuant to the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, which applies to administrative penalties in respect of the parking, standing or stopping of vehicles;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln considers it desirable to amend By-law 2014-67 to add the By-law to Regulate Parking “Not on Highways” as a Designated By-law to allow for enforcement through the administrative penalty system;

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

1. By-law 2014-67, as amended, is hereby amended by deleting the language of Part III – Section 3. and the following substituted therefore:
 - “3. Township By-law, or portions of Township by-laws, that are listed in Schedules “A”, “B”, “C”, “D”, “F” and “G” to this By-law shall be Designated By-laws and are hereby designated for the purpose of section 3(1)(b) of the Regulation and the provisions of this By-law shall apply to any contravention of a Designated By-law. Schedules “A”, “B”, “C”, “D”, “F” and “G” shall set out the short form working to be used for the contraventions of Designated By-laws and also set out the Administrative Penalties imposed for the contraventions.”
2. By-law 2014-67, as amended, is amended by deleting the language of Part IV – Section 5. and the following substituted therefore:
 - “5. Each Person who contravenes a provision of a Designated By-law shall, when given a Penalty Notice in accordance with section 6, be liable to pay to the Township an Administrative Penalty in the amount specified in Schedules “A”, “B”, “C”, “D”, “F” and “G” for each day or part of a day on which the contravention continues.”
3. By-law 2014-67, as amended, is hereby further amended by adding a new Schedule “G” – “Township of West Lincoln Administrative Penalty By-law Designated Provisions – Private Property Parking By-law 24-XX” as attached as Schedule ‘A’.
4. In the event that any provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of the by-law.
5. This by-law shall come into force and effect May 1st, 2024.

Read a first, second and third time and finally passes this 22th Day of April, 2024.

CHERYL GANANN, MAYOR

NANCY FIORENTINO, CLERK

Schedule “G”
By-Law 2024 - XX

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
BY-LAW DESIGNATED BY-LAW PROVISIONS
– BY-LAW TO REGULATE PARKING NOT ON HIGHWAYS 2024-XX

1. For the purposes of section 3 of this By-law, Column 1 in the following table lists the provisions in the By-law to Regulate Parking Not on Highways No. 2024-xx, as amended that are hereby designated for the purposes of 3(1)(b) of the Regulation.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Penalty
1	4.4	Stop/Stand/Park in parking space contrary to posted sign.	\$35.00
2	4.5	Stop/Stand/Park not within marked parking space.	\$35.00
3	4.6	Stop/Stand/Park in parking space occupied by another vehicle.	\$35.00
4	4.7	Stop/Stand/Park in closed parking space.	\$35.00
5	4.8	Stop/Stand/Park as to interfere with maintenance or snow removal.	\$55.00
6	4.9	Stop/Stand/Park as to interfere with flow of traffic.	\$35.00

Schedule 2 to PD-22-2024

7	4.10	Stop/Stand/Park in parking space contrary to designated sign.	\$35.00
8	4.11	Stop/Stand/Park in excess of twenty-four (24) hours.	\$35.00
9	4.12	Stop/Stand/Park unauthorized vehicle in Electric Vehicle Charging Station.	\$125.00