



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

MEETING NO. SEVEN

October 15, 2024, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

Staff: Brian Treble, Director of Planning and Building
Justin Paylove, Director of Legislative Services/Clerk
Gerrit Boerema, Manager of Planning
Barb Hutchinson, Deputy Clerk
Susan Smyth, Senior Planner

1. CHAIR - Councillor William Reilly

Prior to commencing with the Planning/Building/ Environmental Committee meeting agenda, Chair Reilly provided 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 p.m. on the day of the meeting for consideration by the Committee. Comments received after 4:30 p.m. on the day of the Committee meeting will be considered at the following Council meeting. Comments submitted are included in the record.

3. This meeting will be livestreamed as well as recorded and available on the Township's website.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Chair read the following land acknowledgement statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit 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.

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

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

4. PUBLIC MEETING(S)

4.1 7395 Twenty Road (Ross Robins) - Zoning By-law Amendment

Re: An application for a Zoning Bylaw Amendment has been made by applicant Ross Robbins on behalf of property owners Evelyn and Jeffrey Duck to rezone the property legally described as Part 1, Range 2, Part of Lot 2, in the former Township of South Grimsby in the Township of West Lincoln.

4.2 5447 Regional Road 20 (William and Cathy Vitucci) Zoning By-law Amendment

Re: An application for a Zoning Bylaw Amendment has been made to rezone the property legally described as Concession 4, Part Lot 12 RP 30R4714 Part 1, in the former Township of Gainsborough now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5447 Regional Road 20.

4.3 Backyard Chickens By-law - Township of West Lincoln

Re: The Township of West Lincoln is addressing the popularity of raising backyard chickens. Based on comments provided and information gathered from area municipalities in the Niagara Region, the proposed by-law is being presented for consideration on the specific regulations to limit

the number of chickens, regulations on where they are permitted in the Township, and location of the coop, run and manure storage including disposal of waste.

5. CHANGE IN ORDER OF ITEMS ON AGENDA

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

6. APPOINTMENTS

There were no appointments.

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

The Chair inquired if there were any members of the public present who wish to address any items on the Planning/Building/Environmental Committee agenda, for which there were none.

8. CONSENT AGENDA ITEMS

There were no consent agenda items.

9. COMMUNICATIONS

9.1 ITEM P39-24

Rebecca Vrugteveen

Re: Request for Fireworks Display at 5267 Elcho Road - October 19, 2024.

Moved By Councillor Joann Chechalk

Seconded By Mayor Cheryl Ganann

1. That, the request received from Rebecca Vrugteveen for Redboss Pyrotechnicians Inc. to host a fireworks display on October 19, 2024 10:00 p.m. at 5267 Elcho Road be approved, subject to the Fire Chief providing approval and submission of appropriate insurance coverage for the event; and,
2. That, this recommendation be and is hereby approved prior to ratification of Council.

Carried

9.2 IITEM P40-24

Jesse Knuth

Re: Noise Exemption for an Event on October 18, 2024 at 8412 South Chippawa Road.

Moved By Councillor Mike Rehner
Seconded By Councillor Jason Trombetta

That, the correspondence from Mr. Jesse Knuth, received September 30, 2024, requesting an exemption from the provisions of the Township's Noise By-law 2013-50, in order to hold an indoor event at 8412 South Chippawa Road on October 18, 2024 being specifically from 8:00 p.m. to 1:00 a.m.; be received and supported

Carried as Amended

Moved By Councillor Mike Rehner
Seconded By Councillor Shelley Bradaric

That, the resolution be amended to reduce the time exemption to 1:00 AM instead of 2:00 AM.

Carried

Moved By Mayor Cheryl Ganann
Seconded By Councillor Mike Rehner

1. That, Jesse Knuth be required to advise all surrounding property owners within 200 metres of 8412 South Chippawa Road being held on this property; and,
2. That, a copy of this resolution be forwarded to the Niagara Regional Police; and,
3. That, this recommendation be and is hereby approved prior to ratification of Council.

Carried

10. STAFF REPORTS

10.1 ITEM P41-24

Senior Planner (Susan Smyth)

Re: Technical Report PD-50-2024 – Backyard Chickens Updated Information and Draft By-law (File No. 1601-002-24)

Moved By Councillor Shelley Bradaric
Seconded By Councillor Mike Rehner

1. That, Technical Report PD-50-2024 regarding backyard chickens updated information and draft by-law (File No. 1601-002-24) be received; and,
2. That, a Recommendation Report be submitted to a future Planning/Building/Environmental Committee once all public and agency comments have been taken into account and a full staff and agency review has been completed.

Carried

10.2 ITEM P42-24

Senior Planner (Madyson Etzl)

Re: Technical Report PD-44-2024 – Application for Zoning Bylaw

Amendment -7395 Twenty Road – Ross Robbins (File No. 1601-004-24)

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

1. That Technical Report PD-44-2024, titled “Technical Report – Application for Zoning Bylaw Amendment - 7395 Twenty Road – Ross Robbins (File No. 1601-004-24)”, dated October 15, 2024, be received; and,

2. That a Recommendation Report be submitted to a future Planning/Building/ Environmental Committee meeting once a full staff and agency review has been completed.

Carried

10.3 ITEM P43-24

Director of Planning and Building (Brian Treble)

Re: Recommendation Report PD-43-2024 Application for Zoning By-law

Amendment– 5447 Regional Road 20 (File No. 1601-007-24) - Cathy and William Vitucci

Moved By Mayor Cheryl Ganann

Seconded By Councillor Joann Chechalk

1. That, Recommendation Report PD-43-2024, titled “Application for Zoning Bylaw Amendment for 5447 Regional Road 20 (File No. 1601-007-24)”, dated October 15th 2024, be received; and,

2. That, the application for Zoning Bylaw Amendment submitted by William and Cathy Vitucci owners of 5447 Regional Road 20, be approved in accordance with the attached Zoning By-law Amendment with the site-specific regulations; and,
3. That, no further public meeting is required for the consideration of this by-law in accordance with Section 34(17) of the *Planning Act*.

Carried

10.4 ITEM P44-24

Director of Planning and Building (Brian Treble)

Re: Recommendation Report PD-46-2024 - Provincial Bypass for Highway 20 on Southwest side of Smithville

Moved By Mayor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

1. That, Recommendation Report PD-46-2024, titled "Provincial Bypass for Highway 20 on Southwest side of Smithville", dated October 15, 2024 be received; and,
2. That, Administration be directed to notify the Region of Niagara that the Provincial Highway 20 bypass is no longer consistent with the recommendations of the Township of West Lincoln Transportation Master Plan and can therefore now be removed from the affected lands as they are no longer lands required for future bypass development.

Carried as Amended

Moved By Councillor Joann Chechalk

Seconded By Mayor Cheryl Ganann

That, administration be directed to request that Niagara Region amend the Terms of Reference in regards to the Environmental Assessment, to remove Option C as a result of our Urban Boundary Expansions.

Carried

10.5 ITEM P45-24

Senior Planner (Susan Smyth), Manager of Planning (Gerrit Boerema) and Director of Planning and Building (Brian Treble)

Re: Recommendation Report PD-49-2024 – Extension of Draft Plan Approval for Marz Homes Smithville West – Dunloe Subdivision (File No. 2000-87-18) and Marz Homes - Thrive Subdivision (File No. 2000-90-20)

Moved By Mayor Cheryl Ganann

Seconded By Councillor Jason Trombetta

1. That, Recommendation Report PD-49-2024, titled “Extension of Draft Plan

Approval for Smithville West – Dunloe Subdivision (File No. 2000-87-18) and Thrive

Subdivision (File No. 2000-90-20) (Marz Homes Inc.)”, dated October 15, 2024 be

received; and,

2. That, the Draft Plan Approval for Smithville West – Dunloe Subdivision (Lot 7, Plan

M98) be extended for a period of two years to expire on December 17, 2026 subject

to conditions included in Schedule C to this report; and,

3. That, the Draft Plan Approval for Thrive Subdivision (Lot 9 of Plan M98 & Part 1 of

Plan 30R15792) be extended for a period of two years to expire on November 25,

2026 subject to conditions included in Schedule D to this report; and,

4. That, Council deem the changes to the conditions of approval found in Schedules C

and D to be minor; and,

5. That, notices of decision be circulated to relevant agencies and departments for both applications.

Carried

10.6 ITEM P46-24

Senior Planner (Susan Smyth), Manager of Planning (Gerrit Borerma), and Director of Planning and Building (Brian Treble)

Re: Information Report PD-42-2024 - No. 3, Comprehensive Zoning By-law Amendments Housekeeping 8 Draft By-law Update

Moved By Councillor Joann Chechalk

Seconded By Councillor Shelley Bradaric

1. That, Information Report PD-42-2024, titled “Information Report No. 3, Comprehensive Zoning By-law Amendments Housekeeping 8, Draft By-law Update,” dated October 15, 2024, be received for information; and
2. That, Administration be directed to finalize the amendments to Housekeeping 8 and present the final version for adoption by Council.

Carried

10.7 ITEM P47-23

Director of Planning (Brian Treble)

Re: Recommendation Report PD-47-2024 - Minor Modifications to the Clean Yard By-law

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

1. That, Recommendation Report PD-47-2024, titled "Minor Modifications to the Clean Yard By-law", dated October 15, 2024 be received; and,
2. That, an amending by-law such as the by-law found at Schedule A to this report, be adopted by Township Council, to amend the current Clean Yards By-law in order to improve the intent and enforcement of Section 2.10; and,
3. That, a future report be presented to Council to implement the Administrative Monetary Penalty (AMPs) by-law for ticketing purposes for the enforcement of the Clean Yards and Property Standards By-law.

Carried

10.8 ITEM P48-24

Director of Planning and Building (Brian Treble)

Re: Information Report PD-39-2024 – New Provincial Planning Statement Overview 2024 and Provincial Transition Recommendation

Moved By Councillor Joann Chechalk

Seconded By Mayor Cheryl Ganann

1. That, Information Report PD-39-2024, regarding “Recommendation Report – New Provincial Planning Statement Overview 2024 and Provincial Transition Recommendation”, dated October 15th, 2024, be received.

Carried

11. OTHER BUSINESS

11.1 ITEM P49-24

Members of Committee

Re: Other Business Matters of an Informative Nature

12. NEW BUSINESS

There were no motions brought forward to introduce any new items of business.

13. CONFIDENTIAL MATTERS

There were no confidential items.

14. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 9:12 p.m.

JUSTIN PAYLOVE, DIRECTOR
OF LEGISLATIVE
SERVICES/CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR