



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COUNCIL AGENDA

MEETING NO. ELEVEN

Monday, July 14, 2025, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

NOTE TO MEMBERS OF THE PUBLIC: All Cell Phones, Pagers and/or PDAs to be turned off. Members of the public who are attending and participating virtually are reminded to keep their microphones muted until they are acknowledged to speak. Additionally, for your information, please be advised that this meeting will be livestreamed as well as recorded and will be available on the Township's website.

Pages

1. SINGING OF "O CANADA" - Gainsborough Public School

Prior to commencing with the Council meeting, Mayor Ganann will provide the following announcements:

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

2. LAND ACKNOWLEDGEMENT STATEMENT

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

3. OPENING PETITION - Councillor Shelley Bradaric

4. PUBLIC MEETING(S)

4.1 Upper Canada Consultants(Agent/Consultant) on behalf of RVL Contracting Inc.

An application was submitted for a Zoning By-law Amendment and Draft Plan of Subdivision with the proposal to create six (6) rural residential lots (7283 Regional Road 20), 1601-002-25 and 2000-001-25

5. CHANGE IN ORDER OF ITEMS ON AGENDA

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

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

7. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

6.7 Public Comment at Council

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

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

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

8. APPOINTMENTS/PRESENTATIONS

There are no appointments/presentations

9. CONFIRMATION OF MINUTES

9.1 Council Minutes
Re: Minutes June 23, 2025

7

Moved By Councillor Greg Maychak

- 1. That, the minutes relating to the June 23, 2025 Council Meeting, and the recommendations contained therein, be accepted.

10. COMMUNICATIONS

10.1 Kaeli, Lexi and Sarayah Killins

20

Re: Representing Canada at the World Jump Rope Championships in Kawasaki, Japan - July 27 to August 3, 2025

Moved By Councillor Shelley Bradaric

- 1. That, the correspondence received from Kim Killins, on July 2, 2025 regarding the World Jump Rope Championships be accepted; and,
- 2. That, Council support Kaeli, Lexi, and Sarayah in their competition.

11. MAYOR’S REMARKS

12. REPORT OF COMMITTEE

12.1 Growth and Sustainability Committee

- 1. Manager, Community and Planning Design (Susan Smyth) and Senior Planner (Robin Shugan) 21
Re: Information Report PD-16-2025 - Zoning By-law Amendment and Draft Plan of Subdivision for 7283 Regional Road 20 (Joshua Court Subdivision)

Moved By Councillor Joann Chechalk

- 1. That, Information Report PD-16-2025, titled “Zoning By-law Amendment and Draft Plan of Subdivision for 7283 Regional Road 20 (Joshua Court Subdivision)”, dated July 14, 2025 be received.
- 2. Manager, Community Planning and Design (Susan Smyth) and Director, Growth and Sustainability (Gerrit Boerema) 47
Re: Recommendation Report PD-26-2025 - Recommendation Report Update - Elite Smithville Developments Inc. Zoning By-law Amendment (File No. 1601-009-24) and Draft Plan of Subdivision (File No. 2000-94-24)

Moved By Councillor Greg Maychak

- 1. That, Recommendation Report PD-26-2025, titled “Recommendation Report Update – Elite Smithville Developments Inc. Zoning By-law Amendment (File No. 1601-009-24) and Draft Plan of Subdivision (File No. 2000-94-24) dated July 14, 2025 be received; and,
- 2. That, Application for Zoning By-law Amendment File No. 1601-009-24 to change the Development ‘D’ zone to site-specific Medium Density ‘RM3’ and High Density ‘RH’ Residential, Open Space ‘OS’, Environmental Protection ‘EP’, Low Density ‘R3’ with Holding Provision, and Development ‘D’ zone, be approved in accordance with the amending Zoning By-law and Schedule contained in Schedule A to this report and

that, Council authorize the Mayor and Clerk to sign the by-law; and,

3. That, Application for Draft Plan of Subdivision (File No. 2000-94-24), be approved, in accordance with the provisions of the Planning Act, R.S.O., 1990, Chapter P.13, and regulations thereunder, subject to draft plan approval conditions contained in Schedule B to this report; and,
4. That, the Owner/Applicant is advised the Township's draft approval of this Plan of Subdivision will lapse three years from the date of approval unless Township Council grants an extension of the approval period prior to the lapsing date. If an extension is requested, an updated review will occur and revisions to the conditions of draft plan approval may be necessary at that time.

3. Manager, Community Planning and Design (Susan Smyth) and Director, Growth and Sustainability (Gerrit Boerema)
Re: Recommendation Report PD-27-2025 - Zoning By-law Amendment for 171 Mill Street (File No. 1601-003-25) for Legion Villa Senior Residence

70

Moved By Councillor Shelley Bradaric

1. That, Recommendation Report PD-27-2025, titled "Recommendation Report - Zoning By-law Amendment for 171 Mill Street (File No. 1601-003-25) dated July 14, 2025 for Legion Villa Senior Residence, be received; and,
2. That, application for Zoning By-law Amendment File No. 1601-003-25 to modify the Institutional (1-19) zone with additional site-specific provisions contained in Schedule B, be approved in accordance with the attached amending Zoning By-law and Schedule, and that Council authorize the Mayor and Clerk to sign the necessary by-law.

12.2 Operations Committee

1. Director, Infrastructure (Mike DiPaola)
Re: Recommendation Report O-16-2025 - Response to Participation Request – Niagara Region Automated Speed Enforcement (ASE) Program Expansion

97

Moved By Councillor Greg Maychak

1. That, Recommendation Report O-16-2025, titled "Response to Participation Request – Niagara Region Automated Speed Enforcement (ASE) Program Expansion", dated June 9, 2025 be received; and

- 2. That, Council direct Administration to notify Niagara Region that the Township of West Lincoln will not participate in the ASE program expansion for 2026, but will reassess the potential benefits of participation in future program phases.

12.3 Community and Protective Services Committee

- 1. Fire Chief (Tim Hofsink) 102
Re: Information Report WLFD-06-2025 - Monthly Update - June 2025

Moved By Councillor Joann Chechalk

- 1. That, Information Report titled “Monthly Update – June 2025” dated July 14, 2025, be received for information.

12.4 Corporate Services Committee

- 1. Director, Legal and Legislative Services (Jessica Dyson) 106
Re: Information Report LLS-06-2025 - By-law Enforcement Services Mid-Year Update

Moved By Councillor Shelley Bradaric

- 1. That, Information Report LLS-06-2025 titled, “By-law Enforcement Services Mid-Year Update”, dated July 14, 2025 be received.

13. RECONSIDERATION

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

14. NOTICE OF MOTION TO RESCIND

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

15. OTHER BUSINESS

- 15.1 Members of Council
Re: Council Remarks

16. NEW ITEMS OF BUSINESS

17. CONFIDENTIAL MATTERS

There are no confidential matters

18. BY-LAWS

Moved By Councillor Joann Chechalk

1. That leave be granted to introduce By-Laws 2025-44, 2025-45, 2025-46, 2025-47, 2025-48 and 2025-49 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,
2. That the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

18.1	BY-LAW 2025-44 A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln. Elite Smithville Developments Inc.	112
18.2	BY-LAW 2025-45 A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln. 171 Mill Street, Legion Villa	116
18.3	BY-LAW 2025-46 To appoint the Deputy Clerk as a Issuer/Registrar authorized to issue Marriage Licences for the Township of West Lincoln	119
18.4	BY-LAW 2025-47 Being a By-law to appoint a Deputy Fire Chief for the West Lincoln Fire Department Zoli Rakonjac	120
18.5	BY-LAW 2025-48 To appoint the Clerk as a Issuer/Registrar authorized to issue Marriage Licences for the Township of West Lincoln	121
18.6	BY-LAW 2025-49 A By-law to adopt, confirm and ratify matters dealt with by Council resolution.	122

19. **ADJOURNMENT**

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



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
COUNCIL MINUTES

MEETING NO. TEN

June 23, 2025, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Cheryl Ganann, Chair
Mayor Shelley Bradaric
Councillor William Reilly, arrived at 7:20 p.m.
Councillor Jason Trombetta
Councillor Joann Chechalk
Councillor Greg Maychak

Staff: Justin Paylove, Manager, Legislative Services/Clerk
Jessica Dyson, Director, Legal and Legislative Services
Cynthia Summers, Director, Community and Protective Services
Truper McBride, CAO
Kevin Geoghegan, IT Help Desk Analyst

Absent with regrets: Councillor Mike Rehner, notification provided

Attendees: Albert Witteveen, Regional Councillor
Jason Reynar, Solicitor
John Ganann

1. SINGING OF "O CANADA" - Caistor Centre Public School

Prior to commencing with the Council meeting, Mayor Ganann will provide the following announcements:

1. The public may submit 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 read into public record.

2. This meeting is being livestreamed as well as recorded and will be 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 Hattiwendaronk, 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.

3. OPENING PETITION - Councillor Joann Chechalk

Councillor Chechalk read the opening petition

4. CHANGE IN ORDER OF ITEMS ON AGENDA

There were no change in order of items on agenda

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

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

There were no disclosure of pecuniary interest and/or conflict of interest disclosed

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

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

6.7 Public Comment at Council

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

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

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

7. APPOINTMENTS/PRESENTATIONS

7.1 Jason Reynar, Solicitor

Re: Strong Mayor Education and Presentation
POWERPOINT PRESENTATION

8. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Albert Witteveen read from a prepared statement (attached as Schedule "B") to the minutes.

9. CONFIRMATION OF MINUTES

9.1 Council Minutes

Re: Minutes - May 26, 2025

CONFIDENTIAL MINUTES UNDER SEPARATE COVER

Moved By Councillor Jason Trombetta

Seconded By Councillor Shelley Bradaric

1. That the minutes relating to the May 26, 2025 Council Meeting, and the recommendations contained therein, be accepted; and,
2. That the confidential minutes relating to the closed session portion of the May 26, 2025, Council Meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in Section 239 of the Municipal Act.

Carried

9.2 Special Council Minutes

Re: Minutes - June 16-2025

Moved By Councillor Greg Maychak

Seconded By Councillor Joann Chechalk

1. That the minutes relating to the June 16, 2025 Special Council Meeting, and the recommendations contained therein, be accepted.

Carried

10. COMMUNICATIONS

10.1 Liz Dinga, Request for Exemption to By-law

Re: Request for Fire Works Display - June 28, 2025

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

1. That, the request received from Liz Dinga dated June 20, 2025, to host a fireworks display on June 28, 2025, in a vacant field next to 2426 Silverdale Rd. be approved with the exception of a dry weather advisory or fire ban.

Carried

11. MAYOR'S REMARKS

Mayor Ganann read from a prepared statement (attached as Schedule "A") to the minutes.

12. REPORT OF COMMITTEE

12.1 Growth and Sustainability Committee

Re: Minutes - June 9, 2025

Moved By Councillor Joann Chechalk

Seconded By Councillor William Reilly

1. That the minutes relating to the June 9, 2025, Growth and Sustainability Committee meeting, and the recommendations contained therein, be accepted.

Carried

12.2 Corporate Services Committee

Re: Minutes - June 16, 2025

CONFIDENTIAL MINUTES UNDER SEPARATE COVER

Moved By Councillor Shelley Bradaric

Seconded By Councillor Greg Maychak

1. That the minutes relating to the June 16, 2025, Corporate Services Committee meeting, and the recommendations contained therein, be accepted; and,
2. That the confidential minutes relating to the closed session portion of the June 16, 2025 Corporate Services Committee Meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in Section 239 of the Municipal Act.

Carried

12.3 Community and Protective Services Committee

Re: Minutes - June 16, 2025

Moved By Councillor Jason Trombetta

Seconded By Councillor Greg Maychak

1. That the minutes relating to the June 16, 2025, Community and Protective Services Committee meeting, and the recommendations contained therein, be accepted.

Carried

13. RECONSIDERATION

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

14. NOTICE OF MOTION TO RESCIND

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

15. OTHER BUSINESS

15.1 Members of Council

Re: Council Remarks

Councillor Chechalk

Re: Long Term Cares of Niagara – Golf Tournament

Councillor Reilly

Re: Need of increased facilities for tournaments in Public Parks

Councillor Trombetta

Re: Wished Council and staff to have a great summer

Councillor Maychak

Re: Wished Council and Staff to have a great summer

Discussed and appreciated the garage sale event.

16. NEW ITEMS OF BUSINESS

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

17. CONFIDENTIAL MATTERS

There were no confidential matters

Carried

18. BY-LAWS

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

1. That leave be granted to introduce By-Laws 2025-36, 2025-37, 2025-38, 2025-39, 2025-40, 2025-41, 2025-42 and 2025-43 and that the same shall be considered to have been read a first, second, and third time with one reading, and are hereby adopted; and,
2. That the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

Carried

18.1 BY-LAW 2025-36

A By-law to authorize the entering into an Ontario Transfer Payment Agreement for the Housing Enabling Water Systems Fund Intake 2 with his Majesty the King the Right of Ontario as represented by the Minister of Infrastructure.

18.2 BY-LAW 2025-37

A By-law to amend By-law 2023-03 which confirmed various appointments and/or recommendations for appointments to Boards, Committees & Municipal Positions

Age Friendly Advisory Committee

18.3 BY-LAW 2025-38

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and LiveBarn Inc.

18.4 BY-LAW 2025-39

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln.

4426 Regional Road 20, Linde Truck and Trailer

18.5 BY-LAW 2025-40

A By-law to establish as Public Highway to form part of the South Grimsby Road 10 road allowance, between Lots 19 & 20, Concession 9, and the download of lands from the Province of Ontario and Regional Municipality of Niagara has required the establishment of a new right of way legally described as Part 7 on Plan 30R-15936 and Part of Lot 19, Concession 9, being Part 14 ON Plan 30R-15936 and Parts 1 & 2 on Plan 30R-16209; Township of West Lincoln (Geographic Township of South Grimsby), Regional Municipality of Niagara.

18.6 BY-LAW 2025-41

A By-law to permanently close and declare surplus that Part of South Grimsby Road 10, being Part of Lot 19, Concession 9, described as Parts 3, 4, 5, 10, 11, 12 & 13 on Plan 30R-15936, save and except Parts 1 & 2 on Plan 30R-16209 and Part of the Road Allowance between Lots 19 & 20, Concession 9, being Part 8 on Plan 30R-15936, Township of West Lincoln (Geographic Township of South Grimsby), Regional Municipality of Niagara.

18.7 BY-LAW 2025-42

A By-law to authorize conveyance of a portion of the municipal road allowance formerly known as South Grimsby Road 10, being Part of Lot 19, Concession 9, described as Parts 3, 10 & 11 on Plan 30R-15936, save and except Part 1 of Plan 30R-16209; Township of West Lincoln (Geographic Township of South Grimsby), Regional Municipality of Niagara.

18.8 BY-LAW 2025-43

A By-law to adopt, confirm and ratify matters dealt with by Council resolution.

19. ADJOURNMENT

The Mayor to declare this meeting adjourned at the hour of 7:38 p.m.

JUSTIN PAYLOVE, MANAGER,
LEGISLATIVE SERVICES/CLERK

MAYOR CHERYL GANANN

Schedule "A" to the June 23, 2025 Council Minutes

June 23/25 Council Mtg. Mayor's Remarks

The day after our May 26th Council meeting, the members of our Community Recognition Committee, that being Councillors Joann Chechalk and William Reilly, Executive Assistant Jacquie Thrower and myself, met to make final decisions regarding both the Nomination form and the Press Release for the 2025 Awards. Nominations are being sought from the community for residents who have served their community well in either a short burst of time or over many years in the following categories: Sports/Recreation, Cultural or General Volunteerism. Additionally we have a Youth Community Engagement category to try to capture the contributions of young people to our community. The nomination period opens on Canada Day and closes the weekend of our Agricultural Fair, September 5-7th. Our Celebration of the 2025 winners will take place on October 21st upstairs at the Community Centre.

That same week our delegation materials were finalized and our request for delegation meetings at the August AMO Conference were submitted. We now are continuing to enhance and expand on those materials in the hope of actually being granted meetings with several different ministers. We should hear back sometime in mid to late July about whether or not we have been accepted to delegate personally.

May 31, John and I were honoured to be guests at the 60th Anniversary Gala for Community Living of Grimsby, Lincoln and West Lincoln. It was a lively and most enjoyable celebration of the wonderful work that their staff have been doing to support and enhance the lives of those with developmental challenges.

On Monday, June 2, a good-sized crowd, consisting of Town Hall and Library staff and many residents witnessed the raising of the Pride Flag in West Lincoln as we recognized the first week of June being Pride Week. One week later on June 9th, a similar sized crowd, again with several residents, came out along with their umbrellas since it was pouring rain, as we raised the Age-Friendly Niagara Flag in recognition of June also being Seniors Month.

On the morning of June 3, CAO McBride and I, along with our counterparts from both Pelham and Wainfleet had an interesting and informative tour of the Fero Facility on the South Service Road in Winona, where we learned of their growing capabilities for the production of modular buildings, suitable for classrooms, respite or retirement homes, hospitals etc.

That same afternoon, I took part in a webinar hosted by our Legal Counsel, Jason Reynar regarding "Strong Mayor" powers. There were 2 Mayors on the panel, one being part of the original cohort, Mayor Lynn Dollin of Innisfil and myself representing the perspective of those newly appointed. Approximately 80 people were registered for the 1 hour session and as you can imagine the questions were flowing regarding the meaning, breadth and consequences of these newly placed powers.

The afternoon of Friday, June 6th, the West Lincoln Age-Friendly Advisory Committee held a very successful event which drew a sizable crowd of older adults to learn about the findings of the McMaster University's "Road Less Travelled" study regarding the various effects that lack of public transportation has on our residents as they age. Additionally Community Support Services of Niagara under their newly branded label "Heart to Home" presented information about their varied services for Seniors.

Regional Chair Bradley has a regionally-wide Chair's Youth Advisory Council and on June 12, I was invited to take part on a panel at their final meeting of the year. The panel consisted of a City of St. Catharine's Councillor, Marty Mako, a Regional Councillor, Rob Foster of Lincoln and a Mayor, myself

who all provided background information about our paths to where we are now. We answered a great many questions from these young people, many of whom have been on this Youth Council since January 2023 and are now in university.

The morning of June 13th, I was pleased, along with Growth and Sustainability Chair, Councillor Chechalk to sit in on the third Developer's Roundtable organized and effectively run by Growth and Sustainability Director Boerema. The report from Agile regarding the need for future I&I work to gain capacity in our storm/wastewater system was heard by all at the same time and many questions were answered by both the consultant and the Regional staff in attendance. A presentation on this same topic will be coming to Council, likely at the August meeting.

Saturday, June 14th, John and I were pleased to attend the "Touch a Truck" event that was organized by our Public Library staff who partnered with the Chamber of Commerce. Library staff initiated this event when they were looking for an event to mark Father's Day. Their thinking was that all Dad's (and some Moms) and most kids love to look at large trucks and farm machinery and they were absolutely correct in their thinking as a couple of hundred residents came out to the Community Centre parking lot, over the 4 hour period to enjoy touching, sitting in or climbing on various vehicles. Thanks to our local farm and business communities, as well as Township and Regional staff for taking time to clean up and shine those vehicles for this community event.

The first of what will be a few Public Information Sessions regarding the Fulton Employment Lands was held on Tuesday, June 17th. The Fulton Hall was packed with local residents who had many questions about what that zoning change would mean for their property. The questions were well responded to by both the consultant and our Manager of Growth and Sustainability, Susan Smyth. Residents were reassured that they would be able to continue to enjoy their property as they wished for as long as they wished in spite of any change to the zoning.

I will end this month's report by highlighting two very successful community events, both grassroots, resident- initiated events. The first Friday evening, June 13th was the Caistor School Fun Fair. This event that has been running successfully for well over 30 years supports school "extras" and although staff always are involved and supportive, it has always been run by a Parent Committee. The Station 2 Firefighters have been providing the BBQ'd food since the existence of that station. The Caistor Fun Fair proves to be a huge community gathering year after year with former students returning along with their own children and their parents, now grandparents. It is always a multi-generational event enjoyed by everyone in attendance.

The second event that I want to highlight, held only for the second time ever, took place on Saturday, June 14th. That was the Community-wide garage sale.

This highly successful event which was originated by residents and was grown on various social media platforms resulted in not only a way for the buying and selling of no longer needed household goods, but provided a huge opportunity for social engagement throughout the municipality. Although some areas were so congested with traffic that it was a bit difficult to get around, it was wonderful to see so many people of all ages out and about in our Community!

Finally, I would like to wish my colleagues and staff, and all of our residents, a safe and enjoyable summer. Hopefully I will still see many of you out to enjoy our amazing Canada Day activities as we celebrate being Canadian together on Tuesday, July 1st at the Leisureplex.

Schedule "B" to the June 23, 2025 Council Minutes

Regional Councillors Report: June 23, 2025

Good evening Mayor, Councillors, staff and members of the public.

I would like to start by letting you the Niagara Region has started its budget process for 2026 year. Council has brought forward a motion to give staff guidance for a 3.5% increase. We understand the pressures to our residences in this time of economic uncertainty. Over the coming months and into the fall time we will work through departments requirements to achieve our strategic objectives in providing services that our residences are accustomed to.

In the Public Works committee the concerns of the re-cycling collection to non-eligible sources strategy continues with the Province. The producer group wants to provide less services than what our municipalities were receiving from the Niagara Regions program. We have been working with the BIA's and Chambers of Commerce in lobbying the Provincial government to continue this level of service. The extra cost to the taxpayers for this service would equate to 2.9-3.5 million on the Waste management budget. We are not willing to take on this extra cost for our residences. As a reminder we still have to the end of this year to find resolution to this. I will keep council informed as we get closer to the deadline and the possible outcomes.

I have been working with Regional staff on some residences concerns on traffic safety in our municipality. A couple of concerns were for a better line of site at the intersection of Mill st and Canborough st. Vegetation was trimmed back and stop markers were repainted. This should make this intersection safer for the residences of Legion Villa. I have been working with staff on the railway crossing on Twenty mile road. The challenge is working with the Railway Company and just trying to get a response on the possible time the improvement can be made. Staff have signed this crossing to let everyone know that there is a bump or unevenness in the crossing to slow down.

We were updated at the Public Health meeting that student immunization records for 2024-2025 of 71,343 students age 4-17 years of age were at 93.2% compliance. Public Health were playing catchup after COID to bring students back upto date in there records,

On the local community events, I had attended the Touch a Truck event at the community centre and thank the participants for taking the time to come out and support our community. Participants were pleased with the turn out for the day.

I also attended the Strawberry Social at the Niagara Christian Gleaners this past saturday for some fresh strawberries and ice cream. It was a great

day for the organizers which are always happy to give tours of this facility.

This is my report for this month if any councillors have any questions

I will gladly answer them for you.

Albert Witteveen

Dear Mayor Ganann,

I am writing to share some exciting news about my three daughters, Kaeli, Lexi, and Sarayah. In just three weeks, they will proudly represent Canada at the World Jump Rope Championships in Kawasaki, Japan, joining over 1,300 athletes from 35 countries.

During the 10-day competition, the girls will showcase their skills in both individual and team freestyle and speed events. They will also come together with their teammates for a special Team Show, performing a choreographed routine that highlights their creativity, athleticism, and teamwork.

Kaeli, Lexi, and Sarayah began their jump rope journey in 2017 with the Lincoln Leapers and now train with the Jumpsations Jump Rope Club in Hamilton. They have competed in events across Ontario and Canada, steadily building their skills and experience. Most recently, they traveled to Saskatchewan for Nationals, and in 2023, they had the opportunity to compete internationally for the first time at the World Championships in Colorado Springs, USA.

Throughout their jump rope careers, all three girls have won multiple Regional, Provincial, and National titles in both team and individual events. This year, Sarayah and her teammates set new national records in the Pairs Double Under Relay and the Team Double Dutch Relay. Kaeli, Lexi, and Sarayah also competed together for the first time in the 1x60 Second Double Dutch Speed Sprint event, where they won 1st place at Nationals.

Beyond their competitive accomplishments, the girls have shared their passion for jump rope with the West Lincoln community by performing at the West Niagara Fair and Family Day celebrations at the Community Centre. They have also taken part in Jump Rope for Heart presentations at Caistor Public School, helping promote the health benefits of this fun and engaging sport.

As they prepare to represent both Canada and our community on the world stage, we are reaching out to request any support from Council you might be able to offer—whether it's best wishes of support to share within the community, West Lincoln pins for the girls to bring to Japan, or any other encouragement you feel appropriate.

If you have any questions, please feel free to call me at 905-932-2626. To learn more about the team, please visit Jumpsations Rope Skipping Club at www.jumpsations.ca and to watch the event live or find more information about the IJRU World Championships, visit <https://ijru.sport/2025-world-championships>.

Thank you so much for your time and support.

Sincerely,

Kim Killins

DATE: July 14, 2025

REPORT NO: PD-16-2025

SUBJECT: **Information Report: Zoning By-law Amendment and Draft Plan of Subdivision for 7283 Regional Road 20 (Joshua Court Subdivision)**

CONTACT: Susan Smyth, Manager, Community Planning and Design
Robin Shugan, Senior Planner

OVERVIEW:

- Applications for a Draft Plan of Subdivision and Zoning By-law Amendment have been submitted by Upper Canada Consultants (Consultant/Agent) on behalf of RVL Contracting Inc. (Owner/Applicant) for a vacant property located in the Hamlet of Regional Road 12, east of Grimsby Road and north of Regional Road 20.
- The Applicant is proposing a rural subdivision containing nine blocks with six single residential lots, one block for stormwater management, and two blocks for 0.3 metre reserve along Regional Road 12.
- The proposal seeks to rezone the subject lands from Development (D) Zone to a site-specific Rural Residential (RuR) Zone and Open Space (OS) Zone. The site specific request is to reduce the required lot frontage from the required 45 metres to 18 metres for four of the six proposed lots.
- The proposed residential lots will have access and frontage onto a future internal public road.
- The development is proposing private septic and water (cistern) services.
- The development is proposing a dry stormwater management facility and will utilize grassed road side swales.
- The applicants have called this development 'Joshua Court' however, the name of the proposed public street would require Council approval.
- A recommendation report will be presented at a future committee meeting once the application has been fully reviewed and all agency and public comments have been considered.

RECOMMENDATION:

1. That, Information Report PD-16-2025, titled "Zoning By-law Amendment and Draft Plan of Subdivision for 7283 Regional Road 20 (Joshua Court Subdivision)", dated

July 14, 2025 be received.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1 and 2

- Build a safe, connected, caring and active community
- Champion strategic and responsible growth

BACKGROUND:

The subject lands are situated on the east side of Grimsby Road (Regional Road 12), approximately 185 metres north of the intersection with Regional Road 20. The property encompasses an area of approximately 4.27 hectares, with a lot frontage of 194.36 metres along Grimsby Road.

The subject lands are located within the Regional Road 12 Hamlet; however, the northern portion of the lands, approximately 1.10 hectares, lies outside the boundary of the Regional Road 20 Hamlet. The property contains no existing structures and historically been used for agricultural purposes. Refer to Figure 1 for the location of the subject lands.

Figure 1: Location of Subject Lands



The Township's Official Plan designates the area of land within in the Regional Road 12 Hamlet as Hamlet Settlement Area, and the lands located outside of the Hamlet designated as Good General Agriculture. The Township's Zoning By-law 2017-70 zones the lands within the Hamlet as Development (D) Zone, and the lands outside the

Hamlet, as Agriculture (A) Zone. Refer to Figure 2 and 3 for Official Plan designation and Zoning.

Figure 2: Township's Official Plan Designation

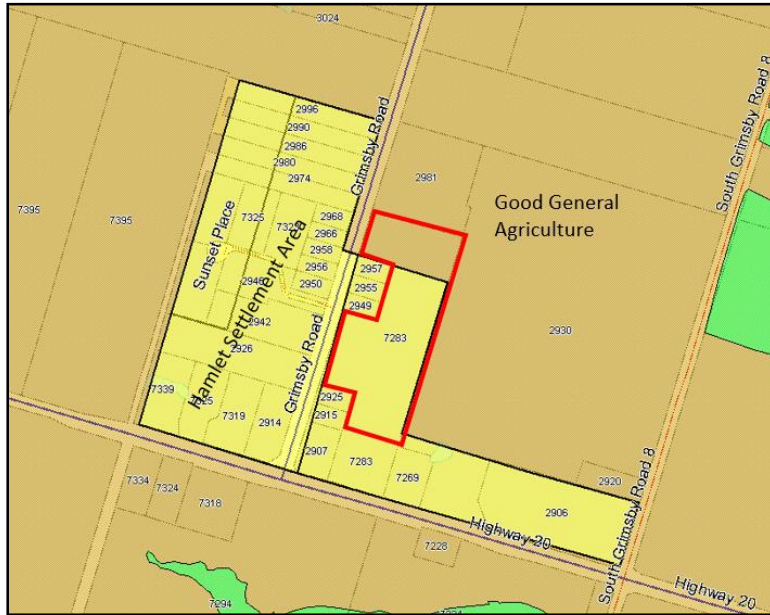
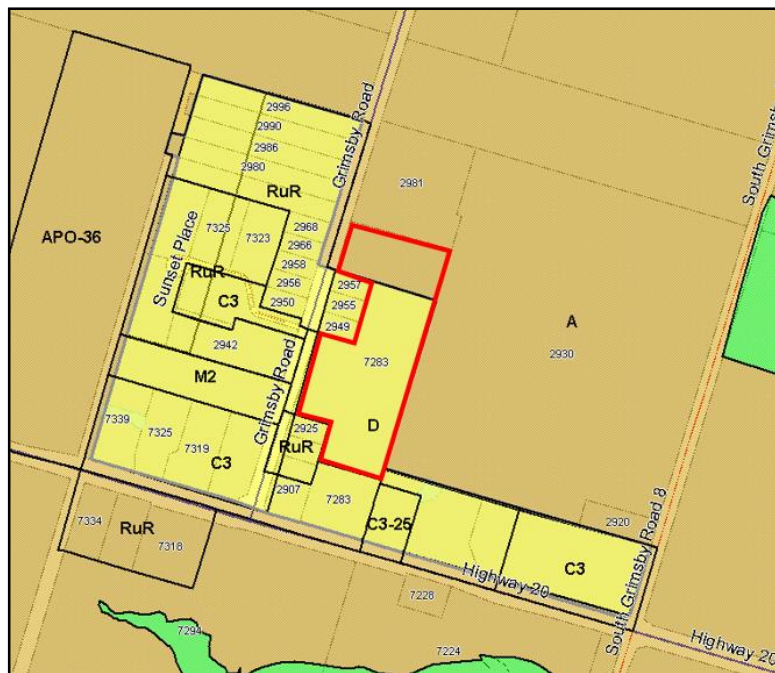


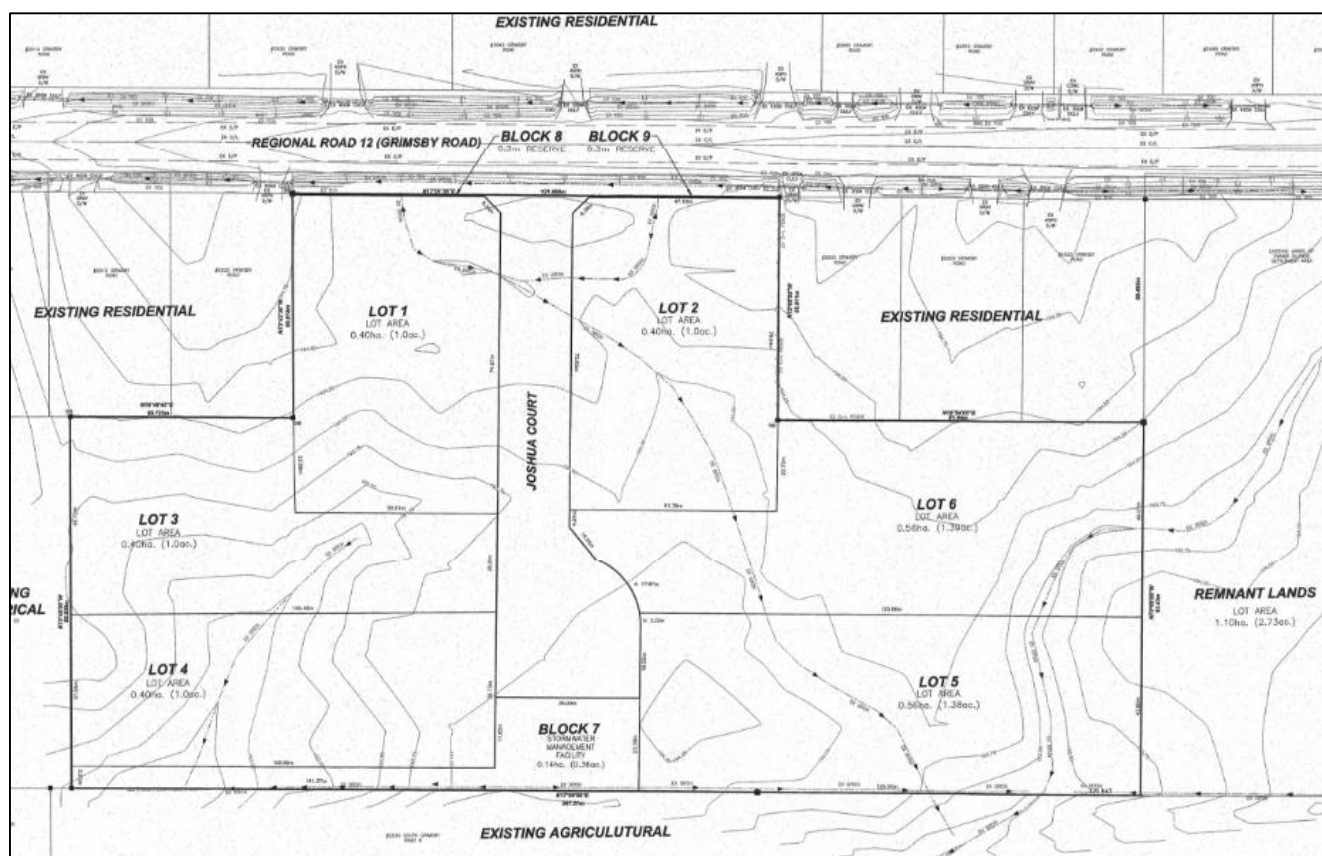
Figure 3: Township's Zoning By-law 2017-70, as amended



CURRENT SITUATION:

The Zoning By-law Amendment and Draft Plan of Subdivision proposes to create nine blocks to accommodate six (6) rural residential lots (Blocks 1-6) intended for single detached dwellings off an internal public road. Block 7 is the proposed stormwater management facility. Blocks 8 and 9 will be a 0.3 metre road reserve. Refer to Figure 4 for the proposed draft plan and the larger version is found under Schedule A of this report.

Figure 4: Proposed Draft Plan of Subdivision



The supplemental technical studies submitted with the applications are summarized below.

Environmental Impact Study (EIS)

An EIS was completed by Beacon Environmental Limited (September 24, 2024). The entire development area will be graded and all headwater drainage features will either be removed or altered. The EIS assessment has identified that the area has no natural heritage features or functions within or adjacent to the site.

The EIS indicated that there is no permanent or intermittent watercourse features

regulated by the Niagara Peninsula Conservation Authority (NPCA). However, there are headwater drainage features present with one section of the features, directly south of Grimsby Road, will not require alteration and remain flowing to the farm field. The balance of the feature will be realigned by grass swales along the north boundary and then southward along the east boundary to where it currently exists the site.

The flows from the other headwater features will be directed by grass swales along the south boundary which will go north along the east boundary to discharge at the where one feature currently exists the site. The stormwater associated with the development will be collected and conveyed to the stormwater pond, which will discharge southward to where the feature currently exists the site ultimately to the Twenty Mile Creek. The EIS recommends natural enhancement design for grass swales for the control of surface water.

Environmental Noise Study

An Environmental Noise Study was completed by Valcoustics Canada Ltd. (October 7, 2024, June 10, 2025 Addendum). The Noise Study was required for the potential impact of transportation noise on the proposed development fronting onto Grimsby Road (Highway 20), as well as potential stationary noise sources from the surrounding commercial and industrial uses. The Noise Study concluded that potential noise impacts experienced from these facilities are expected to comply with the Ministry of Environment, Conservation and Parks (MECP) noise guidelines and limits. Warning clauses are to be included in the sales agreements and to be registered on titled.

Hydrogeological Assessment

A Hydrogeological Assessment was completed by Englobe (January 3, 2025). The assessment was required to determine if the proposed six rural residential lots will have sufficient area and suitable conditions to support private septic and water (cistern) systems. The assessment concluded that the proposed lot size will be sufficient to allow for private servicing (septic and cisterns).

Stormwater Management Report

A Stormwater Management (SWM) Report was completed by Upper Canada Consultants (March 2024, June 12, 2025 Addendum). The study was required to address the stormwater drainage from the proposed development. The SWM report recommended that stormwater quality improvement will be provided by normal protection by proposed roadside ditches (grassed swales) along the proposed new public road. Quantity controls will be provided by a two-stage headwall and storage will be provided by a dry pond. The study concluded that the dry pond is best stormwater management option for this site for its ability to receive major overland flows, provide the required stormwater storage while being able to outlet to a shallow above ground outlet. The maintenance and inspection of the pond is very simple and does not require specialized equipment and training.

The owner is working with the adjacent landowners to secure an easement for the proposed stormwater outlet.

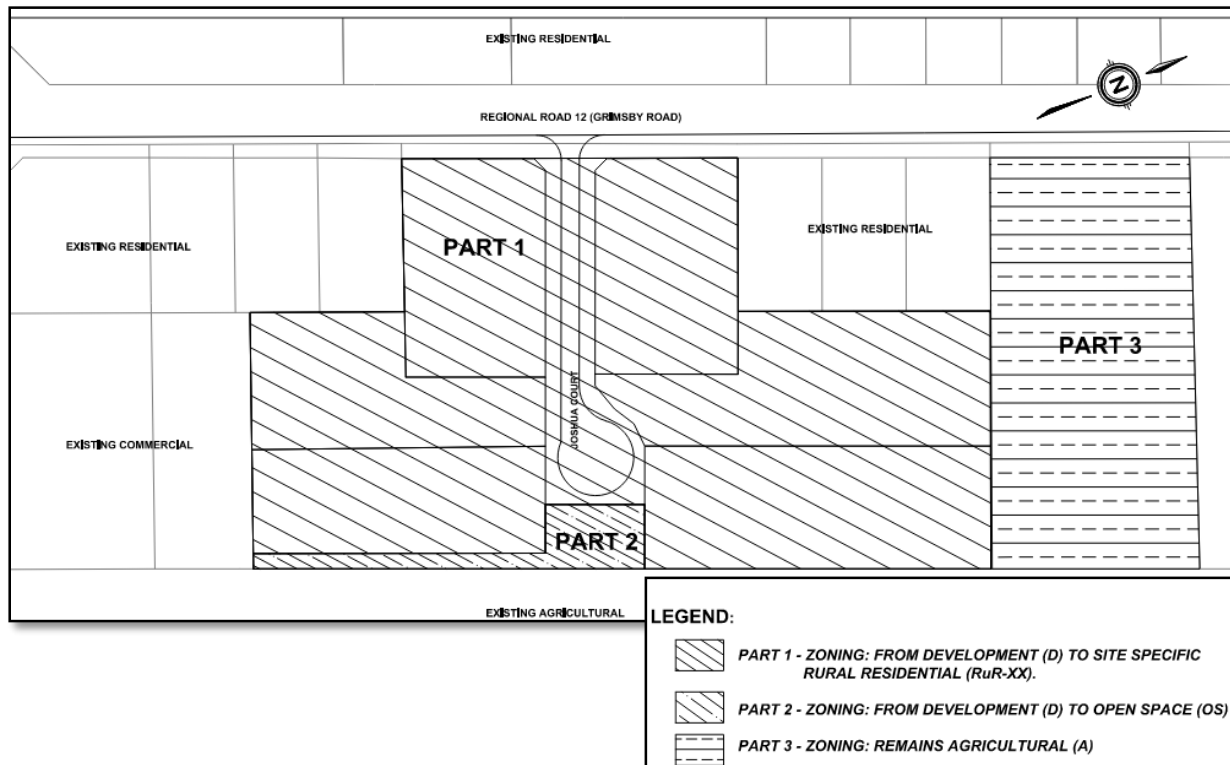
Archaeological Assessment

A Stage 1 and 2 Archaeological Assessment was completed by Detritus Consulting Ltd. (December 14, 2024). The study was required due to the subject lands being mapped within the Region's Archaeological Potential mapping. The study was conducted on the lands that are being development, and concluded that no archaeological resources were found and no further studies are required. These reports will be filed with the Ministry for clearance and placed on the registry.

Zoning By-law Amendment

The proposed Zoning By-law Amendment is required to rezone the subject lands that are within the Regional Road 12 Hamlet from Development (D) zone to a site specific Rural Residential (RuR) zone and Open Space (OS) zone. The remnant parcel of the subject lands outside the Hamlet is proposed remain within an Agricultural (A) zone, however, Section 18.13.5 of the Township's Official Plan states that the remnant parcel outside the Hamlet Settlement Area boundary shall be rezoned to Agricultural Purposes Only (APO). The site specific modification to the RuR zone is to reduce the require lot frontage from 45 metres to 18 metres. This would only apply to four of the proposed lots. Refer to Figure 5 for the proposed zoning by-law amendment schedule and representation of the zoning changes.

Figure 5: Proposed Site Specific Zoning By-law Amendment



The proposed Draft Plan of subdivision is required to legally create the individual lots that are intended to be individually serviced by private sanitary (septic) and water (cistern) systems. The other blocks are for the new local road, and dry stormwater management facility that outlets into a tributary of the Twenty Mile Creek.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

INTER-DEPARTMENTAL COMMENTS:

Below is a summary of the agency comments received to date regarding this application.

Enbridge Gas: No objections.

Niagara Peninsula Conservation Authority (NPCA): The NPCA raised concerns about the planned realignment of a regulated watercourse on the site. While open to supporting the realignment, the NPCA requires justification demonstrating it meets their policies and does not increase risks related to flooding, erosion, or natural hazards. A realigned channel should be located within its own block without buffers extending onto other private lands, be zoned an appropriate Environmental Protection Zoning, and be sized sufficiently to convey a 100-year storm event. Natural channel design shall be considered to ensure the realignment does not result in erosion or flooding concerns.

Additionally, the NPCA clarified that the southern swale (to Outlet 'B') is not a regulated watercourse, and concerns with the outlet onto adjacent private lands. NPCA will require appropriate approval (e.g., legal easement) from the neighbouring property owner to secure the outlet before the NPCA can support the development applications.

Regional Municipality of Niagara: Regional staff are generally satisfied and provided comments in regards to Land Use Compatibility for the surrounding agricultural lands, including poultry barns, may cause noise or odour issues. Although MDS setbacks do not apply in hamlets, Regional staff recommend a warning clause to inform future residents of possible agricultural impacts.

The Region has also provided comments regarding potential noise impacts (e.g., transportation-related noise from Regional Road 12 and Highway 20, as well as stationary noise from the surrounding commercial uses).

The Region provided comments on the archaeological assessment and prior to building permit issuance, the Ministry of Citizenship and Multiculturalism acknowledgment letter must be submitted.

Regional Environmental Staff reviewed the EIS and sufficiently addresses the work plan and have no objections. Regional Staff provided comment that no road widening is

required. To ensure future access to proposed road the applicant will provide a 0.3 metre wide reserve in favour of the Region.

Township Development Engineering: The Township is not opposed to the reduced 18m road allowance and finds the cul-de-sac suitable for winter maintenance. Additional plans (geotechnical, street lighting, erosion/sediment control, and landscaping) are still required.

Staff raised concerns with the proposed dry storm pond and the maintenance of the dry pond and channel to the outlet. Concerns regarding Outlet B to a private swale on the neighbouring property and not to a regulated feature, this is not considered a legal and secured outlet and therefore an easement would be required.

Township Building Department: The Township will require permit applications with required fees and documents for site grading, architectural plans, septic and adequate water for fire protection. Development charges will be required at the time of building permit.

Township Fire Department: Hamlet subdivision developments will require 10,000 litre fire cisterns. The number of cisterns will be based on the size/number of residence within the subdivision. The Township's Fire Department states that secondary means of access to the subdivision, particularly for courts, is beneficial in supporting fire suppression operations.

PUBLIC COMMENTS

One member of the public provided comments on the application requesting more information on:

- Site alteration and import of fill
- Stormwater management pond and potential overflows
- Berms or trees/vegetation buffer to neighbours
- Why the zoning change?
- Why are the proposed lots so small?
- Impacts to the natural habitat and environment
- Contact with First Nations

Administration notes that the First Nations contacts were contacted on February 14, 2025 and again on June 13, 2025 and to date no comments have been received.

All other comments were provided to the applicant and the appropriate responses will be provided for the recommendation report.

CONCLUSION:

An application for Draft Plan of Subdivision approval and Zoning By-law Amendment has been submitted by Upper Canada Consultants on behalf of RVL Contracting Inc. The

applications are to facilitate a rural residential development for six rural residential lots to permit the use of single detached dwellings.

This report is submitted to Committee for information purposes. A Recommendation Report will be prepared and presented by Administration at a future Committee meeting.

SCHEDULES:

- A. Draft Plan of Subdivision
- B. Draft Zoning By-law
- C. Agency Comments

Prepared & Submitted by:

**Robin Shugan,
Senior Planner**

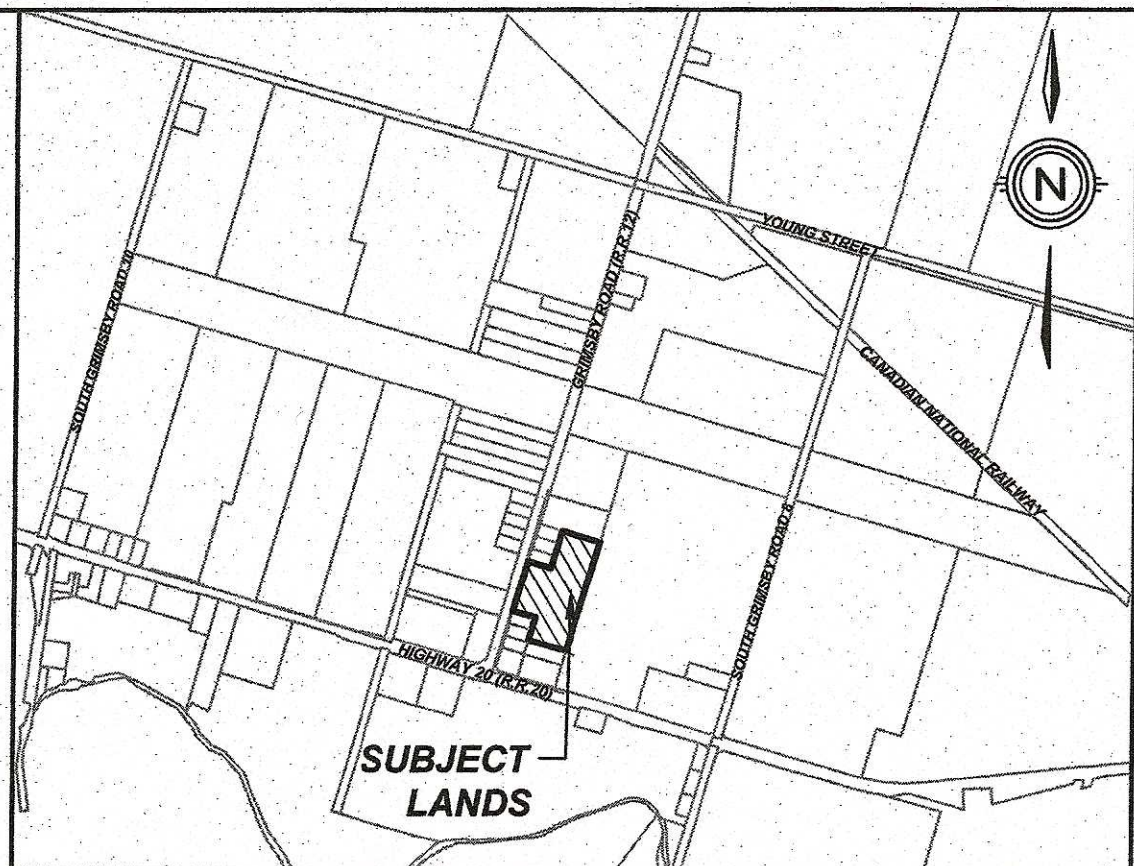
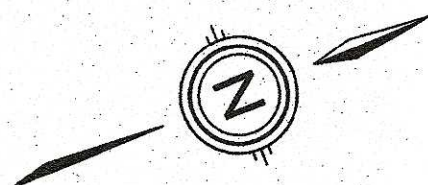
**Susan Smyth,
Manager, Community Planning and Design**

Approved by:

**Gerrit Boerema,
Director of Growth and
Sustainability**

**Truper McBride,
CAO**

JOSHUA COURT
TOWNSHIP OF WEST LINCOLN



KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART LOT 17, CONCESSION 8,
GEOGRAPHIC TOWNSHIP OF SOUTH
GRIMSBY,
TOWNSHIP OF WEST LINCOLN

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE TOWN OF WEST LINCOLN
FOR APPROVAL.

RVL CONTRACTING DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

ROY KIRKUP Sept 16, 2024 DATE

REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT

- a) SEE PLAN
b) SEE PLAN
c) SEE PLAN
d) RESIDENTIAL
e) SEE PLAN
f) SEE PLAN
g) SEE PLAN
h) WATER CISTERNS
i) SILTY CLAY
j) SEE PLAN
k) PRIVATE
l) SEE PLAN

LAND USE SCHEDULE

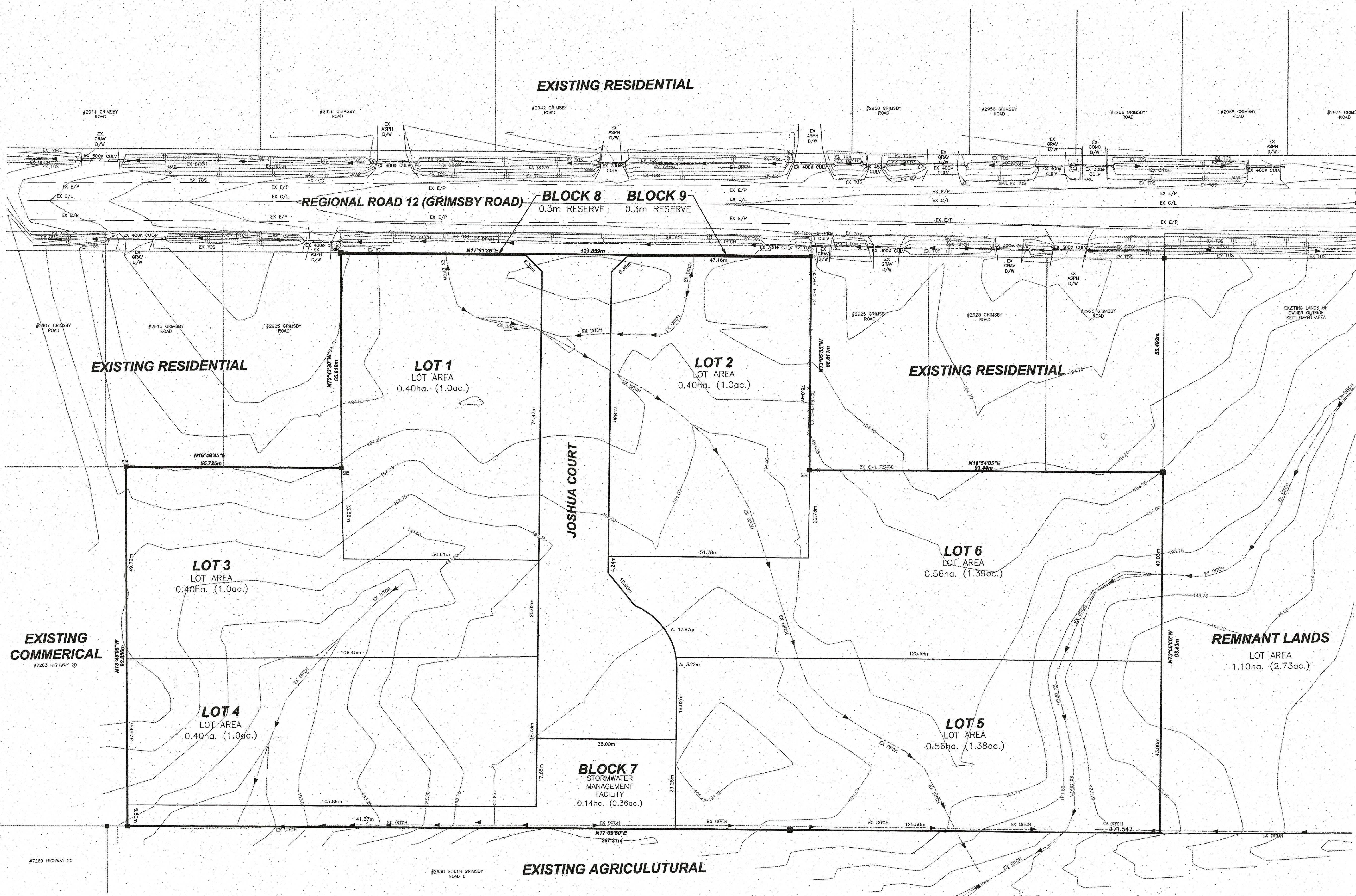
LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-6	6	2.72	85.80
STORMWATER MGMT FACILITY	BLOCK 7		0.14	4.42
0.3m RESERVE	BLOCK 8-9		0.01	0.32
ROADWAY			0.30	9.46
TOTAL		6	3.17	100.00

DEVELOPABLE AREA = 3.16ha (EXCLUDES 0.3m RESERVE)
DEVELOPABLE DENSITY = 1.90 units/ha

#	ISSUED FOR APPROVAL	REVISION	DATE	INIT
0				AS



DRAWING TITLE DRAFT PLAN OF SUBDIVISION	DRAFTING	Z.C. AS
	DATE	SEPTEMBER 18, 2024
	PRINTED	SEPTEMBER 18, 2024
	SCALE	1:500
	DWG No. 19126-DP	REV 0



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025- XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS AMENDED, OF THE TOWNSHIP OF WEST LINCOLN

WHEREAS the Township of West Lincoln is empowered to enact this By-Law by virtue of the provisions of Section 34 of the Planning Act, 1990, as amended;

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

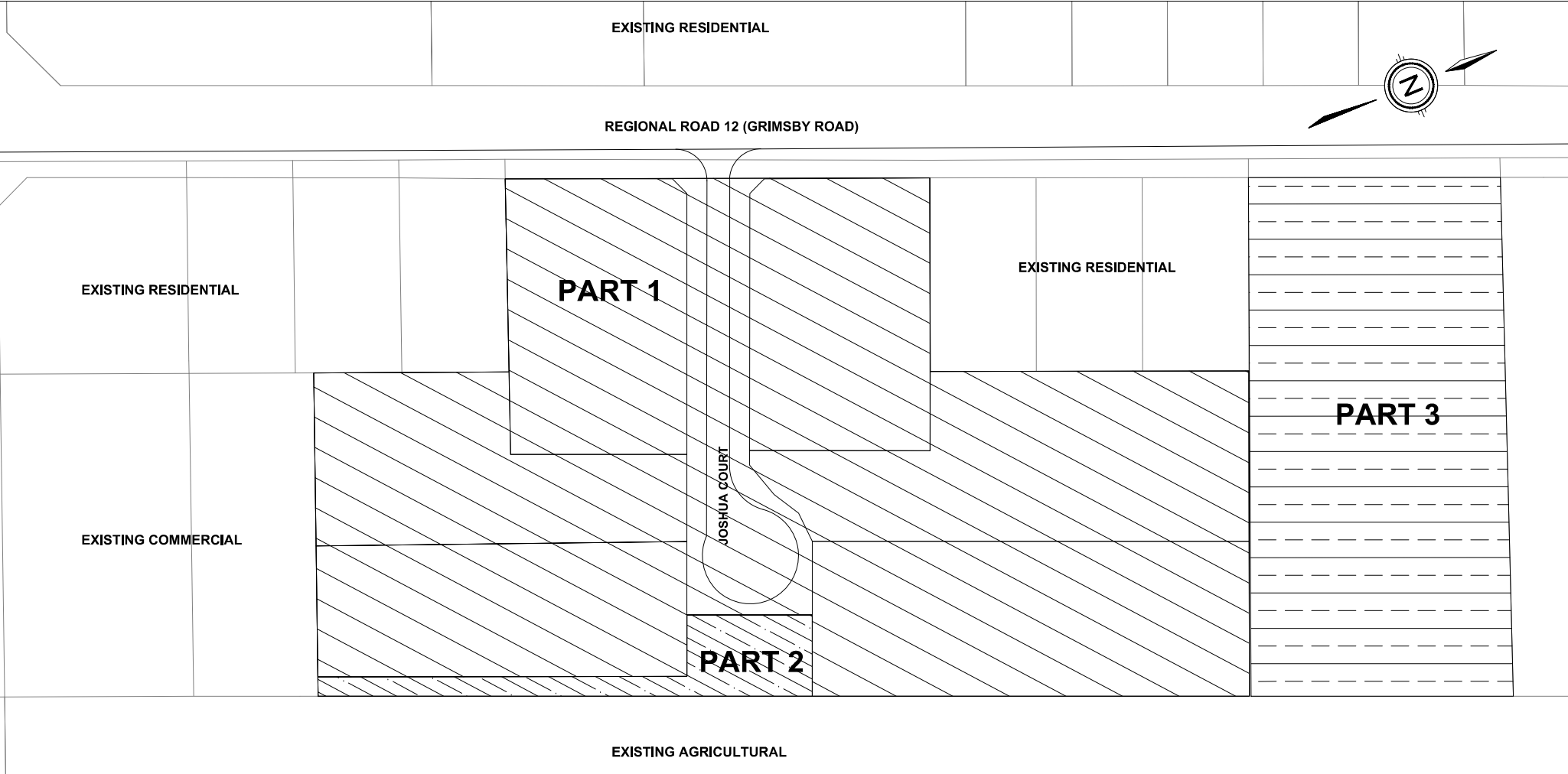
1. That Map 'B4', is hereby amended by changing the zoning on the lands described legally as Part of Lot 17, Concession 8, Geographic Township of South Grimsby, in the Township of West Lincoln, Regional Municipality of Niagara, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law as follows:
 - Part 1 – From Development (D) Zone to Rural Residential Site-specific (RuR-XX) Zone
 - Part 2 – From Development (D) Zone to Open Space (OS) Zone
 - Part 3 – Remains Agricultural (A) Zone
2. That Part 13 of Zoning By-Law 2017- 70, as amended, is hereby amended by adding the following:

RuR-XX

Permitted Uses:
As per the parent zone.

Special Regulations:

 - a) Minimum lot frontage – 18.0 meters
3. That all other provisions of By-law 2017-70 continue to apply; and,
4. That this By-Law shall become effective from and after the date of passing thereof.



LEGEND:



PART 1 - ZONING: FROM DEVELOPMENT (D) TO SITE SPECIFIC RURAL RESIDENTIAL (RuR-XX).



PART 2 - ZONING: FROM DEVELOPMENT (D) TO OPEN SPACE (OS)



PART 3 - ZONING: REMAINS AGRICULTURAL (A)

**ALLENS CORNERS - PART LOT 17, CONESESSION 8
A BY-LAW TO AMEND SCHEDULE 'A' OF ZONING
BY-LAW NO. 2017-70**

MAYOR: _____

CLERK: _____



Public Works Growth Management & Planning Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

March 14, 2025

File Number: PLZBA202500442, PLSD202500436

Susan Smyth
Senior Planner
Township of West Lincoln
318 Canborough St., P.O. Box 400
Smithville, ON L0R 2A0

Dear Ms. Smyth:

Re: Preliminary Regional and Provincial Comments
Application Type(s): Zoning By-law Amendment and Draft Plan of
Subdivision (Preliminary Submission)
Township File Number(s): 1601-002-25, 2000-001-25
Owner/Applicant: R.V.L. Contracting Inc.
Agent: Upper Canada Consultants (c/o Ethan Laman)
Location: South Grimsby Concession 8, Part Lot 17, Reference Plan
30R1561 (Joshua Court Subdivision), Township of West Lincoln

Regional Public Works Growth Management and Planning Division staff have reviewed the preliminary submission for the Zoning By-law Amendment and Draft Plan of Subdivision applications for the proposed Joshua Court Subdivision, located at the Concession 8, Part Lot 17 on Reference Plan 30R1561, on the east side of Regional Road 12 (Grimsby Road) in the Township of West Lincoln ("subject property").

The applicant is proposing to establish six rural residential lots fronting on a new public roadway (Joshua Court), as well as Blocks for stormwater management and a 0.3 metre reserve along Regional Road 12.

A virtual pre-consultation meeting attended by the Applicant and Township and Regional staff was held on April 4, 2024 for the proposed development. Since this meeting, the *Provincial Planning Statement, 2024* ("2024 PPS") has replaced the *Provincial Policy Statement, 2020* and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*, effective as of October 20, 2024. As such, the following comments will reflect the policies of the 2024 PPS.

The following comments are provided from a Provincial and Regional perspective to assist the Township in their consideration of the applications. **As noted below, to support deeming the application complete, Regional staff recommend the submission of a revised Planning Justification Report or Addendum and an Addendum to the Environmental Noise Study to address the nearby industrial uses on the west side of Regional Road 12.**

Provincial and Regional Policies

According to the *Provincial Planning Statement, 2024* (PPS), the portion of the subject property where development is proposed is within a Rural Settlement Area, and designated as Rural Settlement (Hamlet) in the *Niagara Official Plan, 2022* (NOP). The northerly 1.10 hectare portion of the property, denoted as "remnant lands" on the draft plan, is identified within the Prime Agricultural Area in the PPS and NOP.

Provincial and Regional policy directs growth outside of the urban area to rural settlements areas. The PPS states that, when directing development in rural settlement areas, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels. Similarly, NOP Policy 2.2.3.3 states that development in rural settlements should be planned to encourage residential infill development that builds on the rural character and characteristics of the surrounding area; ensure there is adequate amenities to serve the needs of rural residents, area businesses and surrounding nearby agricultural community; consider the inclusion of active transportation infrastructure; protect the Region's natural environment system; and encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions and increased resilience to climate change.

NOP Policy 2.2.3.5 requires that rural settlements be serviced by sustainable private water and wastewater treatment systems. Staff defer to the Township with respect to private servicing.

Regional staff have reviewed the *Planning Justification Report* prepared by Upper Canada Consultants (dated January 2025) and are generally satisfied with the analysis provided. However, staff note that the PJR does not include an analysis of the Ministry of the Environment, Conservation and Parks' (MECP) D-6 Guidelines (Compatibility between Industrial Facilities) as it relates to the nearby industrial uses, as requested at the pre-consultation meeting (held on April 4, 2024).

Staff request the submission of a revised PJR or PJR Addendum to address the D-6 Guidelines, specifically with regard to Erie Powder Coatings (located at 2926 Regional Road 12) and the industrial business at 2914 Regional Road 12.

Land Use Compatibility (Agricultural Lands)

The adjacent lands north and east of the subject property fall outside the Urban Area

boundary and are designated for agricultural use, and there are three poultry barns at the adjacent property to the north (2981 Regional Road 12) which may pose compatibility concerns (e.g., noise and odour). Provincial and Regional policies state that where agricultural uses and non-agricultural uses interface, land use compatibility shall be achieved by avoiding and/or minimizing/ mitigating adverse impacts on the agricultural system.

While the Ministry of Agriculture, Food and Rural Affairs' (OMAFRA) *Minimum Distance Separation (MDS) Document* (Publication 853) states that rural settlement areas are subject to applicable MDS setbacks, staff acknowledge that Section 7.2.3(k) of the Township of West Lincoln Official Plan exempts development within hamlets from complying with the MDS requirements. As such, staff defer to the Township to determine appropriate setbacks if required.

Regional staff request the inclusion of a warning clause in the subdivision agreement to advise future residents of potential impacts from nearby agricultural activities (included in the attached Appendix).

Noise Impacts

The proposed development is subject to transportation-related noise from Regional Road 12 (Grimsby Road) and Highway 20, as well as stationary noise sources from nearby industrial and commercial uses. The PPS and NOP state major facilities (including transportation corridors as well as industrial uses) and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants. Further, the Regional Road Traffic Noise Control Policy (PW5.NO1.0) requires that all development applications for sensitive uses along existing Regional roads be considered for noise abatement features.

Regional staff have reviewed the *Environmental Noise Study* prepared by Valcoustics Canada Ltd. (dated October 7, 2024), which assesses transportation-related noise from Regional Road 12 and Highway 20 as well as stationary noise from the commercial uses to the south of the site fronting on Highway 20. With respect to transportation-related noise, standard mitigation measures are recommended to meet the NPC-300 guidelines, including provisions for the installation of air conditioning at Lots 1 and 2 and upgraded wall and window construction for all units in the development.

With respect to stationary noise, the study determined that noise mitigation is not required as sound levels are anticipated to meet the MECP Class 2 noise guideline limits. Staff, however, request an Addendum assessing stationary noise impacts from the industrial uses to the west of Regional Road 12 as these sources are not addressed in the Environmental Noise Study. A condition requiring the implementation of the recommended mitigation measures of the Environmental Noise Study and the subsequent Addendum is included in the attached Appendix.

Archaeological Potential

The subject property is within the Region's mapped area of archaeological potential, as identified on Schedule 'K' of the NOP. Provincial and Regional policies state that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

Regional staff have reviewed the *Stage 1-2 Archaeological Assessment* prepared by Detritus Consulting Ltd. (dated December 14, 2024). No archaeological resources were identified, and no further archaeological assessment was recommended. Staff request the submission of an acknowledgment letter from the Ministry of Citizenship and Multiculturalism prior to the issuance of a building permit. A condition to this effect is included in the attached Appendix.

Please note that the Stage 1-2 Archaeological Assessment did not cover the remnant lands at the north end of the subject property. Should future development be proposed on these lands, an additional Stage 1-2 Archaeological Assessment will be required.

Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff request that the following standard archaeological clause be included in the subdivision agreement:

"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C (Available at: <https://www.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>)."

Natural Environment System

Regional environmental planning staff have reviewed the *Scoped Environmental Impact Study* (EIS) (prepared by Beacon Environmental Limited, dated September 24, 2024) and confirm that the EIS sufficiently addresses the work plan outlined in the approved EIS Terms of Reference. As such, staff would offer no objection to deeming the application complete from an environmental perspective.

Regional Road

Road Allowance

This subject property has frontage along Regional Road No. 12 (Grimsby Road). At this location, the NOP designated width for Regional Road No. 12 is 26.2 metres. No widening is required.

To ensure future accesses are from the private road, the applicant is required to gratuitously grant a 0.3 metre reserve (1ft) alongside the frontage of Regional Road 12. The reserves are currently shown on the draft plan as Blocks 8 and 9. The reserve is to be dedicated free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

- ***For inquiries specific to the transfer of property to the Region, please contact:***

Jordan Hadler, Law Clerk
Telephone: 905-980-6000 extension 3271
E-mail: jordan.hadler@niagararegion.ca

- ***For inquiries specific to the reference plan, please contact:***

Normans Taurins, Manager, Surveys & Property Information
Telephone: 905-980-6000 extension 3325
E-mail: normans.taurins@niagararegion.ca

Engineering Plans

Staff have reviewed the submitted Grading Plan prepared by Upper Canada Consultants (dated September 11, 2024) and offer the following comments:

- Rural access is to be designed and constructed in accordance with NRS 600. Staff request that the applicant provide dimensions and radii with future submissions.
- Staff note that reinstatements and restorations are to be in accordance with Niagara Region Construction Encroachment Specifications.
- Any damage to the road structure on Regional Road 12, not resulting from service installation, will need the entire lane to be milled and paved (50mm minimum).

Regional Entrance / Construction Permits

Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

Regional Sign Permits

Please note that the placement of any sign, notice or advertising device within 20 metres of the centerline of St. Catharines Street will require a Regional Sign Permit.

Permit applications can be made through the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

Protection of Survey Evidence

Survey evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property. Any agreements entered into for this development should include a clause that requires the applicant to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of said development.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner brings the waste and recycling to the curbside on the designated pick up day and that the following limits are not exceeded (based on current waste collection contract):

Low Density

- No Limit green containers; and,
- 2 Garbage Containers to a maximum of 2 containers (Biweekly)
- Curbside Collection Only

Circular Materials Ontario is responsible for the delivery of residential Blue / Grey Box recycling collection services. The most up to date information can be found using the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/> .

Future engineering plans are to show that the road design meets the current waste collection procedure, or alternatively, provide drawings showing the Regional truck turning templates on a plan to ensure the design meets the requirements for the trucks.

March 14, 2025

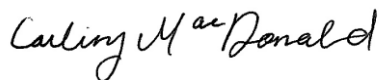
Conclusion

In order to support deeming the applications complete, Regional Public Works and Growth Management Division staff request the submission of a revised Planning Justification Report or Addendum addressing the Ministry of the Environmental, Conservation and Parks' D-6 Guidelines as it relates to nearby industrial uses, as well as an Addendum to the Environmental Noise Study to address stationary noise impacts from the industrial uses.

Preliminary conditions of draft plan approval are provided in the attached Appendix for information purposes only. Please note that final conditions of draft plan approval will be provided following satisfactory review of the revised PJR/Addendum and Environmental Noise Study Addendum.

If you have any questions related to the above comments, please contact me at carling.macdonald@niagararegion.ca

Kind regards,



Carling MacDonald
Development Planner, Niagara Region

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region
Josh Wilson, P.Eng., Manager of Development Engineering, Niagara Region
Adam Boudens, M.Sc., Senior Environmental Planner, Niagara Region

Appendix 1

Preliminary Conditions of Draft Plan Approval (For Information Purposes Only)

Joshua Court Subdivision (South Grimsby Concession 8, Part Lot 17, Reference Plan 30R1561)

1. That the subdivision agreement between the owner and the Township of West Lincoln include the following warning clause and that the owner agrees to insert the clause in all offers and agreement of purchase and sale or lease for each dwelling unit:
 - *"These lands are in proximity to lands designated for agricultural uses. The lands may be subject to noise, odour, and/or dust from nearby agricultural operations, which may interfere with some activities of the dwelling occupants."*
2. That the subdivision agreement between the owner and the Township of West Lincoln includes a clause requiring the owner to implement the recommendations of the *Environmental Noise Study* prepared by Valcoustics Canada Ltd. (dated October 7, 2024), as well as the requested Addendum addressing industrial uses west of Regional Road 12.
3. That the subdivision agreement between the owner and the Township of West Lincoln includes a clause whereby the owner agrees to have all final architectural drawings stamped by an acoustical engineer to ensure that the noise control measures have been incorporated and NPC-300 indoor sound level criteria has been addressed/satisfied.
4. That the subdivision agreement between the owner and the Township of West Lincoln include the following archaeological advisory clause:

"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C (Available at: <https://www.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>)."
5. That the applicant/owner receive acceptance from the Ministry of Citizenship and Multiculturalism (MCM) for the *Stage 1-2 Archaeological Assessment* prepared by Detritus Consulting Ltd. (dated December 14, 2024) prior to the issuance of a building permit. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MCM confirming that

all archaeological resource concerns have met licensing and resource conservation requirements.

6. That the owner dedicates to the Regional Municipality of Niagara, free and clear of mortgages, liens and other encumbrances, and agree to pay for all associated cost related to a 0.3 metre reserve along Regional Road 12 (Grimsby Road). Shown as Blocks 8 and 9 on the draft plan.
7. That revised engineering drawings addressing the transportation engineering comments are submitted for review and approval by Regional staff.
8. That prior to any construction taking place within the Regional Road Allowance, the Owner shall obtain a Construction Encroachment Permit.
9. That the owner/developer ensure that all streets and development blocks can provide access in accordance with Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling and complete the Application for Commencement of Collection prior to waste collection services commencing.
10. That the subdivision agreement between the owner and the Township contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.

Clearance of Conditions

Prior to granting final approval, the Township of West Lincoln must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

Subdivision Agreement

Prior to final approval for registration, a copy of the executed Condominium/Subdivision Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the local municipality.

Susan Smyth

From: Taran Lennard <tlennard@npca.ca>
Sent: March 14, 2025 3:12 PM
To: Susan Smyth
Subject: RE NPCA Response - Regional Road 12 Hamlet Proposed Zoning By-law Amendment Application (File No. 1601-002-25) & Draft Plan of Subdivision Application (File No. 2000-001-25) (RVL Contracting Inc.)

Hi Susan,

The NPCA has reviewed the 'Scoped Environmental Impact Study, Proposed Plan of Subdivision, 7283 Grimsby Road' as prepared by Beacon Environmental Limited (dated Sept 24, 2024), the Hydrogeological Investigation' as prepared by Englobe Corporation (dated January 3, 2025), the 'Stormwater Management Plan, Joshua Court Subdivision' as prepared by Upper Canada Consultants (dated March 2024), as well as the 'Site Grading Plan' as prepared by Upper Canada Consultants (dated Sept 11, 2024). Upon our reviews, it is the opinion of the NPCA that the existing ditch (north end of property, from Grimsby Rd, through Outlet 'D' to 'C' on the Grading Plan).

The NPCA notes that the watercourse is slated to be realigned. The NPCA, at a high level, could support a regulated watercourse realignment where Policy Section 9.2.3.2 is achieved. The NPCA would require justification be provided to our agency respecting the need for the watercourse realignment. Justification should also speak to the core mandates of conservation authorities in that the realignment will not create conditions or circumstances that, in the event of a natural hazard, might result in the damage or destruction of property or persons, and not affect the control of flooding, erosion, or unstable soil or bedrock. A realigned channel should be located within its own block without buffers extending onto other private lands, be zoned an appropriate Environmental Protection Zoning, and be sized sufficiently to convey a 100-year storm event. Natural channel design principles shall be considered (this element will be left until detailed design) to ensure the realignment does not result in erosion or flooding concerns.

The NPCA would advise that the southern swale (to Outlet 'B') is not a regulated watercourse under our Act. We would advise that it appears flows from the SWM Pond meet at the property line and outlet onto private lands (2930 South Grimsby Rd 8). As this is not a regulated watercourse the NPCA will not formally comment on if / how this outlet is appropriate.

As such, the NPCA will require revisions as indicated above, prior to expressing support of the applications.

Thank you.



Taran Lennard
Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway | Unit 9 | Thorold, ON L2V 4Y6

905.788.3135 ext. 277
www.npca.ca
tlennard@npca.ca

For more information on Permits & Planning, please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

Memo

To: Susan Smyth, Senior Planner
From: Jennifer Bernard, Manager, Civil Land Development
Date: March 19, 2025
Re: RR12 Draft Plan of Subdivision Application – RVL Contracting Inc.

Public Works has completed a review of the RR12 Draft Plan of Subdivision application for RVL Contracting Inc. and provides the following comments:

Draft Plan of Subdivision Drawing

In consideration of the required lot sizing and this being a rural road without underground servicing the Township will accept the reduced road allowance of 18m. The proposed cul-de-sac will provide an adequate turnaround for winter control vehicles.

The Township's Fire Department and/or Building Department is to confirm if there is a need for a fire cistern for this development. If so it is to be located in the road allowance as per Township standards.

As noted at the pre-consultation meeting, the Township will want to see the geotechnical report and the street lighting, erosion & sediment control and landscaping plans.

Stormwater Management Report

Staff reviewed the proposal for a dry storm pond for the site. Operations staff have concerns with the maintenance that will be required for the dry pond and channel to the outlet. Since the pond fronts lots 4 & 5 and the channel is along the side of lot 4 there will be expectations for the Township to have a regular schedule for grass cutting/weed control. The Township would also be taking ownership of a retaining wall along lot 4 which will have future maintenance and replacement costs. This site is outside of the urban area requiring more resources and maintenance than is standard for the development of 6 lots.

There is also concern that since the NPCA has confirmed Outlet B is to a private swale on the neighbouring property and not to a regulated feature, that is not considered a legal and secured outlet, there is no guarantee that outlet will be permitted in the future.

Staff would like the Upper Canada Consultants to provide information on what post development flows would be out to the RR12 ditch if controls were provided within the roadside ditches and possibly altering lot grading. Depending on the outcome, the Township will discuss with Regional staff. If the consultant can suggest any other options aside from an underground storage tank, the Township is open to recommendations.

February 19, 2025

Susan Smyth
Senior Planner, Planning Department
Township of West Lincoln
318 Canborough Street
P.O. Box 400
Smithville, ON L0R 2A0

Dear Susan,


Re: Draft Plan of Sudivision, Zoning By-law Amendment
RVL Contracting Inc.
Regional Road 12 Hamlet Subdivision
Township of West Lincoln
File No.: 2000-001-25, 1601-002-25

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details:
<https://www.enbridgegas.com/safety/digging-safety-for-contractors>

The Owner agrees to provide Enbridge Gas Inc. (Enbridge Gas) the necessary easements at no cost and/or agreements required by Enbridge Gas for the provision of local gas services for this project, in a form satisfactory to Enbridge Gas.

Sincerely,



Casey O'Neil
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-5180
500 Consumers Rd, North York, ON M2J1P8
[enbridge.com](https://www.enbridge.com)
Safety. Integrity. Respect. Inclusion.

Robin Shugan

From: Ben Agro
Sent: July 4, 2025 11:35 AM
To: Robin Shugan
Subject: RE: FIRST PRELIMINARY SUBMISSION PACKAGE: Regional Road 12 Hamlet Proposed Zoning By-law Amendment Application (File No. 1601-002-25) & Draft Plan of Subdivision Application (File No. 2000-001-25) (RVL Contracting Inc.)

Hi Robin,

Building Comments for Joshua Court are as follows;

- 1) Building Permit application required
- 2) Architectural Plans/Site Plans/Grading Plans per lot required
- 3) Septic Permit application required
- 4) All Building and Septic Permit Fees to be paid at application
- 5) All Development Charges to be paid prior to obtaining building permits
- 6) Adequate water for fire fighting required

Thanks!
Ben

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From: Robin Shugan <rshugan@westlincoln.ca>
Sent: July 4, 2025 11:02 AM
To: Ben Agro <bagro@westlincoln.ca>; Tim Hofsink <thofsink@westlincoln.ca>
Subject: FW: FIRST PRELIMINARY SUBMISSION PACKAGE: Regional Road 12 Hamlet Proposed Zoning By-law Amendment Application (File No. 1601-002-25) & Draft Plan of Subdivision Application (File No. 2000-001-25) (RVL Contracting Inc.)

Robin Shugan

From: Tim Hofsink
Sent: July 7, 2025 4:55 PM
To: Robin Shugan; Ben Agro
Subject: RE: FIRST PRELIMINARY SUBMISSION PACKAGE: Regional Road 12 Hamlet Proposed Zoning By-law Amendment Application (File No. 1601-002-25) & Draft Plan of Subdivision Application (File No. 2000-001-25) (RVL Contracting Inc.)

Hello Robin,

As far as I am aware, West Lincoln has been requiring the installation of fire cisterns in each of the past hamlet subdivision developments. As a rule these have been approximately 10,000L cisterns, with the number required determined by the size/number of residences in the subdivision. At this time I am not aware whether this is specifically a provincial requirement within the Building Code.

For many of the approved subdivision hamlets in West Lincoln there is a secondary means of access, particularly in courts/circles in which fire apparatus are able to enter/exit through a second entry way. Where appropriate, these can be very beneficial in supporting fire suppression operations.

Please let me know if there's any other support I can provide.

Cheers,

Tim

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.



The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From: Robin Shugan
Sent: July 4, 2025 11:02 AM
To: Ben Agro <bagro@westlincoln.ca>; Tim Hofsink <thofsink@westlincoln.ca>
Subject: FW: FIRST PRELIMINARY SUBMISSION PACKAGE: Regional Road 12 Hamlet Proposed Zoning By-law Amendment Application (File No. 1601-002-25) & Draft Plan of Subdivision Application (File No. 2000-001-25) (RVL Contracting Inc.)

Good morning Ben and Tim,

DATE: July 14, 2025

REPORT NO: PD-26-2025

SUBJECT: **Recommendation Report Update: Elite Smithville Developments Inc. Zoning By-law Amendment (File No. 1601-009-24) and Draft Plan of Subdivision (File No. 2000-94-24)**

CONTACT: Susan Smyth, Manager, Community Planning and Design
Gerrit Boerema, Director, Growth and Sustainability

OVERVIEW:

- The Recommendation Report, [PD-22-2025](#) dated June 9, 2025 presented to the Growth and Sustainability (G&S) Committee included Administration's rationale for approving the proposed development of 201 residential units, which included the Zoning By-law Amendment and Schedule and Draft Plan Conditions of Approval.
- There were two issues that were further discussed by Committee, the first being the number of parking spaces proposed at 1.54 spaces per unit, and secondly, concerns with the maximum building height up to 6-storeys.
- Committee referred the report back to staff for further review with the applicants. Subsequently the Agent and Owner has agree to comply with the required zoning by-law parking rate of 1.75 spaces per unit and have remove their request for parking relief.
- Consistent the Northwest Quadrant Secondary Plan, there will be no modifications to the requested maximum building height of 6-storeys or 25 metres with a step down to 5-storeys on each end of the apartment buildings.
- Administration is satisfied that the proposed development and applications for the Zoning By-law Amendment and Draft Plan of Subdivision generally aligns with the applicable planning policies, including the Northwest Quadrant Secondary Plan. As such, Administration recommends approval of the applications.

RECOMMENDATION:

1. That, Recommendation Report PD-26-2025, titled "Recommendation Report Update – Elite Smithville Developments Inc. Zoning By-law Amendment (File No. 1601-009-24) and Draft Plan of Subdivision (File No. 2000-94-24) dated July 14, 2025 be received; and,
2. That, Application for Zoning By-law Amendment File No. 1601-009-24 to change the

Development 'D' zone to site-specific Medium Density 'RM3' and High Density 'RH' Residential, Open Space 'OS', Environmental Protection 'EP', Low Density 'R3' with Holding Provision, and Development 'D' zone, be approved in accordance with the amending Zoning By-law and Schedule contained in Schedule A to this report and that, Council authorize the Mayor and Clerk to sign the by-law; and,

3. That, Application for Draft Plan of Subdivision (File No. 2000-94-24), be approved, in accordance with the provisions of the Planning Act, R.S.O., 1990, Chapter P.13, and regulations thereunder, subject to draft plan approval conditions contained in Schedule B to this report; and,
4. That, the Owner/Applicant is advised the Township's draft approval of this Plan of Subdivision will lapse three years from the date of approval unless Township Council grants an extension of the approval period prior to the lapsing date. If an extension is requested, an updated review will occur and revisions to the conditions of draft plan approval may be necessary at that time.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 1and #2

- Build a safe, connected, caring and active community
- Champion strategic, responsible growth

BACKGROUND:

The Public Meeting for the presentation of the proposal and Information Report, [PD-14-2025](#), held on Monday April 14, 2025 delivered an overview of the development consisting of an original count of 217 residential units containing 41 townhouse dwelling units and 176 apartment dwelling units within two connected 6-storey buildings. Additionally, the dedication of an environmental feature including karst, parkland, trail, and public road leading from Regional Road 20 roundabout.

There were a number of concerns raised by Committee during the public meeting around parking requirements and building height. No members of the public provided any comments. The applicants subsequently modified the proposed by reducing the development by 16 apartment units which increased the number of parking spaces from 1.42 to 1.54 spaces per unit.

The Recommendation Report, [PD-22-2025](#) was presented to Committee on June 9, 2025 presenting the revised development proposal of 201 residential units, which included the Zoning By-law Amendment and Schedule and Draft Plan Conditions of Approval. At the meeting, Committee continued to have concerns with the parking rate and referred the report back to staff to have further deliberations with the applicant to increase the parking ratio.

CURRENT SITUATION:

The Agent indicated that the revised plan with a reduction of 16 apartment units (160 units, 80 units in each building) provided 204 underground parking spaces and 43 surface spaces for a total of 247 spaces at a rate of 1.54 spaces per unit.

Understanding that there were still concerns with parking rate and following the referral of the report back to staff, the Agent and Owner agreed to comply with the zoning by-law parking rate of 1.75 spaces per unit for the apartment dwelling units and remove the request for parking relief. Further investigation for additional underground spaces will be explored during the subsequent Draft Plan of Condominium and Site Plan Approval stage.

Regarding the Committee's concerns for an increased building height, the Agent has provided justification that the proposal is consistent the Northwest Quadrant Secondary Plan, therefore the requested maximum building height of 6-storeys or 25 metres with a step down to 5-storeys on each end of the apartment buildings is continued for implementing the apartment design.

Section 5.4 of the Northwest Quadrant Secondary Plan states for the High Density Residential designation encourages medium to high density development primarily located along Regional Road 20. Policy 5.4.7 states "The Township may consider a maximum height of 6-storeys in the High Density Residential designation subject to the submission of a design brief which demonstrates the proposed increase in height will maintain an appropriate public realm and pedestrian streetscape."

The apartment buildings will rise to 6-storeys to fit the gateway node location for the Northwest Quadrant, with a stepped design reducing to 5-storeys at each end to minimize bulk. A single-storey link between the two buildings will further diversify the height and massing along Regional Road 20 as well as the building positioned to establish a strong presence on the street.

While the architectural design of the apartment building is not complete, the Applicant has provided concepts of a number of similar projects for 6-storey buildings. Refer to the following images that were contained in the Urban Design Brief prepared by Weston



Consulting that offered some context and examples of how the building can be designed and constructed with the use of different materials, window treatments, and balcony arrangements.

Refer to Schedule A for the updated Zoning By-law Amendment and Schedule to implement the proposal.

FINANCIAL IMPLICATIONS:

While these applications do not have any financial implications, if approved and once construction commences, all new dwelling units would be required to pay Development Charges. At this time, there are no planned affordable or attainable dwelling units which would be exempt from development charges.

INTER-DEPARTMENTAL COMMENTS:

Fire and Emergency Services: Firefighting in these types of buildings are directly addressed within the Ontario Building Code (OBC), which will speak to the type of building materials used and the impact of that choice on the required fire protection measures built into the building. The OBC also speaks to the placement and location of available fire hydrants.

Fire lanes and secondary access to the property, both while under construction and in full operation will be no less than the minimum required in the OBC, but the provision of a permanent, unrestricted secondary access lane/road into the site is preferred.

Fire and Emergency Services is equipped to fight fires in many types of buildings, but high buildings do include some hazards and risks that others do not. To help manage this, there is currently in place an Automatic Aid Agreement with several of our municipal neighbours, in which all three municipalities (West Lincoln, Lincoln, Grimsby) will respond to fires in such buildings in all three municipalities.

There is room to expand the training of West Lincoln's firefighters for these low frequency/high risk events. Some additional equipment including high-rise packs (compact loads of hose and equipment), fans and other items may need to be purchased in preparation for the building and occupancy of these types of buildings.

An aerial truck replacement is planned within the next two years, pending Council approval of the capital budget. With the increase in complex buildings planned for West Lincoln, its timely replacement is critical.

No further comments or concerns from other Township departments or external agencies have been provided since the Public Meeting held on April 14, 2025.

CONCLUSION:

Weston Consulting (Agent) on behalf of Elite Smithville Developments Inc. (Owner) submitted applications for Draft Plan of Subdivision and Zoning By-law Amendment for a 4 hectare (± 10 acre) property located west of South Grimsby Road 5 and the Marz Homes Thrive Subdivision, north of the roundabout on Regional Road 20 and south of the CPKC rail line.

The applications are to facilitate a residential development, which would create 201 units consisting of 41 townhouse units and 160 apartment dwelling units. The development is subject to two future Draft Plan of Condominium applications and Site Plan Approval at a future date to finalize the design of townhouses and apartment buildings.

The applicants have revised their application to remove the requested parking relief and are now proposing to provide 1.75 spaces per unit for the apartment building through a combination of underground and surface parking. In alignment with the policy set out in the Northwest Quadrant Secondary Plan, a building height of 6-storey or 25 metres is being proposed. Additionally, the requested modifications to the landscape open space and yard setbacks will help to accommodate current and future market-based housing needs at all stages of life, cater to the different needs of the community with housing options, and efficiently utilizes the land to create a dynamic and welcoming entry point into Smithville.

Administration upon review of the applications against the Provincial and Local policies, with consideration of the Committee, commenting agencies, and the public comments are satisfied concerns and matters are adequately addressed and recommend approval of the applications.

ATTACHMENTS:

Schedule A: Updated Zoning By-law and Schedule
Schedule B: Draft Plan Conditions of Approval
Schedule C: Fire and Emergency Services Comments

Prepared & Submitted by:

Susan Smyth
Manager, Community Planning and Design

Approved by:

Gerrit Boerema
Director, Growth and
Sustainability

Truper McBride
CAO

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS AMENDED, OF THE TOWNSHIP OF WEST LINCOLN

WHEREAS the Township of West Lincoln Council is empowered to enact this By-Law by virtue of the Provisions of Section 34 of the Planning Act, 1990, as amended;

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

1. THAT Schedule 'A' Map 'S1' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Part N, Part Lot 11 designated as Part Lot 4 on 30R-9485, Concession 9 (HWY-20-NS), shown on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'S1' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from Development 'D' zone to site specific Residential Medium Density 'RM3-244' zone, Residential High Density 'RH-245' zone, Open Space 'OS' zone, Environmental Protection 'EP' zone.
3. THAT Map 'S1' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from Agricultural 'A' zone to Development 'D' zone.
4. THAT Map 'S1' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from Agricultural 'A' zone to Environmental Protection 'EP' zone.
5. THAT, notwithstanding Part 3 of Zoning By-law 2017-70, as amended, Section 3.12.4 Off-Street Bicycle Facility Requirements, Table 4 'Required Bicycle Parking Facilities', for lands shown on Schedule 'A' attached hereto for the RH zone shall be subject to the following:
 - (a) Minimum number of bicycles for an apartment dwelling is 0.30 per unit
6. THAT, Part 6 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2 Site Specific Provisions, including:

RM3-244

Permitted Uses:
As per the parent zone.

Notwithstanding the permitted uses in Residential Zones Table 13 of Section 6.2, lands shown as RM3-244 on Schedule 'A' attached hereto, single detached dwellings shall be permitted subject to the regulations of Section 6.3 and Table 14 for the Residential Low Density – Type 3 'R3' zone.

Regulations:
As per the parent zone, except:

- (a) Minimum lot area (per dwelling unit) for a townhouse dwelling shall be 135 m²
- (b) Minimum lot frontage for a townhouse dwelling shall be 22 metres
- (c) Minimum front yard setback for a townhouse dwelling shall be 1.7 metres
- (d) Minimum exterior side yard for a townhouse dwelling shall be 1.3 metres
- (e) Minimum rear yard adjoining any zone for a townhouse dwelling shall be 3 metres

RH-245

Permitted Uses:

As per the parent zone and RM3 uses.

Regulations:

As per the parent zone, except:

- (a) Minimum lot area (per dwelling unit) for an apartment dwelling shall be 40 m²
- (b) Minimum front yard setback for an apartment dwelling shall be 3.0 metres
- (c) Minimum interior side yard for an apartment dwelling shall be 7.5 metres
- (d) Minimum exterior side yard for an apartment dwelling shall be 9.0 metres
- (e) Maximum building height shall be 6-storeys for an apartment dwelling with a step down to 5-storeys
- (f) Minimum landscape open space for an apartment dwelling shall be 10%

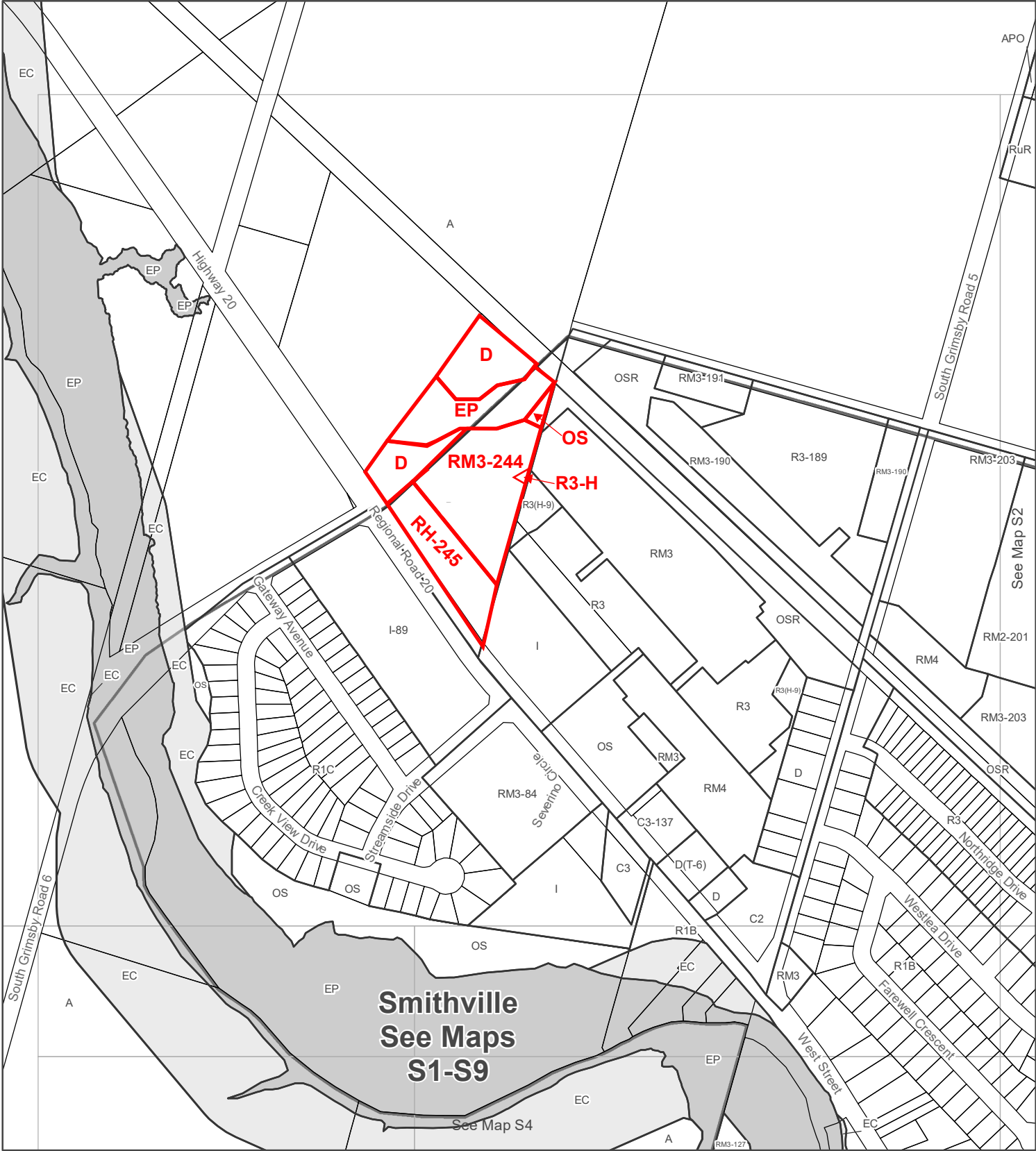
- 7. THAT, a Holding (H) Provision be applied to the Residential Low Density – Type 3 ‘R3’ zone section for a future single detached lot that adjoins the lot to the east in the Marz Homes Thrive Subdivision. The holding provision can be removed at the time of final approval and registration of both subdivisions.
- 8. THAT, all other provisions of Zoning By-law 2017-70, as amended continues to apply;
- 9. THAT, this By-law shall become effective from and after the date of passing thereof.

READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS ____
DAY OF _____, 2025.

MAYOR CHERYL GANANN

JUSTIN PAYLOVE
MANAGER, LEGISLATIVE SERVICES/CLERK

See Map B5



Township Key Map

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

Smithville Key Map

S1	S2	S3
S4	S5	S6
S7	S8	S9

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

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

Map
S1

1:6,000
0 150 m

Last Updated: July 2019

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2025-XX

Location:

This By-law involves a parcel of land located west of South Grimsby Road 5, north of the roundabout on Regional Road 20 and south of the CPKC rail line.

Subject lands are legally described as Part N, Part Lot 11 designated as Part Lot 4 on 30R-9485, Concession 9 (HWY-20-NS), Township of West Lincoln.

Purpose & Effect:

The subject lands were zoned Development (D) zone for future development and the creation of new subdivisions and complete communities that provide for housing needs and choices in a more compact, multi-modal, and higher density mix of uses that utilizes land, infrastructure and services efficiently.

The rezoning of the lands will permit new housing dwelling units including apartment dwellings, townhouse dwelling units with some flexibility to allow for low density single detached dwelling units.

Public Consultation:

Public Meeting was held on April 14, 2025. All comments received were evaluated by Administration and Council through their decision.

File: 1601-009-24

Township of West Lincoln

TOWNSHIP OF WEST LINCOLN CONDITIONS OF FINAL APPROVAL

ELITE SMITHVILLE DEVELOPMENTS INC.

The conditions for final approval and registration of the Elite Smithville Developments Inc. File No. 2000-94-24, Township of West Lincoln are:

1. That this approval applies to the Elite Smithville Developments Inc. Draft Plan of Subdivision drawing prepared by Weston Consulting, dated May 7, 2025 containing Blocks 1 & 2 for Residential (Medium and High Density), Blocks 3, 4 & 9 for Future Development, Blocks 5 & 6 for Parkland, Block 7 for Trail, Block 8 for Environmental Protection, Block 10 & 11 for 0.3m Reserve, Block 12 & 13 for Road Widening.
2. That the Draft Plan of Subdivision is legally described as Part Lot 11; Concession 9 South Grimsby; Part 4, Plan 30R9485, Save and Except Part 1, Plan 30R15485 Township of West Lincoln.
3. That the Owner provide to the Township of West Lincoln a letter advising that all lots and blocks conform to the requirements of the Township's Zoning By-law.
4. That the Owner enter into a Subdivision Agreement with the Township of West Lincoln to satisfy all of the requirements, financial or otherwise of the Township, concerning the provision of roads, installation of services, drainage, fencing and any other matters related to the development of the site.
5. That the Subdivision Agreement between the Owner and the Township of West Lincoln be registered by the municipality against the land to which it applies.
6. That any outstanding Township invoices, including invoicing related to peer reviews and local servicing studies, be paid in full.
7. That the Subdivision Agreement contain a clause requiring that the road allowance shown on the Draft Plan referred as Street 'B' be dedicated to the Township of West Lincoln as Public Highway.
8. That the Subdivision Agreement contain a clause requiring that the proposed public street (Street 'B') has a road allowance with a minimum of 20 metres and will be subject to the Street Naming Policy POL-PD-01-11.
9. That the Subdivision Agreement contain a clause requiring that the Owner deed a 0.3 metre reserve at the eastern terminus of the Street 'B' road allowance to the Township of West Lincoln, until such time as future development is to occur on those lands, free and clear of any mortgages, liens and encumbrances.
10. That the Subdivision Agreement contains a clause stating that a building permit

shall not be issued for Block 9 until such time that the roadway (Street 'B') is extended and the temporary cul-de-sac is removed to the satisfaction of the Township of West Lincoln.

11. That the Subdivision Agreement contains a clause limiting the number of units that can be constructed to no more than 100 units, until such time that a second permanent access be constructed.
12. That the Subdivision Agreement contain a clause requiring that sidewalks, a minimum of 1.5 metres, be provided along at least one side of all roads within the development, public and private, to standard requirements of the Township of West Lincoln.
13. That the Subdivision Agreement contain a clause requiring that all easements as may be required for utility, servicing and drainage purposes be granted to the appropriate authority.
14. That the Subdivision Agreement contain a clause requiring that Block 7 be dedicated to the Township of West Lincoln for a public primary off-road multiuse trail identified as part of the southwest rail trail corridor in the Township's Transportation Master Plan.
15. That the Subdivision Agreement contain a clause requiring that the Owner design and construct a primary off-road multiuse trail in Block 7 to be a minimum of 4.5 metres wide with 3 metre wide asphalt trail (75mm HL3F asphalt and 300mm Granular 'A') with 0.75 metre on each side that can be maintained. The public off-road multiuse trail shall also connect to the public street (Street 'B') including a trail head where the trail terminates (e.g. park benches, trash receptacles, trees) as determined through the engineering review. This north south connection shall be within the environmental block, subject to approval from NPCA, or a block dedicated to the Township for such purpose.
16. That the Subdivision Agreement contain a clause requiring that Blocks 5 and 6 be dedicated to the Township of West Lincoln for parkland.
17. That the Owner, provide a park design for Blocks 5 and 6, showing integration with surrounding parkland, trail corridor and environment block (Block 8), including, but not limited to park benches and tree plantings, prior to final approval, satisfactory to the Township of West Lincoln, Growth and Sustainability and Community and Protective Services Departments as a part of the engineering submission.
18. That the Owner agrees to install decorative fencing and landscaping on the rears of Blocks 1, 2, and 7.
19. That the Subdivision Agreement contains a clause indicating that the detailed water, sanitary sewer and stormwater drainage systems, required to service this

development are to be confirmed by a qualified professional engineer and that existing capacity of the sewer and watermain servicing to the site is adequate. This must be submitted to the Niagara Region Public Works Department Growth Management and Planning Division and the Township of West Lincoln's Operations Department for review and approval.

20. That the Subdivision Agreement contains a clause that sanitary capacity and allocation within the Township's wastewater network cannot be guaranteed until final registration of the development.
21. That the Subdivision Agreement contains a clause that water and sanitary servicing is dependent on connections through the neighbouring Marz Homes Thrive Subdivision which ultimately requires the construction of the Regional trunk 400mm watermain on South Grimsby Road 5 and upgrades to the Streamside Pumping Station to proceed.
22. That prior to final approval and registration of this plan or prior to servicing, the Owner obtain Environmental Compliance Approval through the Township's CLI-ECA program for the necessary servicing (watermains, sanitary sewers and stormwater management) of this development.
23. That prior to approval of the final plan or any on-site grading, the Owner submit to the Township of West Lincoln's Operations Department for review and approval, copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Township of West Lincoln's Storm Drainage Policies, the Niagara Region's Stormwater Management Guidelines and the Ministry of the Environment, Conservation and Parks Stormwater Management Planning and Design Manual:
 - (a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and
 - (b) Detailed erosion and sedimentation control plans showing how exposed soils, sediment and eroded material will be retained on site during all phases of construction and how the infiltration function will be protected and maintained. Plans should include a maintenance requirement for all employed erosion and sediment control devices.
24. That the Subdivision Agreement between the Owner and the Township of West Lincoln contain provisions whereby the Owner agrees to implement the approved stormwater management plan and erosion and sediment control plan.
25. That the Subdivision Agreement contains a clause that the Owner shall maintain all stormwater management and erosion and sedimentation control structures in good repair and operating order throughout all phases of construction. The Owner will

revegetate or otherwise restore all disturbed areas immediately following the completion of on-site grading and servicing to the satisfaction of the Niagara Peninsula Conservation Authority.

26. That the Subdivision Agreement between the Owner and the Township of West Lincoln contain a clause requiring that the noise attenuating mitigation measures identified in the final Township approved Noise and Vibration Study, prepared by dBA Acoustical Consultants, be implemented.
27. That the Owner agrees to have all final architectural drawings stamped by an acoustical engineer to ensure that the noise control measures recommended in the Detailed Noise Study (required by Condition 26) have been incorporated and NPC-300 indoor sound level criteria has been addressed/satisfied.
28. That the following warning clause is included in the Subdivision Agreement between the Owner and Township of West Lincoln to protect for any potential archaeological resources that may be encountered during construction activities:

"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C (Available at: <https://www.niagararegion.ca/culture-and-environment/pdf/archaeological-management-plan.pdf>)."
29. As per the Canadian Pacific and Kansas City (CPKC) Railway, all proposed developments (whether residential, commercial, or industrial) follow the 2013 Proximity Guidelines. It is incumbent upon the Owner to incorporate these safety measures to a degree that satisfies the requirements of the relevant agencies issuing building and development permits. The 2013 Proximity Guidelines can be found here: <http://www.proximityissues.ca/>
30. That the Subdivision Agreement between the Owner and the Township of West Lincoln contain a clause requiring that all construction, continued maintenance, access, ingress and egress must be done without entering railroad right of way. This includes but is not limited to maintenance of any equipment, lawn care, snow ploughing and emergency exits via windows or doors.
31. That the Subdivision Agreement between the Owner and the Township of West Lincoln contain a clause requiring that the below condition be inserted in all property and tenancy agreements or future offers of purchase and sale for all dwelling units in the proposed building(s):

“CPKC and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity.”

32. That the Subdivision Agreement includes provisions requiring the Owner to implement all mitigation measures and recommendations outlined in the Scoped Environmental Impact Study (EIS) and Technical Memorandum prepared by Palmer, part of SLR (dated August 30, 2024 and May 16, 2025, respectively). These measures shall include, but are not limited to, the following:
- (a) Vegetation removals shall be conducted between October 1 and March 14, outside of both the breeding bird nesting period and the active bat season. Should vegetation removal or site alteration be proposed during the restricted period, a survey for active bird nests shall be completed no more than 48 hours prior to the commencement of such activities.
 - (b) Construction activities taking place during the active bat season (April 1 to September 30) shall be limited to daylight hours only. The use of artificial lighting during this period shall be avoided to minimize disturbance to rare bat species.
 - (c) All exterior lighting incorporated into building designs shall be directed downward and/or oriented away from adjacent woodland areas (i.e., directed southward), to the extent feasible, in order to minimize light pollution and impacts to wildlife.
 - (d) Bird-friendly design principles shall be incorporated into residential building designs. These may include strategies consistent with the City of Toronto's Best Practices for Bird-Friendly Glass and Best Practices for Effective Lighting, or equivalent guidelines.
 - (e) Construction materials, equipment, and staging areas shall not be located, even on a temporary basis, within identified natural features or their associated buffers.
33. That an Erosion and Sediment Control (ESC) Plan be prepared for review and approval by the Township of West Lincoln. The plan should incorporate the recommendations found in the Scoped EIS prepared by Palmer, part of SLR dated August 30, 2024. All ESC measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site.
34. That a Grading Plan be provided to the satisfaction of the Township of West Lincoln, that demonstrates that no grading within the natural heritage features and/or their buffers will occur, with the exception of the public multi-use trails. The Grading Plan shall designate specific locations for stockpiling of soils and other

materials which will at a minimum be outside of the natural heritage features and their buffers.

35. That a Tree Preservation Plan (TPP) be provided to the satisfaction of the Township of West Lincoln. The TPP shall be prepared by a qualified professional, preferably by a Certified Arborist or qualified member of the Ontario Professional Foresters Association, in accordance with Region's Woodland Conservation By-law. That a revised Landscape Plan be prepared and submitted for review and approval by the Town of West Lincoln. The revised plan shall increase the proportion of native, non-cultivar species plant species, with the objective of enhancing local biodiversity and promoting long-term ecological resilience.
36. That a Restoration Plan be prepared to the satisfaction of the Township of West Lincoln. The plan should include, at a minimum, the following elements:
 - (a) Native plantings will be installed in the 'Restoration Area' (identified on Figure 3 of the Technical Memorandum) incorporating a diversity of trees and shrubs.
 - (b) Removal of invasive species within the NES and associated buffers.
 - (c) Restoration planting areas will be treated as 'natural, self-sustaining vegetation' (no mow).
 - (d) Removal of litter and debris within the NES and Restoration Area.
37. That the Owner provide securities to the Township of West Lincoln in the form of a Letter of Credit in the amount of the estimated cost as approved by the Township for the restorative plantings required in accordance with the above conditions and that the Subdivision Agreement include provisions whereby the Owner agrees that the Township may draw on the Letter of Credit or cash deposit, if required, to ensure installation of the plantings. Ninety percent of the securities for plantings to be returned upon the expiry of the one year maintenance period. The remaining ten percent to be returned upon completion of the Ecological Monitoring Plan as found in Condition 38.
38. That an Ecological Monitoring Plan be prepared to the satisfaction of the Township of West Lincoln. At a minimum the plan should assess the success of the restorative plantings and invasive species removals. The Report should be submitted to the Township of West Lincoln's Growth and Sustainability Department by September 1st of years 1 through 3. The Report should also include photographs and advise actions necessary to address any deficiencies. The monitoring should take place upon the initiation of any development and/or site alteration and continue up to and including 3 years from full build out.
39. That the Subdivision Agreement contain wording wherein the Owner agrees to implement the approved Erosion and Sediment Control Plan, Grading Plan, Tree Preservation Plan, Landscape Plan, Restoration Plan and Ecological Monitoring Plan.

40. That if final approval is not given to this plan within THREE YEARS of the approval date and no extensions have been granted, draft approval shall lapse. If the Owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required together with a resolution from the Township, must be received by the Township prior to the lapsing date.

Region of Niagara

41. That the Owner dedicates to the Regional Municipality of Niagara, free and clear of mortgages, liens and other encumbrances, and agree to pay for all associated cost related to the following:
- (a) Irregular widening along the frontage of Regional Road 20;
 - (b) Land required to accommodate the last leg of the roundabout at Regional Road 20 and South Grimsby Road 6; and
 - (c) 0.3 metre (1ft) reserve along the frontage of Block 1 and Block 4.
42. That detailed engineering drawings for the last leg of the roundabout are submitted to Niagara Region for review and approval.
43. Prior to any construction taking place within the Regional road allowance, the Owner shall obtain a Regional Construction Encroachment and/or Entrance Permit. Applications must be made through the Niagara Region Public Works Department (Permits Section, Transportation Services Division). Road cuts required as part of the development into a recently reconstructed Regional Road 20 must be "as good as" or "better than" condition, at the completion of the works and all costs associated with curb cuts and road replacement will be at the owner's expense.
44. That the Owner enters a legal agreement with Niagara Region, to pay for the required road works associated with the addition of the last leg of the roundabout at Regional Road 20 and South Grimsby Road 6 to the satisfaction of the Niagara Region.
45. That the Owner provides a written acknowledgement to Niagara Region Public Works Growth Management and Planning Division stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the Owner.
46. That the Owner provides a written undertaking to Niagara Region Public Works Growth Management and Planning Division stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the Subdivision Agreement between the Owner and the Township.

47. That prior to final approval for registration of this Plan of Subdivision, the Owner shall submit the design drawings [with calculations] for any new municipal sanitary and storm sewers, and stormwater management facilities required to service this development. The capacity in the Regional system is to be confirmed and copies of the approved CLI ECA forms and final drawings must be forwarded to Niagara Region.
48. That prior to approval of the final plan or any on-site grading, the Owner shall submit a detailed Stormwater Management Plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors, to Niagara Region Public Works Department for review and approval:
- (a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and
 - (b) Detailed erosion and sedimentation control plans.
49. That the Owner provide revised engineering drawings to address the comments provided in the proposed servicing within the newly constructed roundabout for review and approval by the Niagara Region Public Works Department.
50. That the Subdivision Agreement between the Owner and the Township contain a condition that the Owner agrees to comply with the requirements of Niagara Region's Corporate Waste Collection Policy and enters into an Indemnity Agreement with Niagara Region for the purpose of entering the subject property to provide waste collection services.
51. That the Owner/Developer ensure, throughout all phases of development, that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling, if Regional services are to be provided. Where a through street is not maintained, the Owner/Developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
52. That the Subdivision Agreement between the Owner and the Township contain a provision whereby the Owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.

Niagara Peninsula Conservation Authority

53. That the Owner provide detailed grading, construction sediment and erosion control drawings to the Niagara Peninsula Conservation Authority (NPCA) for review and

approval. The Owner agrees that all Sediment and Erosion Control Measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized.

54. That prior to the commencement of any works or site alterations on site, the Owner shall obtain Work Permits from the NPCA for any works associated with the construction of the proposed erosion protection for the overland spill. In support of the application, the following information will be required:
 - (a) Detailed design plans which include erosion mitigation techniques; and
 - (b) Any other information as may be determined necessary by the NPCA.
55. That Block 8 be zoned Environmental Protection, or similar protective zoning to preclude development, unless in accordance with the policies and satisfaction of the NPCA.
56. That the Owner provide a 1.5 metre high (minimum) chain link fence along the rear lot lines of the residential lots (Block 2) and the Future Development (Block 4), along the Environmental Protection Block to the satisfaction of the NPCA.

Enbridge Conditions

57. That the Subdivision Agreement include a clause that states to always call before you dig, see web link for additional details:
<https://www.enbridgegas.com/safety/digging-safety-for-contractors>
58. That the Owner shall use the Enbridge Gas Get Connected tool to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.
(https://enbridge.outsystemsenterprise.com/GetConnected_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp_UI%2F)
59. That the Owner should be aware if the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the Owner/Applicant.
60. That the Owner should be aware that in the event that easement(s) are required to service this development, and any future adjacent developments, the Owner/Applicant will provide the easement(s) to Enbridge Gas at no cost.

Niagara Peninsula Energy Conditions

61. That Niagara Peninsula Energy confirm that satisfactory arrangements, financial and otherwise, have been made with Niagara Peninsula Energy for any Niagara

Peninsula Energy facilities servicing this Draft Plan of Subdivision which are required by the Municipality; a copy of such confirmation shall be forwarded to the Municipality.

62. That the Owner provide a Letter of Credit to Niagara Peninsula Energy for all costs associated with the electrical servicing for the development. The amount of the Letter of Credit will be confirmed once the electrical design has been approved by the Municipality.

Telecommunications (Bell Canada) Conditions

63. That Bell Canada, and/or any other applicable telecommunication company, confirm that satisfactory arrangements, financial and otherwise, have been made with Bell Canada, or any other applicable telecommunication company, for any telecommunication facilities serving this draft plan of subdivision which are required by the Municipality to be installed underground; a copy of such confirmation shall be forwarded to the Municipality.
64. That the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, and/or any other applicable telecommunication company to grant to Bell Canada and/or any applicable telecommunication company, any easements that may be required for telecommunication services. Note: Easements may be required prior to final approval.

Canada Post Conditions

65. That the following clause shall be included in the Subdivision Agreement and inserted in all offers and agreements of purchase and sale or lease for each dwelling unit:

"The prospective purchaser is advised that the home/business mail delivery will be from a designated centralized mail box and that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales."

66. That the Owner agrees to:
- (a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 - (b) Install a concrete pad in accordance with the requirements and approved by Canada Post to facilitate the placement of Community Mail Boxes;
 - (c) Identify the pads on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision;

- (d) Determine the location of all centralized mail receiving facilities in cooperation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans; and
- (e) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

67. That the Owner agrees to Canada Post's multi-unit policy, which requires that the Owner/Developer provide the centralized mail facility (lock Box Assembly) at their own expense (less than 100 units will require a front loading Lock Box Assembly and more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

CLEARANCE OF CONDITIONS

Prior to granting approval of the final plan, the Township's Growth and Sustainable Department will require WRITTEN notification from the following agencies that their respective conditions have been met satisfactorily:

TOWNSHIP OF WEST LINCOLN

Conditions 1 to 40

NIAGARA REGION

Conditions 41 to 52

NIAGARA PENINSULA CONSERVATION AUTHORITY

Conditions 53 to 56

ENBRIDGE

Conditions 57 to 60

NIAGARA PENINSULA ENERGY

Conditions 61 and 62

TELECOMMUNICATIONS (BELL CANADA)

Conditions 63 and 64

CANADA POST

Conditions 65 to 67

NOTES:

Conveying

As the land mentioned above to be conveyed to the municipal corporation may be more easily described in the conveyance by reference to a Registered Plan than by "metes

and bounds”, we suggest that the description be so worded.

We further suggest that the Owner give to the municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

Land Required to be Registered Under the Land Titles Act

Section 160(1) of The Land Titles Act, which requires all new plans be registered in the land titles system;

Section 160(2) – allows certain exceptions.

Water and Sewerage Systems

Inauguration or extensions of a piped water supply, a sewerage system, a storm drainage system or a stormwater management system is subject to approval of the Ministry of Environment (Approvals Branch) pursuant to Section 52 and Section 53 of The Ontario Water Resources Act, R.S.O. 1990.

Agencies to be contacted:

- (a) With respect to the requirements of the Township of West Lincoln Growth and Sustainability Department contact:

Mr. Gerrit Boerema
Director of Growth and Sustainability
318 Canborough Street, P.O. Box 400
Smithville, Ontario L0R 2A0
Telephone – (905) 957-5138
Email – gboerema@westlincoln.ca

Engineering and Infrastructure

Ms. Jennifer Bernard
Manager, Civil Land Development
318 Canborough Street, P.O. Box 400
Smithville, Ontario L0R 2A0
Telephone – (905) 957-3346 ext. 6732
Email – jbernard@westlincoln.ca

- (c) With respect to the requirements of the Region of Niagara contact:
Development Approvals
devtplanningapplications@niagararegion.ca
- (d) With respect to the requirements of the Niagara Peninsula Conservation Authority (NPCA) contact Paige Pearson, Watershed Planner:

ppearson@npca.ca

- (e) With respect to the requirements for Enbridge contact:
MunicipalPlanning@Enbridge.com
- (f) With respect to the requirements of Bell Canada contact:
rowcentre@bell.ca
- (g) With respect to Canada Post contact:
Thomas.Dell@canadapost.postescanada.ca
- (h) With respect to Niagara Peninsula Energy contact:
jim.sorley@npei.ca

Review of Conditions

Applicants are advised that should any of the conditions appear unjustified or their resolution appears too onerous, they are invited to bring their concerns to the Growth and Sustainable Committee's attention. The Committee will consider requests to revise or delete conditions.

In order to assist the agencies listed above in clearing conditions for final approval and registration of the plan, it may be useful to forward executed copies of the Subdivision Agreement between the Owner and the Township to those agencies.

Hydro One Cautionary Note

An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors could raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating **"DANGER – Overhead Electrical Wires"** in all locations where personnel and construction vehicles might come in close proximity to the conductors.

Susan Smyth

From: Tim Hofsink
Sent: July 7, 2025 4:37 PM
To: Susan Smyth
Cc: Cynthia Summers; Gerrit Boerema; Robin Shugan
Subject: RE: Fire Services Comments on Elite Smithville Developments and Legion Villa

Hi Susan,

Thanks for your request for comments on the high building proposals that have been provided. There are a number of issues that impact firefighting in these types of buildings as opposed to non-highrise buildings. Some of these issues are directly addressed within the Ontario Building Code, which will speak to the type of building materials used and the impact of that choice on the required fire protection measures built into the building.

Minimum available fire flows for firefighting from the water infrastructure should also be calculated in the planning portion of the project, and should be provided to match the protection equipment/requirements with available flows. The OBC will likely also speak to the placement and location of available fire hydrants for this property.

Fire lanes and secondary access to the property, both while under construction and in the following periods of use should be defined in the OBC. The minimum acceptable to West Lincoln Fire will be no less than the minimum required in the OBC, but the provision of a permanent, unrestricted secondary access lane/road into the site is preferred.

West Lincoln Fire and Emergency Services is equipped to fight fires in many types of buildings, but high buildings do include some hazards and risks that others do not. To help manage this, there is currently in place a Automatic Aid Agreement with several of our municipal neighbours, in which all three municipalities will respond to fires in such buildings in all three municipalities.

There is room to expand the training of West Lincoln's firefighters for these low frequency/high risk events. Some additional equipment including high-rise packs(compact loads of hose and equipment), fans and other items may need to be purchased in preparation for the building and occupancy of these types of buildings. The aerial truck that West Lincoln currently operates is over 30 years old, with a replacement planned within the next two years, pending Council approval of the capital budget at that time. This truck is currently viable, but with the increase in complex buildings planned for West Lincoln, its timely replacement is critical.

Please let me know if there are any items that I may have missed that would provide you benefit.

Thanks,

Tim

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.



Tim Hofsink

Fire Chief

Tel: 905-957-3346 ext.6733
Email: thofsink@westlincoln.ca
Web: www.westlincoln.ca



DATE: July 14, 2025

REPORT NO: PD-27-2025

SUBJECT: **Recommendation Report - Zoning By-law Amendment for 171 Mill Street (File No. 1601-003-25) for Legion Villa Senior Residence**

CONTACT: Susan Smyth, Manager, Community Planning and Design
Gerrit Boerema, Director, Growth and Sustainability

OVERVIEW:

- An application for a Zoning By-law Amendment was submitted by Quartek Group Inc. (Consultant/Agent) on behalf of Branch 393 Royal Canadian Legion Senior Citizens Complex – Legion Villa (Owner/Applicant).
- The proposal is to facilitate a new 6-storey, 52 unit apartment building for senior housing (retirement home) to supplement the existing 32 apartment dwelling units by the existing 2-storey building located at 171 Mill Street.
- The subject lands are designated Institutional in the Township's Official Plan and there are no height/storey limitations for the Institutional designation.
- The proposed development will require modifications to the existing Institutional I-19 zone that currently permits a maximum of 32 apartment dwelling units.
- The modifications will permit a maximum of 84 apartment dwelling units (32 existing units with the 52 new units), maximum building height of 24 metres, and 0 metre lot frontage with an easement over 161 Mill Street for the main ingress/egress to the buildings. A separate emergency access will be maintained through an existing easement for vehicle and person access to St. Catharines Street.
- Niagara Regional Housing (NRH) is an active partner in this venture assisting the Legion Villa secure some government funding to help with the final development approvals and construction of the project.
- Administration upon review of the application against the Provincial and Local policies as well as consideration of the Committee, commenting agencies, and the public comments and feedback recommend approval of the application.

RECOMMENDATION:

1. That, Recommendation Report PD-27-2025, titled “Recommendation Report - Zoning By-law Amendment for 171 Mill Street (File No. 1601-003-25) dated July 14, 2025 for Legion Villa Senior Residence, be received; and,
2. That, application for Zoning By-law Amendment File No. 1601-003-25 to modify the Institutional (1-19) zone with additional site-specific provisions contained in Schedule B, be approved in accordance with the attached amending Zoning By-law and Schedule, and that Council authorize the Mayor and Clerk to sign the necessary by-law.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1 and #2

- Build a safe, connected, caring and active community
- Champion strategic and responsible growth

BACKGROUND:

The subject lands are located on the south side of Mill Street, east of the cul-de-sac, municipally referred as 161-171 Mill Street, in the urban settlement of Smithville.

These are two separate lots (161 and 171 Mill Street) and bounded by the Twenty Mile Creek to the south, a municipal park to the west, private residences and the Royal Canadian Legion to the north, and former rail-line lands to the east.

The lands underwent a boundary adjustment to add more land from 161 Mill Street to 171 Mill Street, to accommodate the proposed development. Refer to Schedule A for the legal survey of the lands.

The application for Zoning By-law Amendment pertains to 171 Mill Street and the Legion Villa II site. Refer to Figure 1 for the location of the subject lands.

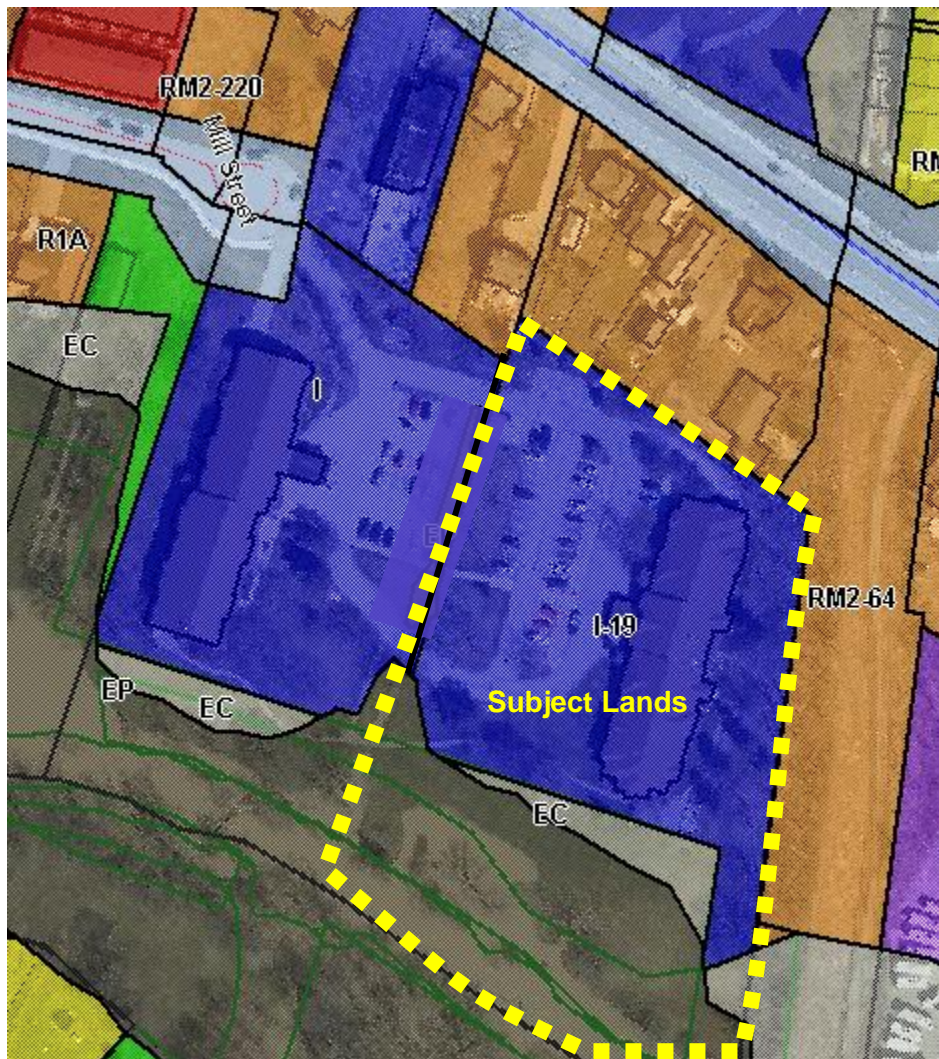
The combined parcels (161 and 171 Mill Street) are approximately 25,903 square metres in size and occupied by two apartment dwellings, Legion Villa Seniors Citizen Complex Villa I and Villa II. The Villa I (161 Mill Street) has a 2-storey apartment building with 30 residential units, and Villa II (171 Mill Street) has a 2-storey apartment building with 32 residential units. Both of these apartment buildings are dedicated for senior citizen living.

Figure 1: Location of Subject Lands

The subject lands pertaining to the application for Zoning By-law Amendment refers to Legion Villa II (171 Mill Street) and currently has a site specific 'Institutional (1-19)' zone that permits a maximum number of dwelling units of 32 units.

Historically, 171 Mill Street has not had direct frontage upon a municipal right-of-way (Mill Street) but rather has traversed 161 Mill Street to access the cul-de-sac constituting the easterly limit of Mill Street. It was deemed appropriate to acknowledge this deficient frontage as part of this application. Refer to Figure 2 for the Zoning of 171 Mill Street.

Figure 2: Institutional I-19 Zone for 171 Mill Street



CURRENT SITUATION:

Quartek Group Inc. (Consultant/Agent) prepared the application on behalf Branch 393 Royal Canadian Legion Senior Citizens Complex (Legion Villa) (Owner).

The proposed development consists of a 6-storey (24 metres) apartment building with 52 dwelling units. The development is being proposed as a joint seniors affordable housing project between the Royal Canadian Legion and Niagara Regional Housing (NRH). Refer to Schedule B for the site plan.

The building footprint is expected to occupy 962 square metres (10,354.88 square feet) and situated between the two existing apartment buildings.

Below is a conceptual view from Legion Villa (161 Mill Street) looking east towards the front face of the new building.



View from Legion Villa II (171 Mill Street) looking westerly at the new building.



The purpose of the amendment is to change the existing Institutional I-19 zone and its site specific provisions for a maximum number of dwelling units from 32 to 84 units. Additionally, to increase the maximum building height from a maximum of 15 metres to 24 metres. Lastly, the minimum lot frontage from 30 metres to 0 metres with an easement for access over 161 Mill Street (which is the current situation).

The Information Report [PD-20-2025](#) was presented to the Growth and Sustainability

Committee at the Public Meeting held on May 12, 2025. The feedback and comments received at the meeting as well as written submissions were considered in the analysis for the recommendation of the amending by-law as presented in Schedule B.

Planning Analysis

The proposed Zoning By-law Amendment application was evaluated against the Provincial and Local policy framework as discussed below.

Planning Act, R.S.O. 1990, c. P.13

The Planning Act provides for a land use planning system led by Provincial policy, integrating provincial interests with municipal decision making, promoting sustainable economic development in a healthy natural environment and encouraging coordination among various interests.

The Planning Act identifies matters of Provincial interest that Council must consider in carrying out their legislative responsibilities, such as, but not limited to, the adequate provision of a full range of housing, including affordable housing, efficient use of infrastructure, protection of the natural heritage resources and agriculture, and the appropriate location of growth and development. Decisions of Council must also be consistent with provincial planning statements and conform to provincial plans and municipal official plans that are in effect.

Section 34 of the Act allows applications for zoning by-law amendments to be considered. The application received by Staff provided the applicable fees and supporting materials requested through the pre-consultation held on October 17, 2024 as well as the responses to the commenting agencies and public, therefore confirm the necessary requirements to make a fulsome recommendation for Council approval are adequate.

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 (PPS 2024) replaces the Provincial Policy Statement, 2020 and repeals A Place to Grow: Growth Plan for the Greater Golden Horseshoe. Land use planning decisions are required to be consistent with the PPS 2024 and to direct growth to settlement areas and encourage intensification where infrastructure is planned or available.

An overview of consistency to the applicable PPS policies are provided below.

Chapter 2: Building Homes, Sustainable Strong and Competitive Communities

Consistent with policy 2.2, the proposed development is providing a housing option (senior living/retirement home) that promotes the efficient use of land and existing municipal infrastructure (water, sanitary and storm sewers). The proposed development

is assisting the Township to accommodate residential growth through lands designated for Institutional uses although senior living and retirement home are permitted uses in this designation.

The application for Zoning By-law Amendment for the proposed new apartment dwelling units is consistent with policy 2.3.1 where the supply of residential units in the urban settlement area is the focus for growth and development.

Consistent with policy 2.9.1, the proposed development is providing for low impact development and stormwater management systems that help with protecting the environment and contribute to changing climate.

Chapter 3: Infrastructure and Facilities

Consistent with policies for sewage, water and stormwater (policy 3.6.1 and 3.6.2), the new building will be connected (via tee connection) to the existing 150mm watermain, allowing for the existing Villa II and the proposed development to be serviced by individual 150mm services. The new building will be sprinklered, with fire hose cabinets. Given the proximity of one existing fire hydrant very near the proposed development site and building, it is not proposed to provide any additional fire hydrants. With regard to available fire flow, the existing watermain and fire hydrants are considered adequate to serve the existing development.

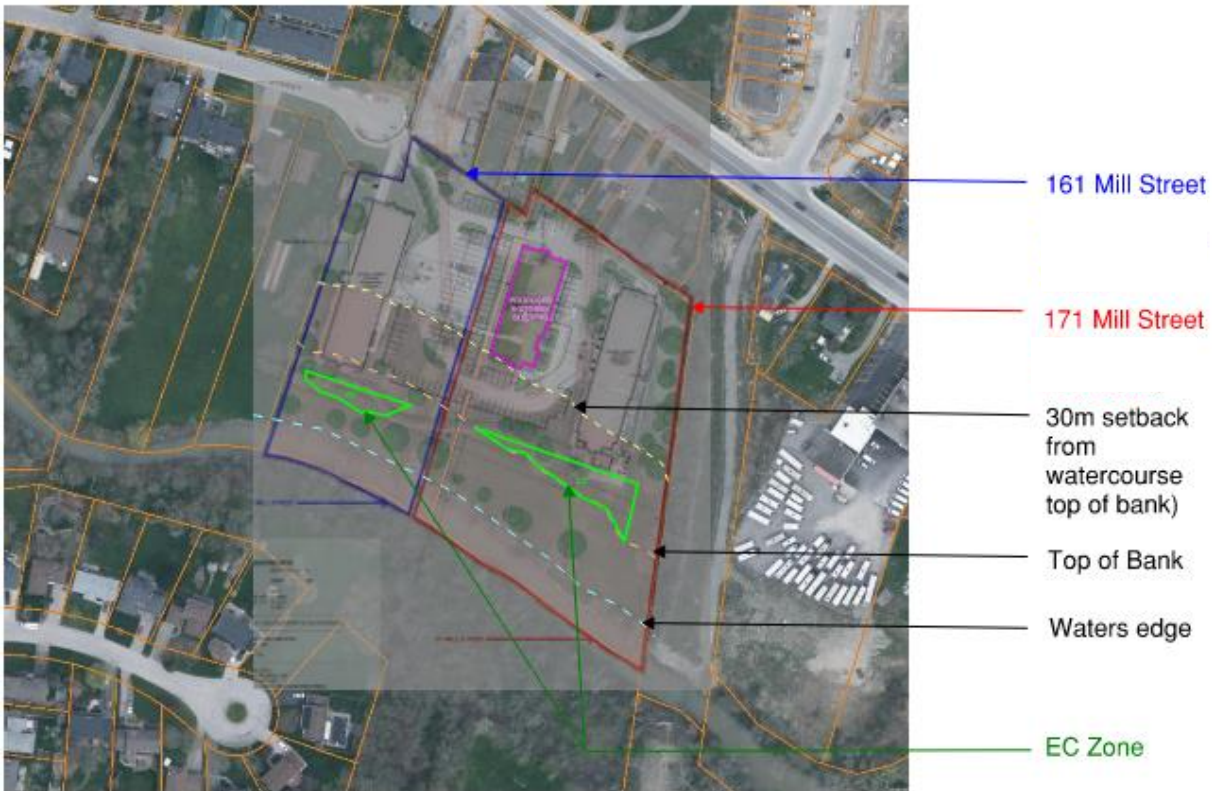
The site is currently serviced with sanitary sewage collection by an existing municipal sanitary sewer that traverses the site, generally from north to south, located on an easement in favour of the Township of West Lincoln. This municipal sewer outlets to an existing Niagara Region trunk sanitary sewer main that crosses the site from west to east near the south limit of the site. This trunk sewer is located on an easement in favour of the Niagara Region and outlets to the Smithville Sewage Pumping Station (SPS) located ± 100 metres east of the subject site between Regional Road 20 and Twenty Mile Creek. It is proposed that a connection for the proposed building can readily be made to the existing municipal sewer and that adequate capacity exists in that sewer and the trunk main to which it outlets.

The existing storm and site runoff is captured by the Mill Street cul-de-sac catchbasin or managed on site by sheet drainage from the parking and landscaped areas into a shallow ditch or swale that runs essentially from the north limit of the site to the south, ultimately discharges to Twenty Mile Creek.

Ground elevations generally vary from 185.1 metres at the north-west corner of the site to 181.9 metres at its southerly limit along the Twenty Mile Creek frontage. Niagara Peninsula Conservation Authority (NPCA) indicated that any new development in the area of the swale should be elevated above the floodplain elevation of 183.03 metres through fill placement and the new building is to be located outside a 30-metre setback from the watercourse; however, paved parking areas can be located within the 30-metre setback provided that surface elevations are above the 183.03 metre floodplain

elevation. Refer to Figure 3 that shows the building is outside of the floodplain elevation.

Figure 3: Proposed Location of New Building



The proposal will have minor system stormwater flows from the parking lot and rooftop collected by new buried storm sewer system components and conveyed to underground storage facilities. Major system flow will be detained temporarily on site in underground storage chambers and flow restricted to the peak post-development flow to the maximum allowed release rate for the 5-Year and 100-Year return period storms.

Chapter 4: Wise Use and Management of Resources

Consistent with policy 4.1, the proposed development will zone the watercourse and buffer area to the natural features to an environmental protection (EP) zone and prohibit any development or site alteration for the long term protection and maintain the key ecological function.

In conformity with the PPS, the subject lands are located within the urban area boundary limits, where the majority of development is to occur. The development expands on the range of available residential types by including affordable housing and housing for seniors. The development will be connected to the community through the use of existing infrastructure and represents an excellent opportunity for infill and

intensification consistent with the policies of the PPS.

Township of West Lincoln Official Plan and Niagara Region Official Plan

Bill 23 has changed Niagara Region's role in land use planning and as of March 31, 2025, the Niagara Official Plan (NOP) is no longer a Regional Plan and is an Official Plan of the twelve area municipalities in Niagara. Therefore, the Township has considered the applicable policies of the NOP alongside the Township's Official Plan (OP) for the assessment to support the achievement of complete communities and range and mix of housing units.

The proposed development contributes to accommodating future rental housing needs geared for senior and retirement home living that can cater to the different needs of the community. The ability to offer more of the high demand housing options that efficiently utilizes the land is favourable. The proposal has demonstrated the ability to maintain the zoning yard required setbacks with the focus on ensuring compatibility with neighbouring building and uses.

Consistent with the policies for the protection of the natural heritage and hydrological features and avoiding any negative impacts to the function and feature. The proposed location of the new building will be outside of the floodplain regulated area although the parking area will be located within the floodplain but at the NPCA approved elevation of 183.03 metres.

Township Zoning By-law 2017-79, as amended

The requested Zoning By-law Amendment will modify the existing Institutional (I-19) zone to facilitate the development including:

- Maximum number of apartment dwelling (retirement home) units – 84 on 171 Mill Street
- Maximum Building Height – 24 metres
- Minimum lot frontage – 0 metres
- That an easement be established and improved to the satisfaction of the Township and provide a secondary emergency access to the satisfaction of the Township prior to occupancy

The proposed building is complementary the existing use of the subject lands and is able to provide community benefit through affordable housing. The building offers a greater density and height than currently exists, although provides the required setbacks to ensure that it does not overwhelm any of the adjacent residential uses.

Thus, the Zoning By-law through the modified site-specific amendments will align with the policies for residential infill at higher densities and affordable units for the Township. Refer to Schedule C for the Zoning By-law and Schedule to implement the proposal.

FINANCIAL IMPLICATIONS:

As previously noted in the Information Report [PD-20-2025](#), an Affordable Housing Community Improvement Plan (CIP) was given budget approved by Council, however it has not yet been prepared. The CIP's objective is to have a new housing partnership with multiple providers to address the Township's needs for affordable housing through financial incentive programs.

Additionally, under the Development Charges By-law, affordable housing units are exempted from building permit and development charge fees. The applicants would have to demonstrate that they meet the criteria for exemptions under the Development Charges Act at the time of building permit.

INTER-DEPARTMENTAL COMMENTS:

The additional agency comments provided since the May 12, 2025 public meeting include:

Township Development Engineering Department: Previous comments have been addressed. The Functional Servicing Report (FSR) suggests a secondary connection to the watermain on St. Catharines Street will be necessary to meet fire flow requirements for the proposed building. The proponent has acknowledged this will be confirmed with the Site Plan Application submission and an easement in favour of the Township will be secured.

The FSR has been revised to include estimated flows to the sanitary system generated by the new building and noted that the wastewater design criteria was not used for the calculations resulting in a higher estimate. This can be corrected with the Site Plan Application submission. A peer review will be completed to update the Township's wastewater model and confirm sanitary capacity. Capacity and allocation within the Township's wastewater network cannot be guaranteed until final registration of the development.

The proponent has acknowledged that an easement in favour of the Township will be provided on the Legion Villa property for the storm sewer outlet from the Mill St cul-de-sac.

Fire and Emergency Services: Firefighting in these types of buildings are directly addressed within the Ontario Building Code (OBC), which will speak to the type of building materials used and the impact of that choice on the required fire protection measures built into the building. The OBC also speaks to the placement and location of available fire hydrants.

Fire lanes and secondary access to the property, both while under construction and in full operation will be no less than the minimum required in the OBC.

Fire and Emergency Services is equipped to fight fires in many types of buildings, but high buildings do include some hazards and risks that others do not. To help manage this, there is currently in place an Automatic Aid Agreement with several of our municipal neighbours, in which all three municipalities (West Lincoln, Lincoln, Grimsby) will respond to fires in such buildings in all three municipalities.

There is room to expand the training of West Lincoln's firefighters for these low frequency/high risk events. Some additional equipment including high-rise packs (compact loads of hose and equipment), fans and other items may need to be purchased in preparation for the building and occupancy of these types of buildings.

An aerial truck replacement is planned within the next two years, pending Council approval of the capital budget. With the increase in complex buildings planned for West Lincoln, its timely replacement is critical.

Region of Niagara: Based on the size and nature of the proposed development, it is understood that the proposal will be unable to satisfy the Region's waste collection requirements. Therefore, waste collection for the site will be the responsibility of the owner through a private contractor and not Niagara Region.

Restoration Plan is a requirement to ensure the re-establishment of self-sustaining native vegetation is provided within the watercourse setback area.

COMMITTEE AND PUBLIC COMMENTS:

1. Affordable Housing

The proposed new Legion Villa apartment building 52-unit pro-forma is offering excellent affordability levels. The current breakdown is:

Affordability Level	# of Units & Unit Type	% of Mid-Market Rent (MMR)	Current Monthly Rate	% of Units in Building
Deep Affordable	12 x 1-bed	70% of MMR	\$860	23%
Deep Affordable	10 x 1-bed subsidized	37% of MMR	\$456	20%
Deep Affordable	3 x 2-bed subsidized	52% of MMR	\$732	6%
Attainable	15 x 1-bed	100% of MMR	\$1,229	29%
Attainable	12 x 2-bed	122% of MMR	\$1,700	23%

The above is based on the following factors:

- Primary capital funding source as Canadian Mortgage and Housing Corporation (CMHC) Affordable Housing Fund loan and grant
- Legion Villa capital fundraising campaign

The grant and/or fundraising amount sourced will increase the affordability and CMHC, potential grant-to-loan ratio for the project.

2. Privacy

Concerns were raised about privacy being invaded because of the proposed development and the potential of privacy being compromised for adjacent buildings existing on site.

The proposed building has been oriented in a north-south fashion with the shortest sides of the building facing towards the rear yards of the properties in the north and the south. This follows the orientation of the existing buildings on site.

The proposed elevation were designed in a way that the privacy of its adjacent owners is not compromised. The faces of the building towards the north and south do not have any windows placed on them. Furthermore, the balconies are recessed which help to minimize the obstruction and views into adjacent properties.

The proposed development adheres to the required zoning by-law setbacks from the existing two apartment buildings on site. Considering both the proposed new building and the existing buildings have recessed balconies, the privacy is expected to be maintained for its users on site. The building distances are as follows:

- Proposed building to existing building at 171 Mill Street – 25.48 metres
- Proposed building to existing building at 161 Mill Street – 49.31 metres

3. Height

Concerns were raised about the potential of building height and that the new building is not compatible or matching the character of the neighbourhood.

The proposed 6-storey or 24 metres in height is measured from the ground elevation, although the elevation varies throughout the site. The new building will have an increase in height to the existing buildings although is visually appropriate and fits with the character of the site with the apartment style buildings. The proposal will make efficient use of the oversized lot while complying with the yard setbacks and lot coverage zoning requirements.

The existing zoning permits a maximum building height of 15 metres or roughly 5-storeys in height and the amendment is for one additional story or 9 metres. The

purpose for the increase in building height is to provide more affordable units for seniors in a location that is close to downtown amenities like commercial stores and restaurants, and other social service uses. It is important to note that there are no limitations on height in the Township's Official Plan under the Institutional Designation.

4. Flooding

The NPCA identified that the subject property included a watercourse (Twenty Mile Creek) and associated floodplain towards the south of the property. The proposed building location will meet the required setback identified by the NPCA. To further address the concern, fill placement to be used to raise the surface elevations of the swale area to 183.03 metres above the floodplain to ensure the building and parking will be safe on site.

Additionally, the floodplain, watercourse and associated natural heritage features will be located within the Environmental Protection (EP) zone for no site alteration or development.

A vegetation/restoration plan is required for the future site plan approval process maintaining the minimum 30-metre setback from the surveyed watercourse top of bank. Parking is allowed to occur within the 30-metre environmental setback, as long as the flood plain requirement is fulfilled.

5. Parking

According to Table 6- Required Parking Facilities of the Zoning By-law 2017-70, as amended, a retirement home requires one parking space per two dwelling units.

The following provides a breakdown of the required parking spaces under the by-law regulations for both 161 and 171 Mill Street.

- 161 Mill Street: 30 units x 0.5 = 15 spaces
- 171 Mill Street: (32 plus proposed 52) 84 units x 0.5 = 42 spaces

Therefore, 15 + 42 = 57 total spaces required for the two sites.

The proposal, however, is providing 120 parking spaces plus an additional 5 accessible parking spaces which more than doubles the minimum parking requirement.

Based on current parking usage on site, Legion Villa representatives have stated that there are 59 spaces, of that 46 spaces are for tenant parking, 7 are accessible parking, some tenants use 2 spaces, some tenants have family members use vehicles parked in spaces for doctor appointments, 6 vacant parking spaces, 3 spaces for staff, and 10 spaces for guest parking. The proposal will not negatively impact the parking situation on the site but provide additional spaces to prevent future issues with parking.

6. Fire Access

The proposed development includes a 6 metre wide access easement over 161 Mill Street to 171 Mill Street and will remain open at all times even during construction. This has also been added as a requirement in the proposed site specific zoning.

There is an additional secondary emergency access through the easement to St. Catharines Street where it will be chained off and only used for emergencies. This access will require upgrades to meet the Township standards. As part of the site plan approval process, a truck turning plan will be provided for approval.

An existing fire hydrant is located 15 metres from the north east corner of the proposed building to service the buildings at 171 Mill Street and at the main entrance to service the building at 161 Mill Street. Future coordination with the agent for Legion Villa and the Township's fire department will continue to ensure the design complies with the standard requirements for access, design and emergency.

7. Construction Nuisance Impacts

Concerns regarding parking and access for existing residents at the time of construction, noise, dust, and other nuisance impacts during construction were received.

Open communication between the general contractor and residents will be key in establishing a safe and accessible site during all phases of construction. An action plan will be prepared prior to construction (and updated during construction) so deliveries and activities are clearly outlined for residents. Based on the initial analysis and Building Code requirements, the quantity of current parking spaces can be maintained during the course of construction and separated from construction vehicles accessing 171 Mill Street.

Despite the unfortunate nuisance and disrupting impacts resulting from construction including noise and dust, it is inevitable and only temporary in nature. Appropriate measures will be taken during the period to monitor the safety and ease of access for existing users in the property.

CONCLUSION:

The application for Zoning By-law Amendment approval submitted by Quartek Group Inc. on behalf of Branch 393 Royal Canadian Legion Senior Citizens Complex (Legion Villa) is to facilitate a residential development, which would create 52 new senior living/retirement home dwelling units in a 6-storey apartment building. The proposed development is subject to a future site plan approval application.

Administration upon review of the applications against the Provincial and Local policies as well as consideration of the Committee, commenting agencies, and the public

comments and feedback are satisfied that matters are adequately addressed and recommend approval of the application.

ATTACHMENTS:

Schedule A: Legal Survey
Schedule B: Site Plan
Schedule C: Zoning By-law and Schedule
Schedule D: Agency Comments

Prepared & Submitted by:

Susan Smyth
Manager, Community Planning and Design

Approved by:

Gerrit Boerema
Director, Growth and
Sustainability

Truper McBride
CAO

INTEGRATION DATA			
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).			
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF OREG 216/10.			
POINT ID	EASTING	NORTHING	
ORP (A)	618 642.76	4 772 292.81	
ORP (B)	618 533.46	4 772 486.58	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999750

FOR BEARING COMPARISONS, A ROTATION OF 1°00'40" COUNTER-CLOCKWISE HAS BEEN APPLIED TO BEARINGS ON P2, P3 & P4.

SCHEDULE A - PD-27-2025

SCHEDULE					
PART	LOT	PLAN	PIN	AREA	
1				55.6 sq.m	
2				69.8 sq.m	
3				331.6 sq.m	
4				173.9 sq.m	
5				48.8 sq.m	
6				157.8 sq.m	
7				5204 sq.m	
8				335.5 sq.m	
9				727.6 sq.m	
10				421.8 sq.m	
11				±2300 sq.m	

PART	LOT	PLAN	PIN	AREA	
12	PART OF 38, 43 & 44			5124 sq.m	
13	PART OF 43			661.6 sq.m	
14	PART OF 44			4086 sq.m	
15	PART OF 44			18.6 sq.m	
16	PART OF 38			139.9 sq.m	
17	PART OF 43			18.6 sq.m	
18	PART OF 44			573.8 sq.m	
19	PART OF 44			±108 sq.m	
20	PART OF 38, 43 & 44			±5342 sq.m	

NOTE: PARTS 2, 5, 8, 10 & 16 ARE SUBJECT TO EASEMENT AS IN INSTR. No. R0123418

PARTS 2, 5, 8, 10, 16 & 19 ARE SUBJECT TO EASEMENT AS IN INSTR. No. R0147643

PART 13 IS SUBJECT TO EASEMENT AS IN INSTR. No. R0391066

PART 17 IS SUBJECT TO EASEMENT AS IN INSTR. No. NRI15059

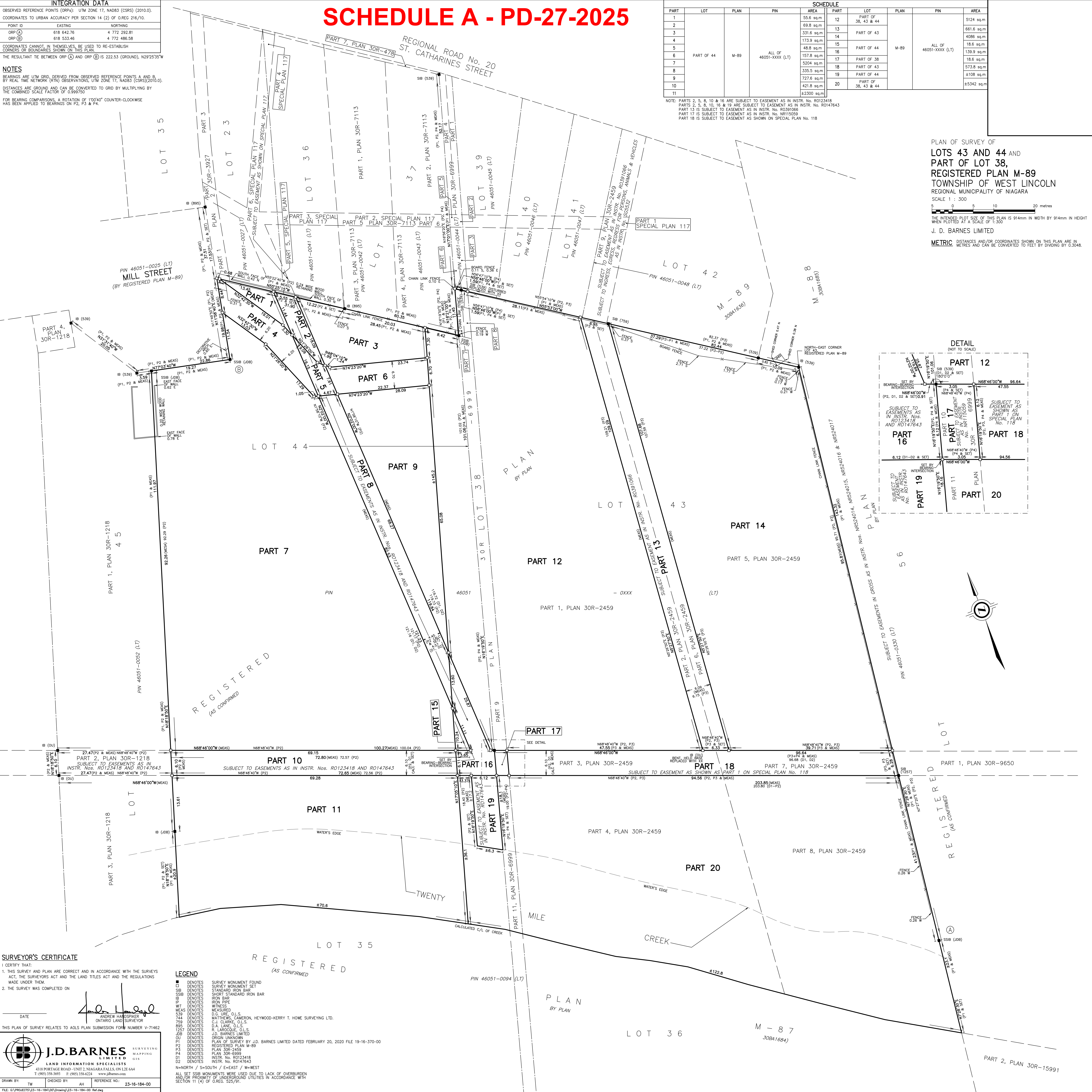
PART 18 IS SUBJECT TO EASEMENT AS SHOWN ON SPECIAL PLAN No. 118

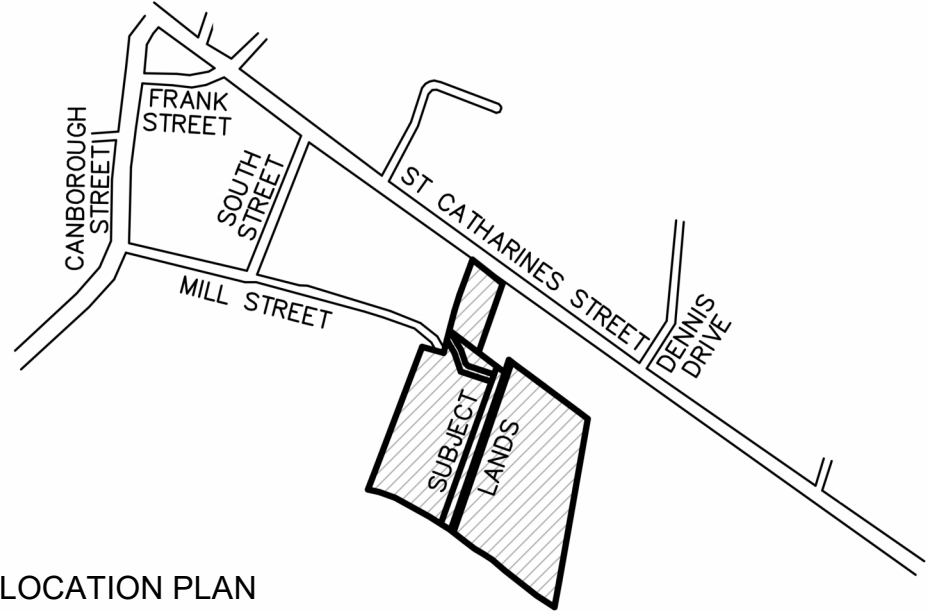
PLAN OF SURVEY OF
LOTS 43 AND 44 AND
PART OF LOT 38,
REGISTERED PLAN M-89
TOWNSHIP OF WEST LINCOLN
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 300

J. D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.





LOCATION PLAN
NTS

161 MILL STREET		
CIVIC ADDRESS	161 MILL STREET, TOWNSHIP OF WEST LINCOLN, ON L0R 2A0	

171 MILL STREET		
CIVIC ADDRESS	171 MILL STREET, TOWNSHIP OF WEST LINCOLN, ON L0R 2A0	

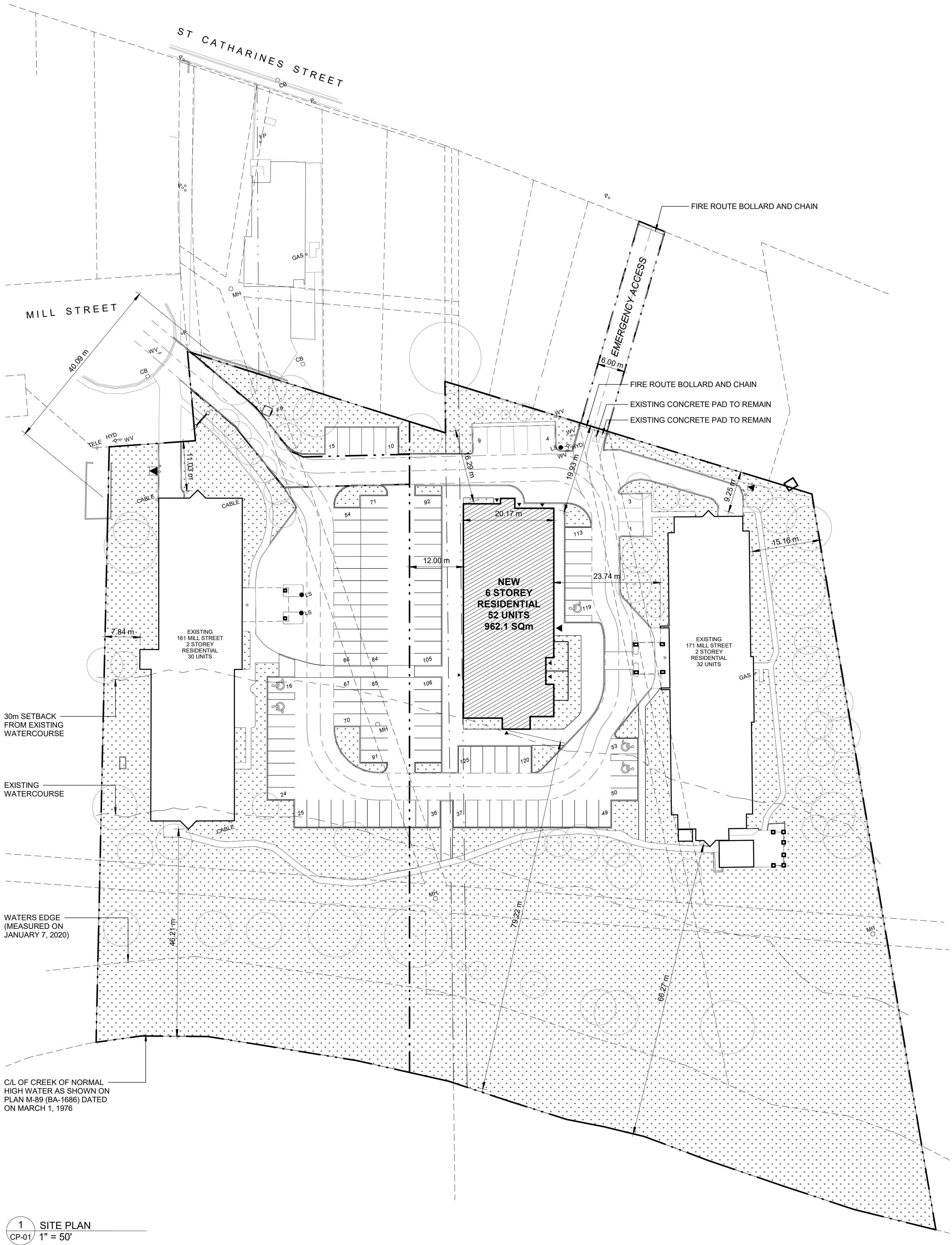
ZONING SUMMARY		
	REQUIRED	PROVIDED
ZONING	I	
LOT SIZE (HA.)	0.9821ha	
MINIMUM LOT FRONTAGE	30m	40.09m
MINIMUM FRONT YARD	7.5m	11.03m
MINIMUM INTERIOR SIDE YARD	7.5m	7.84m
MINIMUM REAR YARD	7.5m	46.21m
MAXIMUM LOT COVERAGE	50%	13.9%
MAXIMUM HEIGHT	15m	7.2m
MINIMUM LANDSCAPE AREA	10%	58.9%
MINIMUM LOT AREA PER UNIT	120m²/unit	327.63m²/unit

ZONING SUMMARY		
	REQUIRED	PROVIDED
ZONING	I-XX	
LOT SIZE (HA.)	1.6074ha	
MINIMUM LOT FRONTAGE	30m	0m
MINIMUM FRONT YARD	7.5m	9.25m
MINIMUM INTERIOR SIDE YARD	7.5m	12m
MINIMUM REAR YARD	7.5m	66.27m
MAXIMUM LOT COVERAGE	50%	13.9%
MAXIMUM HEIGHT	15m	24m
MINIMUM LANDSCAPE AREA	10%	70.5%
MINIMUM LOT AREA PER UNIT	120m²/unit	191.36m²/unit

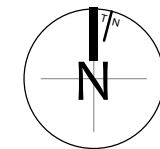
*ACCESS EASEMENT FROM 161 MILL STREET

PARKING SUMMARY		
	REQUIRED	PROVIDED
PARKING (1 space per 2 units)	15	63
BARRIER FREE PARKING STALLS	1	2

PARKING SUMMARY		
	REQUIRED	PROVIDED
PARKING (1 space per 2 units)	42	62
BARRIER FREE PARKING STALLS	2	3



1 SITE PLAN
CP-01 1" = 50'



D	CLIENT REVIEW	17OCT2024	NY
C	CLIENT REVIEW	13SEP2024	NY
B	CLIENT REVIEW	28FEB2024	NY
A	CLIENT REVIEW	22SEP2023	NY
Issue	Issued for	Date	Int.

Seal

Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.
Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Seals must be signed by the Architect and / or Engineer before drawings are used for any construction.
All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.
All drawings and related documents remain the property of Quartek Group Inc., all drawings are protected under copyright and under contract.

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St. Catharines, ON, L2R 3M3
www.quartekgroup.com

Project Title

LEGION VILLA

161-171 MILL STREET

Drawing Title

SITE PLAN

Drawn NY Designed by NY

Scale As indicated Date Created 08/28/23

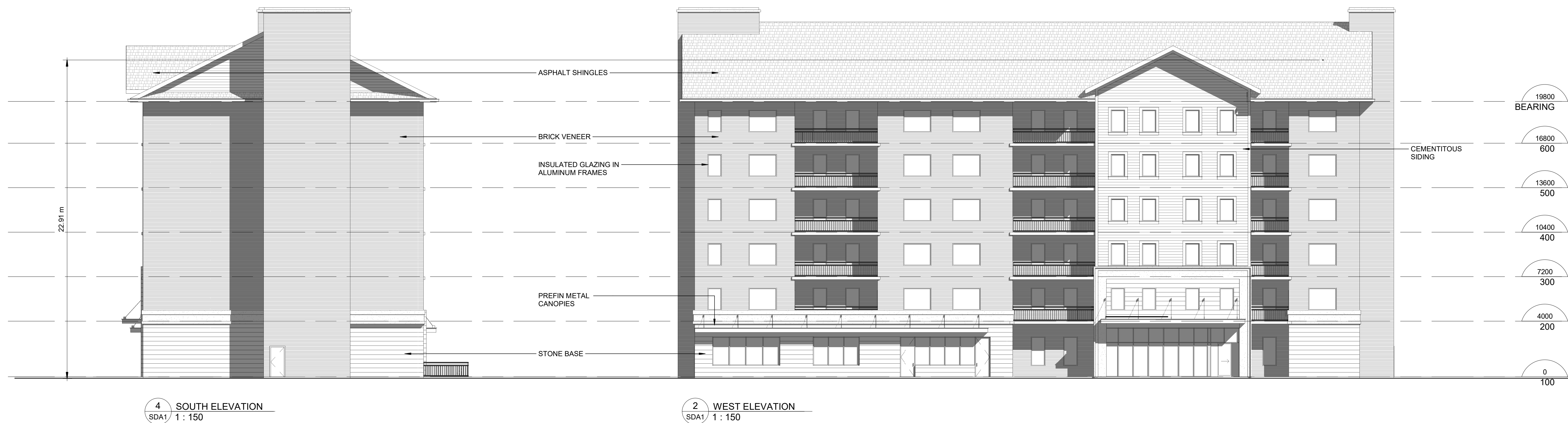
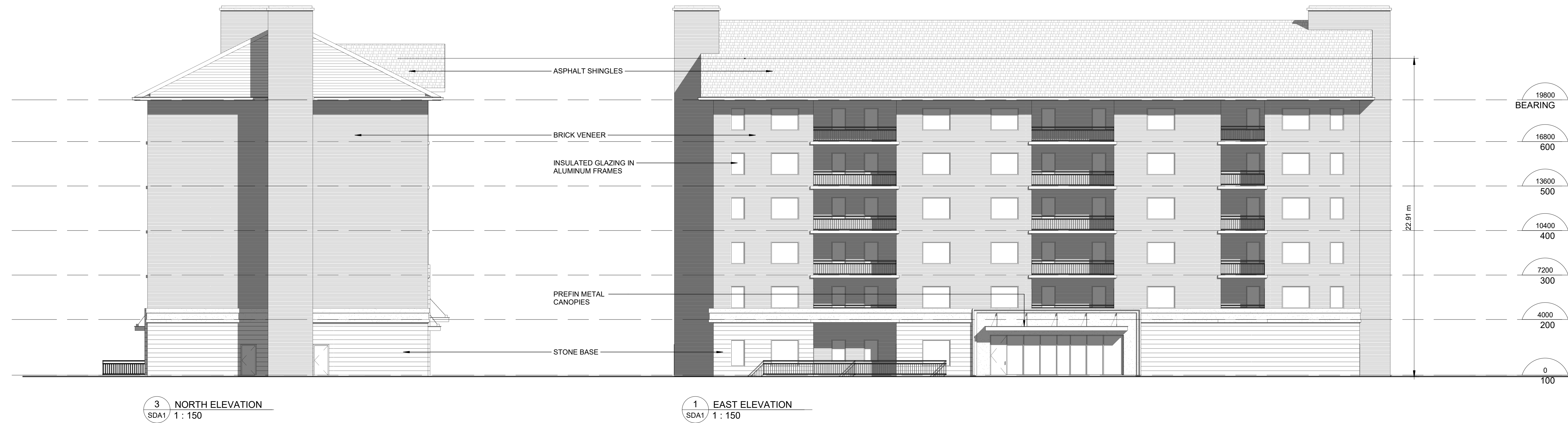
Job Number 22095 Issue D

Drawing Number

CP-01

P:\2022 Projects\22095 Legion Villa Feasibility and Concept\Drawings\Architectural\22095 SITE.rvt

Plotted on 2024-09-15 9:47:13 PM



B	ZONING BYLAW	13SEP2024	NY
A	CLIENT REVIEW	22SEP2023	NY
Issue	Issued for	Date	Init.

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All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.

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Quartek

Architects • Planners
Engineers • Project Managers

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St. Catharines, ON, L2R 3M3
www.quartekgroup.com

Project Title

LEGION VILLA

161-171 MILL STREET

Drawing Title

ELEVATIONS

Drawn

NY

Designed by

NY

Scale

1 : 150

Date Created

09/01/23

Job Number

22095

Issue

B

Drawing Number

SDA1

SCHEDULE C - PD-27-2025

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS AMENDED, OF THE TOWNSHIP OF WEST LINCOLN

WHEREAS the Township of West Lincoln Council is empowered to enact this By-Law by virtue of the Provisions of Section 34 of the Planning Act, 1990, as amended;

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

1. THAT Schedule 'A' Map 'S5' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lots 43 and 44, and Part of Lot 38, Registered Plan M-89, Township of West Lincoln, municipally known as 171 Mill Street, shown on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'S5' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by modifying the Institutional I-19 zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law with site new specific exceptions.
3. THAT Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by modifying the Institutional I-19 in Part 13.2:

I-19

Permitted Uses:

Limited to Apartment Dwelling Units (Retirement Home) to a maximum of 84 units on the lot

Regulations:

As per the parent zone, except:

- (i) Minimum lot frontage – 0 metres
 - (ii) Maximum Building Height – 24 metres
 - (iii) That an easement be established and improved to the satisfaction of the Township and provide a secondary emergency access to the satisfaction of the Township prior to occupancy
4. THAT, all other provisions of Zoning By-law 2017-70, as amended continues to apply;
 5. THAT, this By-law shall become effective from and after the date of passing thereof.

READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS XX
DAY OF XX, 2025.

MAYOR CHERYL GANANN

JUSTIN PAYLOVE
MANAGER, LEGISLATIVE SERVICES/CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2025-XX

Location:

This By-law involves a parcel of land located on the south side of Mill Street, at the easterly dead-end cul-de-sac, municipally referred as 171 Mill Street, in the urban settlement of Smithville.

Subject lands are legally described Lots 43 and 44, and Part of Lot 38, Registered Plan M-89, Township of West Lincoln.

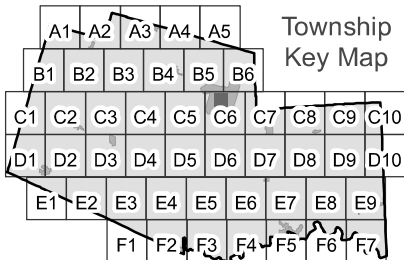
Purpose & Effect:

The subject lands have a site specific zone Institutional (I-19) and limited to apartment dwellings up to a total maximum of 32 dwelling units; with 15 metre maximum building height; and lot frontage on a public street is not required for the existing lot, and the front lot line is deemed to be the west lot line. This is replaced/modified with the increased number of apartment dwelling (retirement home) units, increased building height and correction of the lot frontage, and inclusion of an easement for access and secondary emergency access.

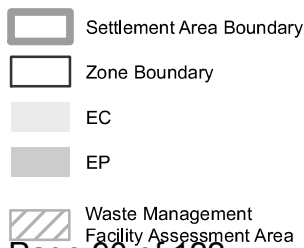
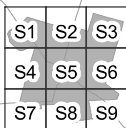
Public Consultation:

Public Meeting was held on May 12, 2025. All comments received were evaluated by Administration and Council through their decision.

File: 1601-003-25
Township of West Lincoln



Smithville Key Map



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

Map
S5

1:6,000

 0 150 m
 Last Updated: July 2019

Public Works – Infrastructure Planning and Development Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

June 27, 2025

Region File: PLZBA202500647

Susan Smyth
Manager, Community Planning and Design
Township of West Lincoln
318 Canborough St., P.O. Box 400
Smithville, ON L0R 2A0

Dear Ms. Smyth:

**Re: Regional and Provincial Comments
Proposed Zoning By-law Amendment
Township File: 1601-003-25
Applicant: Quartek Group c/o Nick Yamich
171 Mill Street
Township of West Lincoln**

Regional Infrastructure Planning and Development staff has reviewed the proposed Zoning By-law Amendment (ZBA) application for lands municipally known as 171 Mill Street in the Township of West Lincoln. The application is required to facilitate the proposed development of a six-storey apartment building with 52 units.

The subject lands are zoned Institutional (I), site-specific Institutional (I-19), and Environmental Protection (EP) zone in the Township of West Lincoln Zoning By-law 2017-70. The ZBA application is seeking a site-specific amendment related to requirements for the maximum building height, number of units permitted, and lot frontage.

A pre-consultation meeting was held to discuss the proposal most recently on October 17, 2024, with Township and Regional staff in attendance.

Planning Act Changes

Staff advise pursuant to the *Planning Act*, as of March 31, 2025, Niagara Region is an upper-tier municipality without planning responsibilities. The council of an upper-tier municipality, on conditions agreed upon with the council of a local municipality, may provide advice and assistance to lower-tier municipalities in respect of planning matters generally. Township Council approved entering into a service level agreement with

Niagara Region ('Planning Services Agreement') to continue providing support and advice to the Township of West Lincoln for environmental planning.

Please be advised that through this change to the *Planning Act*, the *Niagara Official Plan, 2022* (NOP) is effectively an official plan of the Township of West Lincoln, which remains in effect until the Township revokes or amends it to provide otherwise. As such, Township staff should be satisfied that the application conforms to NOP policies.

On this basis, the following comments pertaining to the natural environment system are provided as advice to assist the Township in their review of the application. Under the Memorandum of Understanding for Engineering Review between the Township and the Region, the comments related to regional infrastructure and waste collection are considered Regional requirements with respect to the Region's interests.

Natural Environment System

The subject property is impacted by the NOP Natural Environment System (NES), consisting of the Lower Twenty Mile Creek Wetland Complex (PSW), Significant Woodland, Other Woodland, and Permanent and Intermittent Watercourse and associated riparian zone. In accordance with NOP Policy 3.1.9.8.1, an Environmental Impact Study (EIS) is generally required when development or site alteration is proposed on lands adjacent to natural heritage features.

Regional staff conducted a site visit on February 28, 2022, and advised at the pre-consultation meeting that the requirement for an EIS may be waived in favour of a Restoration Plan, provided that all new buildings and structures maintain a minimum 30 metre setback from the surveyed top of bank associated with the watercourse. Based on a review of the proposed Site Plan, as outlined in the Planning Justification Report and Impact Analysis Report prepared by Quartek (dated February 2025), staff are satisfied that the 30 metre setback requirement has been adequately addressed.

With respect to the proposed ZBA application, staff have no environmental objections, provided all lands located between the development footprint and the southern property line are designated within an appropriate restrictive environmental zone. It is recommended that the Township request a revised ZBA Schedule that clearly delineates the boundaries of the environmental zone to ensure compliance with both Provincial and local policy frameworks.

Staff further note that a Restoration Plan will be recommended as a requirement of future *Planning Act* applications to ensure the re-establishment of self-sustaining native vegetation within the watercourse setback area. Additional mitigation measures, including sediment and erosion control fencing along the development limit, will also be recommended to minimize environmental impacts.

Stormwater Management

The Functional Servicing Report, prepared by Quartek (dated May 2025), proposes stormwater quality and quantity control prior to an existing ditch outlet to Twenty Mile Creek. Staff suggest that, at the Site Plan/Draft Plan stage, the plan confirm if the drainage area to the proposed water quality treatment device should include the eastern end of Mill Street, and the sizing of treatment device base on the ETV particles size distribution (PSD).

Waste Collection

Niagara Region provides curbside waste collection for developments that satisfy the requirements of its waste collection policy and procedure. The proposed development may be eligible to receive Regional curbside waste collection provided that the owners/tenants bring the waste to the curbside on their designated pick up day, and that the following limits are not exceeded:

- Green – no limit (collected weekly)
- Waste – 2 bags/cans per unit to a max. of 24 bags/cans per building (collected bi-weekly)

Based on the size and nature of the proposed development, it is understood that the proposal will be unable to satisfy the Region's waste collection requirements. Therefore, waste collection for the site will be the responsibility of the owner through a private contractor and not Niagara Region.

Circular Materials Ontario is responsible for the delivery of residential blue and grey box recycling collection services: <https://www.circularmaterials.ca/resident-communities/niagara-region/>

Conclusion

Regional Infrastructure Planning and Development staff offer no objections to the proposed Zoning By-law Amendment application to facilitate the development of a six-storey apartment building with 52 units. It is recommended that Township staff request a revised ZBA Schedule that clearly delineates the boundaries of the environmental zone to ensure compliance with both Provincial and local policy frameworks.

Further Regional comments will be provided at the time of future Site Plan application as noted in the body of this letter.

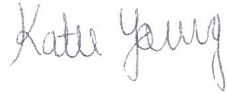
Please be advised that through changes to the *Planning Act*, the NOP is effectively an official plan of the Township of West Lincoln, which remains in effect until the Township revokes or amends it to provide otherwise. As such, Township staff should be satisfied that the application conforms to NOP policies.

June 27, 2025

Should you have any questions regarding the above comments, please contact the undersigned at Katie.Young@niagararegion.ca.

Please send copies of the staff report and notice of the Township's decision on the application, when available.

Kind regards,

A handwritten signature in cursive script that reads "Katie Young".

Katie Young, MCIP, RPP
Senior Development Planner

cc: Adam Boudens, Senior Environmental Planner / Ecologist
Maggie Ding, P.Eng., Stormwater Management Engineer
Philippe Biba, Development Approvals Technician

Susan Smyth

From: Tim Hofsink
Sent: July 7, 2025 4:37 PM
To: Susan Smyth
Cc: Cynthia Summers; Gerrit Boerema; Robin Shugan
Subject: RE: Fire Services Comments on Elite Smithville Developments and Legion Villa

Hi Susan,

Thanks for your request for comments on the high building proposals that have been provided. There are a number of issues that impact firefighting in these types of buildings as opposed to non-highrise buildings. Some of these issues are directly addressed within the Ontario Building Code, which will speak to the type of building materials used and the impact of that choice on the required fire protection measures built into the building.

Minimum available fire flows for firefighting from the water infrastructure should also be calculated in the planning portion of the project, and should be provided to match the protection equipment/requirements with available flows. The OBC will likely also speak to the placement and location of available fire hydrants for this property.

Fire lanes and secondary access to the property, both while under construction and in the following periods of use should be defined in the OBC. The minimum acceptable to West Lincoln Fire will be no less than the minimum required in the OBC, but the provision of a permanent, unrestricted secondary access lane/road into the site is preferred.

West Lincoln Fire and Emergency Services is equipped to fight fires in many types of buildings, but high buildings do include some hazards and risks that others do not. To help manage this, there is currently in place a Automatic Aid Agreement with several of our municipal neighbours, in which all three municipalities will respond to fires in such buildings in all three municipalities.

There is room to expand the training of West Lincoln's firefighters for these low frequency/high risk events. Some additional equipment including high-rise packs(compact loads of hose and equipment), fans and other items may need to be purchased in preparation for the building and occupancy of these types of buildings. The aerial truck that West Lincoln currently operates is over 30 years old, with a replacement planned within the next two years, pending Council approval of the capital budget at that time. This truck is currently viable, but with the increase in complex buildings planned for West Lincoln, its timely replacement is critical.

Please let me know if there are any items that I may have missed that would provide you benefit.

Thanks,

Tim

Our working hours may be different. Please do not feel obligated to reply outside of your working hours. Let's work together to help foster healthy work-life boundaries.



Tim Hofsink

Fire Chief

Tel: 905-957-3346 ext.6733
Email: thofsink@westlincoln.ca
Web: www.westlincoln.ca



Memo

To: Susan Smyth, Manager of Planning
From: Jennifer Bernard, Manager, Civil Land Development
Date: July 8, 2025
Re: Legion Villa – Preliminary Submission

A review was completed of the preliminary resubmission package of the Legion Villa Zoning By-law Amendment Application; previous comments were addressed; the following items are noted for future reference:

Servicing Feasibility Report

The report suggests a secondary connection to the watermain on St. Catharines St will be necessary to meet fire flow requirements for the proposed building. The proponent has acknowledged this will be confirmed with the Site Plan Application submission and an easement in favour of the Township will be secured.

The FSR has been revised to include estimated flows to the sanitary system generated by the new building. It was noted that West Lincoln's wastewater design criteria was not used for the calculations resulting in a higher estimate. This can be corrected with the Site Plan Application submission.

A peer review will be completed to update the Township's wastewater model and confirm sanitary capacity. Capacity and allocation within the Township's wastewater network cannot be guaranteed until final registration of the development.

The proponent has acknowledged that an easement in favour of the Township will be provided on the Legion Villa property for the storm sewer outlet from the Mill St cul-de-sac.

DATE: July 14, 2025

REPORT NO: O-16-2025

SUBJECT: **Response to Participation Request – Niagara Region Automated Speed Enforcement (ASE) Program Expansion**

CONTACT: Mike DiPaola, P.Eng
Director, Infrastructure

OVERVIEW:

- Niagara Region is expanding its Automated Speed Enforcement (ASE) Program and has invited local municipalities to participate starting in 2026.
- This 2026 expanded ASE Program will consist of four (4) ASE cameras to be used on local roads once program participation / locations are confirmed, and may include a rotation schedule.
- ASE is intended to enhance road safety by using automated cameras to enforce speed limits in community safety zones and other designated areas.
- Administration have reviewed the program requirements and recommend that the Township decline participation for 2026, while remaining open to future consideration.

RECOMMENDATION:

1. That, Recommendation Report O-16-2025, titled “Response to Participation Request – Niagara Region Automated Speed Enforcement (ASE) Program Expansion”, dated June 9, 2025 be received; and
2. That, Council direct Administration to notify Niagara Region that the Township of West Lincoln will not participate in the ASE program expansion for 2026, but will reassess the potential benefits of participation in future program phases.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 4

- **Foundational** – Advance organization capacity and effectiveness

BACKGROUND:

In April 2024, Niagara Region Council approved Report PW 11-2024, endorsing the expansion of the ASE camera program to include municipal roadways under local jurisdiction. This report recommended expanding the ASE program by 4 cameras annually in each year to further enhance road safety. Having undertaken the first round of expansion on Region Road in 2025, the Region is now proceeding with planned expansion on local roads in 2026. As part of this initiative, the Region is inviting local area municipalities to express interest in having ASE cameras installed on their local roads starting in 2026.

The Township of West Lincoln currently has a limited number of school zones/community safety zones, located on local municipal roads, including:

- St. Martins Catholic Elementary School (Main Entrance on Streamside Drive)
- Smithville Public School (Colver Street)
- Caistor Central Public School (Caistor Centre Road)

Both St. Martins Catholic Elementary School and Smithville Public School are located at the corner of a local road and regional road, with the main entrances located on local roads being Streamside Drive and Colver Street respectively.

Caistor Central Public School, despite being located in a rural area, experiences increased traffic volumes related to school bus and parental drop-off activities.

CURRENT SITUATION:

The Region has invited local area municipalities to participate in the expanded ASE program. Participation is voluntary and would involve collaboration on site selection, program administration and Council approvals, By-Laws, signage, data collection and reporting, communication, and dealing with public inquiries and complaints.

Municipalities are responsible for designating appropriate locations as community safety zones (if not already designated) with appropriate by-laws, council approvals, necessary signage and communication. Niagara Region would operate and maintain the ASE system under a shared services framework, however municipalities would be responsible for data collection and reporting, communication, and dealing with public inquiries and complaints.

Analysis:

The benefits of participating in the ASE expansion program include:

- **Enhanced Student Safety:** Reinforces lower speeds near schools, reducing the risk of accidents during critical times of day.

- **Traffic Calming:** Provides effective, non-intrusive traffic calming without the need for expensive physical traffic calming infrastructure devices.
- **Data-Driven Decision Making:** ASE units collect valuable traffic data that can inform future operations or infrastructure decisions.
- **Regional Consistency:** Supports a uniform approach to road safety across Niagara Region, reinforcing driver expectations.
- **Cost Recovery Potential:** Fine revenues (after cost recovery) could support additional road safety initiatives at the local level.

Specific to West Lincoln, Caistor Central Public School would be a logical site, given the convergence of buses, parent vehicles, and a rural road environment where controlling speeds is particularly important.

While Administration supports initiatives aimed at enhancing road safety, several factors currently limit our capacity to participate in the 2026 ASE program expansion, as outlined below:

- **Operational Readiness and Resource Allocation:** Successful implementation of ASE on local roads requires coordination with Niagara Region, in particular to bylaw enforcement, public communications, finance resources, and operations / infrastructure teams. Township staff are currently focused on delivering other key road safety initiatives and do not have the resources to support effective rollout and monitoring of the ASE program in 2026.
- **Financial Considerations:** While the Region would be responsible for funding the operational costs of the camera and cover some data collection costs, at this time, the Township has limited financial capacity to support additional obligations such as staff time required to install signage and coordinate with the Region without impacting other priority projects and initiatives.
- **Operational Priorities:** The Township is currently engaged in several significant infrastructure and service delivery projects. Introducing a new program at this juncture could divert attentions and resources from these established priorities.
- **Limited Evidence of Need on Local Roads:** The Township has limited traffic data, and limited school zone / community safety zones, which does not indicate a high incidence of speeding. Without evidence of persistent or severe speeding issues, the introduction of ASE may not offer measurable safety benefits in the short term.
- **Need for Community Engagement:** ASE implementation may impact public perception and other road safety priorities. Before proceeding, the Township would benefit from community consultation, development of site selection criteria, and review of potential equity concerns related to automated enforcement.

- ***Desire to Monitor Regional and Peer Municipal Experiences:*** As the expanded program begins across Niagara Region local area municipalities in 2026, West Lincoln will be able to observe outcomes in other municipalities, including effectiveness, public perception, and operational resources. These insights will better inform a future decision.

While the Township supports traffic safety and is open to innovative enforcement tools, it is recommended that West Lincoln defer participation in the Niagara Region ASE program expansion at this time. Administration will continue monitoring the program and report back with updated recommendations when appropriate regarding participation in future program phases.

While Township Administration recommends deferring ASE expansion onto local roads at this time, the Region will continue to operate the ASE program on Regional Roads within West Lincoln. Additionally, West Lincoln will still receive its proportional share of ASE revenue generated through the Region's program.

FINANCIAL IMPLICATIONS:

Regardless of the recommendation of this report, West Lincoln will continue to receive its proportional share of net fine revenues from the Region's ASE program.

If Council elects to participate, there will be implications on staff time. Direct costs would include costs to manufacture and install updated speed limit and Community Safety Zone signage as necessary, along with any additional traffic data collection West Lincoln would want such as before, during, and after.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the Director of Corporate Services/CFO, the CAO, and the Clerk's office.

CONCLUSION:

Give these considerations, Administration believe that it is prudent for the Township to defer participation in the 2026 expansion of the Niagara Region ASE program. This approach will allow time to assess the program's operational, financial impacts, and resources on participating municipalities, while ensuring that Township resources remain focused on current road safety initiatives and priorities. Administration will continue to engage with the Region and monitor developments, and may bring forward a future recommendation should condition become more favourable for participation in future ASE program expansion.

SCHEDULE(S)

N/A

Prepared & Submitted by:

Approved by:

**Mike DiPaola, P.Eng
Director, Infrastructure**

**Truper McBride
Chief Administrative Officer**

DATE: July 14, 2025
REPORT NO: WLFD-06-2025
SUBJECT: Monthly Update – June 2025
CONTACT: Tim Hofsink, Fire Chief

OVERVIEW:

- This report will address June 2025 fire responses and activities.

RECOMMENDATION:

That, Information Report WLFD-06-2025 titled “Monthly Update – June 2025” dated July 14, 2025, be received for information.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 1 and # 4

- **Build** – a safe, connected, caring and active community
- **Advance** – organizational capacity and effectiveness

CURRENT SITUATION:

Emergency responses Calls:

See Attached Schedule "A" for June's calls.

New Recruits:

The 2025 recruit class which started in January wrote their first fire examinations for NFPA 1001 level 1 on June 7th. The class has done exceedingly well and have been permitted to begin their emergency call responses with the standard limitations placed on probationary firefighters. The group has been eagerly anticipating the opportunity to continue to develop their skills and to contribute more meaningfully at fire scenes.

Retirement:

Two members retired from Station 2 in June. Firefighters David Pyett and Firefighter

Tom Bushey were founding members of the fire station in Caistor Centre, joining in June of 1995. When the station in Caistor Centre was being planned and set up, they answered the call and joined the new team as the Station was established in a municipal building used as the temporary fire hall. They have been dedicated, long-serving members, sharing their experience and knowledge with the incoming newer members for the past 30 years. Their dedication, knowledge and commitment will be deeply missed by all of us at West Lincoln Fire.

Promotions:

The search for a new Deputy Fire Chief has concluded, with Captain Zoli Rakonjac being the successful candidate chosen as the new Deputy Fire Chief in West Lincoln. Zoli brings 15 years of service as a Volunteer Firefighter, Lieutenant and Captain. Zoli also supported the Acting Chief in the role of Acting Deputy Fire Chief when Chief Fisher was on medical leave. Zoli's support and knowledge will continue to move West Lincoln Fire forward.

Training:

The Training Team has had a busy month, preparing the recruit class for their exams, carrying out live fire training at GRTC for the recruits, and ensuring that the final training details were completed in order for the recruits to commence emergency call responses. Other drills that were carried out over the month included the operation of pumps and portable pumps, a round of firefighter games- a series of firefighter tasks that are completed in a game format, timing the evolutions in a friendly competition. First Aid and Defibrillator certification was also carried out for the full crew, including the recruits.

Fire Prevention / Public Education

June is often a busy month for Public Education and Fire Prevention activities. The Team was out on a number of occasions, attending the St Martin School Fun Fair, the Smithville Public School Family barbeque, Community Helper Day and a fundraiser for WLMH hosted by Cairns School.

The firefighters also participated during the heat wave in providing cooling relief to neighbourhood children, spraying water with the aerial truck at two parks in Smithville during a severe heat wave, also handing out frozen treats. This was a very well-received event.

Apparatus Fleet

Work is proceeding on the new pumper, no major issues in the modifications. No delivery date has yet been provided. All required modifications have been outlined, estimated and approved.

Fire Department Activities

Repair work on the concrete floor at Station 2 has been completed, with an epoxy coat applied to the repaired concrete as part of the warranty repair for the flooring.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the Director of Corporate Services/CFO, CAO and Clerk.

CONCLUSION:

This report is to inform Committee and Council of the June 2025 operations of West Lincoln Fire and Emergency Services.

SCHEDULE(S):

Schedule A – June Monthly Calls

Prepared & Submitted by:

Tim Hofsink
Fire Chief

Approved by:

Cynthia Summers
**Director of Community and
Protective Services**

Truper McBride
CAO

Jurisdiction

WEST LINCOLN

2025 MONTHLY DISPATCHES BY DETERMINANT

Determinant Group	January	February	March	April	May	June	July	August	September	October	November	December	Total
+ Burning Complaint	1			1		3							5
+ Carbon Monoxide						2							2
+ Emergency Assistance		1		1	1	2							5
+ Grass/Tree/Brush Fire			2	4	1	2							9
+ Hazmat				1									1
+ Medical	8	5	6	8	4	4							35
+ MVCs	2	9	4	6	11	3							35
+ Non-Emergency Assistance			1	2	1								4
+ Non-Emergency Medical	1	1											2
+ Other Fire					1	2							3
+ Preliminary Assignment	1				1								2
+ Remote Alarm	3	1	2	3	7	3							19
+ Rescue													
+ Structure Fire	1		1	4	1	1							8
+ Unknown 911													
+ Vehicle Fire	2		1	2	1	2							8
+ Water Rescue													
Total Responses within Municipality	19	17	17	32	29	24							138

WEST LINCOLN

24

Year-to-Date Responses Out of Area

138

Total Events This Year

DATE: July 14, 2025

REPORT NO: LLS-06-2025

SUBJECT: **By-law Enforcement Services Mid-Year Update**

CONTACT: Jessica Dyson, Director, Legal and Legislative Services

OVERVIEW:

- The purpose of this report is to provide Council with a high-level summary of bylaw enforcement activity in the Township of West Lincoln from January through June 2025. This includes an overview of service requests, enforcement actions taken, and emerging trends affecting municipal compliance efforts.
- **Complaints Received:**
A total of 110 complaints were received during this period, covering a range of concerns including zoning, property standards, parking, noise, and site alteration.
- **Orders Issued:**
A total of 31 Orders to Comply / Property Standards Orders were issued to address violations under the relevant bylaws. The majority were resolved voluntarily, with compliance achieved through education and cooperative follow-up.
- **Tickets / AMPS Penalties:**
0 Provincial Offences Notices (PONs) and 19 Administrative Monetary Penalties (AMPs) were issued for more serious or repeat offences where voluntary compliance could not be achieved.
- **Voluntary Compliance Rate:**
Approximately 65% of cases were resolved through education, verbal warnings, and cooperative efforts with property owners and occupants, reducing the need for escalation.

RECOMMENDATION:

That, Information Report LLS-06-2025 titled, “By-law Enforcement Services Mid-Year Update”, dated July 14, 2025 be received.

ALIGNMENT TO STRATEGIC PLAN:

Theme #1 and #5

- **Build** a safe, connected, caring and active community.
- **Advance** organizational capacity and effectiveness.

BACKGROUND:

The purpose of this report is to provide Council with a high-level summary of bylaw enforcement activity in the Township of West Lincoln from January through June 2025. Administration is pleased to introduce this heightened level of transparency to Council to allow for an understanding of the various cases and daily activity that is provided through the By-law Enforcement division.

By-law Enforcement is a Division of the Legal and Legislative Services Department and supports the efficient and effective delivery of by-law enforcement services for West Lincoln. The Township has one full-time By-law Enforcement Officer who is responsible for investigating, administering and enforcing municipal by-laws within the Township. It is important to recognize that, from a resourcing perspective, the enforcement prioritization framework balances both administrative and field work (i.e., site investigations) duties; therefore, there may be specific matters that take priority over other by-law enforcement responses.

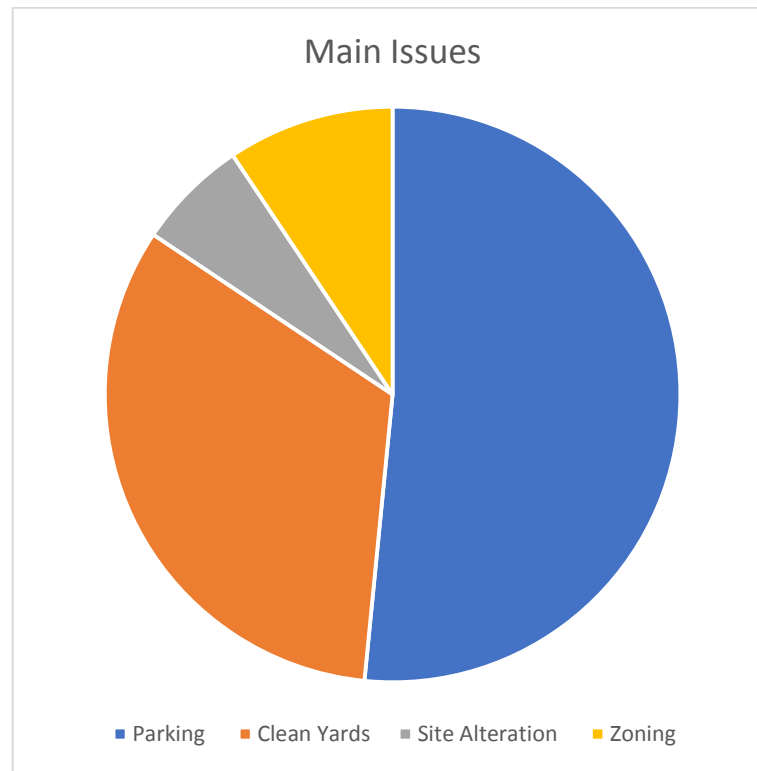
CURRENT SITUATION:

A total of 110 cases were opened during the reporting period. These files were opened on a reactive basis on official “report of concern”. Out of these 110 cases, only 6 remain open pending final inspection of complaint. The breakdown is illustrated below:

- Parking continues to be the most reported issue, particularly in urbanized areas and around community facilities.
- Clean yard complaints spike in late spring, often relating to long grass, debris, and outdoor storage.
- Zoning and site alteration issues are becoming more common in rural areas, especially where development or fill placement occurs without approvals.
- Animal control complaints remain steady and are forwarded to the Niagara SPCA and Humane Society.
- No Provincial Offences matters proceeded to court this period.
- Enforcement remains primarily education-based, with formal measures reserved for persistent or serious violations.

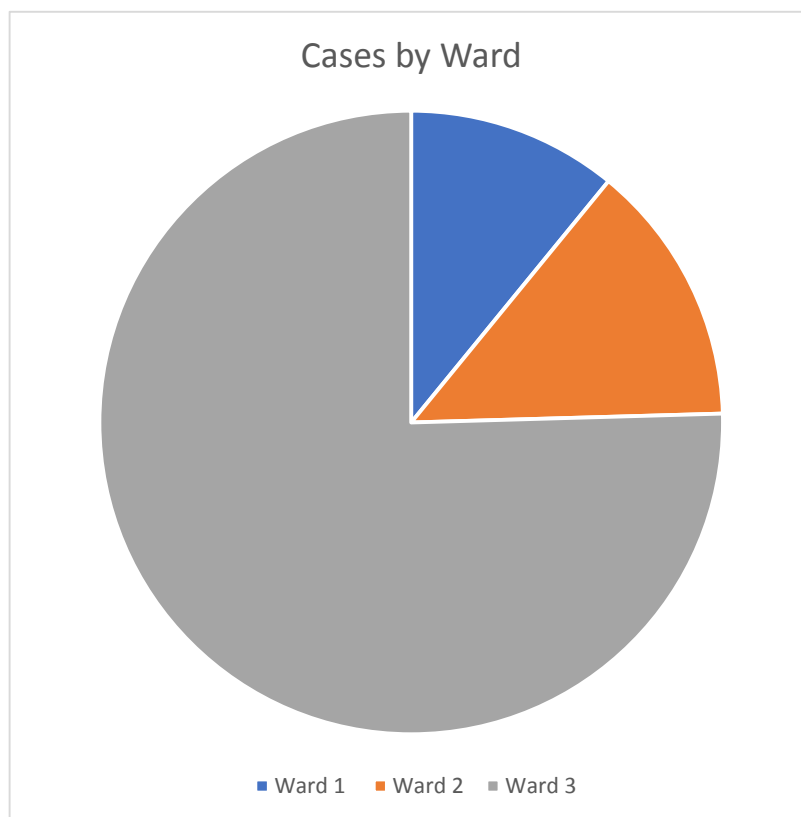
Opened By-law Enforcement Cases by Subject

Case type	Number of reports submitted
Parking	33
Clean Yards	21
Zoning	6
Drainage	5
Animal Control	5
Site Alteration	4
Road Obstruction	4
Fence	3
BWOP	2
Property Standards	2
Signs	2
Boulevard	2
Noxious Weeds	2
Noise	1
Grading	1
Other	17



Opened By-law Enforcement Cases by Ward

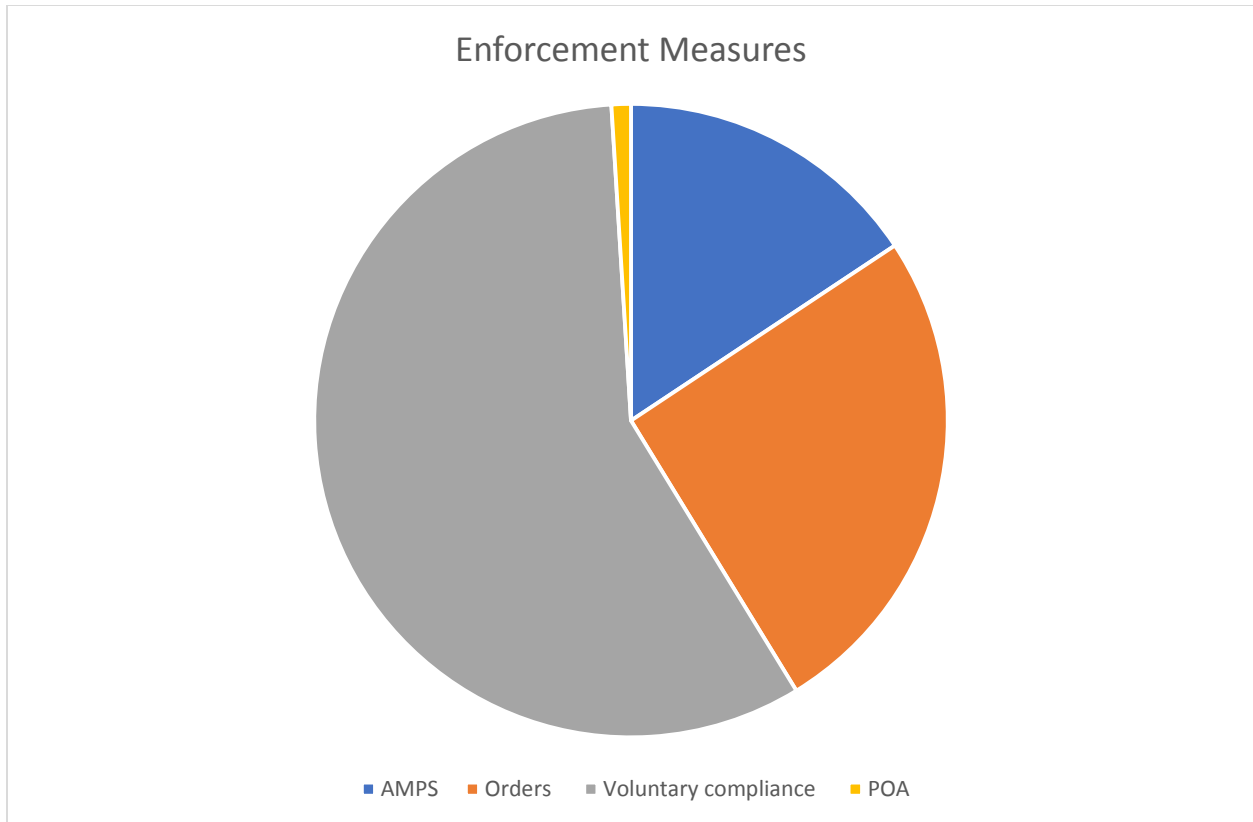
Ward	Number of Cases
Ward 1	12
Ward 2	15
Ward 3	83



Enforcement Measures Used

Enforcement Tool	Total
Orders to Comply (Primarily for clean yards, zoning, and site alteration)	31
Administrative Penalties (AMPs)	19
Parking Tickets Issued	80
Provincial Offences Notices	0

note – the above table includes proactive enforcement measures, beyond the “report a concern” process. Therefore, the total amount for enforcement measures used is 130



Approximately 65% of all cases were resolved through voluntary compliance, following education, verbal warnings, or written notices. The remaining cases required formal orders or monetary penalties.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

INTER-DEPARTMENTAL COMMENTS:

This report was circulated to the Director of Legal and Legislative Services and the Chief Administrative Officer for review. Both have provided their support and approval for submission to Council.

CONCLUSION:

By-law enforcement in West Lincoln continues to operate effectively through a single-officer model, with an emphasis on public education and progressive enforcement. The voluntary compliance rate reflects a cooperative community and effective communication strategies. However, the increasing complexity and volume of cases particularly involving zoning, site alteration, and seasonal nuisances highlight a need to consider future improvements.

Prepared & Submitted by:

Approved by:

Jessica Dyson
Director, Legal and Legislative Services

Truper McBride
CAO

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-44

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS AMENDED, OF THE
TOWNSHIP OF WEST LINCOLN**

WHEREAS the Township of West Lincoln Council is empowered to enact this By-Law by virtue of the Provisions of Section 34 of the Planning Act, 1990, as amended;

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

1. That Schedule 'A' Map 'S1' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Part N, Part Lot 11 designated as Part Lot 4 on 30R-9485, Concession 9 (HWY-20-NS), shown on Schedule 'A', attached hereto and forming part of this By-law.
2. That Map 'S1' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from Development 'D' zone to site specific Residential Medium Density 'RM3-244' zone, Residential High Density 'RH-245' zone, Open Space 'OS' zone, Environmental Protection 'EP' zone.
3. That Map 'S1' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from Agricultural 'A' zone to Development 'D' zone.
4. That Map 'S1' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from Agricultural 'A' zone to Environmental Protection 'EP' zone.
5. That notwithstanding Part 3 of Zoning By-law 2017-70, as amended, Section 3.12.4 Off-Street Bicycle Facility Requirements, Table 4 'Required Bicycle Parking Facilities', for lands shown on Schedule 'A' attached hereto for the RH zone shall be subject to the following:
 - (a) Minimum number of bicycles for an apartment dwelling is 0.30 per unit
6. That Part 6 of Zoning By-law 2017-70, as amended, is hereby amended by adding the following to Part 13.2 Site Specific Provisions, including:

RM3-244

Permitted Uses:

As per the parent zone.

Notwithstanding the permitted uses in Residential Zones Table 13 of Section 6.2, lands shown as RM3-244 on Schedule 'A' attached hereto, single detached dwellings shall be permitted subject to the regulations of Section 6.3 and Table 14 for the Residential Low Density – Type 3 'R3' zone.

Regulations:

As per the parent zone, except:

- (a) Minimum lot area (per dwelling unit) for a townhouse dwelling shall be 135 m²
- (b) Minimum lot frontage for a townhouse dwelling shall be 22 metres
- (c) Minimum front yard setback for a townhouse dwelling shall be 1.7 metres
- (d) Minimum exterior side yard for a townhouse dwelling shall be 1.3 metres
- (e) Minimum rear yard adjoining any zone for a townhouse dwelling shall be 3 metres

RH-245

Permitted Uses:

As per the parent zone and RM3 uses.

Regulations:

As per the parent zone, except:

- (a) Minimum lot area (per dwelling unit) for an apartment dwelling shall be 40 m²
- (b) Minimum front yard setback for an apartment dwelling shall be 3.0 metres
- (c) Minimum interior side yard for an apartment dwelling shall be 7.5 metres
- (d) Minimum exterior side yard for an apartment dwelling shall be 9.0 metres
- (e) Maximum building height shall be 6-storeys for an apartment dwelling with a step down to 5-storeys
- (f) Minimum landscape open space for an apartment dwelling shall be 10%

- 7. That a Holding (H) Provision be applied to the Residential Low Density – Type 3 ‘R3’ zone section for a future single detached lot that adjoins the lot to the east in the Marz Homes Thrive Subdivision. The holding provision can be removed at the time of final approval and registration of both subdivisions.
- 8. That all other provisions of Zoning By-law 2017-70, as amended continues to apply;
- 9. That this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 14
DAY OF JULY, 2025.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2025-44

Location:

This By-law involves a parcel of land located west of South Grimsby Road 5, north of the roundabout on Regional Road 20 and south of the CPKC rail line.

Subject lands are legally described as Part N, Part Lot 11 designated as Part Lot 4 on 30R-9485, Concession 9 (HWY-20-NS), Township of West Lincoln.

Purpose & Effect:

The subject lands were zoned Development (D) zone for future development and the creation of new subdivisions and complete communities that provide for housing needs and choices in a more compact, multi-modal, and higher density mix of uses that utilizes land, infrastructure and services efficiently.

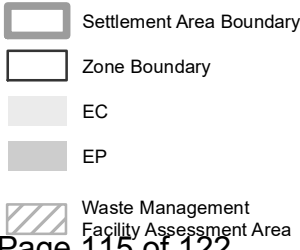
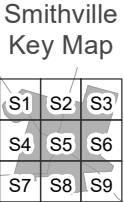
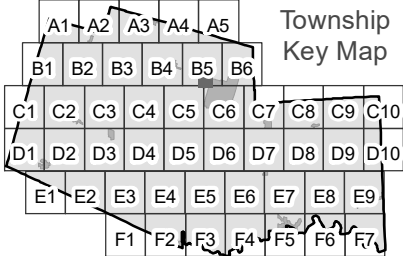
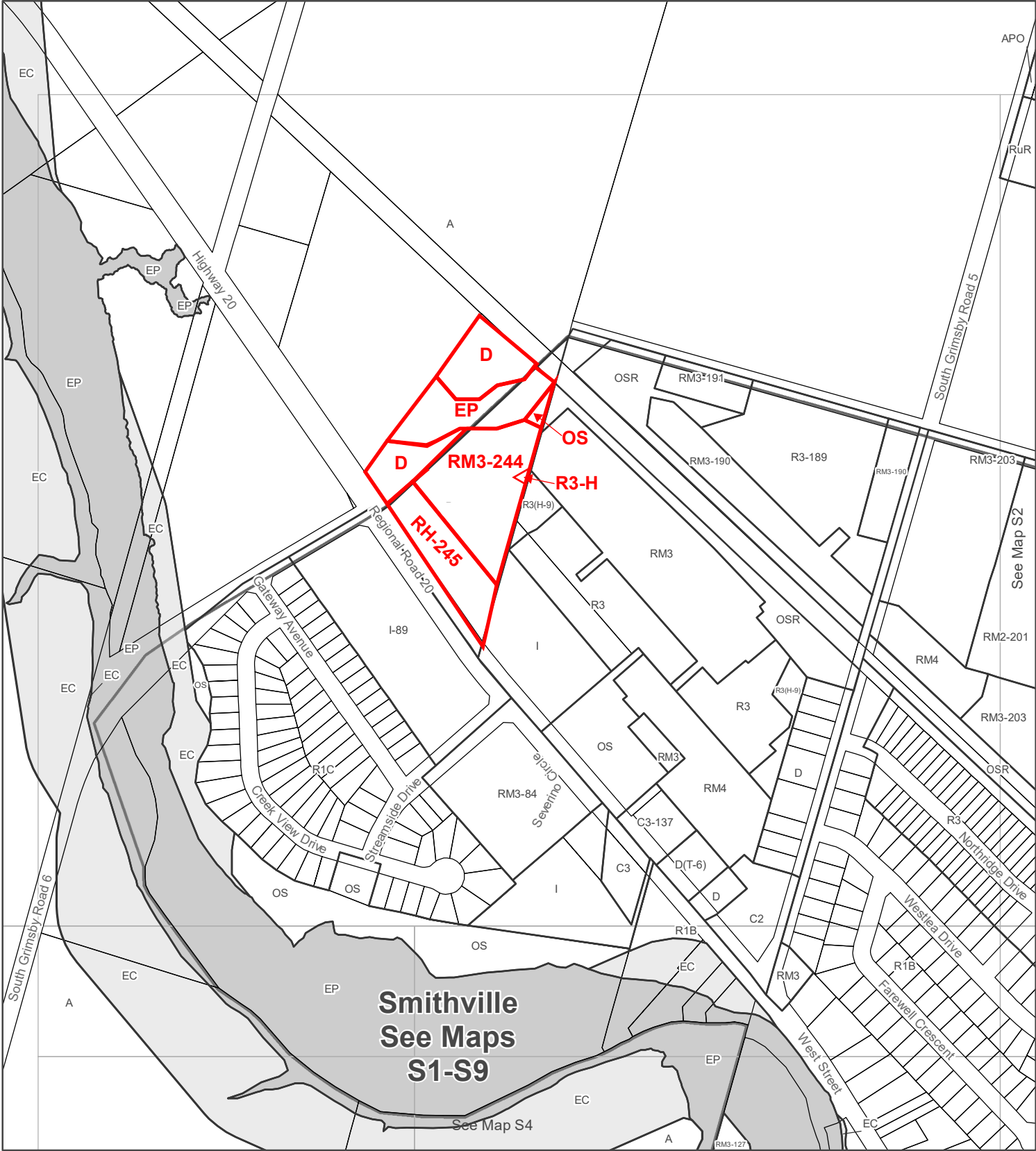
The rezoning of the lands will permit new housing dwelling units including apartment dwellings, townhouse dwelling units with some flexibility to allow for low density single detached dwelling units.

Public Consultation:

Public Meeting was held on April 14, 2025. All comments received were evaluated by Administration and Council through their decision.

File: 1601-009-24

See Map B5



Township of West Lincoln
Schedule A
Zoning By-law No.2017-70
Map
S1

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N
Last Updated: July 2019

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-45

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2017-70, AS AMENDED, OF THE
TOWNSHIP OF WEST LINCOLN**

WHEREAS the Township of West Lincoln Council is empowered to enact this By-Law by virtue of the Provisions of Section 34 of the Planning Act, 1990, as amended;

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

1. That Schedule 'A' Map 'S5' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Lots 43 and 44, and Part of Lot 38, Registered Plan M-89, Township of West Lincoln, municipally known as 171 Mill Street, shown on Schedule 'A', attached hereto and forming part of this By-law.
2. That Map 'S5' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by modifying the Institutional I-19 zoning on the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law with site new specific exceptions.
3. That Part 13 of Zoning By-law 2017-70, as amended, is hereby amended by modifying the Institutional I-19 in Part 13.2:

I-19

Permitted Uses:

Limited to Apartment Dwelling Units (Retirement Home) to a maximum of 84 units on the lot

Regulations:

As per the parent zone, except:

- (i) Minimum lot frontage – 0 metres
 - (ii) Maximum Building Height – 24 metres
 - (iii) That an easement be established and improved to the satisfaction of the Township and provide a secondary emergency access to the satisfaction of the Township prior to occupancy
4. That all other provisions of Zoning By-law 2017-70, as amended continues to apply;
 5. That this By-law shall become effective from and after the date of passing thereof.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 14
DAY OF JULY, 2025.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2025-45

Location:

This By-law involves a parcel of land located on the south side of Mill Street, at the easterly dead-end cul-de-sac, municipally referred as 171 Mill Street, in the urban settlement of Smithville.

Subject lands are legally described Lots 43 and 44, and Part of Lot 38, Registered Plan M-89, Township of West Lincoln.

Purpose & Effect:

The subject lands have a site specific zone Institutional (I-19) and limited to apartment dwellings up to a total maximum of 32 dwelling units; with 15 metre maximum building height; and lot frontage on a public street is not required for the existing lot, and the front lot line is deemed to be the west lot line. This is replaced/modified with the increased number of apartment dwelling (retirement home) units, increased building height and correction of the lot frontage, and inclusion of an easement for access and secondary emergency access.

Public Consultation:

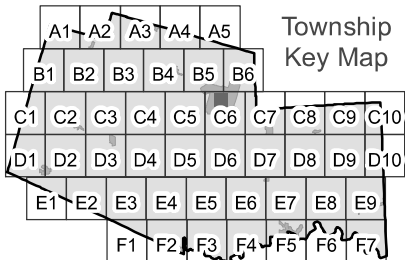
Public Meeting was held on May 12, 2025. All comments received were evaluated by Administration and Council through their decision.

File: 1601-003-25

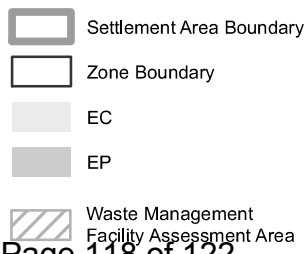
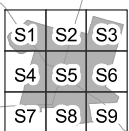
See Map S2



See Map S8



Smithville Key Map



Township of West Lincoln
Schedule A
Zoning By-law No. 2017-70
Map S5

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 Last Updated: July 2019

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-46

**TO APPOINT THE DEPUTY CLERK AS A DEPUTY
ISSUER/REGISTRAR AUTHORIZED TO ISSUE MARRIAGE
LICENCES FOR THE TOWNSHIP OF WEST LINCOLN**

WHEREAS pursuant to section 11(3) of the Marriage Act, R.S.O. 1990, c. M.3, the Honourable Minister of Government Services may appoint a Deputy Issuer/Registrar of the Township as a person authorized to issue marriage licenses in and for the Township.

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient for public convenience that the Deputy Clerk of the Corporation of the Township of West Lincoln be appointed in such capacity.

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

1. The Corporation of the Township of West Lincoln be and it is hereby authorized to make application to the Honourable Minister of Government Services to have Barbara Hutchinson, Deputy Clerk of the Corporation of the Township of West Lincoln appointed as a Deputy Issuer/Registrar authorized to issue marriage licences in and for the Corporation of the Township of West Lincoln.
2. That the Deputy Clerk be and is hereby authorized and directed to do all such things and execute all such documents as may be necessary for the completion and implementation of the said appointment.
3. That By-law 2023-81 be and is hereby repealed.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
14 DAY OF JULY, 2025.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-47

**BEING A BY-LAW TO APPOINT A DEPUTY FIRE CHIEF FOR
THE WEST LINCOLN FIRE DEPARTMENT**

WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 2000-14 to establish and operate a Fire Department;

AND WHEREAS the Municipal Act 2001, SO 2001, confers authority upon the municipality to conduct its affairs as it considers necessary and appropriate;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it appropriate and necessary to appoint a Deputy Fire Chief;

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

1. That Mr. Zoli Rakonjac be appointed Deputy Fire Chief for the West Lincoln Fire Department; and,
2. That in the absence of the Fire Chief, the Deputy Fire Chief shall assume all of the powers, responsibilities and authority of the Fire Chief; and,
3. That Mr. Zoli Rakonjac shall hold office as Deputy Fire Chief of the West Lincoln Fire Department until such time as this by-law is rescinded by Council; and,
4. That this By-law shall come into force and effect on the day of its passing.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
14 DAY OF JULY, 2025.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-48

**TO APPOINT THE CLERK AS A PERSON AUTHORIZED TO
ISSUE MARRIAGE LICENCES FOR THE TOWNSHIP OF WEST
LINCOLN**

WHEREAS pursuant to section 11(2) of the Marriage Act, R.S.O. 1990, c.M.3. the Honourable Minister of Government Services may appoint the Clerk of a Township as a person authorized to issue marriage licenses in and for the Township.

AND WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient for public convenience that the Clerk of the Corporation of the Township of West Lincoln be appointed in such capacity.

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

1. That, the Corporation of the Township of West Lincoln be and it is hereby authorized to the Honourable Minister of Government Services to have Justin Paylove, the Clerk of the Corporation of the Township of West Lincoln appointed as a person authorized to issue marriage licences in and for the Corporation of the Township of West Lincoln.
2. That, the Mayor and Clerk be and they are hereby authorized and directed to do all such things and execute all such documents as may be necessary for the completion and implementation of the said document on behalf of the Corporation of the Township of West Lincoln and to affix thereto the corporate seal of the Corporation of the Township of West Lincoln.
3. That By-law 2023-80 be and is hereby repealed.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
14 DAY OF JULY, 2025**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-49

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

WHEREAS the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, Section 5(1), provides that the powers of a municipal corporation shall be exercised by its Council;

AND WHEREAS the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, Section 5(3) provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

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

AND WHEREAS in many cases, action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

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

1. That the actions of the Council (All Committees) at its regular meeting of July 14, 2025 in respect of which recommendations contained in the reports of the committees considered at each meeting and in respect of each motion, resolution and other action taken by the Council at its meeting are, except where the prior approval of the Ontario Land Tribunal or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned minutes or with respect to the exercise of any powers by the Council in the above mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by the Council.
3. That the Mayor and the proper officers of the Corporation of the Township of West Lincoln are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and, except where otherwise provided, the Mayor, Clerk, and/or the Administrator are hereby directed to execute all documents necessary on behalf of the Corporation of the Township of West Lincoln and to affix thereto the corporate seal of the Corporation of the Township of West Lincoln.
4. That this By-law shall come into force and take effect on the date of its final passing.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
14 DAY OF JULY, 2025.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK