



TOWNSHIP OF WEST LINCOLN

PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE AGENDA



MEETING NO. SEVEN HELD: Monday, September 12, 2011, Township Administration Building, 318 Canborough Street, Smithville – 6:30 p.m.

1. **CHAIR:** Alderman Joann Chechalk (Vice Chair)
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

NOTE: **PUBLIC MEETINGS UNDER THE PLANNING ACT**

Planning Meetings required under the Planning Act will commence at 6:30 P.M.

- (a) Zoning By-law Amendment – Richard Dobrucki (File No. 1601-011-11)
- (b) Zoning By-law Amendment – Peter & Alice Spyker (File No. 1601-010-11)
- (c) Zoning By-law Amendment – Susan Wheler/Paws Awhile (File No. 1601-014-11)
- (d) Zoning By-law Amendment – Anne Meinen (Greg Hynde) (File No. 1601-016-11)
- (e) Plan of Subdivision & Zoning By-law Amendment – Phelps Homes Ltd. (Brookside Phase 3) (File Nos. 1601-009-11 & 2000-075-11)

3. **REQUEST TO ADDRESS ITEMS ON THE AGENDA:**

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

4. **APPOINTMENTS:**

From Procedural By-law:

6.5 Limits on Council/Committee Addresses

Any person addressing Council or Committee shall not speak longer than ten minutes, without the consent of the Majority of the Members of Council present, unless in direct reply to questions from Members of Council.

6.6 Comment During Appointments/Presentations

All persons making presentations and appointments shall address the Chair at all times. Council Members may respond to presentations and appointments only when recognized by the Chair. Senior staff may respond to concerns raised by presentations and appointments only on specific direction from the Chair and such staff may reserve the right to respond, in writing, at a later date.

(a) **ITEM P95-11**

John De Hoog & Ed Hills, Homeowners from Lots 7 – 18, Forestview Court, Smithville
Re: Request for Maintenance of a Strip of Land behind a Portion of Forestview Court

RECOMMENDATION:

That, the correspondence dated August 24th, 2011, as presented at the September 12, 2011 Planning/ Building/Environmental Committee meeting by John De Hoog & Ed Hills of Forestview Court, Smithville (as representing homeowners from Lots 7 to 18 – Forestview Crt), requesting that the Township of West Lincoln:

- (1) Grade a portion of land behind lots 7 to 18, Forestview Court, to a minimum width of 10-15 feet parallel to the fence in order to control a variety of weeds; and,
- (2) Seed the land in question with some type of appropriate grass to a minimum width of 10-15 feet; and,
- (3) Maintain the land in question by cutting it regularly from May to October to a minimum width of 10-15 feet as is the case with the maintenance carried out to the grassy areas of land that borders the homes on Golden Acres Blvd. and the children's park,
be received and

5. CONSENT AGENDA ITEMS:

All items listed below are considered to be routine and non-controversial and will be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

(a) ITEM P96-11

- (1) Information Report No. PD-092-11– Building Permit Fee Annual Reports for 2008, 2009 and 2010
- (2) Information Report No. PD-112-11 – Changes to the Ontario Planning Act Regarding Secondary Unit Policies

RECOMMENDATION:

The Planning/Building/Environmental Committee hereby approve the following Consent Agenda Items:

1. Items 1 and 2 be hereby received for information with the exception of Items #(s)_____.

6. COMMUNICATIONS:

(a) ITEM P97-11

Ministry of the Environment
Re: IPC Energy's Proposed HAF Wind Energy Project
FOR INFORMATION

(b) ITEM P98-11

Industry Canada – Spectrum Management Operations Branch
Re: Rogers Communication Inc. Proposed Radiocommunication Tower – 3422 Concession 1, Fenwick, Ontario
FOR INFORMATION

7. STAFF REPORTS:

(a) ITEM P99-11

Planner I (Adam Huycke) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-103-11 – Recommendation Report – Zoning By-law Amendment – Richard Dobrucki (File No. 1601-011-11)

RECOMMENDATION:

- (1) That, Report No. PD-103-11, dated September 12, 2011, relating to an application for rezoning by Richard Dobrucki, BE RECEIVED; and
- (2) That, Zoning By-law Application 1601-011-11 submitted by Richard Dobrucki and dated June 1, 2011, BE APPROVED.

(b) ITEM P100-11

Planner II (Rachelle Larocque) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-107-11 – Recommendation Report – Zoning By-law Amendment – Peter & Alice Spyker (File No. 1601-010-11)

RECOMMENDATION:

- (1) That, Report No. PD-107-11, dated September 12, 2011, relating to an application for rezoning by Peter and Alice Spyker, BE RECEIVED; and
- (2) That, Zoning By-law Application 1601-010-11 submitted by Peter and Alice Spyker on May 26, 2011, BE APPROVED.

(c) ITEM P101-11

Planner II (Rachelle Larocque) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-101-11 – Recommendation Report – Zoning By-law Amendment – Susan Wheler (Agent) - Paws Awhile Kennel (File No. 1601-014-11)

RECOMMENDATION:

- (1) That, Report No. PD-101-11, dated September 12, 2011, relating to an application for rezoning by Susan Wheler (Agent) – Paws Awhile Cat Kennel, be received; and
- (2) That, Zoning By-law Amendment Application 1601-014-11 submitted by Susan Wheler on June 28, 2011, BE APPROVED.

(d) ITEM P102-11

Planner II (Rachelle Larocque) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-102-11 – Recommendation Report – Zoning By-law Amendment – Anne Meinen (Agent – Greg Hynde) (File No. 1601-016-11)

RECOMMENDATION:

- (1) That, Report No. PD-102-11, dated September 12, 2011, relating to an application for rezoning made by Greg Hynde (agent on behalf of Anne Meinen), BE RECEIVED; and
- (2) That, Zoning By-law Application 1601-016-11 submitted by Greg Hynde (agent on behalf of Anne Meinen) on July 11, 2011, BE APPROVED.

(e) ITEM P103-11

Planner I (Adam Huycke) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-104-11 – Technical Report – Draft Plan of Subdivision Redline Revisions and Proposed Zoning By-law Amendment for the Smithville on the Twenty – Brookside Phase 3 Subdivision (File No.: 2000-076-11 & 1601-009-11)

RECOMMENDATION:

- (1) That, Report PD-104-11, dated September 12, 2011, regarding an application by Phelps Homes Ltd. to Redline Revise and Rezone the Smithville on the Twenty – Brookside Phase 3 Draft Plan of Subdivision, BE RECEIVED; and,
- (2) That, a Recommendation Report be prepared and presented to the Planning/Building/Environmental Committee once all agency, public, and Township comments have been received, reviewed, or addressed.

(f) ITEM P104-11

Director of Planning & Building (Brian Treble)
Re: Report No. PD-105-11 – Recommendation Report – Extension of Draft Plan Approval – Smithville on the Twenty(Brookside) Update Report (File No. 2000-075-11)

RECOMMENDATION:

- (1) That, report PD-105-11, dated September 12, 2011, regarding the Extension of Draft Plan Approval for Smithville on the Twenty (Brookside) Update Report, BE RECEIVED; and,
- (2) That, the Draft Plan Approval for Smithville on the Twenty (Brookside) be extended for a period of one year, to expire on October 13, 2012, subject to an amendment to Condition 1 and the addition of a revised Condition 46 as included in Attachment No. 1 to this report (changes in bold text).

(g) ITEM P105-11

Planner I (Adam Huycke) & Director of Planning & Building (Brian Treble)

Re: Report No. PD-111-11 – Recommendation Report – Zoning By-law Amendment – Vittorio Marini (File No. 1601-007-11)

RECOMMENDATION:

- (1) That, Report No. PD-111-11, dated September 12, 2011, relating to an application for rezoning by Vittorio Marini, BE RECEIVED; and
- (2) That, Zoning By-law Application 1601-007-11 submitted by Vittorio Marini and dated April 13, 2011, BE APPROVED; and
- (3) That, no further public meeting is required pursuant to Section 34(17) of the *Planning Act* as the proposed modifications to the original application are minor in nature.

(h) AMENDMENT TO BUDGET

ITEM P106-11

CAO (Derrick Thomson) & Director of Planning & Building (Brian Treble)

Re: Report No. PD-095-11 – Recommendation Report – To Hire a Corporate Strategic Plan Consultant and to Establish An Adequate Budget Allocation

RECOMMENDATION:

AMENDMENT TO BUDGET

- (1) That, Report PD-095-11, dated September 12, 2011, relating to an **AMENDMENT TO BUDGET** to hire a Corporate Strategic Plan Consultant, and to establish an adequate Budget Allocation, BE APPROVED; and,
- (2) That, an amendment to the 2011 Budget be approved that transfers \$14,000.00 of the Trails and Corridors Capital Account allocation to the Corporate Strategic Plan Capital Account; and,
- (3) That, an Amendment to the 2011 Budget be approved that transfers up to \$5,000.00 from the Contingency Reserve Account to the Corporate Strategic Plan Account; and,
- (4) That, following approval of the amendments to Budget, as outlined above, that Mohawk College Enterprise be hired as a result of their ranking on the matrix analysis, to complete the Township of West Lincoln Corporate Strategic Plan at a cost of \$48,225.00, plus HST.

(i) **ITEM P107-11**

Planner I (Adam Huycke) & Director of Planning & Building (Brian Treble)

Re: Report No. PD-093-11 – Recommendation Report - Proposal for a Wireless Telecommunication Tower on Regional Road 14 by Rogers Communications Inc. & Proposed Modifications to the Township's Telecommunications Public Consultation Policy (POL-PD-01-08)

RECOMMENDATION:

- (1) That, Report No. PD-093-11, dated September 12, 2011, relating to a proposal for a Wireless Telecommunication Tower by Rogers Communications Inc. on Regional Road 14 in the Township of West Lincoln & Proposed Modifications to the Township's Telecommunications Public Consultation Policy (POL-PD-01-08), BE RECEIVED; and,
- (2) That, Staff be and are hereby authorized to send a letter to Summit Telecom Services (Agent for Rogers Communication Inc.) advising that the Township of West Lincoln has no objections to their tower proposal located at 1254 Regional Road 14; and,
- (3) That, this letter advise that the Township of West Lincoln expects, as a good business partner, Rogers will obtain a building permit from the Township of West Lincoln prior to construction of the tower; and,
- (4) That, Township Policy POL-PD-01-08 be amended (and renumbered as POL-PD-02-11) as per Attachment No. 7 to require the proponent of a Wireless Telecommunications Facility to provide a Co-location report as part of their consultation submission to the Township prior to the holding of a public consultation meeting.

(j) **ITEM P108-11**

Director of Planning & Building (Brian Treble)

Re: Report No. PD-108-11 – Recommendation Report – Downtown Smithville Sustainable CIP Commercial Façade Improvement Funding Program and Awarding of Funding Approvals to Five Projects

RECOMMENDATION:

- (1) That, Report No. PD-108-11, dated September 12, 2011, relating to Downtown Smithville Sustainable CIP Commercial Facade Improvement Funding Program and Awarding of Funding Approvals to Five Projects, BE RECEIVED; and,
- (2) That, the 5 funding applications, as received by the August 3, 2011 deadline and as outlined in this report be endorsed at a total cost not exceeding \$14,427.00 to be expensed to the CIP Implementation Account upon satisfactory completion of the work; and,
- (3) That, the Region of Niagara be informed that the Regional portion, should all projects proceed forward in a satisfactory manner, is not more than \$14,427.00; and,
- (4) That, the applicants be advised that their applications are eligible for funding with the requirement that they meet with Township Staff and provide

documentation as outlined in this report, prior to commencing any of the work;
and,

- (5) That, the Mayor and Clerk be and hereby are authorized to sign the necessary agreement to partner with each of the applicants for all approved facade improvements.

(k) ITEM P109-11

Director of Planning & Building (Brian Treble)

Re: Report No. PD-082-11 – Recommendation Report – Smithville Intensification Study and Employment Lands Development Strategy

RECOMMENDATION:

- (1) That, Report No. PD-082-11, dated September 12, 2011, relating to the Smithville Intensification Study and Employment Lands Development Strategy, BE RECEIVED; and,
- (2) That, the Smithville Intensification Study and Employment Lands Development Strategy be accepted; and,
- (3) That, the various recommendations and actions contained therein be explored by staff with recommendation reports being presented to the appropriate Committee prior to any actions being implemented.

8. OTHER BUSINESS:

(a) ITEM P110-11

Alderman Joann Chechalk

Re: Street Naming – Community Input

NOTE: STREET NAMING POLICY POL-PD-01-11 ATTACHED

(b) ITEM P111-11

Members of Committee

Re: Referred Matters List & Time Sensitive Tracking List

UNDER SEPARATE COVER

(c) ITEM P112-11

Members of Committee

Re: Other Business Matters

9. CONFIDENTIAL MATTERS:

(a) ITEM P113-11

Director of Planning & Building (Brian Treble)

Re: Legal Matter – Report No. PD-113-11 - OMB Hearing - Growth Strategy Plan

UNDER SEPARATE COVER

RECOMMENDATION:

- (1) That, Report PD-113-11, dated September 12, 2011, relating to a Legal Matter, OMB Hearing – Growth Strategy Plan, be received and the recommendation therein BE APPROVED; and,

(2) That, the directions of the Closed Session be and are hereby approved.

(b) ITEM P114-11

CAO (Derrick Thomson) & Director of Planning & Building (Brian Treble)

Re: Property Matter –Industrial Park Land – Offers to Purchase

VERBAL UPDATE - RECOMMENDATION TO BE PROVIDED AT MEETING

(c) ITEM P115-11

CAO (Derrick Thomson) & Director of Planning & Building (Brian Treble)

Re: Legal Matter – Administration Fees

VERBAL UPDATE

(d) ITEM P116-11

Director of Planning & Building (Brian Treble)

Re: Legal Issue - By-law Enforcement Matter

VERBAL UPDATE

(e) ITEM P117-11

CAO (Derrick Thomson)

Re: Personnel Matter

VERBAL UPDATE

(f) ITEM P118-11

CAO (Derrick Thomson)

Re: Personnel Matter – Public Works Staffing

VERBAL UPDATE

10. ADJOURNMENT:

That, this Committee does now adjourn at the hour of _____ p.m.