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

MEETING NO. FOURTEEN HELD: Monday, September 23, 2019 –Township
Administration Building, 318 Canborough Street, Smithville, Ontario - **7:00 p.m.**

*****NOTE TO MEMBERS OF THE PUBLIC:** All Cell Phones, Pagers and/or PDAs to be turned off. Additionally, for your information, please be advised that we are Audio/Video Recording this meeting.***

**1. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:
Disclosures declared at August 12, 2019 Council (includes all Comm.) meeting:**

- (a) Councillor Jason Trombetta
Re: Confidential Item 2(a) - Solicitor-Client Advice/Legal Matter – Possible LPAT Appeal for Rezoning Application submitted by Sandra Gibson

Councillor Trombetta advised that he lived in proximity to the proposed facility and that this may affect his judgement with respect to the application. Councillor Trombetta was not present for closed session discussions with respect to this matter. Councillor Trombetta provided a written declaration with respect to his conflict of interest/pecuniary interest.

- (b) Councillor Jason Trombetta
Re: Item 14 (b) - Recommendation Report No. PD-089-19 – Sandra Gibson – Application for Rezoning (File No. 1601-002-19) & By-law 2019-77 being a By-law for a Zoning By-law Amendment in the name of Sandra Gibson

Councillor Trombetta advised that he lives in proximity to the proposed cannabis production facility, which he noted may affect his judgement with respect to the application. Councillor Trombetta provided a written declaration of his conflict in this regard and did not take part in discussion nor voting with respect to this matter (see Item 14(b)).

2. SINGING OF “O CANADA”:

3. OPENING PETITION: Councillor William Reilly

4. CHANGE IN ORDER OF ITEMS ON AGENDA:

5. 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.

6. APPOINTMENTS/PRESENTATIONS:

- (a) Ms. Laura Ford, Vice President of the Board of Directors of the Alzheimer Society Niagara Region **Page 6**
Re: Coffee Break Campaign Including Updates Regarding Dementia & Presentation of Coffee Break Kit
- (b) Mr. Brian Wilkie, CEO & President & Sue Forcier, Communications & Public Affairs, Niagara Peninsula Energy Inc.
Re: PowerPoint Presentation - Outages in West Lincoln, NPEI's Capital Projects for West Lincoln & Recommendations Moving Forward

7. REGIONAL COUNCILLOR'S REMARKS:

8. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular **Page 7-77**
Re: August 12, 2019
CONFIDENTIAL MINUTES UNDER SEPARATE COVER
Resolution **Councillor Christopher Coady**
- (b) Council Minutes – Special – Appeal Hearing With Respect to a Notice of Muzzle **Page 78-87**
Re: August 12, 2019
CONFIDENTIAL MINUTES UNDER SEPARATE COVER
Resolution **Councillor Cheryl Ganann**
- (c) Council Minutes – Special - Orientation **Page 88-91**
Re: September 11, 2019
CONFIDENTIAL MINUTES UNDER SEPARATE COVER
Resolution **Councillor Harold Jonker**
- (d) Public Meetings under the Planning Act **Page 92-108**
Re: August 12, 2019 Minutes
Resolution **Councillor Mike Rehner**
- (e) Public Meetings under the Planning Act **Page 109-112**
Re: September 9, 2019 Minutes
Resolution **Councillor William Reilly**
- (f) Road Naming Public Meeting – Rosemont Homes Plan of Condominium **Page 113-116**
Re: August 12, 2019 Minutes
Resolution **Councillor Jason Trombetta**
- (g) Road Naming Public Meeting – Spring Creek Manor Plan of Condominium (375 Station Street) & Regional Road 614/Townline Road **Page 117-122**
Re: September 9, 2019 Minutes
Resolution **Councillor Christopher Coady**

9. COMMUNICATIONS:

There are no communications.

10. MAYOR'S REMARKS:

11. REPORT OF COMMITTEE:

- (a) Planning/Building/Environmental Committee
Re: September 9, 2019 Minutes **Page 123-134**
CONFIDENTIAL MINUTES UNDER SEPARATE COVER
Resolution Councillor Cheryl Ganann
- (b) Administration/Finance/Fire Committee
Re: September 16, 2019 Minutes **Page 135-181**
CONFIDENTIAL MINUTES UNDER SEPARATE COVER
Resolution Councillor Mike Rehner
- (c) Public Works/Recreation/Arena Committee
Re: September 16, 2019 Minutes **Page 182-188**
Resolution Councillor Jason Trombetta

12. 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.

13. 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.

14. OTHER BUSINESS:

- (a) Members of Council
Re: Council Remarks

15. 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.

16. BY-LAWS:

- (a) By-law 2019-79 To confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 12th day of August, 2019 and its **Page 189** special meeting held on the 11th day of September, 2019.
- (b) By-law 2019-80 To adopt an updated Energy Reporting and Conservation and Demand Management Plan (2019-2024). **Page 190**
- (c) By-law 2019-81 To declare Part 3 on Reference Plan No. 30R-15419 on Concession 2 Rd as a Public Highway. (Road Widening - Condition of Consent, 7612 Concession 2 Road, Land **Page 191**

- Transfer Declaration as a Public Highway, File No: B02/2019WL)
- (d) By-law 2019-82 To amend By-law 97-2030, as amended, to designate private roadways as fire routes along which no parking of vehicles shall be permitted (Add Woodstead Holdings, Niagara Christian Gleaners, Big Country Raw, Block 47 of Plan 466 (Rosemont Homes) and Niagara Pallet) **Page 192-199**
- (e) By-law 2019-83 A by-law under the Building Code Act respecting construction, demolition, change of use, occupancy permits, transfer of permits, inspections and associated fees (Repeals By-law 2017-15) **Page 200-230**
- (f) By-law 2019-84 To amend By-Law 2011-28 which prescribes a Tariff of Fees for the processing of applications made with respect to Planning Matters, as amended. (New Schedule A and Repeals 2017-101). **Page 231-232**
- (g) By-law 2019-85 To amend By-law 2002-112 which appoints a Committee of Adjustment, delegates the authority for considering applications for minor variances and consents, provides for compensation for the Members of the Committee of Adjustment, adopts policies, procedures and conditions for the operation of the Committee of Adjustment, and establishes a Tariff of Fees under the Planning Act. (New Schedule D and Repeals 2017-100). **Page 233-234**
- (h) By-law 2019-86 To amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln (File No. 1601-012-19 - Applicants: Louis & Gwen Zeldenrust (Jeffery & Annette Tenhage – Agents) – 2394 Short Road) **Page 235-238**
- (i) By-law 2019-87 To amend By-Law 2011-28 which prescribes a tariff of fees for the processing of applications made with respect to planning matters, as amended (New Schedule D and Repeals By-law 2015-110) **Page 239-240**
- (j) By-law 2019-88 To authorize an amending Subdivision Agreement with Marz Homes (Smithville Station) Inc., and any of their mortgagees on lands described as Blocks 34, 35, 37 & 45 on Plan 30M-466 in the Township of West Lincoln (Original Subdivision Agreement authorized by By-law 2017-137 & Registered under NR487417) **Page 241**
- (k) By-law 2019-89 To exempt certain land from Part Lot Control Pursuant to Section 50 of the Planning Act, R.S.O. 1990 (Old Towne Gateway Estates – Smithville Station - applies to Blocks 34, 35, 37 & 45 on Plan 30M-446 & Repeals By-law 2019-40) **Page 242**

- (l) By-law 2019-90 To authorize an agreement between the Corporation of the Township of West Lincoln and Circle P Paving Inc. for hot mix spot repairs at various locations **Page 243**
Resolution **Councillor Harold Jonker**

17. CONFIDENTIAL MATTERS:

There are no confidential matters.

18. ADJOURNMENT:

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

From: Wendy Nasmith
Sent: Thursday, July 18, 2019 10:51:42 AM
To: Joanne Scime
Subject: Alzheimer Niagara Request to Appear Before Council

Dear Joanne,

I would like to request the opportunity for our delegation, on behalf of the Alzheimer Society of Niagara Foundation, to **appear at your Council meeting on Monday, September 23**. We would like to talk about our upcoming Coffee Break campaign, which will kick off with Honourary Campaign Chair, Jim Bradley, Regional Chair (Niagara Region) on September 19, 2019. We will also be bringing updates regarding dementia in the Niagara Region and present Mayor Bylsma with his Coffee Break kit.

I can forward a copy of the presentation and confirm who will be in attendance on our behalf at the beginning of September. I thank you in advance for your consideration and look forward to hearing from you in this regard.

Kind Regards,

Wendy Nasmith

Special Events Coordinator
Alzheimer Society Niagara Region
403 Ontario St., Unit 1
St. Catharines, ON L2N 1L5
905-687-6856 ext 562
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**THE CORPORATION OF THE
TOWNSHIP OF WEST LINCOLN
COUNCIL MINUTES**

MEETING NO. TWELVE HELD: Monday, August 12, 2019 – Township Administration Building, 318 Canborough Street, Smithville, Ontario - 5:00 p.m.

PRESENT:

Council: Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Cheryl Ganann
Councillor Mike Rehner
Councillor Jason Trombetta

Staff: Bev Hendry, CAO
Joanne Scime, Clerk
Brian Treble, Director of Planning & Building*
Donna DeFilippis, Treasurer/Director of Finance*
Mike DiPaola, Director of Public Works & Recreation*
Dennis Fisher, Fire Chief*
Vanessa Holm, West Lincoln Library CEO*
Gerrit Boerema, Planner II*
Alexa Cooper, Planner I*
Madyson Ettl, Planner II*

Others: Albert Witteveen, Regional Councillor*
Sara Premi, Sullivan Mahoney (Township Solicitor)*
Jowett Lau, Phelps Homes*
Ian Jenkins*
Les Lipiec*
Amanda Ellis, Niagara SPCA*
Kaitlin Webber, Niagara SPCA*
Denise Ellis*
Mike Ellis*
G. Nardini*
S. Karpysyn*
L. Campea*
D. Lawrence*
S. Lawrence*
M. Kaplaniak*
Jeff Tenhage*
Dave Park*
Cathyann White, YMCA Niagara*
Sally Southern, YMCA Niagara*
Ajay Bhardway, YMCA Niagara*
Olivia Hughes*
Heather Sewell*

Bill Minnick*
Carole Minnick*
Dan Gabriel*
Joyce Bosscher*
Fred Bosscher*
Angela Buonamici, IBI Group*

Media: Beth Audet, Grimsby Lincoln News*

Absent: Councillor Harold Jonker (with regrets—notification provided)
Councillor William Reilly (with regrets—notification provided)

* IN ATTENDANCE PART TIME

**1. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST
(FOR CONFIDENTIAL MATTERS):**

- (a) Councillor Jason Trombetta
Re: Confidential Item 2(a) - Solicitor-Client Advice/Legal Matter – Possible LPAT Appeal for Rezoning Application submitted by Sandra Gibson

Councillor Trombetta declared a disclosure of pecuniary interest/conflict of interest with respect to Confidential Item 2(a) of the August 12, 2019, being a Solicitor-Client Advice/Legal Matter, specifically a possible LPAT Appeal for a rezoning application submitted by Sandra Gibson. Councillor Trombetta advised that he lived in proximity to the proposed facility and that this may affect his judgement with respect to the application. Councillor Trombetta was absent for closed session discussions with respect to this matter. Councillor Trombetta provided a written declaration with respect to his conflict of interest/pecuniary interest.

2. CONFIDENTIAL MATTERS:

Moved by Councillor Christopher Coady and seconded by Councillor Mike Rehner:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

- (a) Township Solicitor (Sara Premi) & CAO (Bev Hendry)
Re: Solicitor-Client Advice/Legal Matter - Possible LPAT Appeal - Application for Rezoning – Sandra Gibson – File No. 1601-002-19

Applicable closed session exemption(s):

- personal matters about an identifiable individual, including municipal or local board employees;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose

- (b) Township Solicitor (Sara Premi) & CAO (Bev Hendry)
Re: Solicitor-Client Advice/Legal Matter – Industrial Wind Turbine Project

Applicable closed session exemption(s):

- personal matters about an identifiable individual, including municipal or local board employees;

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose
- (c) Township Solicitor (Sara Premi) & Director of Planning & Building (Brian Treble)
Re: Legal/By-law Enforcement/Solicitor-Client Advice – Las Road
Applicable closed session exemption(s):
 - personal matters about an identifiable individual, including municipal or local board employees;
 - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
 - advice that is subject to Solicitor-client privilege, including communications necessary for that purpose
- (d) Director of Planning & Building (Brian Treble)
Re: Personal Matter Relating to Identifiable Individual(s) – Building Department Personnel
Applicable closed session exemption(s):
 - personal matters about an identifiable individual, including municipal or local board employees.
- (e) Director of Planning & Building (Brian Treble)
Re: Legal/By-law Enforcement Matter – John Street
Applicable closed session exemption(s):
 - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - advice that is subject to Solicitor-client privilege, including communications necessary for that purpose
- Carried (5:02 p.m.).

All Members of Council noted as present, with the exception of Councillor Trombetta who was not in attendance for Item 2(a) due to his conflict, the CAO, the Township's Solicitor, Ms. Sara Premi and the Clerk moved to the former Library area for closed session discussion relating to the above noted confidential matters.

Moved by Councillor Cheryl Ganann and seconded by Councillor Christopher Coady:

That, this Council meeting does now resume in open session at the hour 6:01 p.m.

- Carried.

- (a) Township Solicitor (Sara Premi) & CAO (Bev Hendry)
Re: Solicitor-Client Advice/Legal Matter - Possible LPAT Appeal - Application for Rezoning – Sandra Gibson – File No. 1601-002-19

NOTE: Councillor Trombetta declared a disclosure of pecuniary interest/conflict of interest with respect to the above noted Confidential Item 2(a), being a Solicitor-Client Advice/Legal Matter, specifically a possible LPAT Appeal for a rezoning application submitted by Sandra Gibson. Councillor Trombetta advised that he lived in proximity to the proposed facility and that this may affect his judgement with respect to the application. Councillor Trombetta was not present for closed session discussions with respect to this matter. Councillor Trombetta provided a written declaration with respect to his conflict of interest/pecuniary interest.

Council rose without reporting.

Following discussion with respect to the above noted matter, Councillor Trombetta and the Director of Public Works & Recreation entered closed session deliberations at approximately 5:17 p.m.

- (b) Township Solicitor (Sara Premi) & CAO (Bev Hendry)
Re: Solicitor-Client Advice/Legal Matter – Industrial Wind Turbine Project

Moved by Councillor Mike Rehner and seconded by Councillor Christopher Coady:

That, the Township Solicitor and CAO be and are hereby authorized to proceed as directed in closed session with respect to a Solicitor-Client Advice/Legal Matter specifically a matter that relates to the Industrial Wind Turbine Project and, if needed, report back to a future Committee or Council Meeting.

- Carried.

The Director of Planning & Building entered the meeting following discussion of the above noted confidential matters.

- (c) Township Solicitor (Sara Premi) & Director of Planning & Building (Brian Treble)
Re: Legal/By-law Enforcement/Solicitor-Client Advice – Las Road

Council rose without reporting.

The Township Solicitor left the meeting following discussion of the above noted matters.

- (d) Director of Planning & Building (Brian Treble)
Re: Personal Matter Relating to Identifiable Individual(s) – Building

Council rose without reporting.

- (e) Director of Planning & Building (Brian Treble)
Re: Legal/By-law Enforcement Matter – John Street

Council rose without reporting.

The Council Meeting recessed at approximately 6:02 p.m. for a Special Council Meeting of the Appeal Committee for an Order to Muzzle Dogs owned by Mr. Ian Jenkins of 3118 Grassie Road who is also the appellant. The above noted Special Council meeting adjourned at approximately 6:32 p.m.

The following meetings under the Planning Act took place following the Special Council Meeting (Appeal to Order to Muzzle) and prior to the commencement of the Council Meeting at approximately 6:34 p.m.:

1. Zoning By-law Amendment – Louis & Gwen Zeldenrust (Agent – Jeff & Annette Tenhage) – File No. 1601-012-19
2. Zoning By-law Amendment & Plan of Subdivision – Dunloe Developments Inc. – File Nos. 1601-022-18 & 2000-087-18

****Refer to Public Meeting Minutes Under the Planning Act dated August 12, 2019****

The following Public Meeting for the naming of a Street for Rosemont Homes Plan of Condominium (Block 47, Plan 30M446) commenced prior to the commencement of the Council Meeting at approximately 7:07 p.m.:

- (a) Director of Planning & Building (Brian Treble)
Re: Presentation of the Proposed Street Name for Rosemont Homes Plan of Condominium **(REFER TO CONSENT AGENDA ITEMS ITEM 14(a)(7) BEING TECHNICAL REPORT PD-130-19)**

****Refer to Public Meeting Minutes For Naming of a Street for the Rosemont Homes Plan of Condominium dated August 12, 2019****

Prior to commencing with the Council agenda, Mayor Bylsma noted the following:

- (1) Councillor Jonker and Councillor Reilly will be absent from this evening's meeting.
- (2) All Public in attendance were requested to sign the attendance sheet.
- (3) All cell phones, pagers and/or PDAs are to be turned off.
- (4) The meeting was being audio and video recorded.

1. SINGING OF "O CANADA":

2. OPENING PETITION: Councillor Mike Rehner

3. CHANGE IN ORDER OF ITEMS ON AGENDA:

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

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

Mayor Bylsma noted the following disclosures of pecuniary interest and/or conflict of interest that were made at the previous Council meeting; as well as earlier this evening for which Councillor Trombetta had declared at the commencement of Confidential Matters as it relates to Confidential Item 2(a).

- (a) Councillor Mike Rehner
Re: July 15, 2019 Council Minutes - Other Business – Section B – Planning/Building/Environmental - Item (d) – Recommendation Report No. PD-116-19 - Sicard Holiday Campers – Application for Rezoning – File No. 1601-024-18

Councillor Mike Rehner advised that he had a conflict of interest/pecuniary interest with respect Sicard Holiday Campers application for rezoning as he had financial business with the Sicard family, specifically Mrs. Sicard. Councillor Rehner did not take part in discussions nor voting with respect to this matter at that July 15, 2019 Council Meeting and provided a written declaration in this regard.

- (b) Councillor Jason Trombetta
Re: Confidential Item 2(a) - Solicitor-Client Advice/Legal Matter – Possible LPAT Appeal for Rezoning Application submitted by Sandra Gibson

Refer to Item 1(a) under Disclosure of Pecuniary Interest and/or Conflict of Interest (Confidential Matters).

- (c) Councillor Jason Trombetta
Re: Item 14 (b) - Recommendation Report No. PD-089-19 – Sandra Gibson

– Application for Rezoning (File No. 1601-002-19) & By-law 2019-77 being a By-law for a Zoning By-law Amendment in the name of Sandra Gibson

Councillor Trombetta declared a pecuniary interest and/or conflict of interest with respect to Item 14 (b), being Planning Staff's Recommendation Report pertaining to Ms. Sandra Gibson rezoning application as well as By-law 2019-77 as he lives in proximity to the proposed cannabis production facility, which he noted may affect his judgement with respect to the application. Councillor Trombetta provided a written declaration of his conflict in this regard and did not take part in discussion nor voting with respect to this matter (see Item 14(b)).

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA:

- (a) Ms. Angela Buonamici of IBI Group
Re: Item 14(f) - Recommendation Report No. PD-110-19 - Zoning By-law Amendment & Draft Plan of Condominium for Sunset Acres (Fred & Joyce Bosscher)

Ms. Angela Buonamici of IBI advised that she wished to address Item 14(f) of the agenda, specifically Recommendation Report No. PD-110-19 regarding a Zoning By-law Amendment & Draft Plan of Condominium for Sunset Acres (Fred & Joyce Bosscher). Ms. Buonamici reviewed a PowerPoint Presentation which is attached as **Schedule "A"** to the minutes. Ms. Buonamici reviewed further information relating to some conflicts and issues that have been resolved since the Public Meeting including the fact that on July 31st, the Committee of Adjustment approved the Bosscher's application (in the appeal period) for a land consolidation which includes a small strip of land being removed from the auto shop lands which will merge with the residential lands. Ms. Buonamici stated that a geotechnical study and hydrogeological study were conducted and confirmed that the subject lands can support the construction of four 1 ½ acre lots. Ms. Buonamici stated that a noise study as well as a land use sensitivity study were completed which confirmed no noise concerns and/or obnoxious uses that could impact the residential properties. Additionally, Ms. Buonamici stated it was her client's intent to keep the homes in character with the surrounding homes along Regional Road 12 (i.e. no large massive homes). Ms. Buonamici stated that one of the major concerns was with respect to existing drainage problems within the area and it was determined that a home two doors down had inadvertently closed off a regulated water course which seemed to be causing the blockage to her clients property as well as to the properties to the east. Ms. Buonamici stated that through consultation with the neighbours and IBI Group's engineers, a drainage solution has been proposed, which the Township was supporting with no objection (refer to Slide 9). Ms. Buonamici distributed a copy of a letter from Mr. Michael Geeve, who was the neighbour to the north, which confirmed that he was fine with the proposal and that he preferred any water coming onto his property to flow into a pond that was located on his property, as it has for the past 35+ years. A copy of Mr. Geeve's letter is attached as **Schedule "B"** to the minutes.

6. APPOINTMENTS/PRESENTATIONS:

- (a) Ajay Bhardwaj, YMCA Board Member, Cathyann White, Vice President, Health,

Fitness & Aquatics & Sally Jane Southern Grice, Centre Branch Manager,
Niagara West YMCA

Re: A Look Back, Year 7 Highlights, Community Feedback, Programs &
Improvements

Ajay Bhardwaj, YMCA Board Member advised that he and Cathyann White, Vice President, Health, Fitness & Aquatics and Sally Jane Southern Grice, Centre Branch Manager, Niagara West YMCA were in attendance this evening at the request of Council and on behalf of the YMCA and provided an overview of "A Look Back over the past 7 years", Year 7 Highlights, Community Feedback as well as the programs offered and improvements that have been made by Niagara West YMCA. Mr. Bhardwaj reviewed a PowerPoint Presentation which is attached as **Schedule "C"** to the minutes.

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA (Continued):

Councillor Trombetta advised that there were two individuals in attendance this evening that wished to address an item on the agenda but did not realize that they were to do so earlier in the agenda and requested that consideration be given to allow these individuals to speak. Members of Council concurred with Councillor Trombetta's request and the following individuals were given an opportunity to address Item 14(b) of this evening's agenda.

- (a) Mike Kaplaniak
Re: Item 14(b) - Recommendation Report No. PD-089-19 which addresses Sandra Gibson's application for Rezoning

Mr. Kaplaniak stated that he would like to address Item 14(b) of the agenda, specifically with respect to Recommendation Report No. PD-089-19 relating to Sandra Gibson's application for Rezoning and read from a prepared statement, which is attached to the minutes as **Schedule "D"**.

- (b) Dorothy Henderson
Re: Item 14(b) - Recommendation Report No. PD-089-19 which addresses Sandra Gibson's application for Rezoning

Ms. Henderson stated that she would like to address Item 14(b) of the agenda, specifically with respect to Recommendation Report No. PD-089-19 relating to Sandra Gibson's application for Rezoning and read from a prepared statement, which is attached to the minutes as **Schedule "E"**.

6. APPOINTMENTS/PRESENTATIONS (Continued):

- (b) Megan McGlashan, Senior Research Associate - Environics
Re: Regional Governance Review Survey Detailed Report & Presentation

Prior to Ms. McGlashan's presentation, the CAO provided the following comments to contextualize both the survey results as well as our current understanding of the Province's governance review process:

- The commissioning of this survey was done by Niagara's 13 CAOs and represents a partnership between all of our communities.

- The goal of the survey was to ensure the interests and opinions of our residents can be shared with the Provincial Government. The survey focused on gathering our resident's views on the current governance structure, satisfaction with local and regional services as well as value for money.
- Through this survey, the 12 municipalities, in partnership with the Region, have gained a better understanding of how Niagara's residents feel about our current two-tier structure.
- Doing statistically valid public research, like the kind Ms. McGlashan will share with us in a few moments, helps us determine the broader view of the community without influence of any special interests.
- You may get enquiries about the timing of this research as well as our current understanding of the status of the governance review process. While the public consultation phase ended in May, we have received several indications from the Minister of Municipal Affairs and Housing that no decisions have been made and they are still keen on hearing from their municipal partners.
- They are considering all opinions and The Minister has also mentioned at numerous opportunities that there is not a "one-size-fits-all" approach from the Government.
- The results of this survey will help inform future conversations between the Region and the Ministry. Having this type of unbiased, statistically valid research on hand for these discussions will ensure we are sharing the views of our residents with the decision makers in Queen's Park.
- Going forward, the survey results will provide both advice to the ministry, as well as support working together to improve service delivery for our residents, businesses and visitors.

The CAO invited Ms. McGlashan to the podium to present the research completed by Environics.

Ms. Megan McGlashan advised that she was a Senior Research Associate with Environics and that she was in attendance this evening to review the results of a resident telephone survey that was undertaken across the Region between May 30 and June 27, 2019 with respect to the municipal and regional governance, representation, and the potential of amalgamation. Ms. McGlashan reviewed a PowerPoint Presentation which is attached as **Schedule "F"** to the minutes.

Mayor Bylsma thanked Ms. McGlashan for attending this evening's Council Meeting.

7. REGIONAL COUNCILLOR'S REMARKS:

Regional Councillor Albert Witteveen read from a prepared statement regarding Niagara Region issues, services and concerns over the past month, which is attached to the minutes as **Schedule "G"**.

8. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
Re: July 15, 2019

Moved by Councillor Jason Trombetta and seconded by Councillor Mike Rehner:

That, the minutes of the open session portion of the July 15, 2019 regular Council meeting be accepted; and,

That, the confidential minutes relating to the closed session portion of the July 15, 2019 regular Council meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Act.

- Carried.

- (b) Public Meetings under the Planning Act
Re: July 15, 2019 Minutes

Moved by Councillor Christopher Coady and seconded by Councillor Mike Rehner:

That, the minutes of the public meetings held on July 15, 2019 under Sections 17 and 34 of the Planning Act, with respect to:

- (a) Official Plan Amendment & Zoning By-Law Amendment – James and Joanne Ellis (File Nos. 1701-001-19 & 1601-011-19)

- (b) Zoning By-Law Amendment – Shelly Bradaric (File No. 1601-008-19)

- Carried.

- (c) Public Meeting – Naming of Street for Crossing on the Twenty South Plan of Condominium
Re: July 15, 2019 Minutes

Moved by Councillor Cheryl Ganann and seconded by Councillor Christopher Coady:

That, the minutes of the public meeting held on July 15, 2019 with respect to the Naming of the Street in the Crossing on the Twenty South Plan of Condominium, be accepted.

- Carried.

9. COMMUNICATIONS:

- (a) Nicholas Beaudin
Re: Resignation as Member of West Lincoln Library Board and Joint Accessibility Advisory Committee

Moved by Councillor Mike Rehner and seconded by Councillor Christopher Coady:

That, the letters of resignation received on July 24th, 2019 from Mr. Nicholas Beaudin from the West Lincoln Public Library Board effective August 2nd, 2019 and from the Joint Accessibility Advisory Committee effective August 8th, 2019

be received with regrets.

- Carried.

- (b) Mark Gainham (Jim Green's Step Son & Executor of Estate)
Re: Request to Pay Cost of Mr. Jim Green's Internment Luncheon (Town Crier, Board Member on Various Township and Community Groups & Community Advocate)

Councillor Trombetta stated that he hoped that both previous and current Members of Council and staff would attend the internment service for Mr. Green.

Moved by Councillor Jason Trombetta and seconded by Councillor Mike Rehner:

- (1) That, the email received from Mark Gainham (Step Son and Executor for Jim Green) on July 23, 2019 requesting the Township to pay the cost of Mr. Jim Green's Internment Luncheon in recognition of his many years serving as the Town Crier, being a Board Members on Various Township and Community Groups and as a Community Advocate; be received; and,
 - (2) That the Township donate \$1,000 from its Corporate Promotions Account (1-02-02502-515150) to be used specifically to pay for the cost of the Mr. Jim Green's internment luncheon proposed to be held in early October 2019 at the Smithville Legion.
- Carried.

10. MAYOR'S REMARKS:

Mayor Bylsma addressed the following matters as part of his remarks this evening, which included but were not limited to:

- (1) On July 27th, 2019, the Mayor advised that he attended the Grand Opening and "Fence" Cutting Ceremony for Post Time Services (installation of farm and residential fencing, gates, etc.), which is located at 4073 Canboro Road, Wellandport (corner of Elcho Road and Canboro Road) and employs approximately 30 employees.
- (2) On July 27th, 2019, the Mayor advised that he attended the West Lincoln Chamber of Commerce Community Barbeque, which was held at the West Lincoln Community Centre with many vendors in attendance. He noted that that event was well attended and included live music and had Public Works and Fire Department trucks and equipment in attendance for the public to view.
- (3) On July 30, 2019, the Mayor advised that he attended Brock University, which is forming a new community entrance to the University, which is called "The Link" and will provide opportunities for Niagara residents to access resources in a convenient way.
- (4) On August 6, 2019, the Mayor advised that he attended the Niagara Region Mayor's Breakfast which was also attended by the Regional Chair at which there was round table discussion regarding the Governance Review.
- (5) Along with Councillor Reilly, Councillor Coady, Regional Councillor Witteveen and the CAO, the Mayor advised he will be attending the AMO Conference next week in Ottawa. The Mayor advised that Township Staff have arranged scheduled appointments with many Cabinet Ministers at the Conference to

- address concerns with respect to the Ontario Municipal Partnership Fund, the North-South Crossing and West Lincoln Memorial Hospital to name a couple.
- (6) The Mayor advised that he will be attending the Niagara West Fair which will be held September 6 to 9, 2019.

11. REPORT OF COMMITTEE:

There were no reports of Committee.

12. RECONSIDERATION:

There were no items put forward for reconsideration.

13. NOTICE OF MOTION TO RESCIND:

There were no notices of motion to rescind action taken previously by Council.

14. OTHER BUSINESS:

(a) CONSENT AGENDA ITEMS:

1. Multi-Municipal Wind Turbine Working Group - Minutes of the May 16, 2018 meeting
2. West Lincoln Age Friendly Advisory Committee (WLAFAC) – Minutes of July 5, 2019
3. Joint Accessibility Advisory Committee – Minutes of June 13, 2019
4. West Lincoln Public Library Board Minutes – June 20, 2019 & July 18, 2019
5. Technical Report No. PD-123-19 – Zoning By-law Amendment – Louis & Gwen Zeldenrust (Agent–Jeff & Annette Tenhage) - File No. 1601-012-19
6. Technical Report No. PD-133-19 – Dunloe Developments Inc. (IBI Group – Agent) Application for Draft Plan of Subdivision and Application for Zoning Bylaw Amendment, File No. 1601-022-18 – Zoning Bylaw Amendment, File No. 2000-087-18 – Plan of Subdivision
7. Technical Report No. PD-130-19 – Proposed Street Name for Block 47 of 30M-446, of The Old Towne Gateway Estates, Plan of Subdivision, Rosemont Homes Ltd; Condo File No.: 2000-072-08
8. Information Report No. PD-127-19 – Building Department Annual Budget Report 2018
9. Fire Department Monthly Update WLFD-13-19 – July 2019
10. Information Report RFI-T-19-19 - July 2019 Budget Status Report
11. Information Report RFI-T-20-19 - Development Charge Reserve Funds – Treasurer’s Annual Statement for 2018
12. Information Report No. RFI PW-14-2019 - Colver Street Sidewalk and Crosswalks
13. Recommendation Report No. PD-125-19 – Block 47 of the Old Towne Gateway Estates Subdivision Site Plan Authorizing By-law – Rosemont Homes (IBI Group Agent) for File No. 2100-010-17
14. Recommendation Report No. PD-132-19 – Authority for Mayor and Clerk to Sign Amendment to Existing Agreement with the Company CGIS, which provides a Spatial Land Information Management System to West Lincoln

15. Recommendation Report No. PD-129-19 – AMENDMENT TO BUDGET
Purchase of New Building/Main Office Vehicle

Moved by Councillor Christopher Coady and seconded by Councillor Mike Rehner:

That Council hereby approves the following Consent Agenda Items:

1. Items 1 to 12 be and are hereby received for information; and,
 2. Items 13 to 15 be and are hereby received and that the recommendations contained therein be adopted with the exception of Items 6 and 13.
- Carried.

SUMMARY OF APPROVED CONSENT AGENDA ITEM RECOMMENDATIONS:

- (1) That, the minutes of the May 16, 2019 meeting of the Multi-Municipal Wind Turbine Working Group be received for information.
- (2) That, the minutes of the Age-Friendly Advisory Committee Meeting from July 5, 2019 be received for information.
- (3) That, the minutes of the Joint Accessibility Advisory Committee Meeting of June 13, 2019 be received for information.
- (4) That, minutes of the West Lincoln Public Library Board Meeting of June 20, 2019 and July 18, 2019 be received for information.
- (5)
 1. That, report PD-123-19, regarding “Louis & Gwen Zeldenrust (Jeffery & Annette Tenhage – Agents) Zoning By-law Amendment File No. 1601-012-19”, dated August 12th, 2019 be RECEIVED; and,
 2. That, a Recommendation Report be presented at a future Planning/ Building/ Environmental Committee meeting.
- (7)
 1. That, Report PD-130-19, regarding “Proposed Street Name for Bock 47 of 30M-446, of The Old Towne Gateway Estates, Plan of Subdivision, Rosemont Homes Ltd; Condo File No.: 2000-072-08”, dated August 12th, 2019, be RECEIVED; and,
 2. That, a Recommendation Report be presented at a future Planning/Building/Environmental meeting once all agency and public comments have been received and once a name has been chosen.
- (8) That, report PD-127-19, regarding the “Building Department Annual Budget Report 2018”, dated August 12, 2019 be RECEIVED for information.
- (9) That, Information Report WLFD-13-19, dated August 12, 2019 regarding “Monthly Update – July 2019” be received for information.
- (10) That, Report RFI-T-19-19, dated August 12, 2019, regarding the “July 2019 Budget Status Report” be received for information.
- (11) That, report RFI-T-20-19, dated August 12, 2019, regarding “Development Charge Reserve Funds – Treasurer’s Annual Statement for 2018”, be received for information and that the report and all related attachments be posted on the Township website.
- (12) That, report RFI PW-14-2019, re: Colver Street Sidewalk and Crosswalks, dated August 12, 2019, be received for information.
- (14)
 1. That, Report PD-132-19, regarding “Authority for Mayor and Clerk to Sign Amendment to Existing Agreement with the Company CGIS,

- which provides a Spatial Land Information Management System to West Lincoln”, dated August 12th, 2019, be RECEIVED; and,
2. That, an authorizing by-law be approved to authorize the Mayor and Clerk to sign the amending schedules to the existing contract with CGIS.
- (15)
1. That, Report PD-129-19, regarding “AMENDMENT TO BUDGET, Purchase of New Building/Main Office Vehicle”, dated August 12th, 2019, be RECEIVED; and,
 2. That, an amendment to the Building/By-law Vehicle Capital Budget sheet be approved to added another \$6000.00, with the money being drawn from the Building Reserve.

ITEM 6 - Technical Report No. PD-133-19 – Dunloe Developments Inc. (IBI Group – Agent) Application for Draft Plan of Subdivision and Application for Zoning Bylaw Amendment:

Councillor Rehner noted his concerns regarding development of the two subject properties for massive subdivisions and that, in his opinion, allowing the construction of residential homes on good agricultural lands was contradictive of the Township’s Mission Statement and that the Township needs to preserve its natural resources.

The Director of Planning & Building advised that the Township also has multiple mission statements contained within its Strategic Plan which references growth and accommodating the needs of the community and servicing in order to permit growth to occur. The Director of Planning & Building advised that the lands referenced in Item 13 (Block 47 of Old Towne Gateway Estates Subdivision) were formerly part of the Dunnville Railway Line which were never farmed.

Councillor Coady advised that the Township needs development in order to keep property taxes low whereas neighbouring municipalities had substantial increases of their property taxes this year.

Moved by Councillor Mike Rehner and seconded by Councillor Jason Trombetta:

- (1) That, report PD-133-19, regarding “Dunloe Developments Inc. (IBI Group – Agent) Application for Draft Plan of Subdivision and Application for Zoning Bylaw Amendment, File No. 1601-022-18 – Zoning Bylaw Amendment, File No. 2000-087-18 – Plan of Subdivision”, dated August 12, 2018, BE RECEIVED; and,
 - (2) That, a Recommendation Report be presented at a future Planning/Building/ Environmental Committee meeting once all agency and public comments have been received and once a third party planning review has been completed.
- Carried.

ITEM 13 - Recommendation Report No. PD-125-19 – Block 47 of the Old Towne Gateway Estates Subdivision Site Plan Authorizing By-law – Rosemont Homes:

Moved by Councillor Mike Rehner and seconded by Councillor Jason Trombetta:

- (1) That, report PD-125-19, regarding “Block 47 of the Old Towne Gateway Estates Subdivision Site Plan Authorizing By-law – Rosemont Homes (IBI Group Agent) for File No. 2100-010-17”, dated August 12, 2019, BE RECEIVED; and,
 - (2) That, a bylaw be passed to authorize the Mayor and Clerk to sign a Site Plan Agreement with Rosemont Homes Inc. and West Niagara Enterprises Inc., once all site plan details are substantially completed.
- Carried.

SECTION B – Planning/Building/Environmental Items:

- (b) Planner II (Madyson Etzl) & Director of Planning and Building (Brian Treble)
Re: Recommendation Report No. PD-089-19 – Sandra Gibson – Application for Rezoning (File No. 1601-002-19)

NOTE: REPORT DEFERRED AT THE JUNE 24, 2019 COUNCIL MEETING

NOTE: Councillor Trombetta declared a pecuniary interest and/or conflict of interest with respect to Item 14 (b), being Planning Staff’s Recommendation Report pertaining to Ms. Sandra Gibson rezoning application as he lives in proximity to the proposed cannabis production facility, which he noted may affect his judgement with respect to the application. Councillor Trombetta provided a written declaration of his conflict in this regard and did not take part in discussion nor voting with respect to this matter.

With respect to the comments that were provided this evening by two members of the public regarding the above noted rezoning application, the Director of Planning & Building advised that Council needs to be aware that should these comments have affected Council Member’s decision on this application then the planning process should start again. The Director of Planning & Building noted that in order to ensure that a fair public process has been followed with respect to this application; the comments provided this evening by the two members of the public should be disregarded by Members of Council.

Moved by Councillor Cheryl Ganann and seconded by Councillor Christopher Coady:

- (1) That, report PD-89-19, regarding “Sandra Gibson Application for Rezoning - File No. 1601-002-19”, dated June 10th, 2019, BE RECEIVED; and,
- (2) That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
- (3) That, application for Zoning By-Law Amendment 1601-002-19 submitted by Stephen Bedford be APPROVED.

A Recorded Vote was requested by Councillor Mike Rehner:

	<u>Yes</u>	<u>No</u>
Councillor Christopher Coady	x	
Councillor Cheryl Ganann	x	

Councillor Harold Jonker	ABSENT	
Councillor Mike Rehner		x
Councillor William Reilly	ABSENT	
Councillor Jason Trombetta	CONFLICT OF INTEREST	
Mayor Dave Bylsma		x
	<hr/>	<hr/>
Total	2	2

- **LOST.**

- (c) Planner II (Gerrit Boerema) & Director of Planning and Building (Brian Treble)
Re: Recommendation Report No. PD-124-19 - Official Plan Amendment & Zoning By-law Amendment - James & Joanne Ellis – 371 Station Street (File Nos. 1701-001-19 & 1601-011-19)

Moved by Councillor Mike Rehner and seconded by Councillor Christopher Coady:

- (1) That, report PD-124-19, regarding “James and Joanne Ellis - Application for Official Plan Amendment and Application for Rezoning, File No. 1701-001-19 – Official Plan Amendment, File No. 1601-011-19 – Zoning Bylaw Amendment”, dated June 10, 2019, BE RECEIVED; and,
 - (2) That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
 - (3) That, application for Official Plan Amendment No. 52, File No 1701-001-19 and a corresponding bylaw be APPROVED and passed; and
 - (4) That, application for Zoning By-law Amendment 1601-011-19 submitted by James and Joanne Ellis and Upper Canada Consulting and a corresponding bylaw be APPROVED and passed; and
 - (5) That, Staff be authorized to circulate the Notice of Decision for Official Plan Amendment and Zoning Bylaw amendment with the corresponding 20 day appeal period.
- Carried.

Mayor Bylsma called for a brief recess at approximately 9:07 p.m. and the meeting reconvened at approximately 9:14 p.m.

- (d) Planner I (Alexa Cooper) & Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-128-19 – Zoning By-law Amendment - Shelly Bradaric (File No. 1601-010-19)

Moved by Councillor Jason Trombetta and seconded by Councillor Christopher Coady:

- (1) That, report PD-128-19, regarding “Shelly Bradaric Zoning By-law Amendment File No. 1601-010-19”, dated August 12th, 2019 be RECEIVED; and,
- (2) That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
- (3) THAT, application for Zoning By-law Amendment 1601-010-19 submitted by Shelley Bradaric and a corresponding bylaw be APPROVED and passed; and,

(4) THAT, Staff be authorized to circulate the Notice of Decision for Zoning By-law Amendment with the corresponding 20 day appeal period.

- Carried.

- (e) Planner II (Madyson Etzl) & Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-115-19 – Zoning By-law Amendment - Surinder Singh Dhaliwal (Owner) (Agent – Heather Sewell - Niagara Planning Group NPG) (File No. 1601-008-19)

The Director of Planning & Building noted that there were a number of minor changes that staff had made to the Dhaliwal Zoning By-law, which included the following:

1. Inclusion of a drive-thru facility.
2. Changing the language to match the definitions in the Township Zoning By-law Amendment.
3. Including MDS I setback reductions.

Moved by Councillor Christopher Coady and seconded by Councillor Mike Rehner:

- (1) That, report PD-115-19, regarding “Surinder Singh Dhaliwal (Owner) Niagara Planning Group - Heather Sewell (Agent) Application for Rezoning, File No. 1601-008-19, dated August 12th, 2019, BE RECEIVED; and,
- (2) That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
- (3) That, staff be instructed to discussed with the Region the appropriateness of adjusting the Hamlet settlement area boundary of Fulton accordingly, such that this property and property for a rural employment area are also included in the Hamlet Boundary; and
- (4) That, application for Zoning By-Law Amendment 1601-008-19 submitted by Niagara Planning Group Heather Sewell (Agent) on behalf of Surinder Singh Dhaliwal (Owner), be APPROVED.

- Carried.

- (f) Planner II (Gerrit Boerema) & Director of Planning and Building (Brian Treble)
Re: Recommendation Report No. PD-110-19 – Zoning By-law Amendment & Draft Plan of Condominium (Sunset Acres) - Fred and Joyce Bosscher (Agent - IBI Group) (File Nos. 1601-009-19 & 2000-088-19)

Moved by Councillor Cheryl Ganann and seconded by Councillor Christopher Coady:

- (1) That, report PD-110-19, regarding “Fred and Joyce Bosscher Application for Rezoning, Application for Draft Plan of Condominium (Sunset Acres) IBI Group (Agent), File No. 1601-009-19 – Zoning Bylaw Amendment, File No. 2000-088-19CDM – Plan of Condominium, dated August 12, 2019, BE RECEIVED; and,
- (2) That Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
- (3) That, application for Zoning By-law Amendment 1601-009-19 submitted by IBI Group on behalf of Fred and Joyce Bosscher and a corresponding

- bylaw BE APPROVED, as amended; and,
- (4) That the draft plan of Vacant Land Condominium, File No. 2000-088-19 CDM, BE APPROVED, as per Attachment 3, in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P.13 and regulations thereunder, subject to the conditions contained in Attachment No. 10 to PD-110-19; and,
 - (5) That, the applicant be advised that the Township's draft approval of this Plan of Vacant Land Condominium will lapse three years from the date of draft approval unless Township Council grants an extension of the approval period. 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; and,
 - (6) That Staff be authorized to circulate the Notice of Decision for Zoning Bylaw Amendment and Draft Plan of Condominium with corresponding 20 day appeal period.

- Carried.

- (g) Planner I (Alexa Cooper) & Director of Planning and Building (Brian Treble)
Re: Recommendation Report No. PD-131-19 – Proposed Street Name for Crossings on the Twenty South, DeHaan Homes Ltd.; File No.: 2000-072-08

Moved by Councillor Mike Rehner and seconded by Councillor Christopher Coady:

- (1) That, Report PD-131-19, regarding "Proposed Street Name for Crossings on the Twenty South, DeHaan Homes Ltd.; File No.: 2000-072-08", dated August 12th, 2019, be RECEIVED; and,
- (2) That, the condo street legally described as Lot 20, Part of Lots 56 & 57 (south of the Twenty Mile Creek), Registered Plan M-88, Township of West Lincoln, Regional Municipality of Niagara, be named Carter Drive by by-law to be presented to Council for approval following registration of the Plan of Condo.

- Carried.

SECTION C – Administration/Finance/Fire Items:

- (h) **AMENDMENT TO BUDGET**

Treasurer/Director of Finance (Donna DeFilippis)

Re: Report RFD-T-18-19 – Accumulated Operating Surplus as of December 31, 2018 - AMENDMENT TO BUDGET

Moved by Councillor Jason Trombetta and seconded by Councillor Cheryl Ganann:

- (1) That, report RFD-T-18-19 dated August 12, 2019, regarding "Accumulated Operating Surplus as of December 31, 2018 - AMENDMENT TO BUDGET", be received; and,
- (2) That, Council authorizes the transfer of \$150,000 of the 2018 Accumulated Operating Surplus to be used as revenue in the 2020 budget; and,
- (3) That, Council authorizes the following transfers: \$150,000 to the Fire

Reserve, \$150,000 to the Equipment Reserve and \$412,000 to the Capital Reserve.

- Carried.

SECTION D – Public Works/Recreation/Arena Items:

There were no additional Public Works/Recreation/Arena Items.

SECTION E – Miscellaneous Items:

- (i) Treasurer/Director of Finance (Donna DeFilippis)
Re: Notice of Appeal - Development Charges By-law 2019-51

The Treasurer/Director of Finance advised Members of Council that the Township had received an appeal on August 2nd, 2019 from Niagara Home Builders Association, who were appealing the Township's Development Charges By-law 2019-51 to the Local Planning Appeals Tribunal (LPAT). The Treasurer/Director of Finance stated that deadline for appeals was August 6th, 2019 and there were no others appeals submitted. The Treasurer/Director of Finance stated that some of the items noted in the appeal were posed as questions and staff were working with the Township's Consultant, Mr. Jim Bruzzese of BMA Management Consulting Inc. as well as the Township's Solicitor, Mr. Tom Richardson, to draft appropriate answers and it is staff's goal to try and resolve as many issues as possible through a mediation process in order to try and avoid a full hearing. In the meantime, the Treasurer/Director of Finance advised that the Township will continue to collect Development Charges as outlined in the by-law and should the appeal result in a change being made to the approved by-law, funds will be returned accordingly.

- (j) CAO (Bev Hendry)
Re: Update on Niagara Regional Police attending future Council/Standing Committee meeting

The CAO advised that she had met with Police Chief Bryan MacCulloch with whom she discussed Council's interest in having Niagara Regional Police attend a Council or Committee Meeting to discuss local issues. The CAO stated that Police Chief MacCulloch stated that he the local Staff Sergeant Rom Di Egidio will be attending the October 21st Administration/Finance/Fire Committee meeting at which time they will be making a presentation, after which Committee Members will be given an opportunity to ask further questions that may have not been addressed as part of their presentation.

- (k) CAO (Bev Hendry)
Re: Update on the Corporate Strategic Plan Process

The CAO advised that Requests for Proposal (RFP) for a new Corporate Strategic Plan was posted on July 19th, 2019 on Biddingo and the Township's web site which closed on August 8th, 2019 at 2 p.m. The CAO stated that 11 proposals were received; with one submission being rejected as it was received past the 2:00 p.m. deadline. The CAO noted that she was currently reviewing the proposals and it was her intention to have this process started by the beginning of September so it may assist with guiding the 2020 budget process.

The CAO advised that she has made a request of Niagara Economic Development for funds to allow for a refresh of the Township's 2016 Economic Development Plan, which will then be used as part of the Strategic Plan.

(l) Members of Council

Re: Council Remarks

(i) Mayor Dave Bylsma

Re: Site Alteration By-law Open House

Mayor Bylsma advised that a public open house will be held tomorrow evening at Abingdon Hall to address the Township's Site Alteration By-law.

(ii) Councillor Cheryl Ganann

Re: Music in the Park

Councillor Ganann noted that the Township has had great success this year with Music in the Park with approximately 80 to 120 people attending each of the various music events. Councillor Ganann stated that the last Music in the Park event will be held this Wednesday, which she hoped would be another beautiful evening, weather wise.

(iii) Councillor Jason Trombetta

Re: Township's Mission Statement

In response to Councillor Trombetta's inquiry regarding when and who developed the Township's Mission Statement, the CAO advised one of the deliverables through the Strategic Plan process would be to refresh the Mission Statement.

Councillor Rehner stated that the Township's Mission Statement was addressed during the 2010 to 2014 term of Council along with the addition of singing the National Anthem at the beginning of Council meetings.

15. NEW ITEMS OF BUSINESS:

There were no new items of business brought forwarded by any Member of Council present.

16. BY-LAWS:

Moved by Councillor Christopher Coady and seconded by Councillor Mike Rehner:

That, leave be granted to introduce By-laws # 2019-69, 2019-70, 2019-71, 2019-72, 2019-73, 2019-74, 2019-75 and 2019-76 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,

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.

SUMMARY OF BY-LAWS:

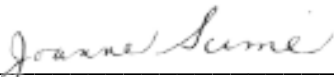
- (a) By-law 2019-69 To confirm proceedings of July 15, 2019 regular Council meeting.
- (b) By-law 2019-70 To authorize a Site Plan Agreement between the Township of West Lincoln, Rosemont Homes Ltd. and West Niagara Enterprises Inc. for lands described as Block 47 on Plan 30M-446, in the former Township of South Grimsby, now in the Township of West Lincoln.
- (c) By-law 2019-71 Official Plan Amendment – 371 Station Street (Ellis) (Amendment No. 52)
- (d) By-law 2019-72 Zoning By-law Amendment – 7056 Concession 4 Road (Shelly Bradaric)
- (e) By-law 2019-73 Zoning By-law Amendment – 9006 Regional Road 20 (Surinder Singh Dhaliwal)
- (f) By-law 2019-74 Zoning By-law Amendment – 2942 & 2946 Regional Road 12 (Fred and Joyce Bosscher)
- (g) By-law 2019-75 Zoning By-law Amendment – 371 Station Street (James & Joanne Ellis)
- (h) By-law 2019-76 To amend the Agreement for Spatial Land Information Management System (SLIMS) Services between the Township of West Lincoln and Centre for Geographic Information Systems (CGIS) Services (Schedules B and C)

By-law 2019-77 - Zoning By-law Amendment – 9003 Concession 5 Road (Sandra Gibson):

Mayor Bylsma noted that the Zoning By-law Amendment for 9003 Concession 5 Road (Sandra Gibson) would be withdrawn as staff's recommendation had "LOST".

17. ADJOURNMENT:

The Mayor declared the meeting adjourned at the hour of 9:37 p.m.



JOANNE SCIME, CLERK

MAYOR DAVE BYLSMA

Sunset Acres – 2942 & 2946 Grimsby Road Council & All Committees



IBI GROUP – Angela Buonamici, MCIP, RPP, CPT
2942 & 2946 Grimsby Road
August 12th 2019



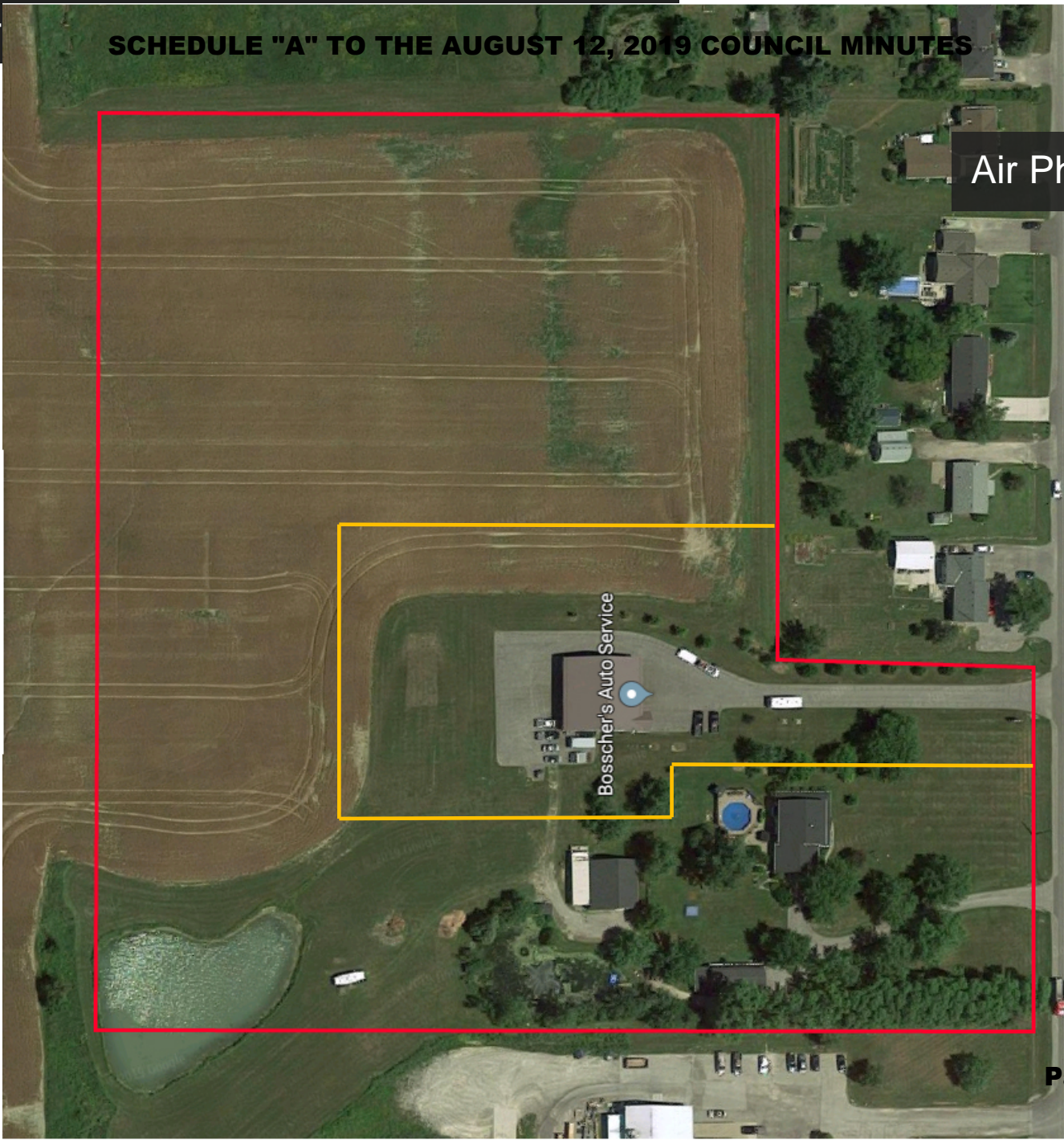
Location Map



1:500



Air Photo



Applications Submitted

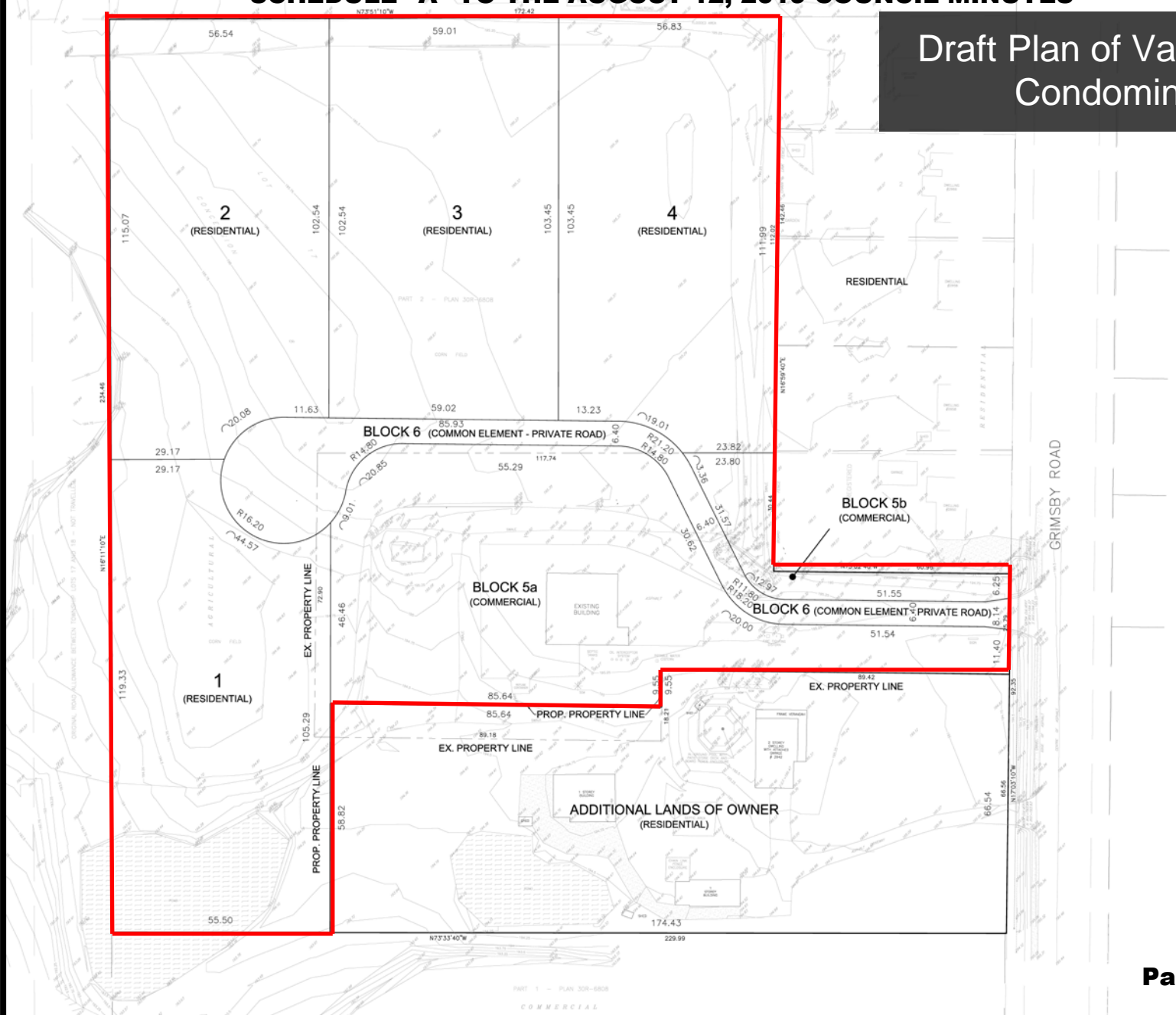
- Draft Plan of Vacant Land Condominium
- Zoning By-Law Amendment
- Severance for Land Consolidation – *Went to Committee on July 31st and was approved*
- Future Site Plan Application – *To be submitted within the next few weeks*

Supporting Studies

- **Geotechnical Report**
- **Noise Study**
- **Stormwater Management Brief**
- **Scoped Hydrogeological Report**
- **Sensitive Land Use Study**
- **Planning Justification Report**

SCHEDULE "A" TO THE AUGUST 12, 2019 COUNCIL MINUTES

Draft Plan of Vacant Land Condominium



SCHEDULE "A" TO THE AUGUST 12, 2019 COUNCIL MINUTES

2974

Site Plan Concept



2966

2958

2956

2950

12

2926

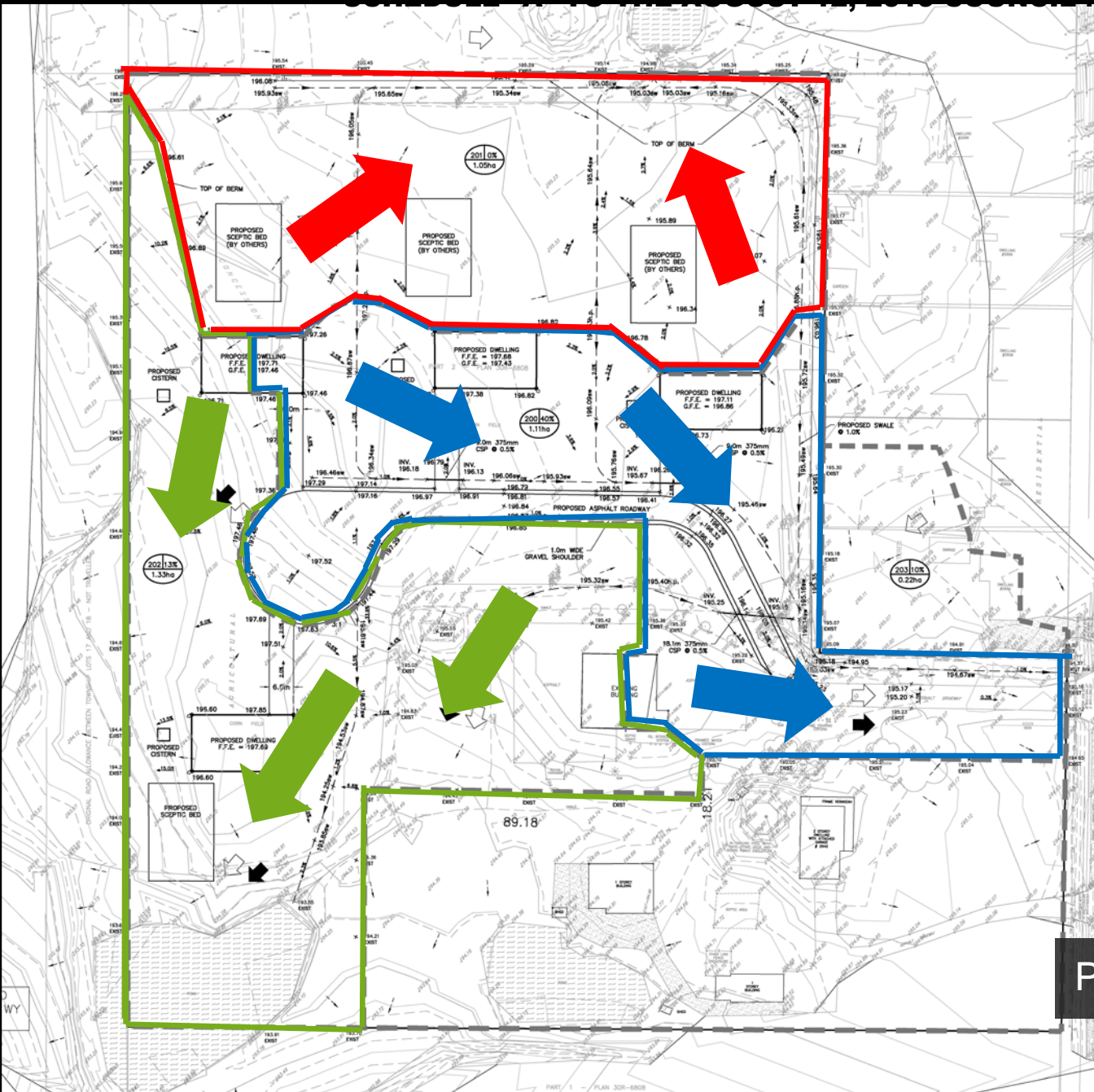
Grimsbys Rd

Planning Issues

- Traffic
- Compatibility
- Drainage / Grading

Drainage

- Site Drainage is currently split and will remain split
- Same Areas will continue to drain to the same existing outlets
- Installation of Berms
- Maintaining Town Standards of 1 – 2% swales
- No increase to volume of runoff to the north



Proposed Drainage Plan

Excellent Site for Hamlet Infilling

- ✓ Within Settlement Area
- Similar built form to existing
- Resolved drainage issues and concerns
- Complimentary Use to existing Commercial Use
- Complies to Town of West Lincoln Official Plan
- Consistent with Provincial Plans and Policies

SCHEDULE "A" TO THE AUGUST 12, 2019 COUNCIL MINUTES



Thank You

SCHEDULE "B" TO THE AUGUST 12, 2019 COUNCIL MINUTES

Township of West Lincoln

318 Canbourough St. Smithville


Re Application - Sunset Acres

My wife and I own the property directly north of the land that has the application for development by Mr, Fred Bosscher. There is a natural drainage that flows into a pond on the property and out to a culvert going under Regional Road 12. Providing there are no blockages along the route we do not have any issues with the drainage being maintained as is and would prefer it. Having the water flow through the pond as it has done for the past 35+ years would keep it from becoming stagnated.

If there are any questions concerning the drainage on our property please feel free to contact me.

Yours Truly

Michael Geeve

A handwritten signature in blue ink, appearing to read 'Michael Geeve', with a long horizontal flourish extending to the right.

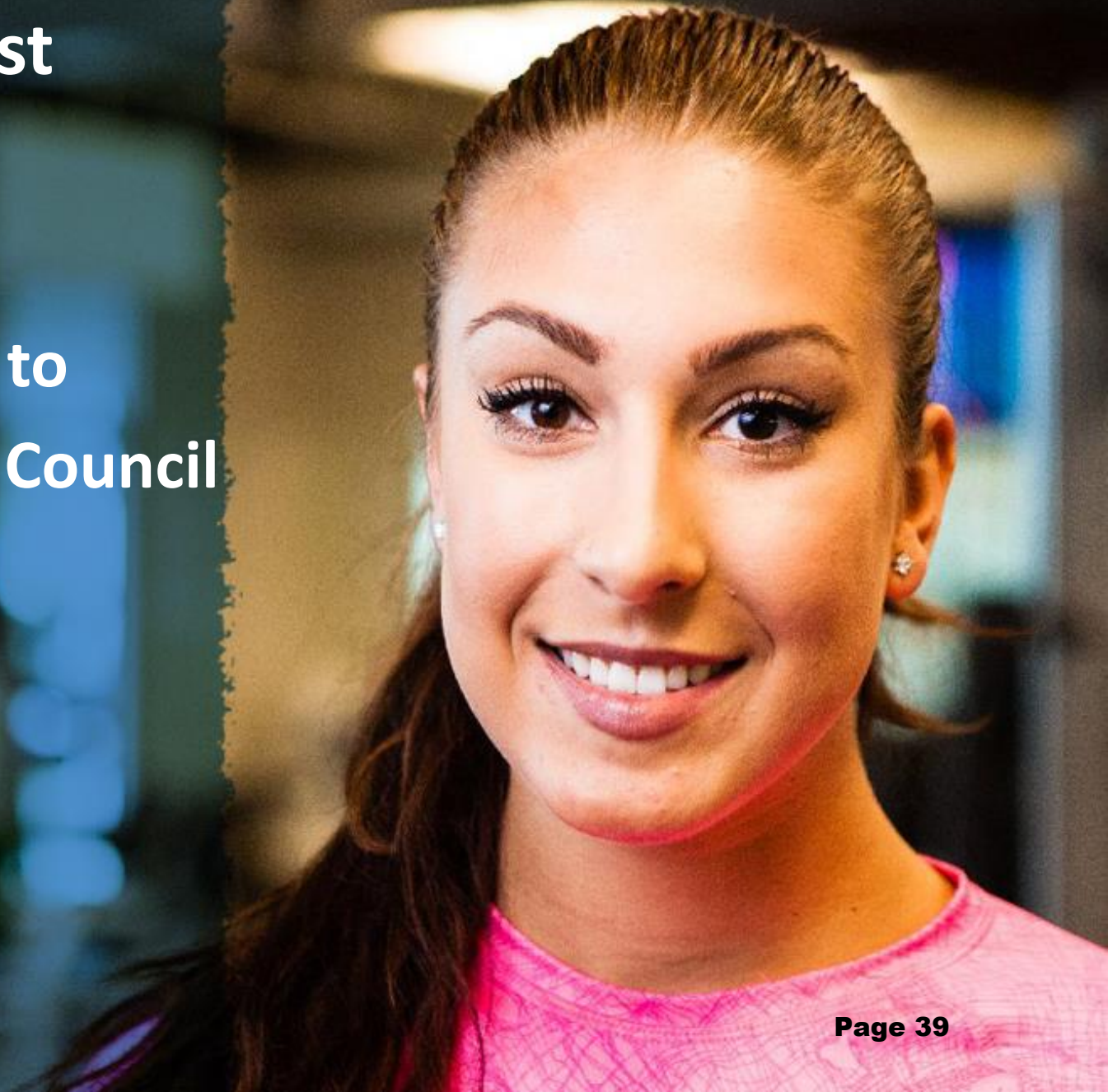
2974 Regional Road 12

Grassie ON L0R 1M0

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Niagara West YMCA

Presentation to
West Lincoln Council
August 2019



Niagara West YMCA - A Look Back



Niagara West YMCA - A Look Back

- Opened November 2011
- 1100 members registered before opening day

The YMCA is very grateful for the support of the Campaign Project which included :

- Federal, Provincial and Municipal funds
- More than 400 individual donors
- A Capital Campaign that raised \$2.2 million
- Our Campaign Chair Norm Beal

The Township of West Lincoln pledged support of \$420,000 to be paid in equal installments over 5 years (later revised to 8 years)

Annual payments of \$52,500 to be made prior to August 31 of each year from 2015 – 2023, inclusive



Niagara West YMCA - Year 7 Highlights

- Leadership and development of more than 120 staff
- 650 volunteer hours provided by more than 40 volunteers
- Served an average of 5581 members on roll throughout the year
- Engaged 825 children and youth continuously in swim lessons strengthening their skills
- Partnered with Community Organizations
- Engaged children and youth participants in over 55 camper days, 917 camper weeks in West Niagara
- Youth Action welcomed 238 visits from 10 to 14 year olds



Niagara West YMCA - Year 7 Community Highlights

- 10 local Elementary Schools participated in Swim to Survive (42 hours, 366 swimmers)
- 77 individuals were trained in Bronze Star, Medallion and Cross
- 29 individuals were trained in Standard First Aid
- Financial assistance is provided to 572 local children, adults and families
- 11 Aquafit classes are offered per week
- 45 Group Fitness classes are offered for all ages and abilities per week
- Over 40 hours of open swim/family swim time for members and community per week





The YMCA continues to have significant and positive impact on the Niagara West community

- Community access to YMCA programs increased consistently each year, growing year over year
- 1000's of participants, including school groups, took part in Swim to Survive, community programs, recreational swims, lane swims, Enrichment, Leadership, Baby sitting and Home Alone courses



Expanded program offerings based on community feedback and interest

- YMCA continues to provide leadership for a number of community events and has been actively involved in many community events including:
 - Grimsby Santa Claus Parade
 - Coat Drive to support Community Care of West Lincoln
 - Christmas Gift Collection for Gillian's Place
 - Family Day, YMCA Healthy Kids Day



More program investments and improvements

- Launch of new adult programs such as Barre, and expanded offerings in Yoga, Aqua Fitness and Small Group training
- Relaunch of Small Group and Personal Training
- Revised approach to New Member Orientation
- Revised and refreshed approach to marketing, communication, lead generation and new member incentives
- Implemented new National Aquatics Standards
- Enhanced Child Protection Standards
- Introduction of more skills-based sports program for children



Supporting Participation for All

SCHEDULE "C" TO THE AUGUST 12, 2019 COUNCIL MINUTES

A revised approach to YMCA Financial Assistance



YMCA Financial Assistance

The YMCA Financial Assistance program serves individuals and families who have the greatest need in our community. Learn more about Financial Assistance at the Membership Desk.

A revised approach to YMCA Financial Assistance

The YMCA is a place of inclusiveness; open to all regardless of background or circumstance, helping to strengthen families and communities.

- YMCA Financial Assistance is offered to individuals and families unable to afford to participate due to financial circumstance
- Assistance is offered in a confidential manner based on individual circumstances. In 2017/2018 more than 11% of Niagara West YMCA members benefited from YMCA Financial Assistance



Summary and Next Steps

- Continued focus on improving Health Fitness and Aquatic programs and services, as well as expanding family programming
- Focus on membership retention and growth
- Continue successful operations, service delivery and financial sustainability
- YMCA of Niagara is grateful for the partnership with the Township of West Lincoln and the opportunity to serve its' citizens





**Thank you
and
Questions**

SCHEDULE "D" TO THE AUGUST 12, 2019 COUNCIL MINUTES

Mike Kaplaniak

15-year resident of West Lincoln, in Caistorville

RE: Recommendation Report No. PD-089-19 – Sandra Gibson – Application for Rezoning (File No. 1601-002-19)

I'm here tonight because I am concerned that West Lincoln is not prepared to manage Cannabis production yet.

We read frequently how our neighbouring townships are struggling to amend their by-laws; to manage valid resident complaints after the fact, how they have been in-effective at managing what is existing, and now trying to manage any more coming in. We have learnt through their experience that we can not rely on Health Canada. Numerous articles from townships all over Canada outline that fact.

Last June during a similar meeting, the residents of Caistorville stood together and asked council to protect their community. To educate, review and hopefully amend by-laws with regards to Cannabis.

I was encouraged as a resident when this council started to discuss changes to the By-Laws to better protect the residents and small communities of West Lincoln. On January 14th, 2019, Council had 2 options, Plan A and Plan B. To my understanding from that meeting (which I attended), option B was chosen to leave things the same, until township had a chance to review to see what changes could be made. To make sure you have complete control of all facets (excluding the 4 plants bylaws) with intent to come back and fix the existing bylaws. An interim control bylaw was not put in place, as the township felt we were covered.....but are we? From my understanding no reviews or recommendations have been brought back to council...

And now, applications have come in, and I must ask, how can we be ready? For those of you who were here to listen to the residents of Caistorville, you know how it affected us as a community, the emotions shared among neighbours, which I believe are like those that spoke about the wind turbines.

I am concerned because I believe there is still a lot of questions surrounding cannabis facilities.

Many comparisons to agricultural have been made, which I find problematic and untrue. A simple example is the current setback for cannabis production of 150 meters. Yet if I was to construct a hog barn a 539-meter setback is required. How can there be such a vast difference? Should the constant odour emitted from cannabis facilities not warrant greater setbacks?

We know smell in cannabis growing & production is an ongoing 24/7 problem. Chicken farms & cattle farms do not emit smell like this all the time and yet because of smell they are subject to by-laws that control when and how they can turn manure, clean the coops... etc. And thanks to these controls, I am only subject to the smells of my neighboring farms a few times a year, not 24/7.

If you compare it to agricultural plant base growing. Can you tell me of any other plant base growing facilities or farmland (wheat, corn, soy, tomatoes, peppers, flowers...etc.) that compares to cannabis?

SCHEDULE "D" TO THE AUGUST 12, 2019 COUNCIL MINUTES

Like communities right here in our region, Pelham, Grimsby and more. We know that residents are not happy, that many claim their quality of life has been drastically affected. Residents of West Lincoln should not be led to believe there are no issues. We should be assured by our council that they have taken all possible avenues to ensure that they understand all the on-going problems across this region and that we are prepared should any of these problems arise here.

So, why should we be ready to 'dip our toes in this' right now?

What is this facility bringing to our community that council see's as important? Is it the jobs? Because I don't see that there are any. Is it a direct financial boost to our township? Because again I don't see that there is any.

An example that concerns me about our readiness:

Is the 40 plus plants currently growing outside in full view, for the 2nd year in a row, in a 2,000 square foot greenhouse cover, on South Chippawa Road and what looks to be very ready to harvest....and nothing has been done about it. Complaints last year did not result in a quick response which allowed this resident harvest last year and feel free to once again grow in full view, this time directly in the ground with no repercussion.

If we can not control an illegal grow op such as this, how will we stay on top of a much larger facility?

The people in this community have been here before, as we know with the wind turbines. So, I want you to know tonight, that just because there are not many seats filled here it is a topic of concern and is absolutely being discussed, at the ballpark, at bbq's, among neighbours. Unfortunately, when I spoken to residents about attending this council meeting, they have lost confidence and many say, "there is no point, they just do what they want". I'd love to see this response change. I'd like to believe you are listening. I'd like you to know residents in this area do care.

In closing, I ask council to hold back on approving this facility until we are ready with better bylaws to protect the residents of our beautiful rural township. I ask you to complete the bylaw review as promised and please bring residents back in for input. I ask you not to make these residents the guinea pigs again.

SCHEDULE "E" TO THE AUGUST 12, 2019 COUNCIL MINUTES

Submitted by:

Dorothy Henderson

858 Caistorville Rd.

Caistorville On.

File Name and Number:

1601-002-19

Sandra Gibson

Application Licensed Micro Cultivation Production and Processing Facility

9003 Concession 5 Rd. Caistor Centre On

August 12th, 2019

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My name is Dorothy Henderson, I live at 858 Caistorville Rd. in the Hamlet of Caistorville.

Introduction:

You might be wondering why someone who lives in Caistorville would speak to the issue of a proposed micro cultivation facility at Abingdon and Concession 5 Rd. The rural residents in Caistorville faced a similar situation recently and I understand the concerns of these rural residents.

The rural residents who will be affected are my neighbours – we belong to the same community of West Lincoln Township. What happens to any of us happens to all of us one way or another.

I want to be clear, this is not about the legalization of cannabis, the construction of cannabis production and processing facilities, the selling or use of cannabis.

The issue is best described using the words of the real estate gurus, "location, location, location". These are the reasons.

1. Cannabis Production and Processing Facilities: Industrial/Commercial
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1. Cannabis Production and Processing Facilities: Industrial/Commercial

“Peter Gross who practices Municipal Planning and Development Law points out that while the act of growing plants suggests an agricultural use, the same license can also be used for processing, selling, and shipping marijuana all of which points to industrial use.” (Bruinman 2015)

In other parts of Canada, it has been determined that the best location for Cannabis production and processing facilities is on property designated as industrial. (Rimbley Review2018; City of Richmond.ca 2017; Bruinmen 2015)

Cannabis corporation CEO’S refer to cannabis production and processing as an industry even Counsellor Coady called it an industry in the Niagara This Week article. (April 09, 2019) when suggesting that this micro cultivation site would be a good opportunity to “dip their toes in the cannabis industry”.

It seems that the rural residents of Concession 5 Rd. whose toes have already been dipped and stomped by the installation of wind turbines they didn’t want now are to be the “toe dipping” guinea pigs for the introduction of cannabis in West Lincoln.

The Gibson family **may think** that their rural neighbours should be thankful for bringing the cannabis industry to the neighbourhood but, in reality their close and not so close neighbours **do not want industry** in their community. They bought/built their homes in this rural area to avoid the impact of the kind of environment industry creates.

Cannabis production and processing facilities do not belong in a rural settlement area they do however belong on industrial zoned land. West Lincoln Township has 100 hectares of industrial zoned land on Industrial Park Road in Smithville. A facility built on industrial zoned land provides economic/employment opportunities, does not interfere or diminish rural character or residential life, and provides an ecofriendly site while protecting natural resources.

Perhaps Council should invest in some “big” time signs advertising that industrial zoned land on Industrial Park Rd, in Smithville is available for cannabis production and processing facilities!

The Proposed Site

- **The Site**

The initial site was to have been 10,000 sq. ft. and has been reduced to 5,100 sq. ft. situated on 19.2 hectares of land. The Gibson’s decided on a smaller family run “outfit”.

Looking to the future of the facility it doesn’t take a great imaginative leap to see the likelihood of expansion once approval is granted.

The Red Hill Cannabis Facility on Green Mountain Rd. in Hamilton is proposing a development in three stages, including a 10,000 sq. ft. building in the first phase eventually expanding to 35,000sq. ft. (Spectator July 2019)

SCHEDULE "E" TO THE AUGUST 12, 2019 COUNCIL MINUTES

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The rural residents in all of West Lincoln Township and especially those at Abingdon and Concession 5 Rd. should be very concerned about the very real possibility of expansion of the proposed facility. It is imperative to have answers to the following questions prior to approval of this facility:

Who is the license holder for this facility?

Who is the property owner for this site?

In the application process Kalfa Law in "The Ultimate Guide to Micro Cultivation Licensing 2019" says that "the applicant will have to indicate whether the corporation applying for the license owns the site or have the owner of the site complete a site owner consent form"

If the license holder is a cannabis corporation such as Canopy Growth, Aurora Cannabis or Aphria the risk of a "buy out" is greater as they would likely be financing this endeavor. If the Gibson's have incorporated the risk of future planning to sell or expand is viable.

Further Kalfa Law states that when a business is incorporated there is "greater flexibility with respect to planning for the future of the business as **ownership is easily transferable and there is the opportunity to bring on several partners, shareholders, and investors**". (www. Kalfalaw.com The 2019 Ultimate Guide to Obtaining a Micro-Cultivation License)

Looking to the future what plans do the Gibson's have for this site:

- To sell the property to a large Cannabis Corporation such as Canopy Growth once they have earned enough capital to make the endeavor "pay off" for them
- To expand the business to resemble the Red Hill Cannabis to 35,000 sq. ft. once approval is obtained

Should either of these scenarios play out it would be catastrophic for rural residents on Concession 5 Rd. and for that matter all residents of West Lincoln Township. The Cannabis Corporation and cannabis producers are primarily interested in **capital gain and the wellbeing of shareholders not the quality of life of residents** as evidenced with our Pelham neighbours.

- **Impact on Environment**

Land x Development and Planning Report justifies use of this site despite EPA and ECA designations saying setbacks are greater than the minimal requirements. The report states "given the distance assessment is not warranted at this stage."

The Planning and Development companies are always good at using "in the future" language.

So should damage be done to the EPA and/or ECA designations who is left "holding the bag" certainly not Land x but definitely the rural residents of West Lincoln Township.

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Assuming nighttime exterior security lighting will be required the night sky will be lit up. "The glare from artificial light can impact wetland habitats disrupting nocturnal activity and interfering with breeding rituals and reproduction of wetland inhabitants thus reducing population." (darksky.org Nov.20, 2017)

Impact on Residents and Residential Life/Quality of Life

- **Quality of Life**

This community mounted a spirited opposition to the installation of wind turbines. They lost that battle. And this fractured community now lives with the whir of turbines and the blinking light as the blades pass through sunlight which they have to "put up with".

The West Lincoln Strategic Plan established a series of strategic objectives under three pillars:

- Quality of Life
- Economic Prosperity and Tourism
- Managed Growth and Protection of Natural Assets

How will the construction of a micro cultivation site improve the quality of life and build rural character (Policy 1.1.4 Provincial Framework 2014) when such a facility will disrupt the very nature of rural life with chain link fencing, security gates, motion sensors, nighttime security lighting and the known pollutants associated with cannabis production? Add to that the ever-present potential for criminal activity.

Their quality of life is already diminished with the installation of wind turbines. It is fair to say that they do not want to have to put up with yet another thing that diminishes their quality of life.

Mr. Gibson is quoted in Niagara This Week (June 25, 2019) saying he "feels like they were used as guinea pigs". I would argue that the rural residents on Concession 5 Rd. are being used as guinea pigs to "jump start" the cannabis industry in West Lincoln. There is **no gain** for them only more of what they don't want!

Economic Prosperity

Because it is a "Mom and Pop" business which will employ Mr. Gibson, his wife and daughter with an additional 2-3 employees for 10 days a month it is hardly an economic boon for the Township and certainly supplies limited employment opportunities to others besides the family.

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- **Issues and known pollutants**
- **Health Canada Oversight**
- **Land x Justification Report**

There are concerns about the known pollutants in cannabis production and processing. Some of these were not addressed or inadequately addressed in the Land x justification report.

There is no mention of diesel fueled generators which would need to be used in the event of a hydro failure. Are diesel fueled generators part of the production and processing plan? If so what will be the size of the above ground tank.....10,000 gallons?

The report states that there will be minimal water usage and no waste water would be released. Since no specifics were given it can be assumed that an alternate "grow plan" is in place such as "areoponics". ([https://www. CBC Cannabis growers get creative...Jan. 24 2018](https://www.cbc.ca/news/cannabis-growers-get-creative-1.4588888))

If that is not the case then where will water come from? Will there be an underground water tank/cistern? What would the size be 60,000 gallons?

How will waste water be managed? Will there be a separate septic system where no waste will leach out? No specifics were provided in the justification report?

If diesel fuel and water are trucked in there will be an increase in noise and truck traffic on a road with a speed designation of 80 km. There will also be further degradation of the rural roads.

These issues need clarification before any approval of the application is considered!

The "state of the art" building described in the Land x report states: "The proposed facility will be completely enclosed in a warehouse style building with air filtration systems which eliminate odor emissions".

How is this **ONE** "state of the art" facility going to do what no others have done? The cannabis odor complaints abound from near and far!

The "state of the art" facility planned by Red Hill Cannabis states that the building system **minimizes** odor and light pollution but **not eliminate**. The cannabis promoters trying to justify cannabis odor make the ever so popular and completely irrelevant comparison between the occasional odor of manure to the 24/7, 365 days of odor from cannabis production.

I have little faith that the proposed facility will eliminate odor when residents living near such facilities live with the smell and the inability to do anything about it.

Dave Gibson said (Niagara This Week June 25, 2019) "they would still be at the mercy of Health Canada and its ongoing inspections...".

Insufficient monitoring by Health Canada as a regulatory agency invites exploitation by cannabis producers in both micro and standard production facilities.

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The most recent example is the Pelham CannTrust debacle where employees were told to install walls to hide the growing of illegal cannabis. Health Canada supposedly did an inspection in November 2018 and found nothing!!! There were 5 unlicensed rooms and it was only when employees "blew the whistle" that Health Canada acted. The illegal cannabis was also sold and shipped out of the country.

If a big outfit like CannTrust can "pull the wool" over the Health Canada inspectors any grower can and get away with it. I doubt that Mr. Gibson will have much to worry about "being at the mercy" of Health Canada.

Based on the CannTrust story we should align ourselves with Mayor Blysmo who expressed a general distrust with the cannabis industry. (Niagara This Week April 09, 2019)

Residents having complaints about the facility are unable to get results as local government has no authority to impose fines or penalties for infractions of regulations.

Pelham residents have been complaining to Health Canada consistently and as Dean Allison West Niagara MP said "it's up to Health Canada to regulate and enforce its regulations but not much of that happens". (Benner May 30, 2018)

Of course, there will be an impact on residents and residential life. It would be naïve to suggest otherwise with chain link fencing, nighttime security lighting, motion detection, truck traffic and emissions from this industrial facility and the very real possibility of expansion.

Systems theory states that change in one part of a system **will effect** change in the other parts.

Questions:

1. At the Dec. 2018 council meeting Councilor Reilly did not participate in the vote declaring "conflict of interest due to personal stock investments". In the June 2019 council meeting Councilor Reilly voted to approve the application. (Niagarathisweek.com Dec. 2018; June 2019) Has Councilor Reilly liquidated his personal stock investments? If he did not why was he allowed to vote?
2. In case of fire from flammable substances used in production and processing, what plans does the Township have to provide fast and efficient fire department response?
3. What strategies does the Township have in place to manage complaints arising from the production and processing of cannabis at this site or any other site in West Lincoln?
4. Has the Township contacted the Ontario Real Estate Board to investigate the devaluation of residential property due to the proximity of the cannabis facility? How does Council justify having a cannabis production/processing facility with the knowledge that residents will be penalized financially should they wish to sell their property?
5. Why hasn't council refined the by-laws to prevent these types of facilities from being built in rural residential areas?

SCHEDULE "E" TO THE AUGUST 12, 2019 COUNCIL MINUTES

Conclusion:

I understand the Gibson's entrepreneurial endeavors and the desire for capital gain.

I also fully understand that rural residents did not choose to have industry in their neighborhood and fiercely want to maintain the rural character of their neighborhood.

What I don't understand is how the pursuit of capital gain in the cannabis industry is more important than the quality of life for an entire community?

The application for a micro cultivation facility at 9003 Concession 5 Rd. should be denied. The production and processing of cannabis is an industrial activity and should take place on industrial zoned land, on land designated agricultural completely isolated from any rural settlement community and completely outside of land designated as ECA or EPA.

The risk that this facility will graduate from a micro cultivation facility to a much larger standard facility is too great. The disruption it would cause with known pollutants is unacceptable.

"Commercial marijuana production and processing facilities are not compatible with rural neighborhood character. They also endanger the safety of rural residents and eco-functioning....due to potentially harmful social and environmental impacts zoning of cannabis operations in rural residential areas is **irresponsible** and should be limited to commercial or industrial zones only" (Brisham-Horkings, 2017)

SCHEDULE "E" TO THE AUGUST 12, 2019 COUNCIL MINUTES

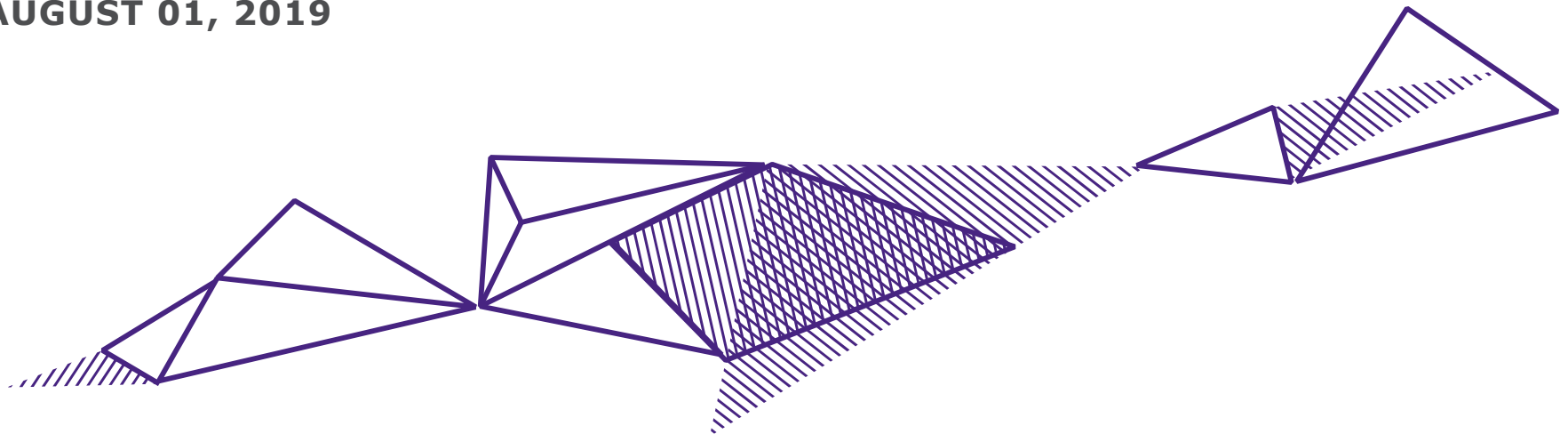
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Regional Governance Review Survey Presentation of Findings

REGION OF NIAGARA

AUGUST 01, 2019

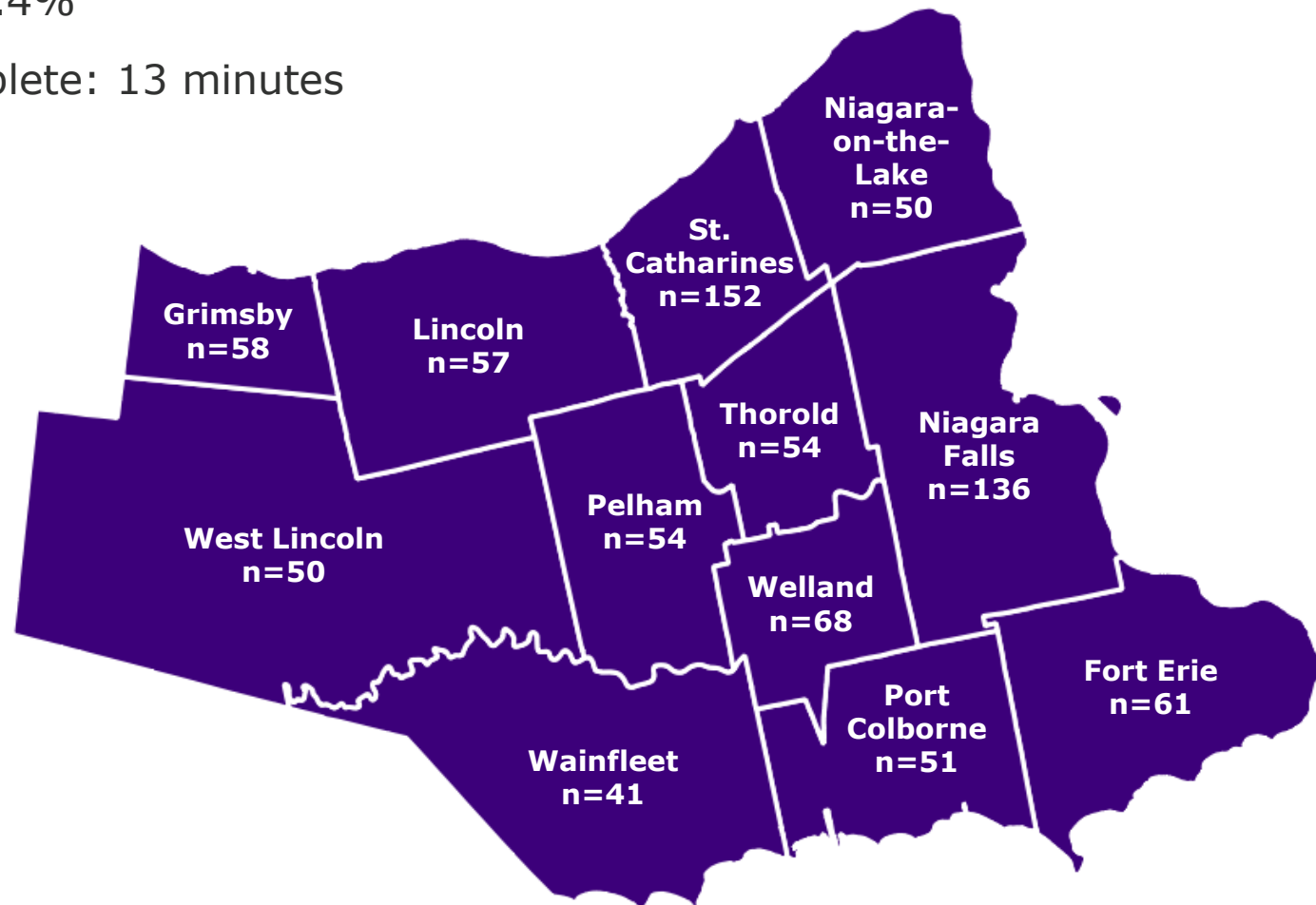


METHODOLOGY

A telephone survey was conducted with a representative sample of Niagara Region residents between May 30 – June 17, 2019:

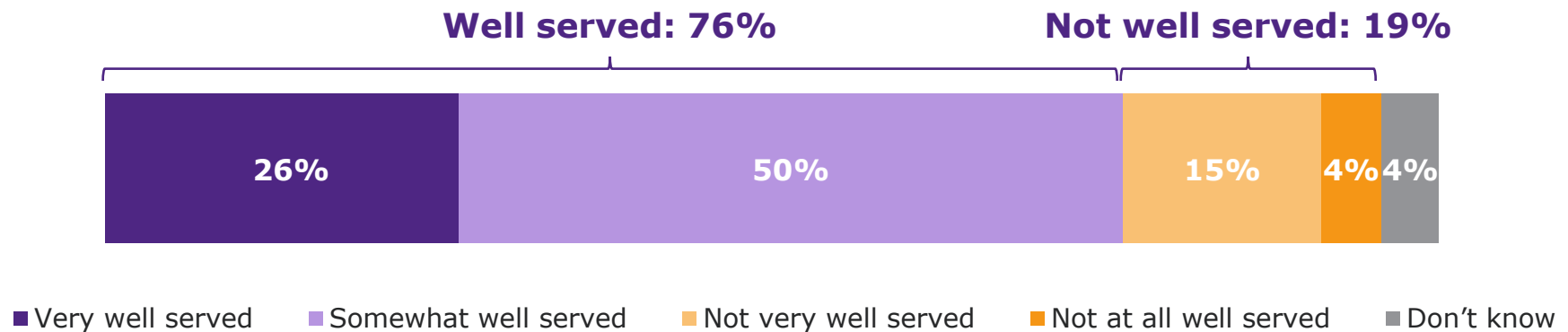
- Total N: 832
- Margin of error: +/- 3.4%
- Average Time to Complete: 13 minutes

	Actual sample (unweighted)	2016 Census (weighted)
Gender		
Men	45%	48%
Women	55%	52%
Age		
18-34	12%	24%
35-54	22%	31%
55+	66%	45%



DELIVERY OF TWO-TIER GOVERNMENT

Three-quarters of Niagara Region residents feel well-served by the current two-tier structure of municipal government.

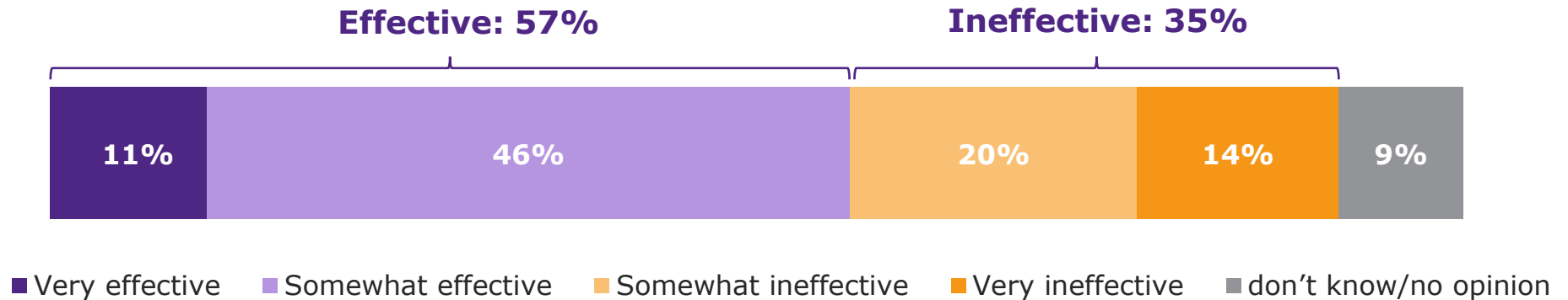


Q1. As you may know, <Municipality> residents are served by two levels of municipal government: <Municipality>, providing local services such as fire services, parks and recreation and community centres, and Niagara Region, which provides services across a broader geography such as emergency medical services, policing, public health, seniors services, and waste management. How well do you feel <Municipality> residents are being served by this current two-tier structure of municipal government?

Base: all respondents (n=832)

EFFECTIVENESS OF GOVERNANCE STRUCTURE

A majority of residents feel that the current structure of elected officials is effective at representing their interests when making decisions for Niagara Region.



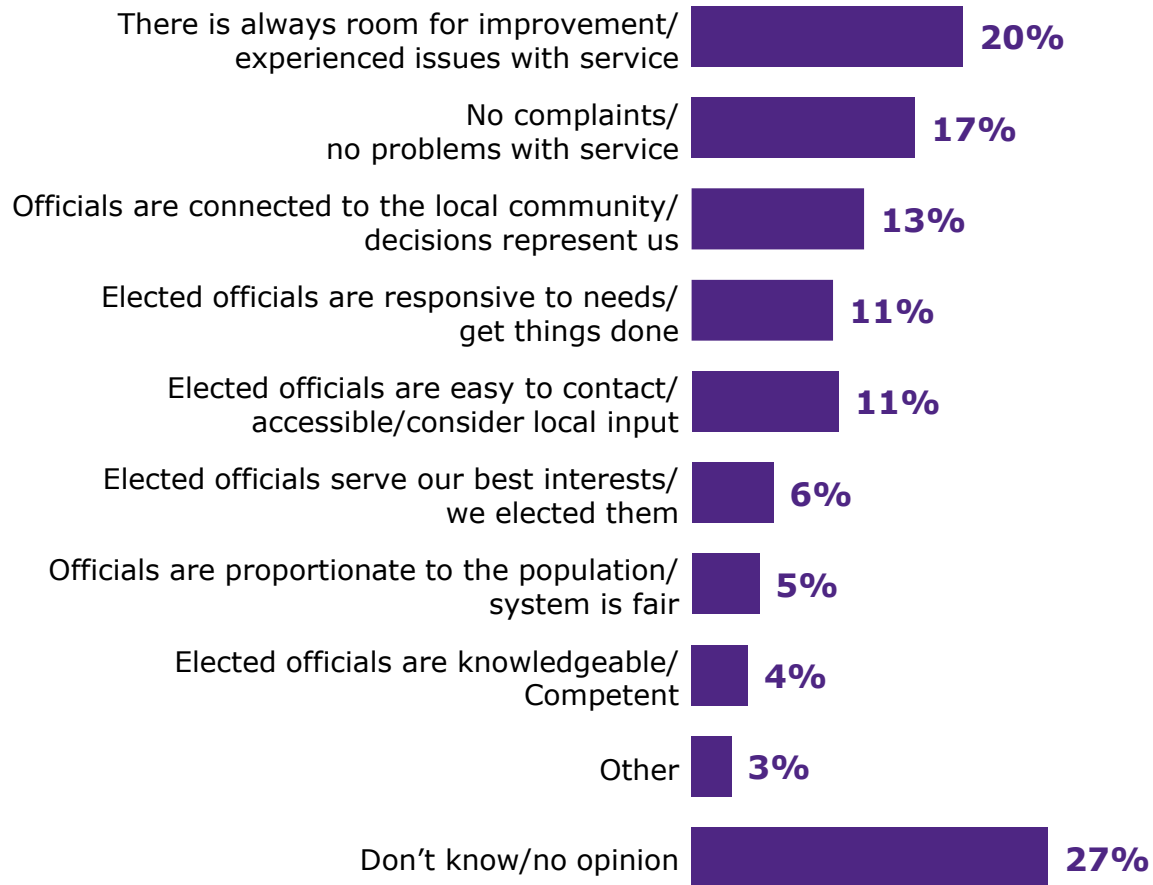
Q2. Niagara Region is made up of five cities, five towns and two townships, each of which have elected local councils governing them. Each community also elects Regional councillors, who along with the elected mayor, make decisions for Niagara Region. The number of regional councillors elected depends on the size of the community. <Municipality> has <number of regional councillors>.

Setting aside your political views, how effective or ineffective do you feel this structure of elected officials is at representing your interests when they are making decisions for Niagara Region?

Base: all respondents (n=832)

REASONS FOR EFFECTIVENESS

Residents who consider the current structure effective say that there is always room for improvement, that they have no complaints, or that officials are connected to and represent the local community.

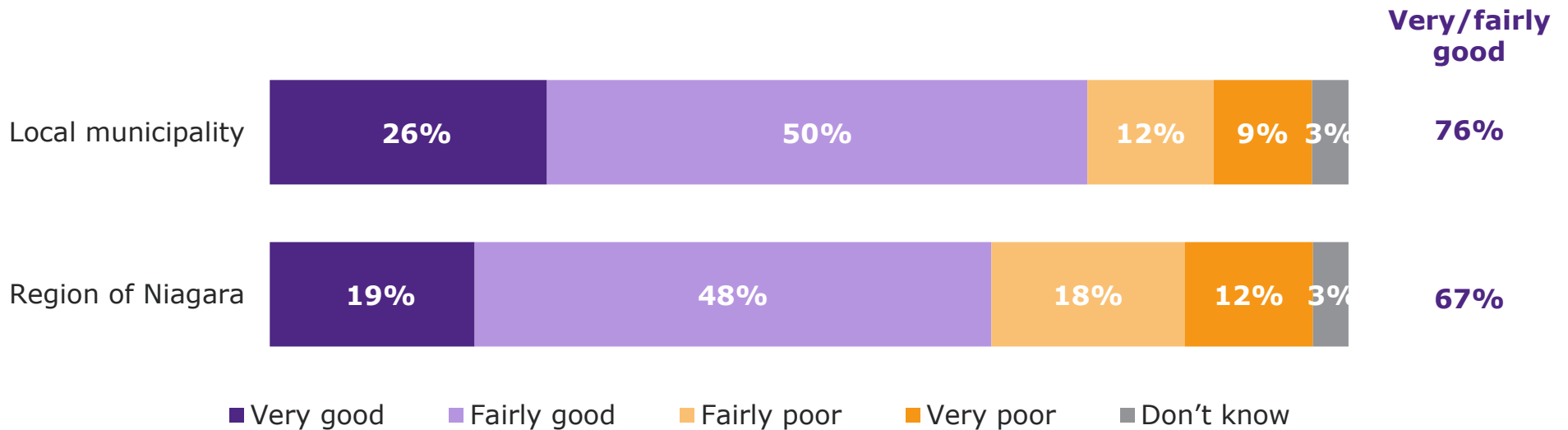


Q3A. Why do you say the structure of elected officials is effective at representing your interests when they are making decisions for Niagara Region?

Base: current structure is effective (n=466)

VALUE FOR TAX DOLLARS

Three-quarters of residents say they receive good value for their tax dollars from their local municipality, while two-thirds say the same of Niagara Region.



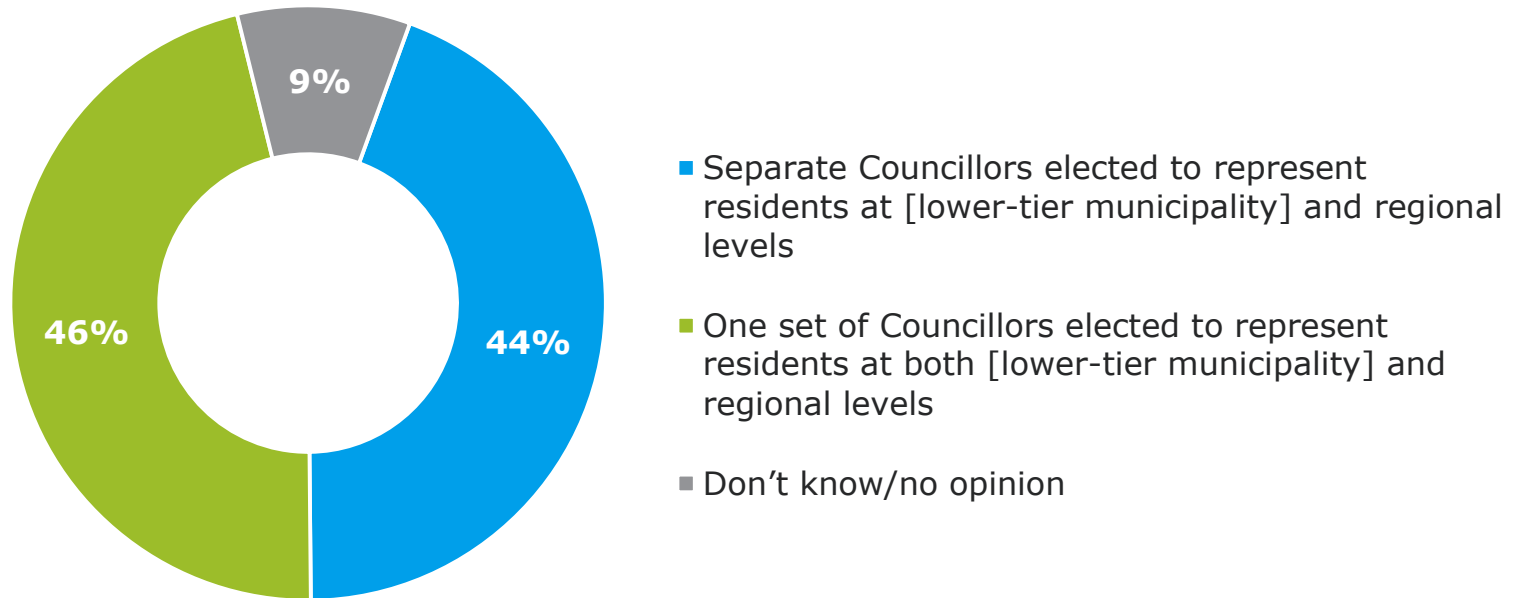
Q4. Thinking about all the programs and services you receive from <municipality>, would you say that, overall, you receive very good, fairly good, fairly poor or very poor value for your tax dollars?

Q5. And thinking about all the programs and services you receive from the Region of Niagara, would you say that, overall, you receive very good, fairly good, fairly poor or very poor value for your tax dollars?

Base: all respondents (n=832)

REPRESENTATION PREFERENCE

Niagara Region residents are closely split between a preference for separate councillors elected at the lower-tier and regional level and one set of councillors elected for both.

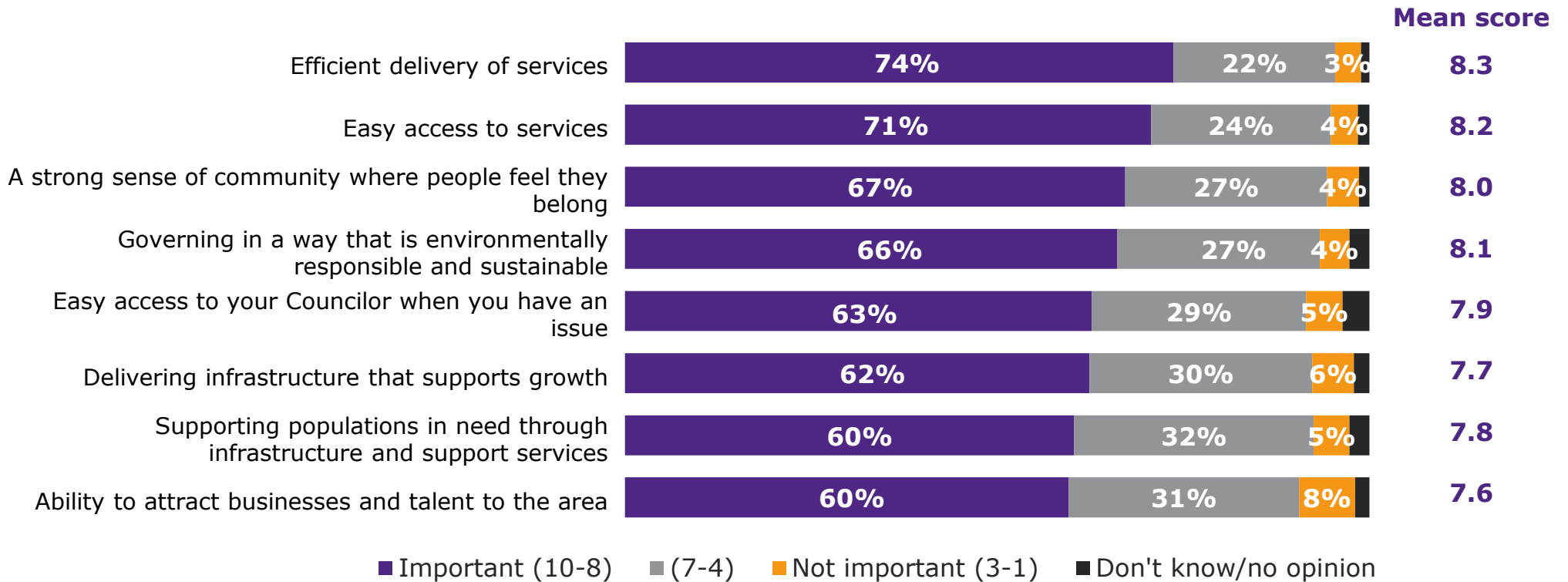


Q6. When you think about how you are represented at both the <town/city/township> and Regional levels, which scenario would you prefer?

Base: all respondents (n=832)

CITIZEN PRIORITIES

When considering aspects of local government that are of importance, Niagara Region residents prioritize efficient delivery and easy access to services.



Q8-Q15. Using a ten-point scale where one means “not at all important” and ten means “extremely important”, please indicate how important each of the following are to you personally when thinking about your local government.

Base: all respondents (n=832)

DEFINITIONS OF POTENTIAL STRUCTURES

Residents were given the following descriptions of potential municipal governance structures before proceeding to subsequent questions.

As you may know, the provincial government is currently undertaking a review of the governance, decision-making and service delivery functions of Ontario's regional municipalities, including the Niagara Region and its twelve municipalities. Some possible outcomes from this review could include the following:

Current Structure. The province may decide to leave the current structure in place where the <municipality> remains a lower-tier municipality within Niagara Region. Each level of government would retain responsibility for delivery of services.

Partial amalgamation. A scenario that combines some Niagara area municipalities into larger municipal governments which are responsible for delivering services within the new municipality.

Total amalgamation. A scenario whereby the 12 municipalities within the Niagara Region are brought together into one central government which has the sole responsibility for administering services across a new amalgamated geography.

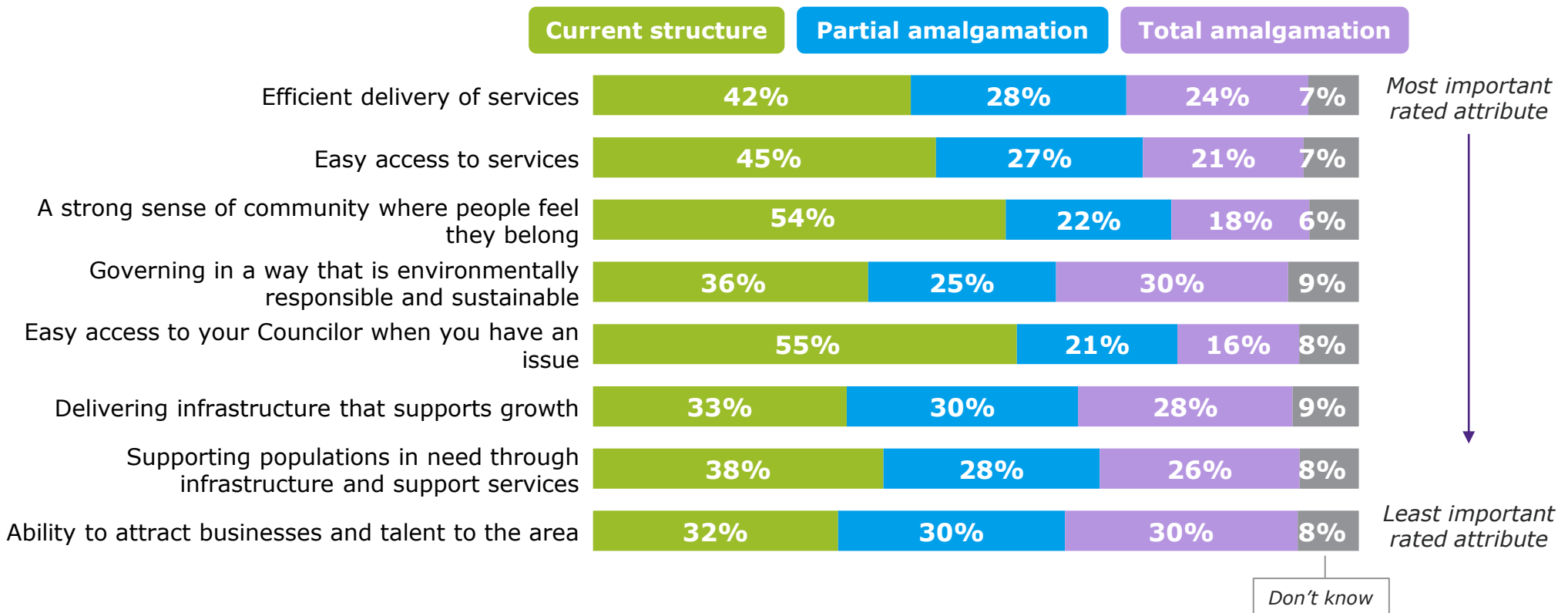
I'd like to ask you about the different aspects of municipal governance and administration discussed earlier and get your sense of which of these three municipal models you think would do the best job of delivering services in a way that meets your expectations.

To recall, the three options are:

- The **current structure**, or two-tier model, in place now in Niagara Region;
- The **partial amalgamation** of a few municipalities into one municipality
- A **total amalgamation** of all of the municipalities currently within Niagara Region.

PREFERRED GOVERNMENT STRUCTURE

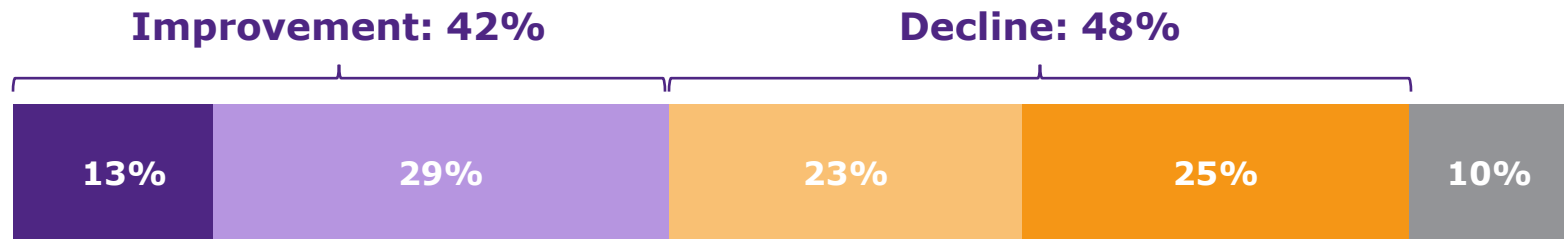
Majorities of residents express a preference for the current structure when considering delivering a strong sense of community and providing easy access to Councillors.



Q16-Q23. Which of the three models would do the best job of...
 Base: all respondents (n=832)

EFFECT OF LARGER GOVERNMENT ON SERVICES

Overall, residents are closely split in their expectations of the quality of service delivered if their local municipality became part of a larger municipal structure. A plurality lean towards an expectation of a decline in service, of which one-quarter anticipate the decline would be significant.



■ A significant improvement ■ A moderate improvement ■ A moderate decline ■ A significant decline ■ Don't know/no opinion

Q24. If [MUNICIPALITY] was reorganized to make it larger would that result in an [improvement/decline] in the quality of service delivery to [MUNICIPALITY]?

Base: all respondents (n=832)

Key Takeaways

- ▶ Residents generally express **confidence in the current state** of representation in Niagara Region; they feel well-served by current political representation, feel their interests are well represented by the two-tier system and derive value for the taxes they pay to both tiers of municipal government.
- ▶ There are small pockets of evidence of a **limited appetite for some changes** to the two-tier system. A significant proportion of Niagara Region residents anticipate efficiencies derived from one set of councilors to represent residents at both municipal levels. However, this sentiment is limited as it runs into opposition from a majority of residents who believe a larger government will result in a decline in service delivery and who strongly oppose any increase in property taxes to fund a new, larger municipality.
- ▶ Support for the current government structure translates into confidence that **existing representation can best deliver important services and community character**. Amalgamation scenarios receive diffused support for the delivery of some municipal responsibilities, however the overall tone of support for the current structure and pronounced opposition to any changes that would negatively impact service delivery or taxation suggest that resistance to change would be vocalized should amalgamation be imposed throughout the region.

Regional Councillors Remarks = Aug 12/2019

- Just a couple of quick updates this evening
* I received concerns of excessive speeding around and through Carletonville. I reached out to Staff Sergeant Rom Diegedio to bring this concern to his attention. Rom replied and assured that Officers focus on this area over ~~the~~ on enforcement.

(Commissioner, Community Service)

- I met with Adrienne Jugley and her staff on Aug 7th. We discussed the past support from the Region for FORT through the Niagara Prosperity Initiative. We talked about future support for FORT that would make the organization sustainability. Regional staff were going reachout to Beth Shaw (director of FORT) to assist her in finding more sustainable funding. I would like thank the community for their support for Smithville's center.

- ^{high light at} At our Public Works meeting we approved spending 500,000 to upgrade to improve sorting of recycling to achieve higher

value for recycled products. It will also increase flow through of materials, the projected return on investment is 2.5 yrs.

- High light of our planning meeting was a presentation from the Niagara Gateway Info Center. Brian Purdy GM, gave us an overview with an estimated 2.7 million visitors to the center. The number of cars on the QEW passing the Gateway is 44 million. The Region supports this initiative through paying for the rental space. The ~~West~~ Niagara West Tourism Association works towards promoting the Niagara Region in its entirety. Creating exposure to many businesses ~~that~~ that need exposure to tourists entering the Region from abroad.

**THE CORPORATION OF THE
TOWNSHIP OF WEST LINCOLN
SPECIAL COUNCIL MINUTES**

Appeal Hearing with Respect to a Notice to Muzzle

Under By-Law Number 2011-44, Being a By-Law to Provide for the Licensing, Control and Regulation of Dogs

MEETING # THIRTEEN HELD: Monday, August 12, 2019 – Township Administration Building, 318 Canborough Street, Smithville, Ontario, Ontario - 6:00 p.m.

PRESENT:

Appeal Committee

/Members of Council:

Mayor Dave Bylsma – Chair
Councillor Christopher Coady
Councillor Cheryl Ganann
Councillor Mike Rehner
Councillor Jason Trombetta

Administration:

Bev Hendry, CAO
Joanne Scime, Clerk
Brian Treble, Director of Planning & Building

Appellant & Owner of Dogs:

Ian Jenkins

Niagara SPCA:

Kaitlin Webber, Animal Control Officer/Investigator
Amanda Ellis, Enforcement Manager/OSPCA Inspector

Others:

Albert Witteveen, Regional Councillor
Jowett Lau, Phelps Homes
Ian Jenkins
Les Lipiec
Denise Ellis
Mike Ellis
G. Nardini
S. Karpyshyn
L. Campea
D. Lawrence
S. Lawrence
M. Kaplaniak
Jeff Tenhage
Olivia Hughes
Heather Sewell
Bill Minnick
Carole Minnick
Dan Gabriel
And Approximately 10 other Members of the Public

Media:

Beth Audet, Grimsby Lincoln News

Absent: Councillor Harold Jonker (with regrets—notification provided)
Councillor William Reilly (with regrets—notification provided)

* IN ATTENDANCE PART TIME

ORDER OF BUSINESS:

1. Chair, Dave Bylsma

The Chair called the meeting/hearing to order and made the following introductions:

Members of Council
Bev Hendry, CAO
Joanne Scime, Clerk
Brian Treble, Director of Planning & Building
Kaitlin Webber, Niagara SPCA
Amanda Ellis, Niagara SPCA

The Chair asked the Appellant to introduce himself.

Ian Jenkins introduced himself.

The Chair stated that the victim of the dog bite was Mr. Michael Rzepczyk who had emailed the Clerk earlier today and advised that he will be unable to attend this evening's Appeal Committee meeting.

2. Declaration of Conflict of Interest

There were no declarations of conflict of interest made by any Member of the Appeal Committee/Member of Council.

3. Purpose of Meeting and Decision of the Appeal Committee

The Chair read the following statement:

This hearing is being held to hear an appeal of a "Notice to Muzzle" by the Appellant/Dog Owner, Mr. Ian Jenkins in accordance with Section 105 of the Municipal Act, 2001 and Section 13 of West Lincoln By-Law # 2011-44, being a By-Law to provide for the Licensing, Control and Regulation of Dogs:

Section 13(c) of By-Law # 2011-44 provides as follows:

Upon receipt of the application for a hearing from an owner of the alleged vicious dog, the Clerk shall convene a meeting of the Appeal Committee and shall give the owner of the dog, any material witness relevant to the declaration, the victim, if any, and the agency which declared the vicious dog and issued the Notice to Muzzle, 7 days written notice, by personal service or express post mail of the time, date and location of the hearing.

Section 14 of By-law 2011-44 outlines the process as it relates to a decision of the Appeal Committee. Sections (a), (b) and (c) of Section 14 provide as follows:

- (a) The Appeal Committee shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than 10 days following the date of the hearing.
- (b) The decision of the Appeal Committee is final and binding.
- (c) The Appeal Committee shall confirm the vicious dog declaration and order, or exempt the owner of the dog from any of the muzzle, restraining or leashing requirements, or all, or dispose of an appeal by Consent Order.

4. Confirmation of Notice of Hearing with Respect to a Notice to Muzzle

The Chair requested that the Clerk advise of the method and date by which written notice was provided regarding the time, date and location of this hearing.

The Clerk advised that proper notice was given by way of individual notice sent by mail and email dated July 30, 2019.

5. Information relating to the Incident that is the subject of this Hearing Details:

The Chair advised of the following:

- Date of incident: June 11, 2019
- Appellant of the Muzzle Order: Ian Jenkins (Applicant/Dog Owner)
- Niagara SPCA Investigator: Kaitlin Webber
- Victim: Michael Rzepczyk

6. Evidence relating to the Incident that is the subject of this Hearing Documentation:

The Chair read the following list of evidence that was submitted relating to the incident that was the subject of this Hearing.

- (a) Notice of Hearing dated July 30, 2019 (1 page)
- (b) Copy of Letter received June 28, 2019 from Ian Jenkins requesting a Hearing with Respect to a Declaration of a Vicious dog and Notice of Muzzle Order Including Receipt of Appeal Hearing Fee (2 pages)
- (c) Copy of Ontario Society for the Prevention of Cruelty to Animals – Occurrence Report - Investigation # 15666 issued by Welland & District SPCA – Kaitlin Webber, Investigator – “Date Received by Email: July 15, 2019” (2 pages)
- (d) Copy of Email sent by Michael Rzepczyk to Welland & District Humane Society – Dated June 12, 2019 – Time: 2:36 p.m. (1 page)
- (e) Copy of Niagara SPCA and Humane Society Animal Services Synopsis – Muzzle Appeal– “Date Received by Email: July 15, 2019” (1 page)
- (f) Copy of Niagara SPCA and Humane Society Animal Services Handwritten Notes by Kaitlin Webber, Animal Control Officer – “Date Received by Email: July 15, 2019” (1 page)

- (g) Copy of Niagara SPCA and Humane Society Animal Services Order to Muzzle – Vicious Dog (Daisy) – Issued by Kaitlin Webber, Animal Control Officer on June 21, 2019 – “Date Received by Email: July 15, 2019” (1 page)
- (h) Copy of Niagara SPCA and Humane Society Animal Services Order to Muzzle – Vicious Dog (Mo) – Issued by Kaitlin Webber, Animal Control Officer on June 21, 2019 – “Date Received by Email: July 15, 2019” (1 page)
- (i) Copy of Statement & Pictures from Ian Jenkins (Dog Owner/Applicant) – Received by Email on August 6, 2019 (15 pages)
- (j) Copy of extracts from Township of West Lincoln By-law Number 2011-44 (which provides for the Licensing, Control and Regulation of Dogs), relating to this issue (4 pages)

NOTE: The Chair noted that some personal information has been redacted from the information provided above.

7. Statement & Evidence of Animal Control Officer with Respect to Service of Notice to Muzzle

The Chair asked the Animal Control Officer to come forward to the table and provide her statement and evidence in support of why she has designated Mr. Jenkins’ dogs to be dangerous and issued a muzzle order. The Chair asked her to state her name.

Kaitlin Webber came forward, stated her name and took her oath which was administered by Brian Treble.

Ms. Webber gave her statement which included a history of the events relating to her response to the call with respect to this matter.

8. Opportunity to Question - Statement & Evidence of Animal Control Officer

The Chair asked the Appellant//Dog Owner if he wished to question the Animal Control Officer.

The Appellant/Dog Owner advised that he did not wish to question the Animal Control Officer.

The Chair asked if any Members of Council wished to question the Animal Control Officer.

Councillor Ganann questioned whether there had been a previous muzzle order placed on Mr. Jenkins’ dogs or were the muzzles that were on the dogs at the time Mr. Rzepczyk was bitten something that was done voluntarily.

Ms. Webber confirmed that Mr. Jenkins had muzzled the dogs voluntarily; however, she noted that there was a previous incident that had occurred at which time Mr. Jenkins was spoken to and had agreed to muzzle his dogs, which were farm working dogs that protected the property. Ms. Webber noted that Mr. Jenkins had put forth the right precautions; however, the only issue was that the muzzles that were placed on the dogs were not the correct type of muzzle.

In response to Councillor Coady's inquiry regarding whether there were vicious dog signs posted on Mr. Jenkins' property as noted in Mr. Rzepczyk's statement, Ms. Webber confirmed that there were two signs posted on the property.

9. Statement by the Victim of the Dog Bite

The Chair advised that Mr. Rzepczyk had provided a written statement by email to the Clerk earlier today, which had been distributed to Members of the Appeal Committee, Mr. Jenkins, Ms. Webber and Ms. Ellis of the Niagara SPCA by email. The Clerk read the statement from Mr. Rzepczyk into the record, which is attached to the minutes as **Schedule "A"**.

10. Statement & Evidence of other Witnesses (IF ANY) with respect to the Animal Control Officer's Case

The Chair asked if there were any other witnesses in support of the Animal Control Officer's case.

There were no other witnesses in support of the Animal Control Officer's case.

11. Statement & Evidence of Appellant/Dog Owner

The Chair asked the Appellant/Dog Owner to come forward to the table and provide his statement and evidence in support of why his dogs should not be considered dangerous and vicious and should not be muzzled. The Chair asked the appellant/dog owner to state his name prior to speaking.

Mr. Ian Jenkins came forward and stated his name. Mr. Jenkins took his oath which was administered by Brian Treble.

Mr. Jenkins advised that he has a farm and that "Mo and Daisy" were working dogs and since he got "Mo", four years ago, he has not lost a single animal. Mr. Jenkins advised that his neighbours have lost their entire flock of birds to coyotes in one night. Mr. Jenkins stated that the dogs need to be free to protect the property and that he will be getting goats soon to add to his farm and with coyotes being in the area, he needed his dogs to protect his farm animals. Mr. Jenkins advised that he has had "Mo" for four years and that he got "Daisy" last November who is fairly new to the property and he was still teaching her duties on the property. Mr. Jenkins noted that Maremma Dogs have been bred for hundreds of years and provide protection to its property (i.e. barking) to warn off a stranger or possible intruder. Mr. Jenkins stated that if a stranger/intruder proceeds to move towards their property, the dogs have been trained to act more aggressively, which was what had happened with the incident involving Mr. Rzepczyk. Mr. Jenkins stated that Mr. Rzepczyk was advised repeatedly that when he arrived at the driveway of his home, which was barricaded, he was to call him before coming onto the property any further beyond the barricade. Mr. Jenkins stated that he has barricaded his driveway and installed "No Trespassing" signs; however, Mr. Rzepczyk drove around the barricade and came up to his house at which time the dogs came out and started barking and he continued to get out of his vehicle anyways. Mr. Jenkins noted that the dogs were doing their job in protecting the property from a stranger. Mr. Jenkins stated that once the dogs are introduced to a person they are fine as they often have neighbours and friends over visiting and they do not pose any threat; however, when a person that they don't know comes onto the property than

they see it as a threat and become aggressive. Mr. Jenkins stated that the electronic fence that was on his property was a training device and was never intended to be a permanent stop as the dogs could charge over the electronic fence but they choose not to. Mr. Jenkins stated that the dogs are very territorial and once they learn their property they are good at staying on their property. Mr. Jenkins agreed that “Mo” did overreact as he is an “Alpha type” dog and that he was concerned once he bit the first time that there could be potential for him to bite again. Mr. Jenkins stated that he has since put “Mo” down as he felt it was in the best interest of the community. Mr. Jenkins noted that “Daisy” is not yet two years old and was still learning the property and her role. Mr. Jenkins noted that “Daisy” was a different dog from “Mo” and that in his opinion “Daisy” was not a vicious dog or a danger to anyone. Mr. Jenkins stated that he has also erected a fence to keep “Daisy” in the backyard and that she will only be outside of the fence when he or family members that she knows are present.

12. Opportunity to Question – Appellant/Dog Owner

The Chair asked if the Animal Control Officer wished to question the Appellant/Dog Owner.

The Animal Control Officer did not wish to question the Appellant/Dog Owner.

The Chair asked if any Members of Council wished to question the Appellant/Dog Owner.

No Members of Council wished to question the Appellant/Dog Owner.

13. Statement & Evidence of Witness in support of Applicant’s/Appellant’s Case

The Chair asked if there were any witnesses in support of the Appellant/Dog Owner’s case and asked them to come forward to the table and provide their statement.

There were no witnesses that came forward in support of the Appellant/Dog Owner’s case.

14. Public Input regarding the Appeal

The Chair asked if any Members of the Public wished to come forward to the table and provide their input. The Chair asked them to state their names.

Mr. Douglas Lawrence came forward, stated his name and took his oath which was administered by Brian Treble.

Mr. Lawrence advised that he attended this evening’s Appeal Meeting as there had been rumours in the community that all dogs were going to have to be muzzled. Mr. Lawrence noted that West Lincoln was a farming community and that when a person who owns a farm has to put down his dog because it was protecting his livelihood because an irresponsible person decided to go past a barricade and signs that stated “no trespassing”, then it was a pretty sad day for the appellant, his dog and this municipality. Mr. Lawrence noted that he had a German Shepherd dog when he was fifteen years old and a police officer walked past two “no trespassing” signs that were posted on the property and the dog bit the bottom of his pant leg. Mr. Lawrence advised that the police officer took him to court demanding that the dog be put down;

however, the Judge advised the police officer that he needed to learn to read. Mr. Lawrence noted that farmers cannot use firearms to protect their property and that the only way that they can protect their livestock/property was to have a proper type dog(s) that can alert and scare away predators.

15. Opportunity to Question - Member of the Public who provided input regarding the Appeal

The Chair asked if the Animal Control Officer wished to question the Members of the Public who provided input.

The Animal Control Officer did not wish to question the member of the public that spoke.

The Chair asked if any Members of Council wished to question the Member of the Public who provided input.

Members of Council did not wish to question the member of the public that spoke.

The Chair asked if the Appellant/Dog Owner wished to question the member of the public who provided input.

The Appellant did not wish to question the member of the public that spoke.

16. Rendering of a Decision by the Appeal Committee

The Chair advised that Members of Council will deliberate the merits of the evidence presented and will render their decision or will reserve their decision which will be presented at a later date, which shall not be later than 10 days following the date of this hearing.

The Chair advised that a written copy of the decision or the Consent Order will be prepared, as soon as practicable after the conclusion of this hearing, and will be mailed and emailed to the Appellant at the address shown on his application, as well as to the victim of the dog bite, Niagara Regional Police, Regional Public Health Department, the Township, the Niagara SPCA and Members of Council.

CONFIDENTIAL MATTERS:

Moved by Councillor Christopher Coady and seconded by Councillor Mike Rehner:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

1. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and,
 2. personal matters about an identifiable individual, including municipal or local board employees;
- Carried (6:25 p.m.)

Members of Council noted as present, the CAO and the Clerk were in attendance for the closed session portion of the meeting.

Moved by Councillor Cheryl Ganann and seconded by Councillor Christopher Coady:

That, this Special Council meeting does now resume in open session at the hour of 6:32 p.m.

- Carried

(a) Clerk

Re: Motion to deal with Appeal of Muzzle Order/Dangerous Dog Declaration submitted by Brian and/or Patricia Huizinga

Moved by Councillor Mike Rehner and seconded by Councillor Jason Trombetta:

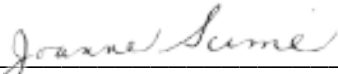
That the appeal submitted by Ian Jenkins against a Muzzle Order issued by the Welland & District Humane Society for his Maremma Dog (Daisy) be received; and,

That the declaration of a vicious dog and Muzzle Order issued by the Welland & District Humane Society be and is hereby dismissed and the Appeal is granted.

- Carried

17. Adjournment of Hearing

The Chair declared the Hearing adjourned at the hour of 6:34 p.m.



JOANNE SCIME, CLERK

MAYOR DAVE BYLSMA, CHAIR

SCHEDULE "A"
to the August 12, 2019
Special Council Minutes – Notice of Muzzle Hearing

August 12, 2019
Sent by Email

Hi Kaitlin & Joanne,

I have just returned from vacation. For a variety of reasons I am unable to attend this meeting.

I have reviewed Mr. Jenkins statement. He is correct that I had previously scheduled a meeting for June 11 with him by phone. He is correct in the presence of a dog house and a upside down table on the laneways as a blockade(see photo).

I don't have specific recollection of his attendance instructions as outlined in his statement from our initial discussion. I ordinarily would have made notation of the same. Perhaps he did make such statement but it is strange that I don't have notation of the same. Nonetheless he was aware I was attending his place that day.

When I called him on June 11 to advise I was running late for our scheduled appointment, he didn't answer the phone (I left a vm). The second call I placed after I was bit also wasn't answered. It was only on the third call that day that he answered the phone as he has been working in the back field taking down some bush/trees.

I have been in my line of work for nearly 20 years and regularly attend properties on a daily basis as I did at Mr. Jenkins. Many of these properties will have dogs on the property. This was the first time I have ever been bitten by a dog when attending such appointment.

Despite the one dog being muzzled it was still able to nip at my wrist and break the skin. Had it not been muzzled (from what I understand is from a prior order) I'm sure the bite would have been worse. I understand that the dogs remain on the property due to the presence of a hidden fence however it may only be a matter of time before the dogs learn to break free of this and/or are able to chase a cyclist/pedestrian should the fence be inoperable (say due to a power outage).

I have no doubt that his dogs are kind and protective of what is presumably his immediate family as depicted in his photos. However none of my actions were out of the ordinary for a visitor to any premises and did nothing to provoke or agitate the dogs.

Regards,

Michael Rzepczyk,



**THE CORPORATION OF THE TOWNSHIP
OF WEST LINCOLN**

**SPECIAL COUNCIL MINUTES
ORIENTATION/TRAINING - PART VI**

MEETING NO. THIRTEEN HELD: Wednesday, September 11, 2019 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 6:02 p.m.

- PRESENT:**
- Council:** Mayor Dave Bylsma
Councillor Cheryl Ganann
Councillor Harold Jonker
Councillor William Reilly
Councillor Jason Trombetta* (refer to page 3)
- Staff:** Bev Hendry, CAO
Joanne Scime, Clerk
Donna DeFilippis, Treasurer/Director of Finance*
Brian Treble, Director of Planning & Building*
Mike DiPaola, Director of Public Works & Recreation*
Dennis Fisher, Fire Chief*
Vanessa Holm, CEO – West Lincoln Public Library*
Else Khoury, Deputy Clerk*
- Others:** Linda Papadopoulos, Vice President Corporate Risk, Pearson
Dunn*
Nancy Au, Vice President Sports and Recreation - Pearson
Dunn*
Colin Smith, Account Manager, Frank Cowan Co.*
Meaghan Barrett, Aird & Berlis LLP*
- ABSENT:** Councillor Christopher Coady (No Notification Provided)
Councillor Mike Rehner (absent with regrets – notification prvd)

* IN ATTENDANCE PART TIME

1. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:

There were no disclosures of pecuniary interest and/or conflict of interest declared by any Member of Council.

2. CONFIDENTIAL MATTERS:

Moved by Councillor Harold Jonker and seconded by Councillor Cheryl Ganann:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

- (a) Linda Papadopoulos, Vice President Corporate Risk, Nancy Au, Vice President Sports and Recreation - Pearson Dunn Insurance Inc. & Colin Smith, Account Manager, Frank Cowan Co. (Township's Insurance Broker and Account Manager)
Re: Township's Insurance Program, Corporate Risk Management, User Group Insurance, etc.

Applicable closed session exemption(s):

- The meeting is held for the purpose of educating or training the members;
- At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

- (b) Meaghan Barrett, Aird & Berlis LLP (Township's Integrity Commissioner)
Re: PowerPoint Presentation - Code of Conduct, the Municipal Conflict of Interest Act and the Role of Integrity Commissioner

Applicable closed session exemption(s):

- The meeting is held for the purpose of educating or training the members;
- At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

- (c) CAO (Bev Hendry)
Re: Report No. CAO-RFD-03-19 – Collective Agreement – CUPE Local 1287

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employees; and,
- Labour relations or employee negotiations.

- (d) CAO (Bev Hendry)
Re: Non-Union Personnel

Applicable closed session exemption(s):

- Personal matters about an identifiable individual, including municipal or local board employees; and,
- Labour relations or employee negotiations (6:06 pm).

- Carried.

All Members of Council as noted in attendance, with the exception of Councillor Trombetta who left the meeting at approximately 7:41 p.m. as well as the CAO and Clerk were in attendance for discussion of all closed session items. The remaining staff members and others were in attendance for portions of closed session deliberations as noted below.

Moved by Councillor Cheryl Ganann and seconded by Councillor Harold Jonker:

That, this Council meeting does now resume in open session at the hour 9:41 p.m.

- Carried.

- (a) Linda Papadopoulos, Vice President Corporate Risk, Nancy Au, Vice President Sports and Recreation - Pearson Dunn Insurance Inc. & Colin Smith, Account Manager, Frank Cowan Co. (Township's Insurance Broker and Account Manager)
Re: Township's Insurance Program, Corporate Risk Management, User Group Insurance, etc.

Ms. Papadopoulos, Ms. Au and Mr. Smith left meeting following their presentation at approximately 6:58 p.m.

Council rose without reporting.

- (b) Meaghan Barrett, Aird & Berlis LLP (Township's Integrity Commissioner)
Re: PowerPoint Presentation - Code of Conduct, the Municipal Conflict of Interest Act and the Role of Integrity Commissioner

The Fire Chief left the meeting at approximately 7:30 p.m. to attend a meeting of the Fire Department.

Councillor Trombetta advised that he had another engagement to attend which he had provided previous notice to the Mayor and CAO and left the meeting at approximately 7:41 p.m.

Mayor Bylsma called a brief recess at approximately 8:10 p.m. and the Council meeting resumed at approximately 8:17 p.m.

Council rose without reporting.

Ms. Barrett as well as the Director of Planning & Building, the Director of Public Works & Recreation, the West Lincoln Public Library CEO, the Treasurer/Director of Finance and the Deputy Clerk left the meeting following the Integrity Commissioner's presentation at approximately 9:23 p.m.

- (c) CAO (Bev Hendry)
Re: Report No. CAO-RFD-03-19 – Collective Agreement – CUPE Local 1287

Moved by Councillor Harold Jonker and seconded by Councillor Cheryl Ganann:

- (1) That, CAO Report RFD-CAO-03-19, dated September 11, 2019 regarding "Collective Agreement - CUPE 1287" be received; and,
- (2) That, a by-law be presented to Council to authorize the Mayor and Clerk to sign the Collective Agreement and any Schedules and/or related documents to the Agreement.

- Carried.

- (d) CAO (Bev Hendry)
Re: Non-Union Personnel Salaries

Moved by Councillor Cheryl Ganann and seconded by Councillor William Reilly:

That, the CAO be and is hereby directed to proceed as authorized in closed session with respect to personnel matters specifically non-union personnel salaries.

- Carried.

3. BY-LAWS:

Moved by Councillor William Reilly and seconded by Councillor Cheryl Ganann:

That leave be granted to introduce By-law # 2019-78 and that the same shall be considered to have been read a first, second and third time with this one reading, and is hereby adopted; and,

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.

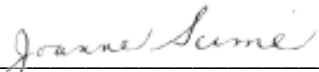
- Carried.

SUMMARY OF BY-LAW:

- (a) By-law 2019-78 To authorize a Collective Agreement between the Corporation of the Township of West Lincoln and the Canadian Union of Public Employees C.L.C. and its Local 1287 (West Lincoln Township Unit)

4. ADJOURNMENT:

The Mayor declared the meeting adjourned at the hour of 9:43 p.m.



JOANNE SCIME, CLERK

MAYOR DAVE BYLSMA

**TOWNSHIP OF WEST LINCOLN
PUBLIC MEETINGS UNDER THE PLANNING ACT
MINUTES**

**AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S
ZONING BY-LAW**

- (a) Zoning By-law Amendment – Louis & Gwen Zeldenrust (Agent – Jeff & Annette Tenhage) – File No. 1601-012-19
- (b) Zoning By-law Amendment & Plan of Subdivision – Dunloe Developments Inc. – File Nos. 1601-022-18 & 2000-087-18

PUBLIC MEETINGS HELD: Monday, August 12, 2019, Township Administration Building, 318 Canborough Street, Smithville – 6:34 p.m.

PRESENT:

Council: Councillor Cheryl Ganann - Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Mike Rehner
Councillor Jason Trombetta

Staff: Bev Hendry, CAO
Joanne Scime, Clerk
Brian Treble, Director of Planning & Building
Alexa Cooper, Planner I

Others: Albert Witteveen, Regional Councillor
Sara Premi, Sullivan Mahoney (Township Solicitor)
Jowett Lau, Phelps Homes
Ian Jenkins
Les Lipiec
Amanda Ellis, Niagara SPCA
Kaitlin Webber, Niagara SPCA
Denise Ellis
Mike Ellis
G. Nardini
S. Karpyshyn
L. Campea
D. Lawrence
S. Lawrence
M. Kaplaniak
Jeff Tenhage
Dave Park
Cathyann White, YMCA Niagara
Sally Southern, YMCA Niagara
Ajay Bhardway, YMCA Niagara
Olivia Hughes
Heather Sewell
Bill Minnick

Carole Minnick
Dan Gabriel
Angela Buonamici, IBI Group
Fred Bosscher
Joyce Bosscher
And approximately 10 Other Members of the Public

Media: Beth Audet, Grimsby Lincoln News

ABSENT: Councillor Harold Jonker (with regret–notification provided)
Councillor William Reilly (with regret–notification provided)

*** IN ATTENDANCE PART TIME**

(a) **PROPOSED AMENDMENT TO THE TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW – Louis & Gwen Zeldenrust (Agent – Jeff & Annette Tenhage) – File No. 1601-012-19**

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34 of the Planning Act as submitted by Louis & Gwen Zeldenrust (File No. 1601-012-19).

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

An application for a Zoning Bylaw Amendment has been made to rezone the property legally described as Concession 7, Part Lot 9, (Parcel 2 on back) and Concession 7, Part Lot 9, Part 1 on 30R-9144 (Parcel 3 on back), formerly in the Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara.

This rezoning application has been submitted to fulfill a condition of consent for Severance File B06/2019WL. The application proposes to rezone ±0.1 hectares of farm land from Agricultural Purposes Only 'APO' and ±0.4 hectares of residential land from Agricultural 'A' to Rural Residential 'RuR' with a site specific exception number. The site specific exception number proposes to permit for an accessory building to be located closer to the front lot line than the main building with a front yard setback of 11 metres whereas accessory buildings are not permitted closer to the front lot line than the main building, and to permit for a 5.5 metre maximum height for an accessory building whereas 5 metres is the permitted maximum. These site specific exceptions are to accommodate an accessory building that the agents (Jeff & Annette Tenhage) intend to build on their property after the consent file has been finalized.

The Chair stated that the Planning Act requires in Section 34(12) that before passing a Zoning By-law Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed Zoning By-law Amendment application. The Chair noted that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed amendment to the Township of West Lincoln Zoning By-law.

The Chair stressed that, at this point, no decision had been made on the proposed amendment to the Township of West Lincoln Zoning By-law which is being considered this evening and that any comments received will be taken into account by Council in their consideration.

The Chair advised that the Planning Act requires in Section 34(13) that Council advise the public that if a person or public body does not make oral submissions at a public

meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Local Planning Appeal Tribunal (LPAT).

The Chair requested that the Clerk advise of the method and dates by which notice of the public meeting was given.

The Clerk advised that proper notice was given to the public by way of individual Notice mailed July 5, 2019. Additionally a yellow sign was posted on the subject property and the notice was posted on the Township's website as well as in the lobby of the Township Administration Building.

The Chair requested the Planner I, Ms. Alexa Cooper, to explain the purpose and reason for the proposed Zoning By-law Amendment as submitted by Louis & Gwen Zeldenrust.

The Planner I reviewed Technical Report No. PD-123-19 dated August 12, 2019 - Zoning By-law Amendment – Louis & Gwen Zeldenrust (File No. 1601-012-19).

The Chair asked if the applicants or their authorized agent was present and wished to speak to the proposed Zoning By-law Amendment application.

The agent, Mr. Jeff Tenhage advised that he was present but had no comments to provide with respect to the application.

The Chair asked if there were any oral or written submissions from anyone present regarding the proposed Zoning By-law Amendment application submitted by the Township of West Lincoln. The Chair advised that this may be the only Public meeting being held with respect to this application; therefore, she noted that if any Members of the Public have comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

There were no oral and/or written submissions from anyone present regarding the proposed Zoning By-law Amendment submitted by Louis & Gwen Zeldenrust.

The Chair asked if any Members of the Council had any oral or written submissions on the proposed Zoning By-law Amendment. The Chair advised that this may be the only Public meeting being held with respect to this application; therefore, she noted that if any Members of the Council had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

There were no questions and/or concerns brought forward by any Members of Council regarding the Zoning By-law Amendment application submitted by Louis & Gwen Zeldenrust.

The Chair advised that a Technical Report was being considered by Council this evening and that a recommendation report will be forthcoming to a future Planning Committee and/or Council Meeting. The Chair further advised that once the Planning Committee and/or Council make a decision with respect to the Zoning By-law Amendment and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair noted that there was an attendance sign in sheet, which is

located on the table near the exit doors, which she requested all present to sign. The Chair noted that when signing the attendance sheet for this evening's Council meeting, those that wished to be advised of any subsequent meetings and/or decisions with respect to the matter should place a check mark in the column marked for the "Zeldenrust" Public Meeting.

The Chair advised that those people who are interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend the meetings. It is suggested that you watch the Township's web site for posting of agendas to review items that will be discussed at a Council and/or Committee meetings. The agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting. Additionally, meeting schedules are also noted on the web site for the public to view. If you wish to receive notices by email, it is suggested that you include your email address with your mailing address and your phone number on the attendance sign-up sheet.

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 6:41 p.m.

(b) **PROPOSED AMENDMENT TO THE TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW & PLAN OF SUBDIVISION – Dunloe Developments Inc. - File Nos. 1601-022-18 & 2000-087-18**

The Chair advised that this public meeting was being held to consider an amendment to consider a Draft Plan of Subdivision and Zoning By-law Amendment Applications submitted by Dunloe Development Inc. for vacant lands immediately west of South Grimsby Road 5, south of the unopened Spring Creek Road allowance and north of the CP Rail Tracks.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

An application for Rezoning and Draft Plan of Subdivision has been received for the property legally described as Part Lot 7 of Plan M98, in the former Township of South Grimsby, now in the Township of West Lincoln. The property is vacant and has no municipal address. It is located immediately west of South Grimsby Road 5, south of the unopened Spring Creek Road allowance and north of the CP Rail tracks. The property is approximately 5.7 hectares.

These applications have been made to allow the site to be developed into 28 Blocks which are proposed to have 22 single detached dwellings, 24 semi-detached dwellings and 90 townhouse dwellings. The applicants are requesting the following:

- A Zoning By-Law Amendment to rezone the property from a Development 'D' Zone to four Residential Medium Density 'RM3' Zones with several site specific exceptions each.
- An application for Draft Plan of Subdivision to create 28 Blocks.

Additional studies have been submitted with the application as well as a planning justification report, which were posted on the Township website under Public Notices.

The Chair stated that the Planning Act requires in Section 51(20) that before approving or amending a Draft Plan of Subdivision and in Section 34(12) that before passing a Zoning By-law Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed amendments to the draft

plan of subdivision and zoning by-law amendment. The Chair advised that the purpose of this public meeting is to receive comments and answer questions from the public regarding the amendment to the Draft Plan of Subdivision application and Zoning By-law Amendment for Dunloe Development Inc.

The Chair stressed that, at this point, no decision had been made on the proposed Draft Plan of Subdivision or Zoning By-law Amendment and any comments received will be taken into account by Council in their consideration.

The Chair advised that the Planning Act requires in Section 51(53) and Section 34(14.1) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Local Planning Appeal Tribunal (LPAT).

The Chair requested that the Clerk advise of the method and dates by which notice of the public meeting was given.

The Clerk advised that proper notice was given to the public by way of individual Notice mailed July 7, 2019. Additionally a yellow sign was posted on the subject property and the notice was posted on the Township's website as well as in the lobby of the Township Administration Building.

The Chair requested the Director of Planning & Building, Mr. Brian Treble, to explain the purpose and reason for the proposed Draft Plan of Subdivision and Zoning By-law Amendment for Dunloe Development Inc.

The Director of Planning & Building reviewed Technical Report No. PD-131-19 dated August 12, 2019.

The Chair asked if the applicants or their authorized agent was present and wished to speak to the proposed Draft Plan of Subdivision and Zoning By-law Amendment.

Ms. Angela Buonamici, IBI Group (authorized agent) reviewed the following as part of a PowerPoint Presentation which is attached as **Schedule "A"** to these minutes:

- (1) Secondary Plan; and,
- (2) Concept Plan; and,
- (3) Modified Land Use Plan; and,
- (4) Unique Frontage; and,
- (5) Trail Connection; and,
- (6) Mix of Housing; and,
- (7) Noise Mitigation Measures; and,
- (8) Pumping Station Option.

The Chair asked if there were any oral or written submissions from anyone present regarding the proposed Draft Plan of Subdivision and Zoning By-law Amendment submitted by Dunloe Development. The Chair advised that this may be the only Public meeting being held with respect to these applications; therefore, she noted that if any Members of the Public have comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

Mr. Mike Ellis stated that he and his wife, Denise, live on Northridge Drive and that it is great to see development happening; however, he noted that CP Rail has very stringent guidelines when it comes to height of berms and setbacks and that his concern was that these regulations will be implemented for these new developments along the rail line and these guidelines will have an impact on the homes on Northridge Drive and that consideration needs to be given to this during this process. Mr. Ellis stated that it was his understanding that the height restriction for berms/walls along the rail line was 5.5 metres above rail, which would mean approximately an 18 foot wall/berm would be constructed above the back yards of the homes along the north side of Northridge Drive, which were built 6 feet lower than the rail line. Mr. Ellis noted the residents along the north side of Northridge Drive would not only be looking at an 18 foot wall but will also be affected by the noise and vibrations from the trains, which will bounce off the wall towards these homes. Mr. Ellis noted that the homes along the north side of Northridge Drive do not comply with the 30 metre setback that CP Rail now requires, which he estimated to be approximately ½ of the setback requirement, nor was there a berm constructed between the railway line and the backyards of these homes. Mr. Ellis advised that the residents along Northridge Drive have not been given any protection between the railway line and these homes and thus were “sitting ducks” and that something needs to be done before any development proceeds.

The Director of Planning & Building noted that some of Mr. & Mrs. Ellis’ concerns are outlined in an email attached to Staff’s Report, which can be found on Page 316 of the agenda. The Director of Planning & Building stated that CP Rail, which is a Federal Authority, has mainline requirements which the Township cannot override; however, he noted that what can be done through the Subdivision Agreement is to attach a condition that makes sure that any noise assessments take into consideration the absence of berms/barriers on the properties along Northridge Drive to ensure that the lives of these homeowners are not further impacted by this development. The Director of Planning & Building advised that, in his opinion, experts will be able to design the wall/berm in order that the train noise can be deflected in a specific direction so these residents are not further impacted and that any noise and vibration would remain at least status quo.

In response to the Director of Planning & Building’s above noted comments, Mr. Ellis stated that noise and vibration was only one issue and he questioned the safety of the residents that live along Northridge Drive which was a larger issue/concern.

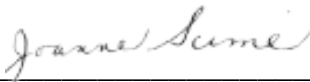
The Chair asked if any Members Council had any oral or written submissions on the proposed Draft Plan of Subdivision and Zoning By-law Amendment submitted by Dunloe Development. The Chair advised that this may be the only Public meeting being held with respect to these applications; therefore, she noted that if any Members of Council had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

There were no oral and/or written submissions from Members of Council regarding the proposed Draft Plan of Subdivision and Zoning By-law Amendment submitted by Dunloe Development.

The Chair advised that a Technical Report is being considered by Council this evening and that a recommendation report will be forthcoming to a future Planning Committee and/or Council Meeting. The Chair further advised that once the Planning Committee and/or Council make a decision with respect to the Zoning By-law Amendment and Draft Plan of Subdivision and if approved by Council, a notice of its passing will be circulated with an appeal period. The Chair noted that there was an attendance sign in sheet, which is located on the table near the exit doors, which she requested all present to sign. The Chair noted that when signing the attendance sheet for this evening's Council meeting, those that wished to be advised of any subsequent meetings and/or decisions with respect to the matter should place a check mark in the column marked for the "Dunloe Development".

The Chair advised that those people who are interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend the meetings. It is suggested that you watch the Township's web site for posting of agendas to review items that will be discussed at a Council and/or Committee meetings. The agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting. Additionally, meeting schedules are also noted on the web site for the public to view. If you wish to receive notices by email, it is suggested that you include your email address with your mailing address and your phone number on the attendance sign-up sheet.

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 7:07 p.m.



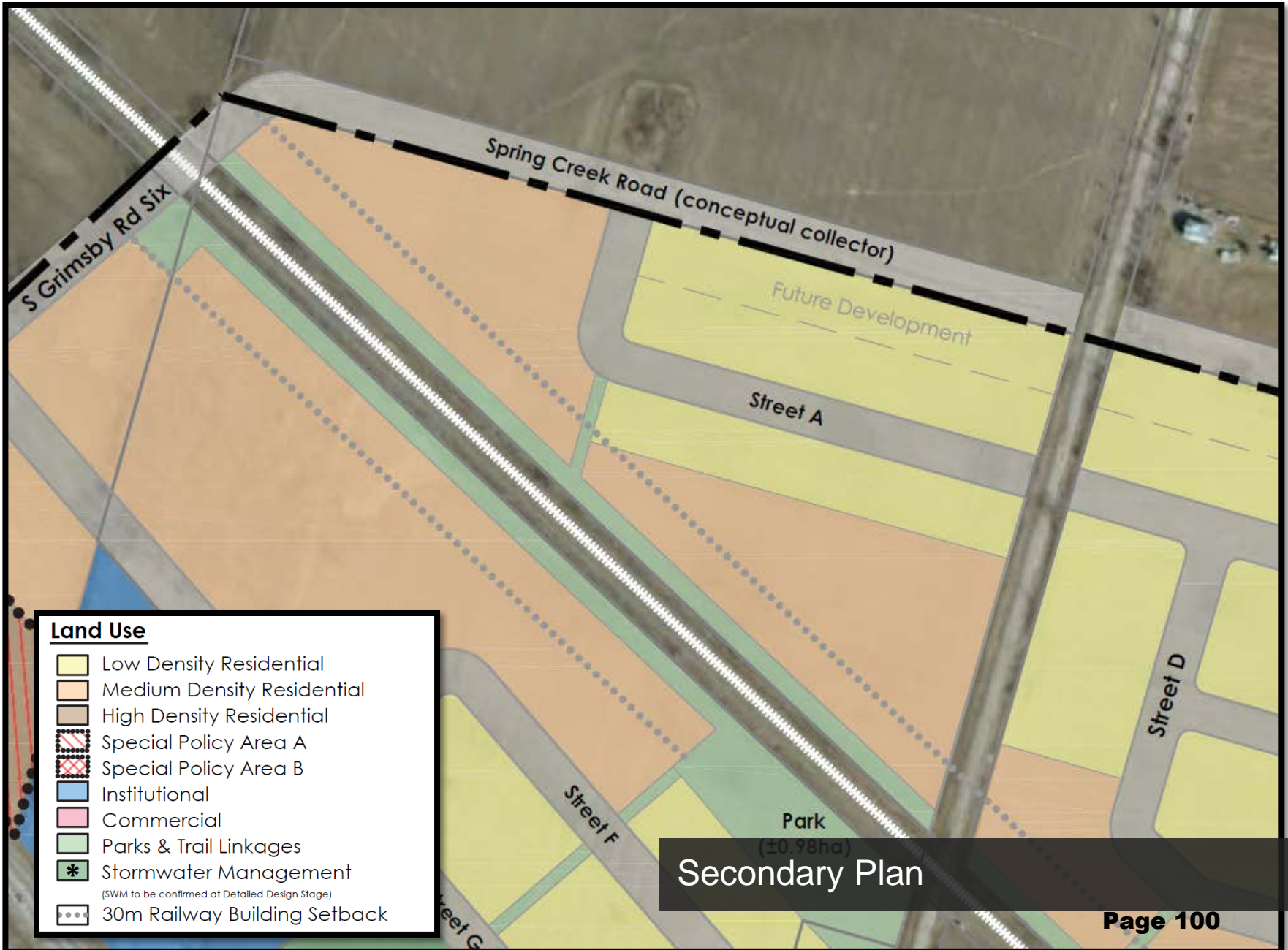
Joanne Scime (Clerk)

Councillor Cheryl Ganann (Chair)

Dunloe Developments Inc. 14 Acres Council and all Committees



IBI GROUP – Angela Buonamici, MCIP, RPP, CPT
14 Acres – Dunloe Developments Inc.
August 12th 2019





Concept Plan



Key Changes

- Stormwater Management
- Lotting
- Road Pattern

Modified Land Use Plan

14 ACRES – DUNLOE DEVELOPMENTS

SCHEDULE "A" TO THE AUGUST 12, 2019 PUBLIC MEETINGS UNDER THE PLANNING ACT



Livingston Avenue
Grimsby, ON

Appleby Line & Upper Middle Road
Burlington, ON

Unique Frontage



Trail Connection

14 ACRES – DUNLOP DEVELOPMENTS

SCHEDULE "A" TO THE AUGUST 12, 2019 PUBLIC MEETINGS UNDER THE PLANNING ACT

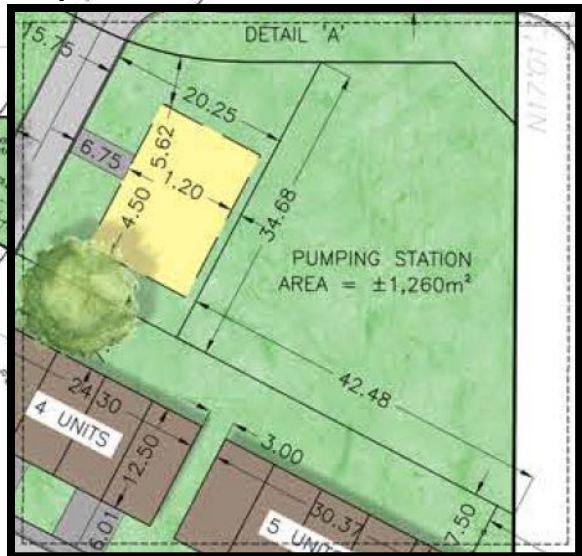


Mix of Housing

Noise Mitigation Measures

- Specific windows and wall construction.
- Central Air Conditioning.
- Registered warning clause on title - CP Rail.
- Noise barrier (wall) be installed.
- Verified letter from the window company confirming the installation of windows that meet the required Sound Transmission Class value.

Option 1



Preferred Option



Pumping Station Option



Thank You

**TOWNSHIP OF WEST LINCOLN
PUBLIC MEETINGS UNDER THE PLANNING ACT
MINUTES**

**AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S
ZONING BY-LAW & OFFICIAL PLAN**

- (a) Application for Zoning By-Law Amendment – John and Eva Vuckovic – File No. 1601-013-19
- (b) Application for Zoning By-Law Amendment – Campea Garden Suite – Application for Extension

PUBLIC MEETING HELD: Monday, September 9, 2019, Township Administration Building, 318 Canborough Street, Smithville – 6:31 p.m.

PRESENT:

Council: Councillor Cheryl Ganann - Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Harold Jonker (see page 2)
Councillor William Reilly
Councillor Jason Trombetta

Regrets: Councillor Mike Rehner (notification provided)

Staff: Bev Hendry, CAO
Else Khoury, Deputy Clerk
Brian Treble, Director of Planning & Building
Gerrit Boerema, Planner II
Alexa Cooper, Planner I

Other: Donna Dean
Mark Dean
Jim Vuckovic
Paul Campea
Linnea Campea
Peter Glinka
Al Krajak
Louis Zeldenrust

(a) PROPOSED AMENDMENT TO THE TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW – John and Eva Vuckovic

PURPOSE OF THE PUBLIC MEETING BEING HELD THIS EVENING

The Chair advised that the purpose of this meeting was to give an opportunity for the public, the Township and Committee to provide comments and/or ask questions regarding changes to the Township's Zoning By-law with respect to Zoning By-law Amendment – John and Eva Vuckovic.

The Chair stressed that, at this point, no decision had been made on the proposed amendment being considered this evening and that any comments received would be taken into account by Council in their consideration. The Chair advised that the Planning Act requires in Section 34(13) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Local Planning Appeal Tribunal (LPAT).

The Chair requested that the Deputy Clerk advise of the method and dates by which notice of the public meeting was given. The Deputy Clerk advised that proper notice of the public meeting was given by way of public notice mailed on August 6, 2019, and by placement of a yellow sign on the property.

The Chair asked the Planner I, Alexa Cooper, to explain the purpose and reason for the proposed Zoning By-law Amendments.

The Planner I, Alexa Cooper, reviewed Technical Report No. PD-143-19, being a report relating to an application submitted by John and Eva Vuckovic for a Zoning By-law Amendment (File No. 1601-013-19). The Planner I provided an overview of the application and noted that there were no objections noted for this proposed zoning amendment from any affected parties.

The Chair asked if the applicant or an authorized agent was present and if they would like to speak to this report.

Councillor Harold Jonker arrived at 6:35.

Mr. Jim Vuckovic was in attendance. Mr. Vuckovic did not offer any additional comments.

The Chair asked if there were any oral or written submissions from any members of the public with respect to the proposed application submitted by John and Eva Vuckovic for the Zoning By-law Amendment. The Chair suggested that if there were any Members of the Public that had comments, they should state them now as LPAT may not consider comments made during any other Council and/or Committee meetings.

There were no comments from any members of the public.

The Chair asked if any Members of Council had any oral or written submissions on the proposed Official Plan and Zoning By-law Amendments. The Chair advised that this may be the only public meeting being held with respect to this application; therefore, she noted that if any Members of the Council had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

There were no comments from Members of Committee.

The Chair noted that there was an attendance sign in sheet, which is located on the table near the exit doors, which she requested all present to sign. The Chair noted that when signing the attendance sheet for this evening's Council meeting, those that

wished to be advised of any subsequent meetings and/or decisions with respect to the matter should place a check mark in the column marked for the “John and Eva Vuckovic” Public Meeting.

The Chair advised that those people who are interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend the meetings. It is suggested that you watch the Township’s web site for posting of agendas to review items that will be discussed at a Council and/or Committee meetings. The agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting. Additionally, meeting schedules are also noted on the web site for the public to view. If you wish to receive notices by email, it is suggested that you include your email address with your mailing address and your phone number on the attendance sign-up sheet.

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 6:37 p.m.

(b) PROPOSED TEMPORARY AMENDMENT TO THE TOWNSHIP OF WEST LINCOLN’S ZONING BY-LAW – Campea Garden Suite

PURPOSE OF THE PUBLIC MEETING BEING HELD THIS EVENING

The Chair advised that the purpose of this meeting was to give an opportunity for the public, the Township and Committee to provide comments and/or ask questions regarding a temporary Zoning By-law Amendment Application submitted by Paul and Linnea Campea.

The Chair stressed that, at this point, no decision had been made on the proposed amendment being considered this evening and that any comments received would be taken into account by Council in their consideration. The Chair advised that the Planning Act requires in Section 34(13) that Council advise the public that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of West Lincoln before the by-law is passed, the person or public body is not entitled to appeal the decision of Council for the Township of West Lincoln to the Local Planning Appeal Tribunal (LPAT).

The Chair requested that the Deputy Clerk advise of the method and dates by which notice of the public meeting was given. The Deputy Clerk advised that a mailed public notice was mailed on August 12, 2019, and by placement of a yellow sign on the property and notice was provided on the Township’s website.

The Chair asked the Planner I, Alexa Cooper, to explain the purpose and reason for the proposed Zoning By-law Amendment.

The Planner I reviewed Technical Report No. PD-145-19, being a report relating to an application for a temporary Zoning By-Law Amendment submitted by Paul and Linnea Campea. The Planner I provided an overview of the application. She noted that no objections had been noted by any affected parties.

The Chair asked if the applicant or an authorized agent was present and if they would like to speak to this report.

Mr. and Mrs. Campea were present but made no comments to Committee.

The Chair asked if there were any oral or written submissions from any members of the public with respect to Paul and Linnea Campea's application for a Zoning By-Law Amendment. The Chair suggested that if there were any Members of the Public that had comments, they should state them now, as LPAT may not consider comments made during any other Council and/or Committee meetings.

There were no comments from members of the public.

The Chair asked if any Members of the Committee had any oral or written submissions on the proposed Zoning By-law Amendment. The Chair advised that this may be the only Public meeting being held with respect to this application; therefore, he noted that if any Members of the Council had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

There were no comments from Members of Committee.

The Chair noted that there was an attendance sign in sheet, which is located on the table near the exit doors, which she requested all present to sign. The Chair noted that when signing the attendance sheet for this evening's Council meeting, those that wished to be advised of any subsequent meetings and/or decisions with respect to the matter should place a check mark in the column marked for the "Campea" Public Meeting.

The Chair advised that those people who are interested in observing Council and/or Committee discussions about a particular by-law should not solely rely on mailed notices and thus miss the opportunity to attend the meetings. It is suggested that you watch the Township's web site for posting of agendas to review items that will be discussed at a Council and/or Committee meetings. The agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting. Additionally, meeting schedules are also noted on the web site for the public to view. If you wish to receive notices by email, it is suggested that you include your email address with your mailing address and your phone number on the attendance sign-up sheet.

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 6:43 p.m.



Else Khoury (Deputy Clerk)

Councillor Cheryl Ganann (Chair)

**TOWNSHIP OF WEST LINCOLN
PUBLIC MEETING WITH RESPECT TO
NAMING OF STREET FOR ROSEMONT HOMES PLAN OF CONDOMINIUM AS
EITHER JAYLA LANE OR AS AN ALTERNATIVE LAROSE LANE OR HAVENS LANE.**

PUBLIC MEETING HELD: Monday, August 12, 2019 - Township Administration Building,
318 Canborough Street, Smithville – 7:07 p.m.

- PRESENT:**
- Council:** Councillor Cheryl Ganann – Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Mike Rehner
Councillor Jason Trombetta

 - Staff:** Bev Hendry, CAO
Joanne Scime, Clerk
Brian Treble, Director of Planning & Building
Alexa Cooper, Planner I

 - Others:** Albert Witteveen, Regional Councillor
Sara Premi, Sullivan Mahoney (Township Solicitor)
Jowett Lau, Phelps Homes
Ian Jenkins
Les Lipiec
Amanda Ellis, Niagara SPCA
Kaitlin Webber, Niagara SPCA
Denise Ellis
Mike Ellis
G. Nardini
S. Karpysyn
L. Campea
D. Lawrence
S. Lawrence
M. Kaplaniak
Jeff Tenhage
Dave Park
Cathyann White, YMCA Niagara
Sally Southern, YMCA Niagara
Ajay Bhardway, YMCA Niagara
Olivia Hughes
Heather Sewell
Bill Minnick
Carole Minnick
Dan Gabriel
Angela Buonamici, IBI Group
Fred Bosscher

Joyce Bosscher
And approximately 10 Other Members of the Public

Media: Beth Audet, Grimsby Lincoln News

ABSENT: Councillor Harold Jonker(with regret–notification provided)
Councillor William Reilly (with regret–notification provided)

*** IN ATTENDANCE PART TIME**

PURPOSE OF THE MEETING

The Chair advised that the purpose of this meeting is to give an opportunity for the Public and Committee to provide comments and ask questions regarding the naming of the street in Rosemont Homes Plan of Condominium as either Jayla Lane or as an alternative LaRose Lane or Havens Lane.

The Chair asked the Director of Planning & Building, Mr. Brian Treble, to please explain Planning Staff Report No. PD-130-19 regarding the naming of the street for Rosemont Homes Plan of Condominium, being Jayla Lane or as an alternative LaRose Lane or Havens Lane.

The Director of Planning & Building reviewed the Technical Report No. PD-130-19 regarding “Proposed Street Name for Block 47 (Rosemont Homes) of Plan 30M-446, of The Old Towne Gateway Estates, Plan of Subdivision (Condo File No.: 2000-072-08)”.

The Chair asked if the applicant or an authorized agent was present and would like to speak to the application.

Mr. Jared Marcus, IBI Group (authorized agent for Rosemont Homes), referenced the map attached as **Schedule “A”** to the minutes and provided a brief history of the condominium development which will commence servicing in the next 4 to 6 weeks. Mr. Marcus advised that his client’s preferred street name was “Jayla Lane”, which was a combination of his children’s name, Jade and Kayla. Mr. Marcus advised that his client recognizes that “Jayla” was not on the Township’s list of preferred street names; however, he noted that as an alternative his client has put forth “LaRose Lane” or “Havens Lane” which were included in the list but did not have any significance other than he liked the names. Mr. Marcus reiterated that it was his client’s hope that the street could be named “Jayla Lane”.

The Chair asked if there was anyone from the public that would like to ask questions and/or provide oral and/or written comments with respect to this issue. The Chair advised that any comments received at this public meeting will be noted by staff and committee members, which will be taken into consideration as part of a recommendation report which will be presented at a future Planning/Building/Environmental Committee meeting and Council Meeting. The Chair reminded members of the public that they will need to come forward to the microphone at the front and provide their name and address for the record prior to speaking.

There were no comments from members of the public.

The Chair asked if there was any Member of Council that would like to ask questions and/or provide oral and/or written comments with respect to this issue.

Councillor Trombetta advised that he was not opposed to the fact that the name put forth

by the developer was not on the Township’s list of preferred names and that it was a combination of his children’s name.

Mayor Bylsma stated that as a Member of the Heritage Committee during the last term of Council, there had been a lot of time spent by the Membership on researching and preparing the Street Name List, which had historical significance (i.e. settlers, war veterans) and therefore he was partial to the street names being chosen from the list.

Councillor Rehner advised that he agreed with Mayor Bylsma’s comments.

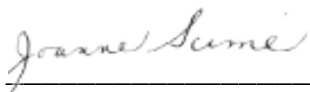
Councillor Coady stated that he was opposed to a street name having to be chosen from a list prepared by the Township and that the name chosen by the developer was, in his opinion, suitable.

The Chair stated that any persons that wish to be notified when a recommendation report will be presented to the Planning/Building/Environmental Committee for consideration and subsequently at the following Council Meeting for ratification are asked to clearly print their name, address, email address and telephone number on the attendance record located near the exit doors. Please place a check mark in the column marked “Rosemont Homes”. The purpose of collecting the name, address, phone number and email address is so staff will be able to contact any interested individuals when this issue will be addressed at a future Planning/Building/Environmental Committee meeting and/or Council meeting.

Additionally, a technical report with respect to this matter is being considered this evening and the public are invited to stay in attendance to hear any further comments from Council with respect to this matter which will take place following conclusion of the public meetings being held this evening.

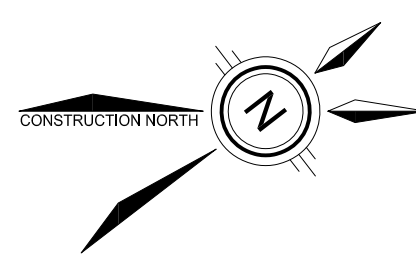
The Chair noted that any person who is interested in observing Council and/or Committee discussions regarding a specific matter should not solely rely on mailed notices and thus miss the opportunity to attend future Committee and/or Council meetings at which an issue will be addressed. The Chair suggested that the public watch the Township’s web site for posting of agendas to review items that will be discussed at a Council and/or Committee meeting. The Chair advised that agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the web site for the public to view. The Chair stated that anyone that wishes to receive notices by email should include their email address along with their mailing address and phone number on the attendance sign-up sheet and staff will advise accordingly when this matter will be addressed.

The Chair advised that this public meeting with respect to the naming of the street for the Rosemont Homes Plan of Condominium, being Jayla Lane or as an alternative LaRose Lane or Havens Lane, is concluded at the hour of 7:17 p.m.



Joanne Scime (Clerk)

Councillor Cheryl Ganann (Chair)



**TOWNSHIP OF WEST LINCOLN
PUBLIC MEETING WITH RESPECT TO
NAMING OF STREET FOR SPRING CREEK MANOR**

PUBLIC MEETING HELD: Monday, September 9, 2019 - Township Administration Building, 318 Canborough Street, Smithville – 6:43 p.m.

PRESENT: **Council:** Councillor Cheryl Ganann - Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Harold Jonker
Councillor William Reilly
Councillor Jason Trombetta

Regrets: Councillor Mike Rehner (notification provided)

Staff: Bev Hendry, CAO
Else Khoury, Deputy Clerk
Brian Treble, Director of Planning & Building
Gerrit Boerema, Planner II
Alexa Cooper, Planner I

Other: Donna Dean
Mark Dean
Jim Vuckovic
Paul Campea
Linnea Campea
Peter Glinka
Al Krajak
Louis Zeldenrust

PURPOSE OF THE MEETING

The Chair advised that the purpose of this meeting is to give an opportunity for the Public and Committee to provide comments and ask questions regarding the naming of the street for Spring Creek Manor.

The Chair asked the Director of Planning & Building, Mr. Brian Treble, to please explain the history of this matter and the issues relating to the different street names being proposed.

The Director of Planning & Building reviewed the Technical Report No. PD-139-19 regarding "Proposed Street Name for Spring Creek Manor (375 Station Street)." File No. 2000-081-16 which explained the issues regarding the naming of the street in question.

The Chair asked if the applicant or an authorized agent was present and would like to speak to the application.

There was no one present to speak to the application.

The Chair asked if there was anyone from the public that would like to ask questions and/or provide oral and/or written comments with respect to this issue. The Chair advised that any comments received at this public meeting will be noted by staff and committee members, which will be taken into consideration as part of a recommendation report which will be presented at a future Planning/Building/Environmental Committee meeting and Council Meeting. The Chair reminded members of the public that they will need to come forward to the microphone at the front and provide their name and address for the record prior to speaking.

There were no comments from members of the public.

The Chair asked if any Members of Committee had any oral or written submissions regarding the naming of a street in Spring Creek Manor. The Chair advised that this may be the only public meeting being held with respect to this application; therefore, she noted that if any Members of the Council had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

There were no comments from Members of Committee.

The Chair stated that any persons that wish to be notified when a recommendation report will be presented to the Planning/Building/Environmental Committee for consideration and subsequently at the following Council Meeting for ratification are asked to clearly print their name, address, email address and telephone number on the attendance record located near the exit doors. Please place a check mark in the column marked "Spring Creek Manor". The purpose of collecting the name, address, phone number and email address is so staff will be able to contact any interested individuals when this issue will be addressed at a future Planning/Building/Environmental Committee meeting and Council meeting.

Additionally, a technical report is being considered with respect to this matter this evening and the public are invited to stay in attendance to hear the Planning Committee's comments with respect to this matter which will take place following conclusion of the public meetings being held this evening. The Chair noted that a Technical Report is only being considered by the Planning Committee this evening and that a recommendation report will be forthcoming to a future Planning Committee and Council Meeting. Again, please be advised that any persons that sign the attendance sheet and place a check mark in the column marked "Spring Creek Manor" will be notified when the Planning Committee and Council will be making a decision with respect to naming of Spring Creek Manor.

The Chair noted that any person who is interested in observing Council and/or Committee discussions regarding this matter should not solely rely on mailed notices and thus miss the opportunity to attend future Committee and/or Council meetings at which this issue will be addressed. The Chair suggested that the public watch the Township's web site for posting of agendas to review items that will be discussed at a Council and/or Committee meeting. The Chair advised that agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the web site for the public to view. The Chair stated that anyone that wishes to receive notices by email, she suggested that they include their email address along with

their mailing address and phone number on the attendance sign-up sheet and staff will advise accordingly when this matter will be addressed.

The Chair advised that this Public Meeting regarding the Spring Creek Manor street naming is concluded at the hour of 7:03 p.m.



Else Khoury (Deputy Clerk)

Councillor Cheryl Ganann (Chair)

**TOWNSHIP OF WEST LINCOLN
PUBLIC MEETING WITH RESPECT TO
NAMING OF STREET FOR TOWNLINE ROAD**

PUBLIC MEETING HELD: Monday, September 9, 2019 - Township Administration Building, 318 Canborough Street, Smithville – 7:03 p.m.

PRESENT:

Council: Councillor Cheryl Ganann - Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Harold Jonker
Councillor William Reilly
Councillor Jason Trombetta

Regrets: Councillor Mike Rehner (notification provided)

Staff: Bev Hendry, CAO
Else Khoury, Deputy Clerk
Brian Treble, Director of Planning & Building
Gerrit Boerema, Planner II
Alexa Cooper, Planner I

Other: Donna Dean
Mark Dean
Jim Vuckovic
Paul Campea
Linnea Campea
Al Krajak
Louis Zeldenrust
Peter Glinka

PURPOSE OF THE MEETING

The Chair advised that the purpose of this meeting is to give an opportunity for the Public and Committee to provide comments and ask questions regarding the naming of the street for Townline Road.

The Chair asked the Director of Planning & Building, Mr. Brian Treble, to please explain the staff report.

The Director of Planning & Building reviewed the Technical Report No. PD-135-19 regarding “Street Naming for Regional Road 614, also known as Townline Road, Smithville”. File No. 2000-081-16 related to the issues regarding the naming of the street in question.

The Chair asked if there was anyone from the public that would like to ask questions and/or provide oral and/or written comments with respect to this issue. The Chair advised that any comments received at this public meeting will be noted by staff and committee

members, which will be taken into consideration as part of a recommendation report which will be presented at a future Planning/Building/Environmental Committee meeting and Council Meeting. The Chair reminded members of the public that they will need to come forward to the microphone at the front and provide their name and address for the record prior to speaking.

There were no comments from members of the public.

The Chair asked if any Members of Committee had any oral or written submissions regarding the regarding officially naming Townline Road. The Chair advised that this may be the only public meeting being held with respect to this application; therefore, she noted that if any Members of the Council had any comments they should state them now as the Local Planning Appeal Tribunal (LPAT) may not consider comments made during any other Council and/or Committee meetings.

In response to a question from Mayor Bylsma, the Director of Planning and Building, Mr. Brian Treble, advised that there was an additional portion of the street (Smithville Road/Townline Road) that requires renaming in the vicinity at some point as well. Mayor Bylsma noted ambiguity in the names of various streets in the area. The Director of Planning and Building noted that the Niagara Region adopts whatever names the Township settles on.

The Chair stated that any persons that wish to be notified when a recommendation report will be presented to the Planning/Building/Environmental Committee for consideration and subsequently at the following Council Meeting for ratification are asked to clearly print their name, address, email address and telephone number on the attendance record located near the exit doors. Please place a check mark in the column marked "Townline Road". The purpose of collecting the name, address, phone number and email address is so staff will be able to contact any interested individuals when this issue will be addressed at a future Planning/Building/Environmental Committee meeting and Council meeting.

Additionally, a technical report is being considered with respect to this matter this evening and the public are invited to stay in attendance to hear the Planning Committee's comments with respect to this matter which will take place following conclusion of the public meetings being held this evening. The Chair noted that a Technical Report is only being considered by the Planning Committee this evening and that a recommendation report will be forthcoming to a future Planning Committee and Council Meeting. Again, please be advised that any persons that sign the attendance sheet and place a check mark in the column marked "Townline Road" will be notified when the Planning Committee and Council will be making a decision with respect to naming of Townline Road.

The Chair noted that any person who is interested in observing Council and/or Committee discussions regarding this matter should not solely rely on mailed notices and thus miss the opportunity to attend future Committee and/or Council meetings at which this issue will be addressed. The Chair suggested that the public watch the Township's web site for posting of agendas to review items that will be discussed at a Council and/or Committee meeting. The Chair advised that agendas for meetings are posted on the Township Web Site at 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the web site for the public to view. The Chair stated that anyone that wishes to receive notices by email, she suggested that they include their email address along with

their mailing address and phone number on the attendance sign-up sheet and staff will advise accordingly when this matter will be addressed.

The Chair advised that this Public Meeting regarding the Townline Road street naming is concluded at the hour of 6:59 p.m.



Else Khoury (Deputy Clerk)

Councillor Cheryl Ganann (Chair)

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

DATE OF MEETING: September 9, 2019

SUMMARY OF RECOMMENDATIONS:

(a) ITEM P86-19

That the Planning/Building/Environmental Committee hereby approves the following Consent Agenda Items:

1. Items 1, 2, 3 and 4 be and are hereby received for information.

(ITEM P86-19

1. (1) That, report PD-143-19, regarding “John & Eva Vuckovic (Jim Vuckovic – Agent) Zoning By-law Amendment File No. 1601-013-19”, dated September 9th, 2019 be RECEIVED; and,
(2) That, a Recommendation Report be presented at a future Planning/Building/ Environmental Committee meeting.
2. (1) That, Report PD-145-19, regarding “Zoning By-law Amendment (Temporary Use By-law) – Campea Garden Suite Application for Extension”, dated September 9th, 2019, be RECEIVED; and,
(2) That, a recommendation report be submitted to Planning/Building/ Environmental Committee and Council once a full staff and agency review has been completed.
3. (1) That, Report PD-139-19, regarding “Proposed Street Name for Spring Creek Manor (375 Station Street) Draft Plan of Condo – R.V.L. Contracting Ltd. (Owner).; File No.: 2000-081-16”, dated September 9, 2019, be RECEIVED; and,
(2) That, a Recommendation Report be presented at a future Planning/ Building/Environmental meeting once all agency and public comments have been received and once an acceptable name has been chosen.
4. (1) That, Report PD-135-19, regarding “Technical Report, Street Naming for Regional Road 614, also known as Townline Road, Smithville” dated September 9th, 2019, be RECEIVED; and,
(2) That, a Recommendation Report be presented at a future Planning/ Building/Environmental Committee meeting once all agency and public input has been received.)

(b) ITEM P87-19

1. That, the correspondence from Vanessa Walsh, received on August 6, 2019, requesting an exemption from the provisions of the Township’s Noise By-law 2013-50, in order to hold a family birthday event at 2871 South Grimsby Road 7, Smithville on September 28, 2019, with the exemption being specifically from 11:00 p.m. to 12:00 a.m. (Midnight) on September 28, 2019; be received and supported; and,

2. That, Ms. Walsh be required to advise all surrounding property owners within 200 metres of 2871 South Grimsby Road 7 of the family birthday event being held on this property; and,
3. That, a copy of this resolution be forwarded to the Niagara Regional Police; and,
4. That, this recommendation be approved prior to ratification of Council.

(c) ITEM P88-19

1. That, report PD-146-19, regarding “Louis & Gwen Zeldenrust (Jeffery & Annette Tenhage – Agents) Zoning By-law Amendment File No. 1601-012-19”, dated September 9th, 2019 be RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. THAT, application for Zoning By-law Amendment 1601-012-19 submitted by Louis & Gwen Zeldenrust (Jeff & Annette Tenhage – Agent) and the corresponding bylaw be APPROVED and passed; and,
4. THAT, Staff be authorized to circulate the Notice of Decision for Zoning By-law Amendment with the corresponding 20 day appeal period.

(d) ITEM P89-19

1. That, Report PD-081-19, regarding “Recommendation Report, Commence Public Process to Include Green Energy Policies in Township of West Lincoln Official Plan”, dated September 9th, 2019, be RECEIVED; and,
2. That, staff be and are hereby authorized to hold a public meeting at a future Planning/Building/Environmental Committee meeting when a draft Green Energy Policy is available to be considered through a public meeting.

(e) ITEM P90-19

1. That, Report PD-126-19, regarding “Amendment to Fire Route By-law, Big Country Raw, Block 47, Niagara Christian Gleaners, Niagara Pallet, and Woodstead Holdings”, dated September 9, 2019, be RECEIVED; and,
2. That, a By-law to amend the Fire Route by-law 97-2030 (2017-20), as amended, be approved by Township Council.

(f) ITEM P91-19

1. That, Report No. PD-142-19, dated September 9, 2019, relating to Change to Planning Fees Effective October 1, 2019, BE RECEIVED; and,
2. That By-law 2002-112, (Committee of Adjustment Tariff of Fees), be amended by replacing Schedule “D”, Tariff of Fees, with a new Schedule “D” as attached to this report; and,
3. That, By-law 2011-28 (Tariff of Fees for Planning Matters) be amended by replacing Appendix “A” (Schedule of Fees) with a new Appendix “A” as attached to this report; and,
4. That the new planning fees take effect on October 1, 2019.

(g) ITEM P92-19

1. That, Report PD-147-19, regarding “O-Reg 019-0183 – Proposed New Regulation Pertaining to the Community Benefits Authority under the

Planning Act” dated September 9th 2019, be RECEIVED for information purposes.

(h) ITEM P93-19

1. That, report PD-096-19, regarding “Repealing and Replacing Appendix “D” to By-law 2011-28 for Cash-in-Lieu of Parkland Dedication”, dated September 9th, 2019 be received; and,
2. That, Council hereby amend By-law 2011-28, as amended by replacing Schedule “D” for Cash-in-Lieu of Parkland Dedication with the attached revised Schedule “D” and that By-law 2015-110 be repealed.

(i) ITEM P94-19

1. That, Report PD-035-19, regarding “Amendment to Municipal Building By-law (By-law 2017-15)”, dated September 9th, 2019, be RECEIVED; and,
2. That the proposed amendments to the Building By-law (By-law 2017-15) as shown on Attachment No. 1 to this report, be endorsed and that an amending by-law be presented at the September 23rd, 2019 Council meeting.

(j) ITEM P95-19

1. That, Report PD-140-19, regarding “Recommendation Report, Application to Remove Part Lot Control from Blocks 34, 35, 37 and 45 of Plan 30M-446 (Old Towne Gateway Estates Plan of Subdivision)” dated September 9th, 2019, be RECEIVED; and
2. That Bylaw 2019-40 be REPEALED; and
3. That a Bylaw be passed to lift Part Lot Control on lands described as Block 34, 35, 37 and 45 of Plan 30M-446 in accordance with the attached reference plans; and
4. That a bylaw be passed to authorize the Mayor and Clerk to sign an amending Subdivision Agreement with Marz Homes Inc. and their mortgagee(s) to permit Part Lot control on the subject blocks; and
5. That staff be authorized to have the agreement and Bylaw registered at the land registry office.

(k) ITEM P96-19

1. That, Report PD-148-19, regarding “Proposed Street Name for Block 47 of 30M-446, of the Old Towne Gateway Estates Plan of Condo; File No: 2000-072-08, dated September 9th 2019, be RECEIVED; and,
2. That, the street within Block 47 of 30M-446, of the Old Towne Gateway Estates Plan of Condo, in the Township of West Lincoln, Regional Municipality of Niagara, be named Jayla Lane by by-law to be presented to Council for approval following registration of the Plan of Condo.

(l) ITEM P99-19

1. That, the Director of Planning and Building be and is hereby directed to proceed as directed in closed session with respect to a legal matter relating to the hiring of consultants for the Urban Boundary Expansion Study.

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

MEETING NO. SEVEN HELD: Monday, September 9, 2019, Township Administration Building, 318 Canborough Street, Smithville – **6:30 p.m.**

PRESENT:

Council: Councillor Cheryl Ganann – Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Harold Jonker*
Councillor William Reilly
Councillor Jason Trombetta

Absent: Councillor Mike Rehner (notification provided)

Staff: Bev Hendry, CAO
Else Khoury, Deputy Clerk
Brian Treble, Director of Planning & Building
Gerritt Boerema, Planner II*
Alexa Cooper, Planner I*

Others: Donna Dean
Mark Dean
Jim Vuckovic
Paul Campea
Linnea Campea
Al Krajak
Louis Zeldenrust
Peter Glinka*

***IN ATTENDANCE PART TIME**

1. **CHAIR:** Councillor Cheryl Ganann
2. **CHANGE IN ORDER OF ITEMS ON AGENDA:**
There were no changes to the order of items on the agenda.
3. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**
Councillor Trombetta noted a conflict of interest for Item P 97-19 as he lives close to the proposed facility.

NOTE: PUBLIC MEETING UNDER THE PLANNING ACT
Public Meeting under the Planning Act will commence at 6:30.

- (a) Zoning By-law Amendment – John & Eva Vuckovic (File No. 1601-013-19)
- (a) Zoning By-law Amendment (Temporary Use By-law) – Campea Garden Suite
Application for Extension

NOTE: PUBLIC MEETINGS – NAMING OF STREETS FOR SPRING CREEK MANOR & REGIONAL ROAD 614 – Public Meeting for the following will commence following the above noted Public Meeting

- (a) Director of Planning & Building (Brian Treble)
Re: Presentation of the Proposed Street Name for Proposed Street Name for Spring Creek Manor (375 Station Street) – Draft Plan of Condo – R.V.L. Contracting Ltd. – File No. 2000-081-16
- (b) Director of Planning & Building (Brian Treble)
Re: Presentation of the Proposed Street Name for Regional Road 614, also known as Townline Road, Smithville

The Planning/Building/Environmental Committee meeting recessed at approximately 6:30 p.m. in order to deal with the above noted Public Meetings.

Prior to commencing with the Planning/Building/Environmental Committee meeting agenda, Chair Ganann noted the following:

- (1) All Public in attendance were requested to sign the attendance sheet.
- (2) All cell phones, pagers and/or PDAs were to be turned off.
- (3) The meeting was being audio and video recorded.

The Planning/Building/Environmental Committee meeting reconvened at approximately 7:00 p.m.

4. APPOINTMENTS:

There were no appointments.

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA:

There were no requests to address items on the agenda.

6. CONSENT AGENDA ITEMS:

(a) ITEM P86-19

CONSENT AGENDA ITEMS:

- 1. Technical Report No. PD-143-19 - John & Eva Vuckovic – File No. 1601-013-19
- 2. Technical Report No. PD-145-19 - Campea Garden Suite Application for Extension
- 3. Technical Report No. PD-139-19 - Proposed Street Name for Spring Creek Manor (375 Station Street) Draft Plan of Condo – R.V.L. Contracting Ltd. (Owner) File No.: 2000-081-16
- 4. Technical Report No. PD-135-19 - Street Naming for Regional Road 614, also known as Townline Road, Smithville

Moved by Mayor Dave Bylsma and seconded by Councillor William Reilly:

That the Planning/Building/Environmental Committee hereby approves the following Consent Agenda Items:

- 1. Items 1, 2, 3, and 4 be received for information.
- Carried.

SUMMARY OF APPROVED CONSENT AGENDA ITEMS RECOMMENDATIONS:

1. (1) That, report PD-143-19, regarding “John & Eva Vuckovic (Jim Vuckovic – Agent) Zoning By-law Amendment File No. 1601-013-19”, dated September 9th, 2019 be RECEIVED; and,
(2) That, a Recommendation Report be presented at a future Planning/Building/Environmental Committee meeting.
2. (1) That, Report PD-145-19, regarding “Zoning By-law Amendment (Temporary Use By-law) – Campea Garden Suite Application for Extension”, dated September 9th, 2019, be RECEIVED; and,
(2) That, a recommendation report be submitted to Planning/Building/Environmental Committee and Council once a full staff and agency review has been completed.
3. (1) That, Report PD-139-19, regarding “Proposed Street Name for Spring Creek Manor (375 Station Street) Draft Plan of Condo – R.V.L. Contracting Ltd. (Owner).; File No.: 2000-081-16”, dated September 9, 2019, be RECEIVED; and,
(2) That, a Recommendation Report be presented at a future Planning/Building/Environmental meeting once all agency and public comments have been received and once an acceptable name has been chosen.
4. (1) That, Report PD-135-19, regarding “Technical Report, Street Naming for Regional Road 614, also known as Townline Road, Smithville” dated September 9th, 2019, be RECEIVED; and,
(2) That, a Recommendation Report be presented at a future Planning/Building/Environmental Committee meeting once all agency and public input has been received.

7. COMMUNICATIONS:

(a) ITEM P87-19

Vanessa Walsh

Re: Request for Exemption from Noise By-law Provisions for Family Birthday Event on September 28, 2019 from 11:00 p.m. to 12:00 a.m. (Midnight)
(Exemption to Section 5 of the Township’s Noise By-law 2013-50)

Moved by Councillor William Reilly and seconded by Councillor Christopher Coady:

1. That, the correspondence from Vanessa Walsh, received on August 6, 2019, requesting an exemption from the provisions of the Township’s Noise By-law 2013-50, in order to hold a family birthday event at 2871 South Grimsby Road 7, Smithville on September 28, 2019, with the exemption being specifically from 11:00 p.m. to 12:00 a.m. (Midnight) on September 28, 2019; be received and supported; and,
 2. That, Ms. Walsh be required to advise all surrounding property owners within 200 metres of 2871 South Grimsby Road 7 of the family birthday event being held on this property; and,
 3. That, a copy of this resolution be forwarded to the Niagara Regional Police; and,
 4. That, this recommendation be approved prior to ratification of Council.
- Carried.

8. STAFF REPORTS:

(a) ITEM P88-19

Planner I (Alexa Cooper) & Director of Planning and Building (Brian Treble)

Re: Report No. PD-146-19 – Recommendation Report - Louis & Gwen Zeldenrust (Jeffery & Annette Tenhage – Agents) - Zoning By-law Amendment - File No. 1601-012-19

Moved by Councillor William Reilly and seconded by Mayor Dave Bylsma

1. That, report PD-146-19, regarding “Louis & Gwen Zeldenrust (Jeffery & Annette Tenhage – Agents) Zoning By-law Amendment File No. 1601-012-19”, dated September 9th, 2019 be RECEIVED; and,
 2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
 3. THAT, application for Zoning By-law Amendment 1601-012-19 submitted by Louis & Gwen Zeldenrust (Jeff & Annette Tenhage – Agent) and the corresponding bylaw be APPROVED and passed; and,
 4. THAT, Staff be authorized to circulate the Notice of Decision for Zoning By-law Amendment with the corresponding 20 day appeal period.
- Carried.

(b) ITEM P89-19

Director of Planning and Building (Brian Treble)

Re: Report No. PD-081-19 – Recommendation Report - Commence Public Process to Include Green Energy Policies in Township of West Lincoln Official Plan

In response to a comment from Mayor Bylsma regarding informing several community groups, including Wind Concerns Ontario, the Director of Planning and Building noted his intent to reach out to Wind Concerns Ontario and WLG WAG. The Director of Planning and Building also noted that a study must be conducted before an interim control by-law can be passed, and suggested that the public meeting process can serve as a start towards a research study if required.

Moved by Mayor Dave Bylsma and seconded by Councillor Jason Trombetta:

1. That, Report PD-081-19, regarding “Recommendation Report, Commence Public Process to Include Green Energy Policies in Township of West Lincoln Official Plan”, dated September 9th, 2019, be RECEIVED; and,
 2. That, staff be and are hereby authorized to hold a public meeting at a future Planning/Building/Environmental Committee meeting when a draft Green Energy Policy is available to be considered through a public meeting.
- Carried.

(c) ITEM P90-19

Planner II (Gerrit Boerema) & Director of Planning and Building (Brian Treble)

Re: Report No. 126-19 – Recommendation Report - Amendment to Fire Route By-law- Big Country Raw, Block 47 (Rosemount Homes), Niagara Christian Gleaners, Niagara Pallet, Woodstead Holdings

Moved by Councillor Harold Jonker and seconded by Councillor Jason Trombetta:

1. That, Report PD-126-19, regarding “Amendment to Fire Route By-law, Big Country Raw, Block 47, Niagara Christian Gleaners, Niagara Pallet, and Woodstead Holdings”, dated September 9, 2019, be RECEIVED; and,

2. That, a By-law to amend the Fire Route by-law 97-2030 (2017-20), as amended, be approved by Township Council.
 - Carried.

(d) ITEM P91-19

Director of Planning and Building (Brian Treble)

Re: Report No. PD-142-19 – Recommendation Report – Change to Planning Fees to Take Effect October 1, 2019

Moved by Councillor William Reilly and seconded by Councillor Christopher Coady:

1. That, Report No. PD-142-19, dated September 9, 2019, relating to Change to Planning Fees Effective October 1, 2019, BE RECEIVED; and,
2. That By-law 2002-112, (Committee of Adjustment Tariff of Fees), be amended by replacing Schedule “D”, Tariff of Fees, with a new Schedule “D” as attached to this report; and,
3. That, By-law 2011-28 (Tariff of Fees for Planning Matters) be amended by replacing Appendix “A” (Schedule of Fees) with a new Appendix “A” as attached to this report; and,
4. That the new planning fees take effect on October 1, 2019.
 - Carried.

(e) ITEM P92-19

Planner I (Alexa Cooper) & Director of Planning and Building (Brian Treble)

Re: Report No. PD-147-19 - Information Report – O. Reg 019-0183 – Proposed New Regulation Pertaining to the Community Benefits Authority under the Planning Act

In response to a question from several Councillors, the Director of Planning and Building, Mr. Brian Treble, noted that this report deals with bonusing or density provisions and that the next report (i.e. Item P93-19) deals with interim measures.

Moved by Mayor Dave Bylsma and seconded by Councillor Harold Jonker:

1. That, Report PD-147-19, regarding “O-Reg 019-0183 – Proposed New Regulation Pertaining to the Community Benefits Authority under the Planning Act” dated September 9th 2019, be RECEIVED for information purposes.
 - Carried.

(f) ITEM P93-19

Planner I (Alexa Cooper) & Director of Planning and Building (Brian Treble)

Re: Report No. PD-096-19 – Recommendation Report – Repealing and Replacing Appendix “D” to By-law 2011-28 for Cash-in-Lieu of Parkland Dedication

In response to a number of questions from members of Committee, the Director of Planning and Building, Mr. Brian Treble, explained that, with regards to cash in lieu of parkland monies, they are usually applied to park equipment and other park and recreation-affiliated activities.

Mayor Bylsma expressed his concerns that the Township did not have enough small parks or parkettes throughout the municipality.

The Director of Planning and Building clarified that land provided to the municipality for park purposes have historically been land that is unusable for the developer. He noted that the existing Parks and Recreation Master Plan provided some guidance and when updated will address some of these issues as we grow.

The CAO noted that she would report back to Committee with the budget line for this account.

Moved by Councillor Harold Jonker and seconded by Mayor Dave Bylsma:

1. That, report PD-096-19, regarding "Repealing and Replacing Appendix "D" to By-law 2011-28 for Cash-in-Lieu of Parkland Dedication", dated September 9th, 2019 be received; and,
 2. That, Council hereby amend By-law 2011-28, as amended by replacing Schedule "D" for Cash-in-Lieu of Parkland Dedication with the attached revised Schedule "D" and that By-law 2015-110 be repealed.
- Carried.

(g) ITEM P94-19

Director of Planning and Building (Brian Treble)

Re: Report No. PD-035-19 – Recommendation Report – Amendment to the Municipal Building By-law (By-law 2017-15)

The Director of Planning and Building, Mr. Brian Treble, reminded Members of Committee that the public meeting for this By-law occurred in February 2019, and that the provision regarding the Township's addressing delinquent building permits has been removed from the report for the present time on the advice of legal counsel.

Moved by Councillor Christopher Coady and seconded by Mayor Dave Bylsma:

1. That, Report PD-035-19, regarding "Amendment to Municipal Building By-law (By-law 2017-15)", dated September 9th, 2019, be RECEIVED; and,
 2. That the proposed amendments to the Building By-law (By-law 2017-15) as shown on Attachment No. 1 to this report, be endorsed and that an amending by-law be presented at the September 23rd, 2019 Council meeting.
- Carried.

(h) ITEM P95-19

Planner II (Gerrit Boerema) & Director of Planning and Building (Brian Treble)

Re: Report No. PD-140-19 – Recommendation Report - Application to Remove Part Lot Control from Blocks 34, 35, 37 & 45 of Plan 30M-446 (Old Towne Gateway Estates Plan of Subdivision) and Request to Rescind Bylaw 2019-40

In response to a question from Mayor Bylsma, the Planner II, Gerrit Boerema, and the Director of Planning and Building, Mr. Brian Treble, explained that lots have historically been divided differently by different developers, and that in this case applications come forward as lot development progresses.

Moved by Councillor William Reilly and seconded by Councillor Dave Bylsma:

1. That, Report PD-140-19, regarding "Recommendation Report, Application to Remove Part Lot Control from Blocks 34, 35, 37 and 45 of Plan 30M-446 (Old

- Towne Gateway Estates Plan of Subdivision)" dated September 9th, 2019, be RECEIVED; and
2. That Bylaw 2019-40 be REPEALED; and
 3. That a Bylaw be passed to lift Part Lot Control on lands described as Block 34, 35, 37 and 45 of Plan 30M-446 in accordance with the attached reference plans; and
 4. That a bylaw be passed to authorize the Mayor and Clerk to sign an amending Subdivision Agreement with Marz Homes Inc. and their mortgagee(s) to permit Part Lot control on the subject blocks; and
 5. That staff be authorized to have the agreement and Bylaw registered at the land registry office.
- Carried.

(i) ITEM P96-19

Planner II (Madyson Ettl) & Director of Planning and Building (Brian Treble)
Re: Report No. PD-148-19 – Recommendation Report – Proposed Street Name for Block 47 of 30M-446, of the Old Towne Gateway Estates Plan of Condo – Rosemont Homes Ltd. – Condo File No. 2000-072-08

Moved by Councillor William Reilly and seconded by Councillor Jason Trombetta:

1. That, Report PD-148-19, regarding "Proposed Street Name for Block 47 of 30M-446, of the Old Towne Gateway Estates Plan of Condo; File No: 2000-072-08, dated September 9th 2019, be RECEIVED; and,
 2. That, the street within Block 47 of 30M-446, of the Old Towne Gateway Estates Plan of Condo, in the Township of West Lincoln, Regional Municipality of Niagara, be named Jayla Lane by by-law to be presented to Council for approval following registration of the Plan of Condo.
- Carried.

9. OTHER BUSINESS:

(a) ITEM P97-19

Director of Planning and Building (Brian Treble)
Re: Sandra Gibson Appeal to LPAT

The Director of Planning and Building, Brian Treble, notified Council that an appeal has been filed by Sandra Gibson and that the appeal will be processed under the old OMB procedures (new LPAT rules), as per the province's direction. He also advised that the Township's legal counsel is aware of and will be in touch with Council soon about their appeal.

(b) ITEM P98-19

Members of Committee
Re: Other Business Matters of Information Nature

- i) Mayor Dave Bylsma
Re: Events

Mayor Bylsma noted that Silverdale Hall would be hosting its Chili and Corn Roast on Friday September 13th. The Mayor also congratulated the West Lincoln Agricultural Society on the success of the West Niagara Fair.

- ii) Councillor William Reilly
Re: Events

Councillor Reilly also expressed his satisfaction with the West Niagara Fair and noted that Township participation at the AMO event in Ottawa was very informative.

- iii) Councillors Harold Jonker and Cheryl Ganann
Re: West Niagara Fair

Councillors Jonker and Ganann also expressed their appreciation for the West Niagara Fair.

- iv) CAO Bev Hendry
Re: Upcoming Events

CAO Bev Hendry noted that the local Tim Horton's is looking for volunteers to decorate Smile cookies for fundraising. The CAO also reminded Members of Committee that a special meeting of Council will be held on September 11 and that insurance, the role of the Integrity Commissioner, and CUPE negotiations will be discussed.

10. NEW ITEMS OF BUSINESS:

There were no new items of business.

11. CONFIDENTIAL MATTERS:

Moved by Councillor Harold Jonker and seconded by Mayor Dave Bylsma:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

(a) ITEM P99-19

Director of Planning and Building (Brian Treble)
Re: Legal Matter - Urban Boundary Expansion Study – Hiring of Consultants

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - the security of the property of the municipality or local board
 - advice that is subject to Solicitor-client privilege, including communications necessary for that purpose
- Carried.

All Members of Committee noted as present as well as the CAO, Deputy Clerk, and Director of Planning & Building were in attendance during discussion of the closed session item.

Moved by Mayor Dave Bylsma and seconded by Councillor Christopher Coady:

That, this Committee meeting does now resume in open session at the hour of 8:15

- Carried.

(a) **ITEM P99-19**

Director of Planning and Building (Brian Treble)

Re: Legal Matter - Urban Boundary Expansion Study – Hiring of Consultants

Moved by Councillor William Reilly and seconded by Councillor Christopher Coady:

That, the Director of Planning and Building be and is hereby directed to proceed as directed in closed session with respect to a legal matter relating to the hiring of consultants for the Urban Boundary Expansion Study.

- Carried.

12. ADJOURNMENT:

The Chair declared the meeting adjourned at the hour of 8:15 p.m.



Else Khoury (Deputy Clerk)

Councillor Cheryl Ganann (Chair)

**TOWNSHIP OF WEST LINCOLN
ADMINISTRATION/FINANCE/FIRE
COMMITTEE SUMMARY**

DATE OF MEETING: September 16, 2019

SUMMARY OF RECOMMENDATIONS:

(a) ITEM A52-19

The Administration/Finance/Fire Committee hereby approve the following Consent Agenda Items:

1. Items 1 to 4 be and are hereby received for information; and,
2. Item 5 be and is hereby received and that the recommendation contained therein be adopted.

(ITEM A52

- (1) That, the minutes of the Age-Friendly Advisory Committee Meeting from August 9, 2019 be received for information.
- (2) That, the minutes of the Joint Accessibility Advisory Committee Meeting of August 8, 2019 be received for information.
- (3) That, the Fire Department's Monthly Update WLFDF-14-19 for August 2019 be and is hereby received for information.
- (4) That, Report RFI-T-21-19, dated September 16, 2019, regarding the "August 2019 Budget Status Report", be received for information.
- (5) (1) That, Report RFD-CAO-04-19 dated September 16, 2019 regarding the "Christmas Break Holiday Hours", be received; and,
(2) That, the following Christmas Break Schedule be approved:
 - (a) That, the Main Administration Office be closed on December 27th, 30th & 31st, 2019 (office closed for the period between December 24th, 2019 to and including January 1st, 2020); and,
 - (b) That, the Public Works Yard remain open on December 27th, 30th & 31st, 2019; and,
 - (c) That the Arena remain open, subject to program scheduling, from December 24th, 2019 to January 1st, 2020 inclusive, with the exception of December 25th, 2019.)

(b) ITEM A53-19

- (1) That, Report RFD-CAO-05-2019, dated September 16th, 2019 regarding the updated "Township of West Lincoln Energy Conservation and Demand Management Plan," be received; and,
- (2) That, the updated "Township of West Lincoln Energy Conservation and Demand Management Plan" for 2019-2024 be and is hereby adopted as set out in Schedule "A" attached here to and forming part of the By-law.
- (3) That, the Mayor and Clerk be authorized to sign a By-law to adopt the ECDM Plan and the By-law shall come into full effect upon its passing.

(c) ITEM A54-19

- (1) That, report RFD-T-22-19, dated September 16, 2019, regarding "2020 Budget Process and Schedule", be received; and,

- (2) That, the Preliminary Draft 2020 Operating and Capital Budgets and Ten Year Capital Plans be presented at the Administration meeting scheduled for Monday, January 20th, 2020 at 6:30 pm; and
- (3) That a Public Budget Open House be held on Wednesday, February 5th, 2020 at 7:00 pm; and,
- (4) That, the draft 2020 Operating and Capital Budgets be presented at the Administration Meeting scheduled for Tuesday, February 18th, 2020 at 6:30 pm, with an additional date set for further deliberation, if required, for Wednesday, February 19th, 2020 at 6:30 pm; and,
- (5) That, budget ratification take place at the Council Meeting scheduled for Monday, February 24th, 2020.

(d) ITEM A55-19

- (1) That, report RFD-T-24-19, regarding "Ontario Government's Consultation Regarding Municipal Insurance Costs", dated September 16, 2019, be received for information; and,
- (2) That, staff be directed to submit Appendix B to this report to the Attorney General as part of the first phase of the government's review into the impacts of Joint and Several Liability.

(e) ITEM A56-19

That, the resolution received from The Corporation of the Township of Papineau-Cameron, dated August 15, 2019, requesting that before the Provincial Government forces amalgamation in any of the 444 municipalities in Ontario that our AMO organization go beyond requesting "consultation" and "demand" that the Provincial Government do the following:

1. Hold a local referendum letting the citizens decide to amalgamate or not.
2. Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit.
3. Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so, on their own time line and volition.
4. To ensure that there is absolutely no conflict of interest in this consultative process.
5. To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario.

be received and supported.

(f) ITEM A59-19

- (1) That report, RFD-T-23-19, regarding Section 357/358/359 Applications, dated September 16, 2019 be received; and,
- (2) That the list of applications as contained in Appendix A to report RFD-T-23-19 be approved.

**TOWNSHIP OF WEST LINCOLN
ADMINISTRATION/FINANCE/FIRE COMMITTEE
MINUTES**

MEETING NO. SEVEN HELD: Monday, September 16, 2019, Township Administration Building, 318 Canborough Street, Smithville – 6:30 p.m.

- PRESENT:**
- Council:** Councillor Mike Rehner – Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Cheryl Ganann
Councillor Harold Jonker
Councillor William Reilly
Councillor Jason Trombetta
- Staff:** Joanne Scime, Clerk
Donna DeFilippis, Treasurer/Director of Finance
Dennis Fisher, Fire Chief*
Mike DiPaola, Director of Public Works & Recreation*
Vanessa Holm, CEO – West Lincoln Public Library*
Meghan Birbeck, Climate Change and Sustainability Coordinator*
- Others:** Kyle Hunter
Adam Hare, President - West Lincoln Minor Hockey
Dr. Steve Tourkousis
Anna Tourkousis

* **IN ATTENDANCE PART-TIME**

1. **CHAIR:** Councillor Mike Rehner
- Prior to commencing with the Administration/Finance/Fire Committee meeting agenda, Chair Rehner noted the following:
- (1) All Public in attendance were requested to sign the attendance sheet.
 - (2) All cell phones, pagers and/or PDAs are to be turned off.
 - (3) The meeting was being audio and video recorded.
2. **CHANGE IN ORDER OF ITEMS ON AGENDA:**
- There were no changes in order of items on the agenda.
3. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**
- There were no disclosures of pecuniary interest and/or conflict of interest declared by any Member of the Administration/Finance/Fire Committee.
4. **APPOINTMENTS:**
- (a) **ITEM A51-19**
Meghan Birbeck, Climate Change and Sustainability Coordinator

Re: PowerPoint Presentation – Corporate Energy Consumption and Demand Management Plan
(Refer to Report RFD-CAO-05-19 – See ITEM A53-19)

Ms. Meghan Birbeck, Climate Change and Sustainability Coordinator for the Township reviewed a PowerPoint Presentation, which is attached to the minutes as **Schedule “A”**, with respect to the Corporate Energy Consumption and Demand Management Plan.

In response to Chair Rehner’s inquiry regarding when Station 2 Fire Department was proposed to be replaced as part of the Township’s Capital Budget, the Treasurer/Director of Finance advised that a new Station 2 Fire Department was being proposed either in next year’s Capital Budget (2020) or in 2021.

Chair Rehner noted that based on the fact that Station 2 Fire Department will be replaced in 2020/2021, the Climate Change and Sustainability Coordinator could exclude the current Station 2 Fire Hall from her energy consumption and demand consumption analysis and plan.

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA:

- (a) Dr. Steve Tourkousis
Re: Item A59-19 - Confidential Report RFD-T-23-19 – Section 357/358/359 Applications

Dr. Steve Tourkousis advised that he and his wife were in attendance this evening as they had received a letter from the Township that the assessment of their property was being addressed this evening. Dr. Tourkousis explained that his property was currently being assessed fully as commercial; however, he noted that he rented the second floor as a residential unit, which has not changed over the past 40 years.

The Treasurer/Director of Finance thanked Dr. Tourkousis for his comments and explained that the letter stated that the matter was being discussed this evening; however, there was no need for him or his wife to attend this evening’s meeting. The Treasurer/Director of Finance stated that Dr. Tourkousis’ application would be considered later in the agenda under confidential matters and a response will be provided following Council ratification on September 23, 2019.

6. CONSENT AGENDA ITEMS:

(a) ITEM A52-19

- (1) West Lincoln Age Friendly Advisory Committee (WLAFAC) – Minutes of August 9, 2019
- (2) Joint Accessibility Advisory Committee – Minutes of August 8, 2019
- (3) Information Report WLFD-14-19 - Monthly Update – August 2019
- (4) Information Report RFI-T-21-19 – August 2019 Budget Status Report
- (5) Recommendation Report RFD-CAO-04-19 - Christmas Break Holiday Hours

Moved by Councillor William Reilly and seconded by Councillor Cheryl Ganann:

The Administration/Finance/Fire Committee hereby approve the following Consent Agenda Items:

1. Items 1 to 4 be and are hereby received for information; and,
 2. Item 5 be and is hereby received and that the recommendation contained therein be adopted.
- Carried.

SUMMARY OF CONSENT AGENDA ITEM RECOMMENDATION:

- (1) That, the minutes of the Age-Friendly Advisory Committee Meeting from August 9, 2019 be received for information.
- (2) That, the minutes of the Joint Accessibility Advisory Committee Meeting of August 8, 2019 be received for information.
- (3) That, the Fire Department's Monthly Update WLFD-14-19 for August 2019 be and is hereby received for information.
- (4) That, Report RFI-T-21-19, dated September 16, 2019, regarding the "August 2019 Budget Status Report", be received for information.
- (5) (1) That, Report RFD-CAO-04-19 dated September 16, 2019 regarding the "Christmas Break Holiday Hours", be received; and,
(2) That, the following Christmas Break Schedule be approved:
 - (a) That, the Main Administration Office be closed on December 27th, 30th & 31st, 2019 (office closed for the period between December 24th, 2019 to and including January 1st, 2020); and,
 - (b) That, the Public Works Yard remain open on December 27th, 30th & 31st, 2019; and,
 - (c) That the Arena remain open, subject to program scheduling, from December 24th, 2019 to January 1st, 2020 inclusive, with the exception of December 25th, 2019.

7. COMMUNICATIONS:

There were no communications.

8. STAFF REPORTS:

(a) ITEM A53-19

Climate Change and Sustainability Coordinator (Meghan Birbeck) & CAO (Bev Hendry)

Re: Recommendation Report RFD-CAO-05-19 - Updated Township of West Lincoln Energy Conservation and Demand Management Plan

Mayor Bylsma noted his concerns with respect to the possible financial implications that the Energy Conservation and Demand Management Plan may have and he questioned whether Council will be provided further information with respect to costs prior to any improvements being undertaken as there may be some initiatives that will cost more than the benefit received.

The Treasurer/Director of Finance advised that any initiatives will be presented as part of the budget process and staff will provide key information in order that Council may make informed decisions, specifically that the financial implications would outweigh the potential benefit.

Moved by Councillor William Reilly and seconded by Councillor Christopher Coady:

- (1) That, Report RFD-CAO-05-2019, dated September 16th, 2019 regarding the

- updated "Township of West Lincoln Energy Conservation and Demand Management Plan," be received; and,
- (2) That, the updated "Township of West Lincoln Energy Conservation and Demand Management Plan" for 2019-2024 be and is hereby adopted as set out in Schedule "A" attached here to and forming part of the By-law.
 - (3) That, the Mayor and Clerk be authorized to sign a By-law to adopt the ECDM Plan and the By-law shall come into full effect upon its passing.
- Carried.

(b) ITEM A54-19

Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report RFD-T-22-19 – 2020 Budget Process and Schedule

Moved by Councillor Cheryl Ganann and seconded by Mayor Dave Bylsma:

- (1) That, report RFD-T-22-19, dated September 16, 2019, regarding "2020 Budget Process and Schedule", be received; and,
 - (2) That, the Preliminary Draft 2020 Operating and Capital Budgets and Ten Year Capital Plans be presented at the Administration meeting scheduled for Monday, January 20th, 2020 at 6:30 pm; and
 - (3) That a Public Budget Open House be held on Wednesday, February 5th, 2020 at 7:00 pm; and,
 - (4) That, the draft 2020 Operating and Capital Budgets be presented at the Administration Meeting scheduled for Tuesday, February 18th, 2020 at 6:30 pm, with an additional date set for further deliberation, if required, for Wednesday, February 19th, 2020 at 6:30 pm; and,
 - (5) That, budget ratification take place at the Council Meeting scheduled for Monday, February 24th, 2020.
- Carried.

(c) ITEM A55-19

Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report RFD-T-24-19 - Ontario Government's Consultation Regarding Municipal Insurance Costs

In response to Councillor Reilly's inquiry regarding whether there would be a financial benefit on the amount of premiums that the Township pays for its insurance if the deductible was increased from \$10,000 to \$25,000, the Treasurer/Director of Finance stated that it is normal for premiums to decrease if the deductible amount is increased; however, she noted that staff would need to investigate this as an option during the Township's insurance renewal in 2020.

Moved by Councillor William Reilly and seconded by Councillor Jason Trombetta:

- (1) That, report RFD-T-24-19, regarding "Ontario Government's Consultation Regarding Municipal Insurance Costs", dated September 16, 2019, be received for information; and,
 - (2) That, staff be directed to submit Appendix B to this report to the Attorney General as part of the first phase of the government's review into the impacts of Joint and Several Liability.
- Carried.

9. OTHER BUSINESS:

(a) ITEM A56-19

Councillor William Reilly

Re: Support of The Corporation of the Township of Papineau-Cameron Regarding Amalgamation

Moved by Councillor Christopher Coady and seconded by Councillor Cheryl Ganann:

That, the resolution received from The Corporation of the Township of Papineau-Cameron, dated August 15, 2019, requesting that before the Provincial Government forces amalgamation in any of the 444 municipalities in Ontario that our AMO organization go beyond requesting "consultation" and "demand" that the Provincial Government do the following:

1. Hold a local referendum letting the citizens decide to amalgamate or not.
2. Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit.
3. Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so, on their own time line and volition.
4. To ensure that there is absolutely no conflict of interest in this consultative process.
5. To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario.

be received and supported.

- Carried.

(b) ITEM A57-19

Members of Committee

Re: Verbal Updates from Members of Boards and Committees - If required

There were no verbal updates provided from Members of the Committee with respect to other various Boards and Committees for which they are members of.

(c) ITEM A58-19

Members of the Committee

Re: Other Business Items of an Informative Nature

(i) Councillor William Reilly

Re: Tim Horton's Smile Cookie Campaign

Councillor Reilly advised that the Smithville Tim Horton's will be donating all proceeds from their "Smile Cookie" campaign to West Lincoln Memorial Hospital Foundation. Councillor Reilly stated that earlier this afternoon himself, Councillor Jonker and the Director of Planning & Building had volunteered their time to put smiles on cookies and it was his understanding that Mayor Bylsma had also volunteered time earlier today.

(ii) Councillor Harold Jonker

Re: Tim Horton's Smile Cookie Campaign

Further to Councillor Reilly's comments, Councillor Jonker advised that the staff at Tim Horton's were very friendly and helpful and that he had a great time volunteering his time and encouraged others to do the same. Councillor Jonker noted that the campaign goal for the Smithville Tim Horton's was \$10,000 and when he was leaving he was told that they had already sold over 1000 cookies which was great for the first day of the campaign and encouraging that they will be able to meet their goal.

- (iii) Councillor Cheryl Ganann
Re: Blood Donor Clinic

Councillor Ganann commended Deputy Fire Chief Hofsink for encouraging many of the West Lincoln Volunteer Firefighters to come to the Blood Donor Clinic recently held, which helped to increase the number of donors that attended this clinic and she asked the Fire Chief to pass her thanks to the Deputy Fire Chief and the firefighters who attended.

- (iv) Councillor Cheryl Ganann
Re: Silverdale Hall Corn Roast

Councillor Ganann noted that she, Mayor Bylsma and Councillor Jonker attended and volunteered at the Silverdale Hall Board Annual Corn Roast, which was well attended and the money donated by those who attended, being approximately \$1,300, was donated to the Smithville FORT.

- (v) Councillor Cheryl Ganann
Re: Terry Fox Run

Councillor Ganann advised that there was a very good turnout for the Terry Fox Run that was held yesterday which included a great and successful silent auction that included items that were donated by businesses and individuals from the community.

- (vi) Councillor Cheryl Ganann
Re: West Lincoln Public Library Statistics

Councillor Ganann stated that during the months of July and August, West Lincoln Public Library had 18,300 library uses as well as 414 children were involved in the summer reading program, which was fantastic and she commended West Lincoln Public Library staff for the wonderful job that they are doing.

- (vii) Councillor Christopher Coady
Re: Fire Department Open House

Councillor Coady advised that this Saturday (September 21, 2019) was the Fire Department Open House and he encouraged everyone to attend.

10. NEW BUSINESS:

There were no new business motions put forward by any Member of Administration/Finance/Fire Committee.

11. CONFIDENTIAL MATTERS:

Moved by Councillor William Reilly and seconded by Councillor Jason Trombetta:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

(a) ITEM A59-19

Coordinator of Revenue Services (Melinda Dent) & Treasurer/Director of Finance (Donna DeFilippis)

Re: Confidential Report RFD-T-23-19 – Section 357/358/359 Applications

Applicable closed session exemption(s):

- personal matters about an identifiable individual, including municipal or local board employees. (7:30 p.m.)
- Carried.

All Members of Committee noted as present as well as the Treasurer/Director of Finance and Clerk were in attendance during discussion of the above noted closed session item.

Moved by Councillor William Reilly and seconded by Councillor Christopher Coady:

That, this Committee meeting does now resume in open session at 7:43 p.m.

- Carried.

(a) ITEM A59-19

Coordinator of Revenue Services (Melinda Dent) & Treasurer/Director of Finance (Donna DeFilippis)

Re: Confidential Report RFD-T-23-19 – Section 357/358/359 Applications

Moved by Councillor Harold Jonker and seconded by Councillor Christopher Coady:

- (1) That report, RFD-T-23-19, regarding Section 357/358/359 Applications, dated September 16, 2019 be received; and,
 - (2) That the list of applications as contained in Appendix A to report RFD-T-23-19 be approved.
- Carried.

12. ADJOURNMENT:

The Chair declared the meeting adjourned at the hour of 7:44 p.m.



JOANNE SCIME, CLERK

COUNCILLOR MIKE REHNER, CHAIR



SEPTEMBER 16, 2019

Milestone One

Meghan Birbeck
Climate Change and Sustainability Coordinator

Major Topics



Recap:

- The Coordinator's Responsibilities
- Climate Science
- Climate Change Action Plans

Introduce:

- Corporate Energy Trends
- Operational Energy Trends
- Next Steps



Part One

RECAP: THE COORDINATOR'S RESPONSIBILITIES

Introductions



Scholar



Employee



Volunteer



Explorer

FCM's requirements

In Year 1:

- Milestone 1
 - PCP Joining Resolution
 - Review existing plans & reports
 - Review existing energy trends
 - Document findings
 - Develop preliminary GHG reduction scenarios
- Milestone 2
 - Develop recommendations
 - Draft Mitigation Plan
 - Identify stakeholders
 - Establishment of a Green Team
 - Final Mitigation Plan

In Year 2:

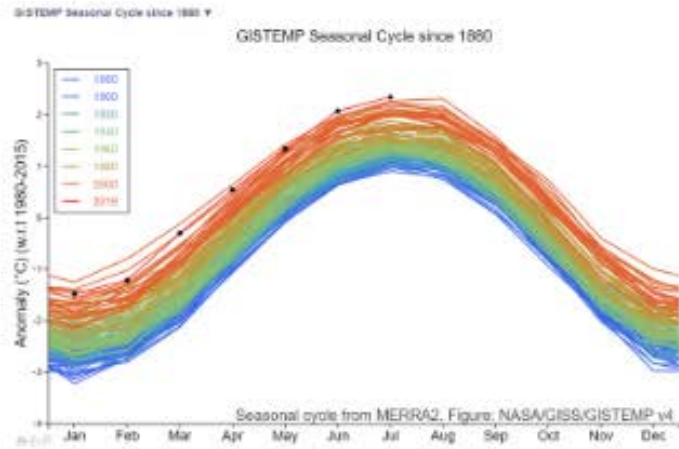
- Milestone 3
 - Review Council approved priorities
 - Draft implementation work plan
 - Obtain management approval for plan
 - Update development standards
- Milestone 4
 - Implement mitigation plan at department level
 - Implement corporate energy action Items
 - Hold final public consultation
 - Develop future implementation strategy



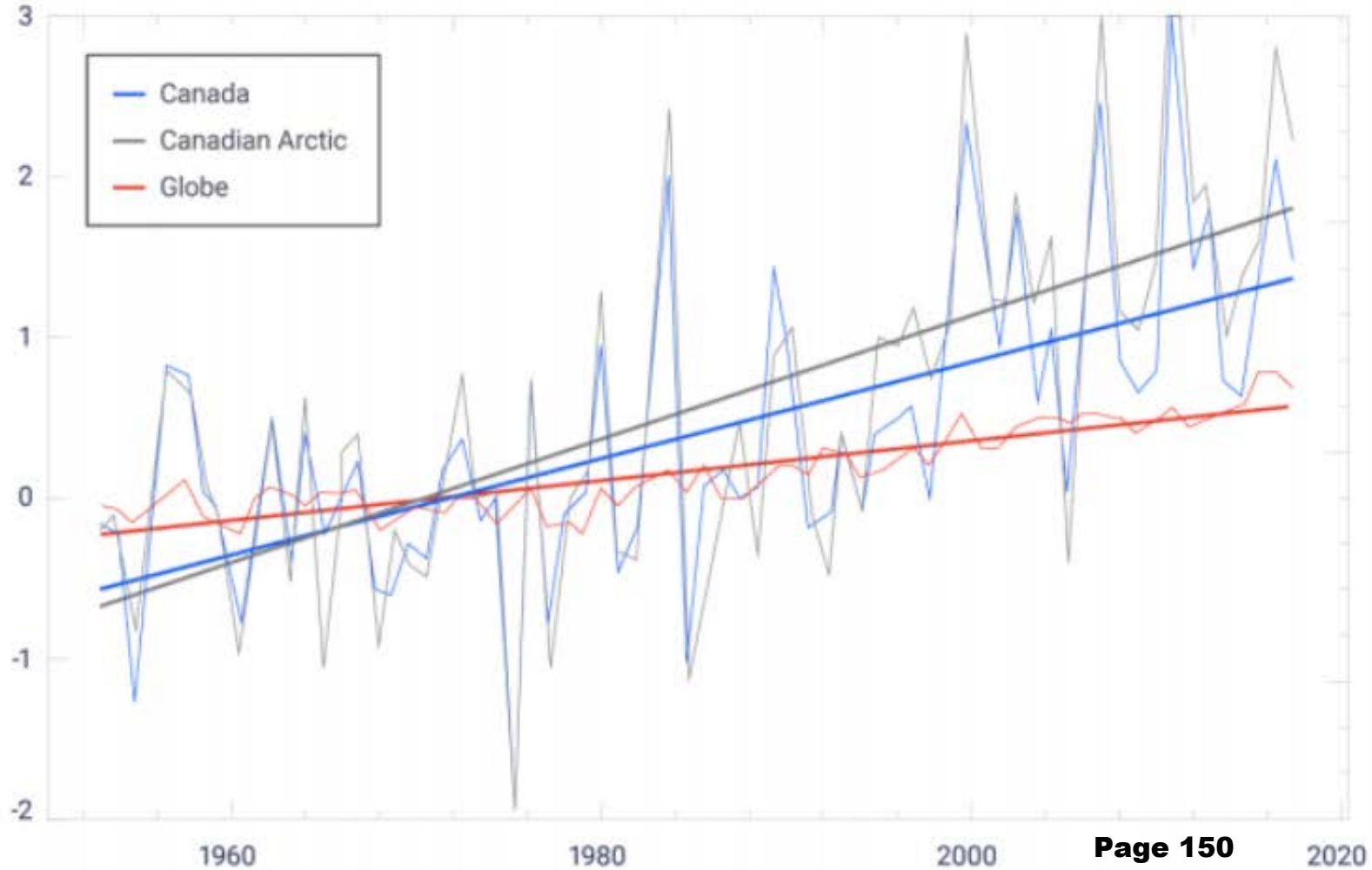
Part Two

RECAP: CLIMATE SCIENCE

Earth is heating up

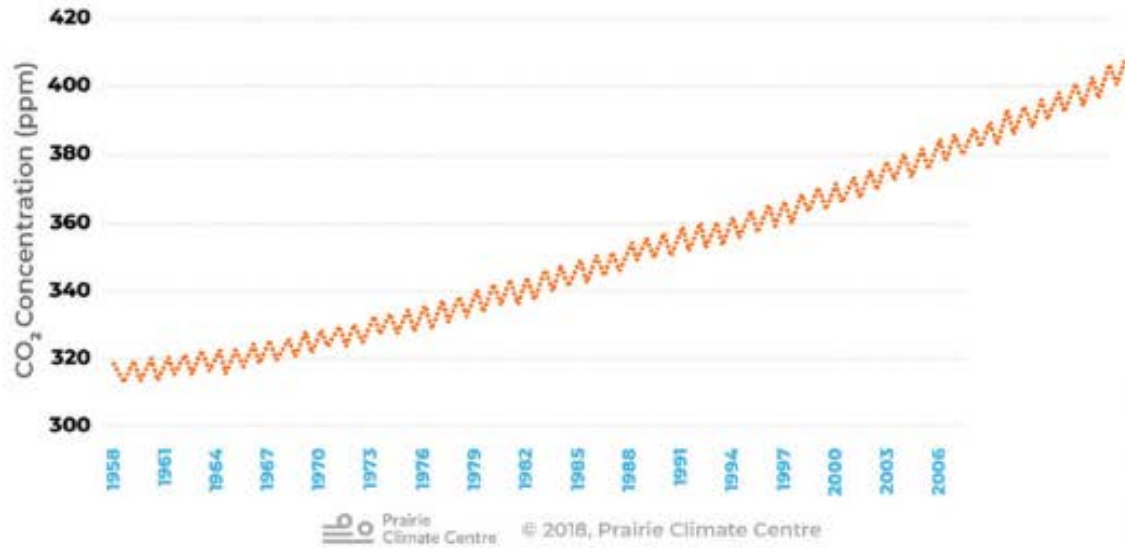


Surface temperature relative to 1961-1990 mean (°C)



The cause: human activity

Carbon Dioxide Concentration, 1958 to 2018



Observations

Possible Explanations

	The Sun	Orbital Changes	El Niño	Volcanos	Natural GHGs	Human GHGs
Global CO2 higher than any time in past 10-15 million years	✗	✗	✗	✗	✗	✓
Nights warming faster than days	✗	✗	✗	✗	✓	✓
Winters warming faster than summers	✗	✗	✗	✗	✓	✓
More CO2 in the air with a fossil fuel signature	✗	✗	✗	✗	✗	✓
Less oxygen in the air	✗	✗	✗	✗	✗	✓
Long-term stratospheric cooling	✗	✗	✗	✗	✓	✓

SMT's reply to "climate change"



The realities for Niagara

- Increase
 - heavy rains
 - erosion from rain run-off
 - damage from freeze-thaw cycle
 - days over 30 degrees Celsius
 - power outages
 - invasive weeds and pests
 - heat stress for animals
- Municipalities have the potential to make energy reductions anywhere from 15-40%,

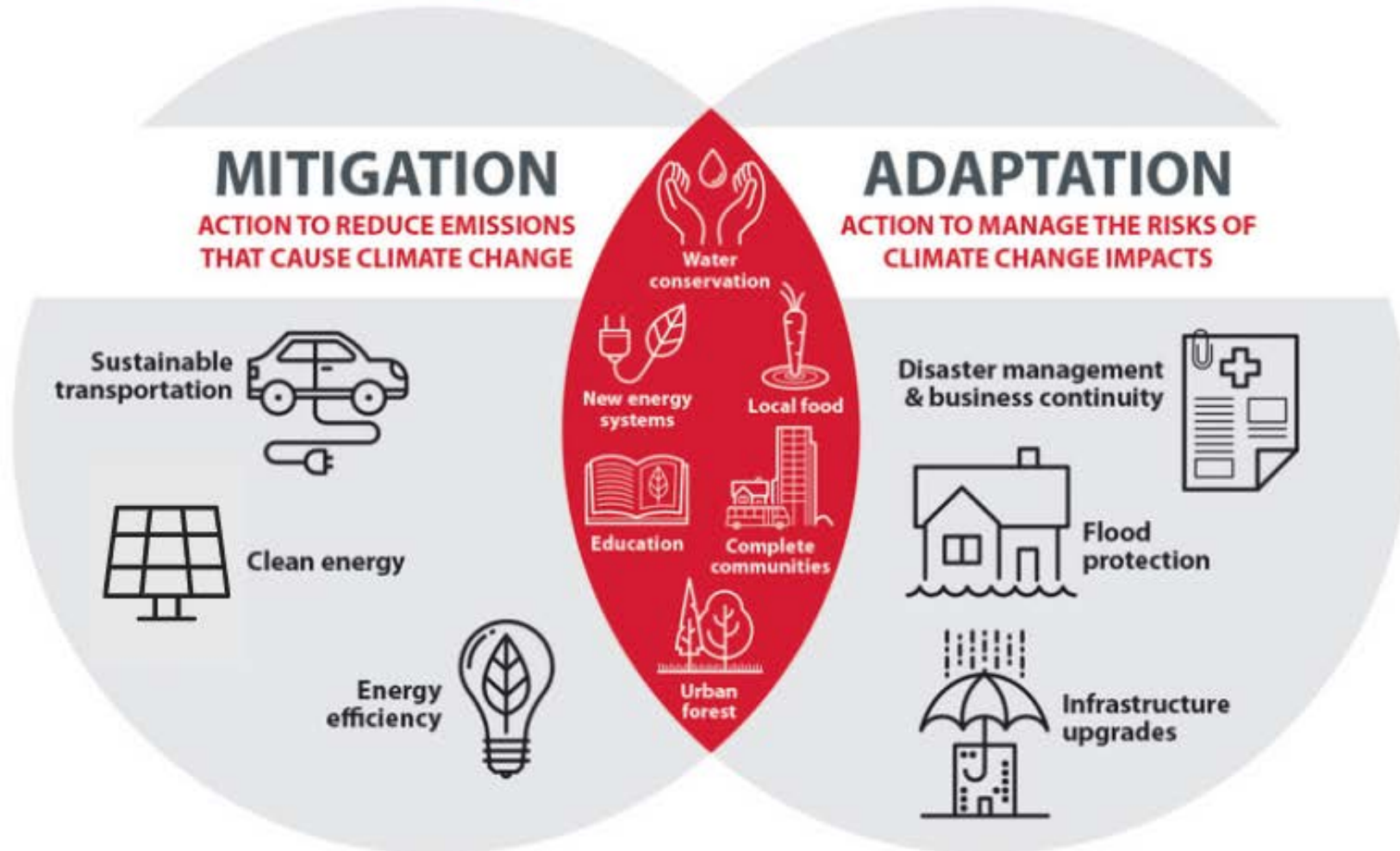


Part Three

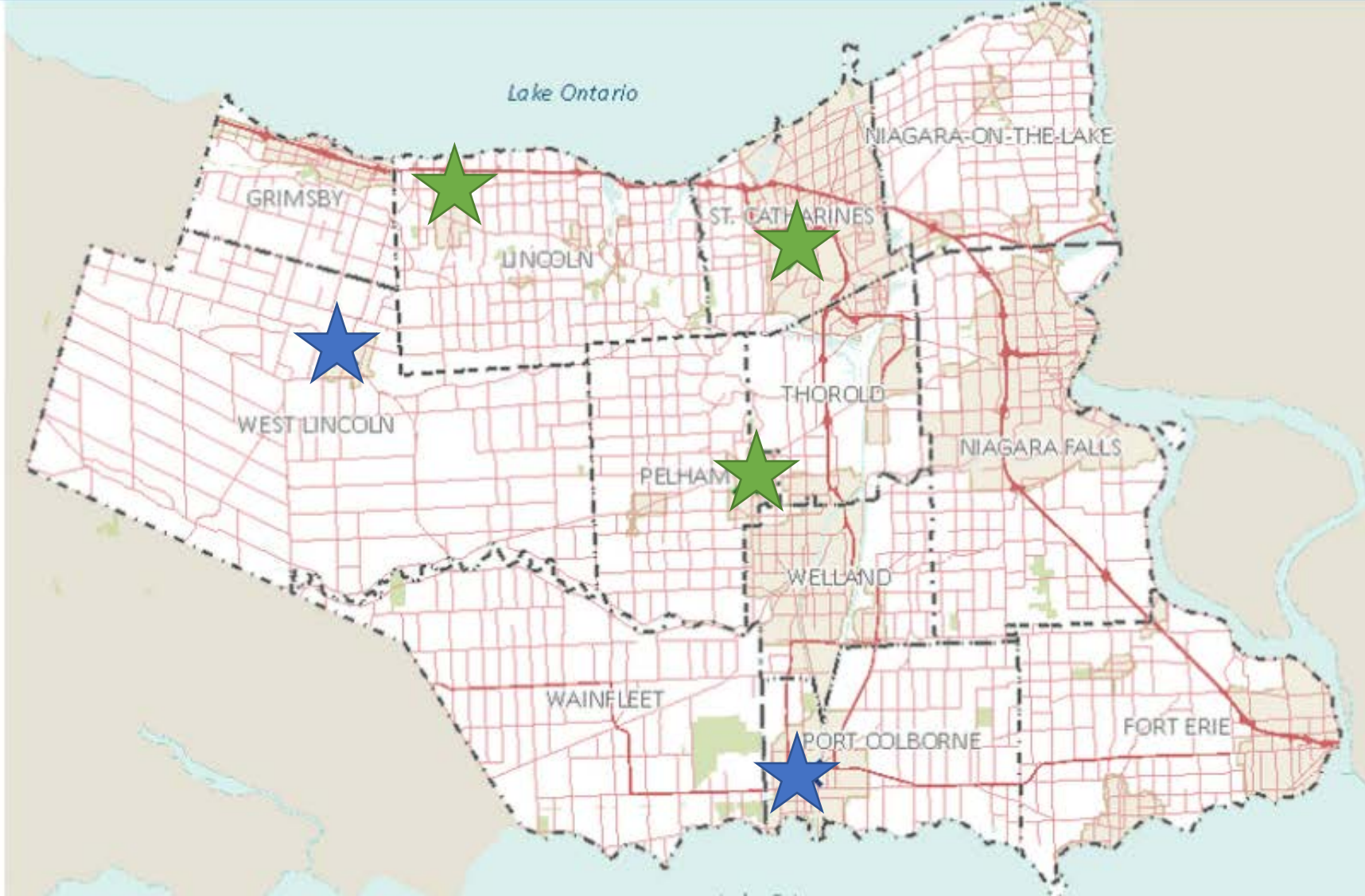
RECAP: CLIMATE CHANGE ACTION PLANS

What can be done

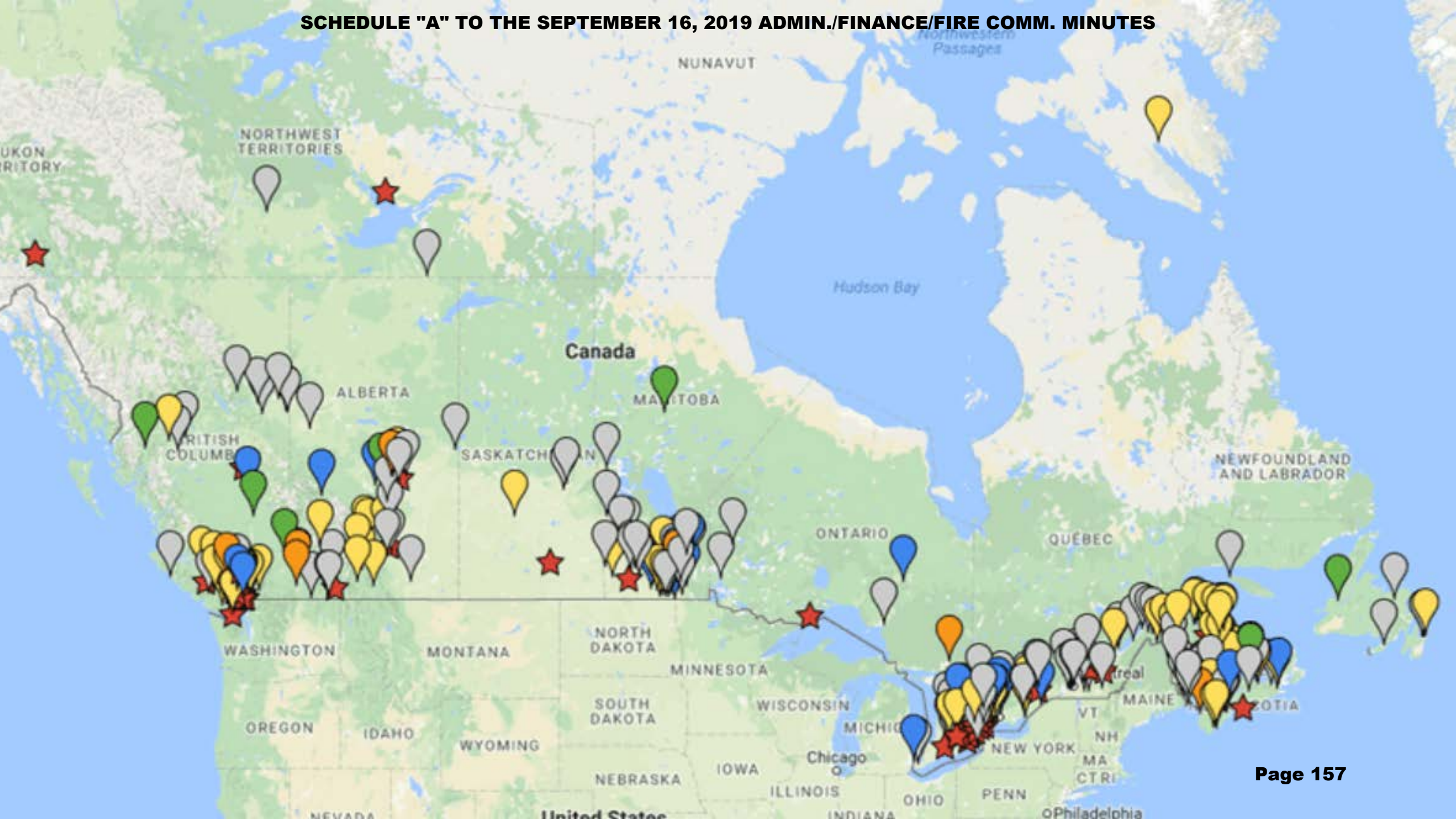
Building Climate Resilience



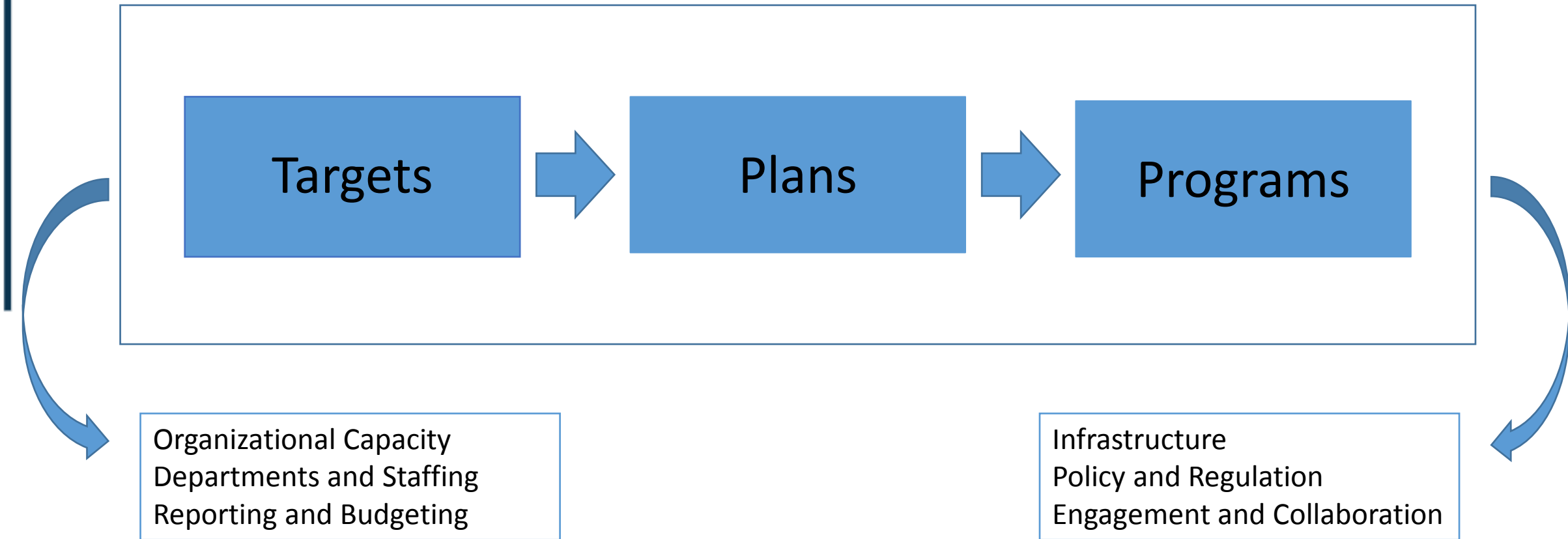
Regional Coordinators



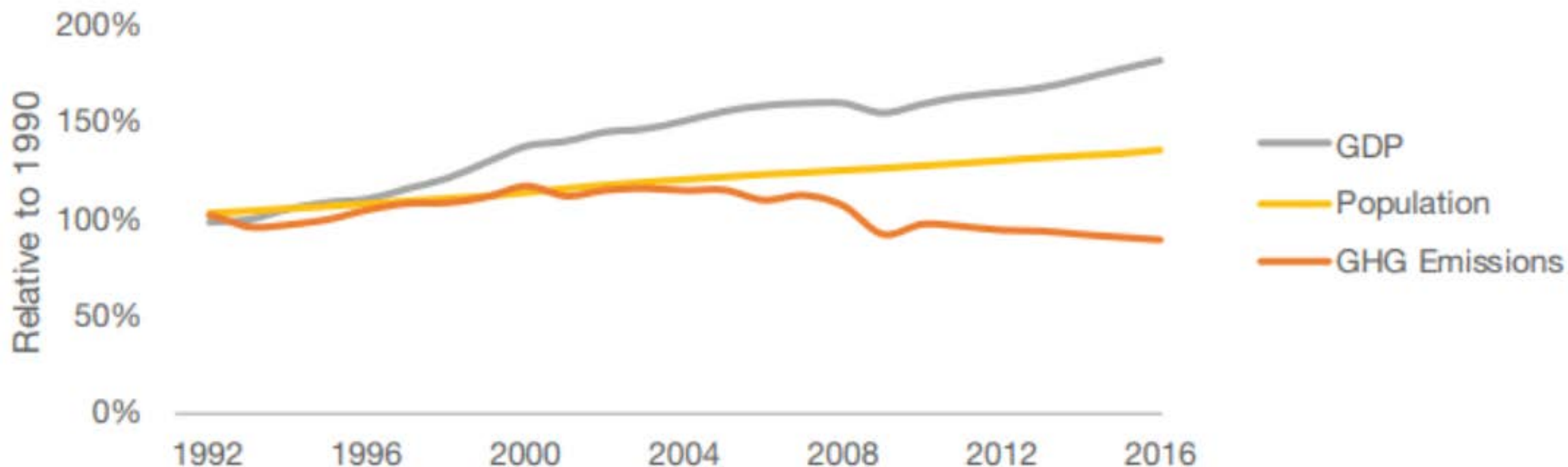
SCHEDULE "A" TO THE SEPTEMBER 16, 2019 ADMIN./FINANCE/FIRE COMM. MINUTES



Main parts



What has been done



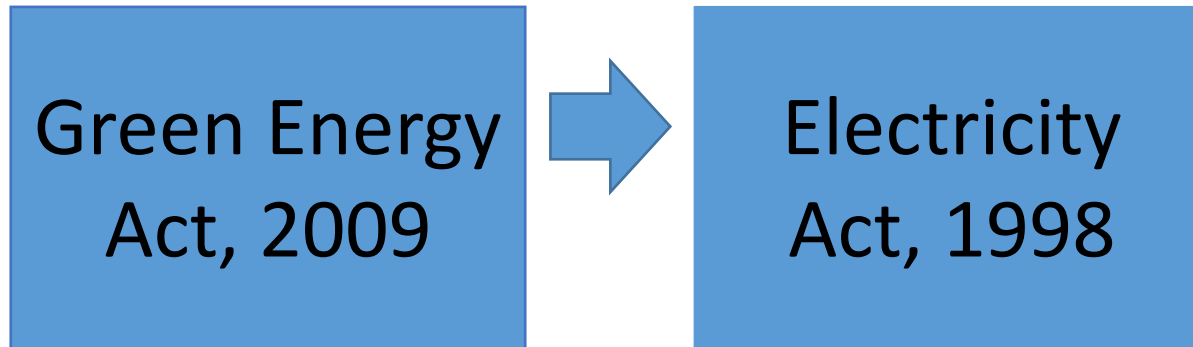
Ontario greenhouse gas (GHG) emissions compared to gross domestic product (GDP) and population trends by year.

Source: Statistics Canada, *Gross domestic product, expenditure-based, provincial and territorial* (2018), CANSIM Table 384-0038; Statistics Canada, *Population by year, by province and territory* (2018), CANSIM Table 051-0001.

Part Four

ENERGY CONSERVATION & DEMAND MANAGEMENT PLAN

Provincial Requirements



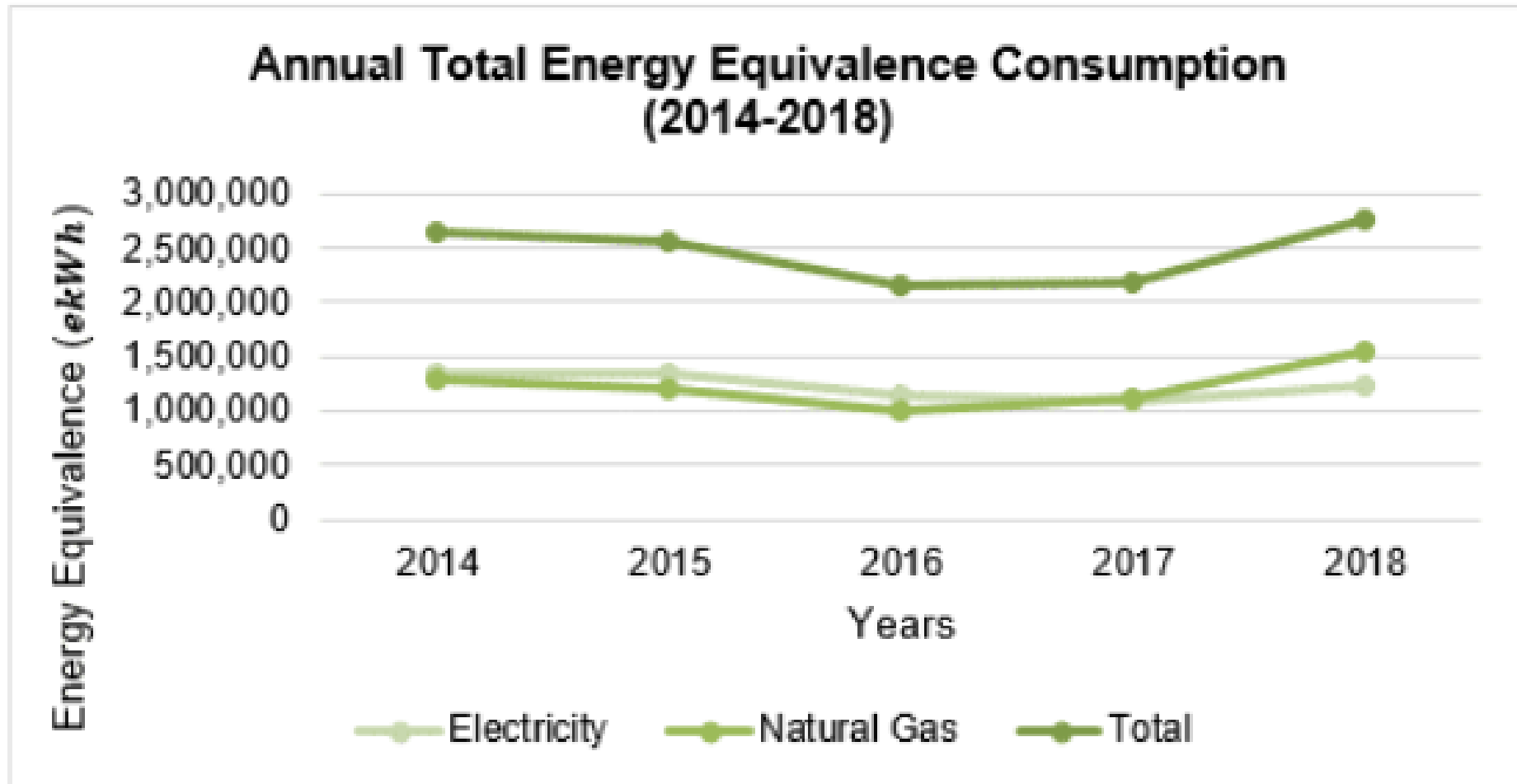
Methodology

Required	Required	Required	Voluntary	Voluntary
				
Wellandport Library	First Station #1	Administration Office	Smithville Parkette	Abingdon Park
				
Caistorville Library	First Station #2	Public Works Office	Streetlights	Leisureplex
				
Arena	Community Center		Water-bulking Station	

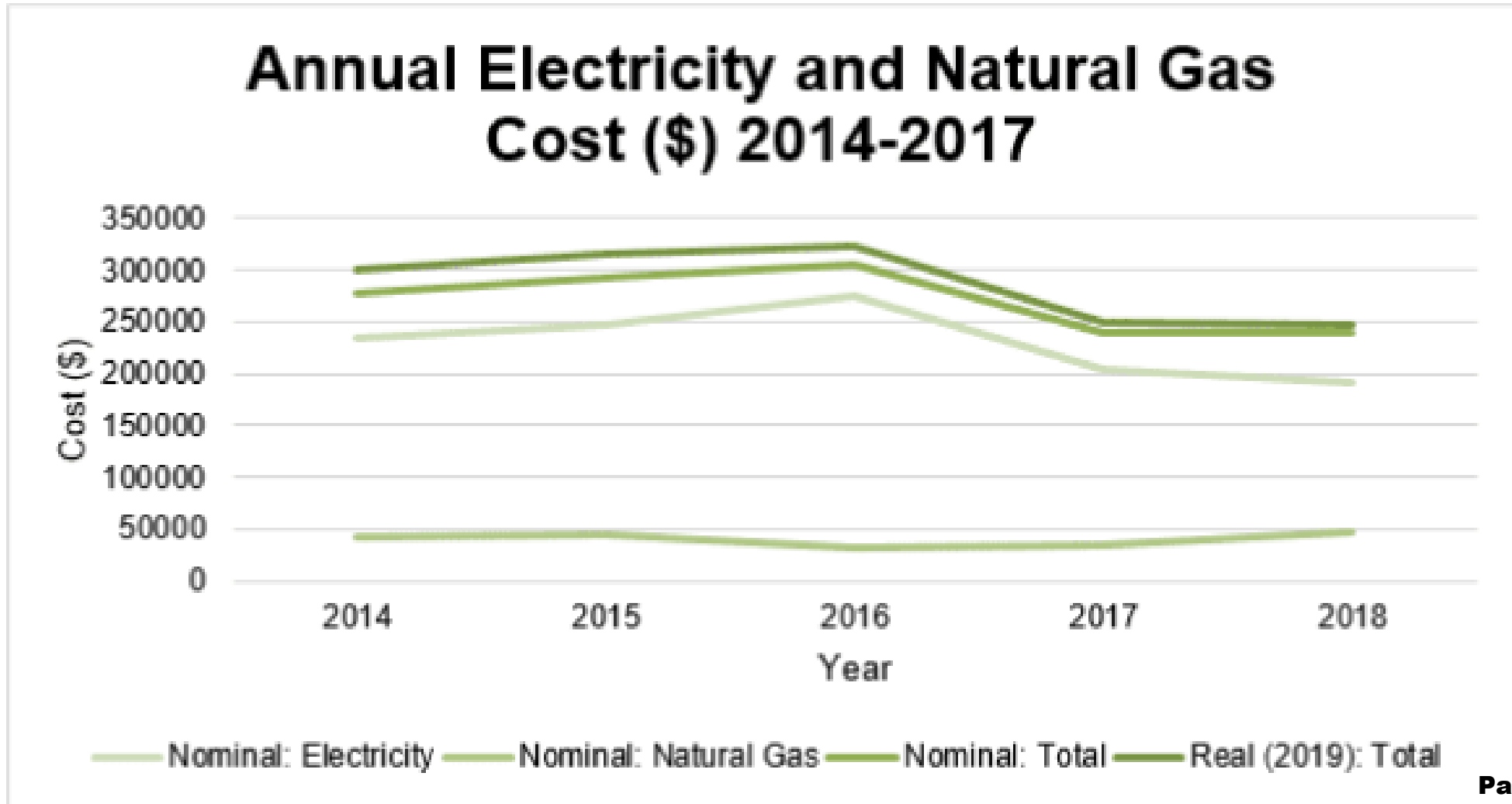
Part Five

CORPORATE ENERGY TRENDS

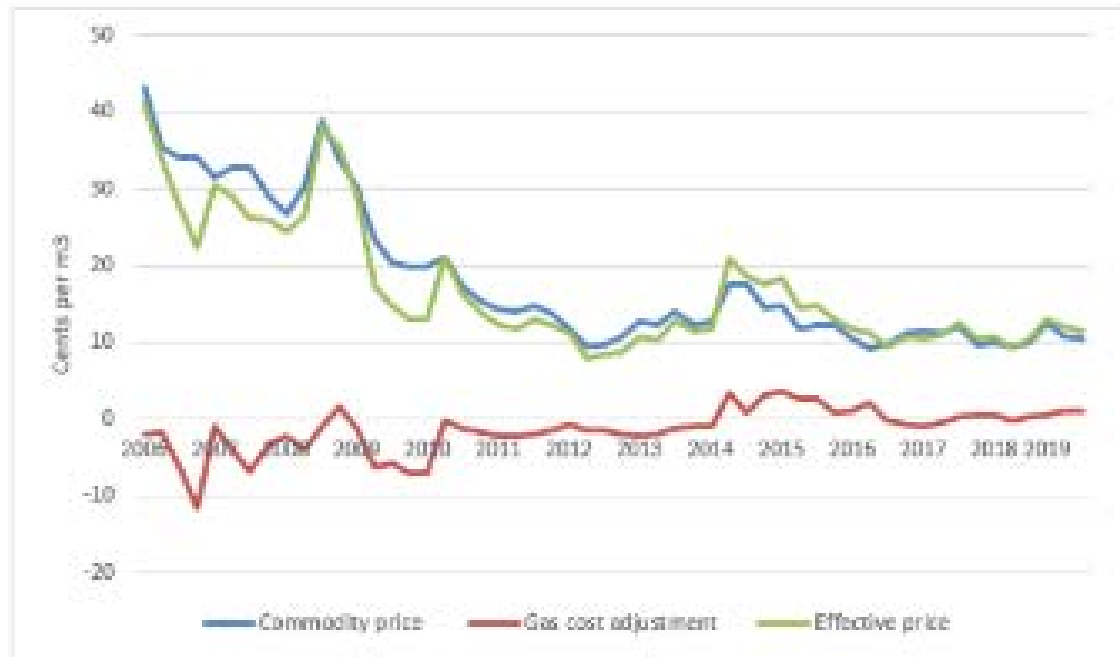
Energy Consumption



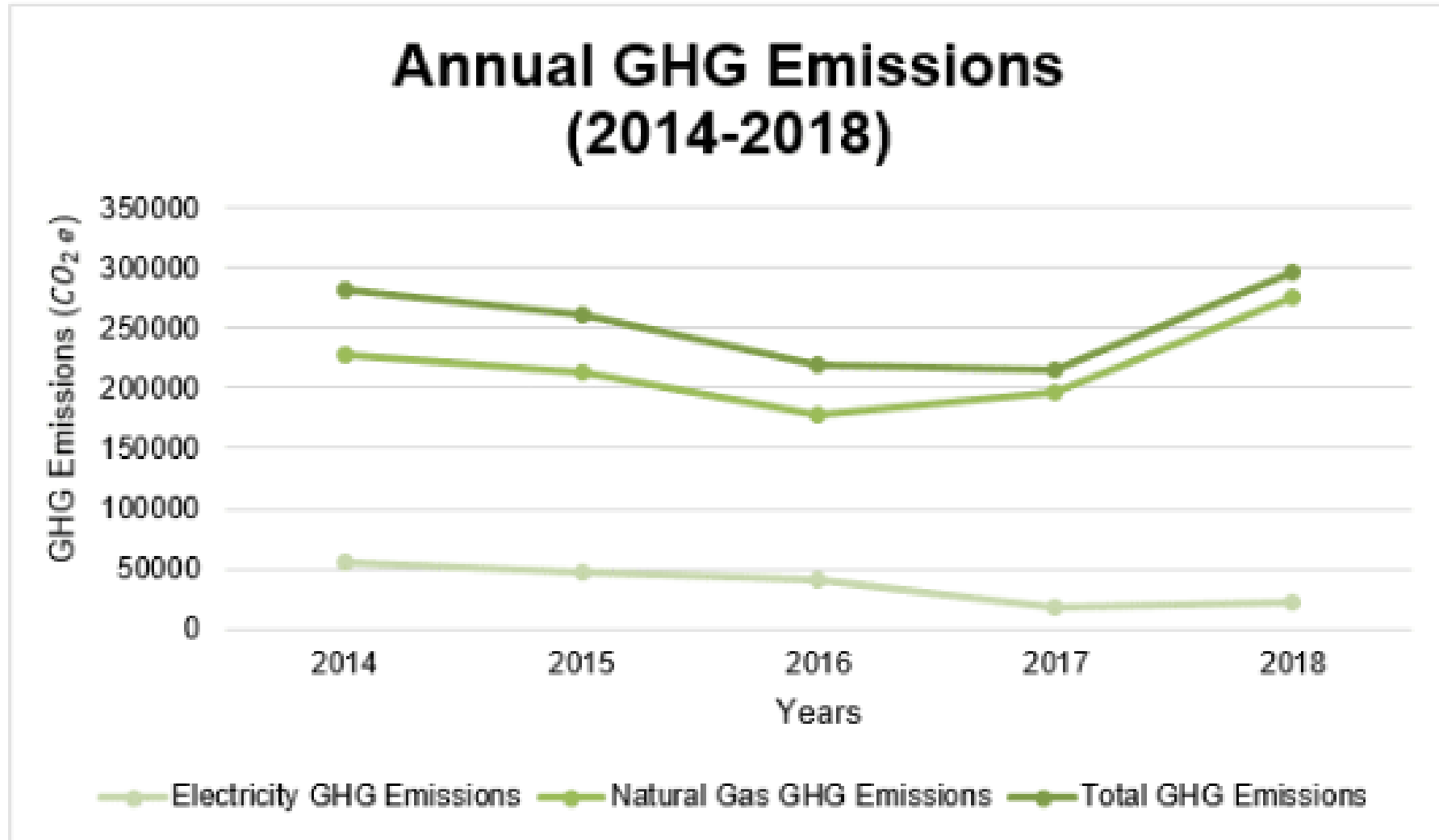
Energy Costs



Energy Costs



Energy GHG emissions



Part Six

OPERATIONAL ENERGY TRENDS

Streetlights



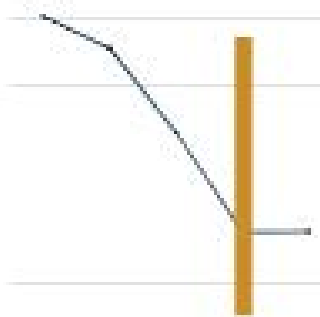
-55%

Reduction In Energy
Consumption



-56%

Reduction In Energy
Costs



-81%

Reduction In the
Production of
Greenhouse Gases

Town Hall



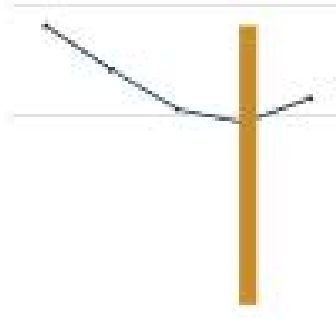
-14%

Reduction In Energy
Consumption



-36%

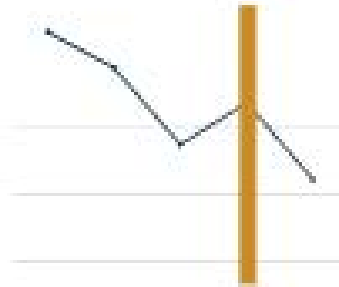
Reduction In Energy
Costs



-24%

Reduction In the
Production of
Greenhouse Gases

Public Works



-32%

Reduction In Energy
Consumption

-30%

Reduction In Energy
Costs

-50%

Reduction In the
Production of
Greenhouse Gases

Fire Station #1



19%

Increase In Energy
Consumption



-6%

Reduction In Energy
Costs



16%

Increase In the
Production of
Green Energy

Fire Station #2



-3%

Reduction In Energy Consumption

31%

Increase In Energy Costs

-29%

Reduction In the Production of Greenhouse Gases

Caistorville Library



-7%

Reduction in Energy
Consumption

-15%

Reduction in Energy
Costs

-13%

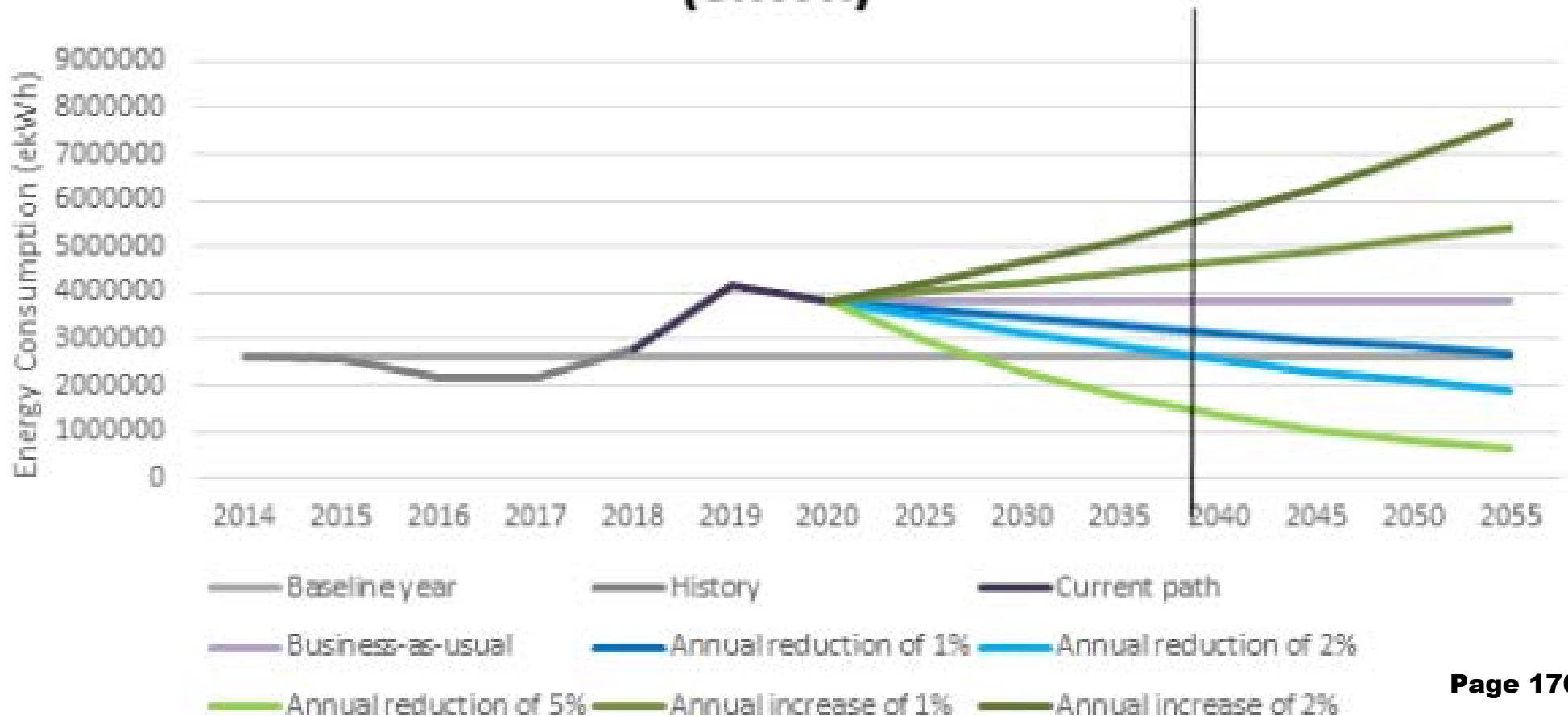
Reduction in the
Production of
Greenhouse Gases

Part Seven

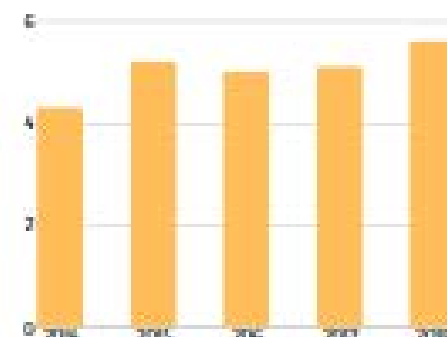
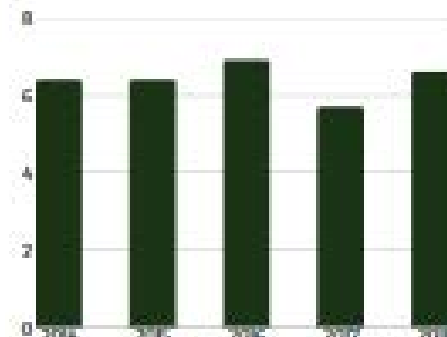
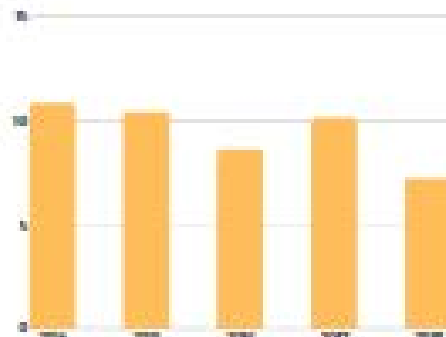
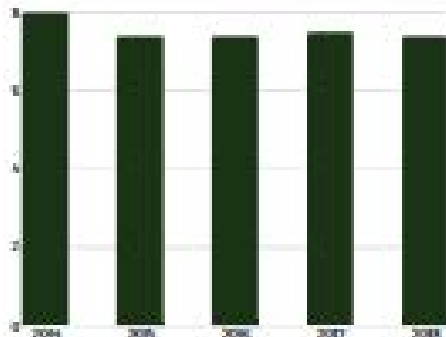
MOVING FORWARD

Moving Forward

Forecasting the Township's Energy Consumption (ekWh)



What to tackle



Energy Intensity

What to tackle



1

2

3

4

Corporate Next Steps

- The role of the Municipal Green Team is to provide a forum for staff to work collaboratively on climate change planning and action.
- For a successful collaboration it is vital that the Team is comprised of staff with direct environmental, sustainability, and economic responsibilities.
- Continue on the Action items from the 2014 Energy Conservation & Demand Management Plan
- Work on items that are both "low" and "high" hanging fruit
- Engage in items that are also informed by the future Mitigation Plan

Council's Next Steps

- That, Report RFD-CAO-05-2019, dated September 16th, 2019 regarding the updated "Township of West Lincoln Energy Conservation and Demand Management Plan," be received; and,
- That, the updated "Township of West Lincoln Energy Conservation and Demand Management Plan" for 2019-2024 is hereby adopted as set out in Schedule "A" attached here to and forming part of the By-law.
- That, the Mayor and Clerk be authorized to sign a By-law to adopt the ECDM Plan and the By-law shall come into effect upon its passing.

Questions?

TOWNSHIP OFFICE

318 Canborough, Smithville

PHONE

905-957-3346 ext. 5141

EMAIL ADDRESS

mbirbeck@westlincoln.ca



**TOWNSHIP OF WEST LINCOLN
PUBLIC WORKS/RECREATION/ARENA
COMMITTEE SUMMARY**

DATE OF MEETING: September 16, 2019

SUMMARY OF RECOMMENDATIONS:

(a) ITEM PW32-19

The Public Works/Recreation/Arena Committee hereby approve the following Consent Agenda Items:

1. Items 1 & 2 be and are hereby received for information; and,
2. Item 3 be and is hereby received and that the recommendation contained therein be adopted.

(ITEM PW32

- (1) That the West Lincoln Public Library Board minutes for a Special Meeting held on August 1, 2019 be and are hereby received for information.
- (2) That, Report RFI PW-18-2019, re: Harvest Routes 2019 Event Update, dated September 16, 2019, be received for information.
- (3) 1. That, Report RFD PW-15-2019, re: Road Widening - Condition of Consent, 7612 Concession 2 Road, Land Transfer Declaration as a Public Highway, File No: B02/2019WL, dated September 16, 2019, be received; and,
2. That, a By-Law be passed to declare Part 3 on Reference Plan No. 30R-15419 on Concession 2 Rd as a Public Highway.)

(b) AMENDMENT TO BUDGET

ITEM PW33-19

- (1) THAT, Report RFD PW-16-2019, re: Road Reconstruction of Regional Road 20 - Budget Amendment, dated September 16, 2019, be received; and,
- (2) THAT, Council hereby approves the redistribution of funds for the Road Reconstruction of Regional Road 20, as shown in Appendix B.

(c) ITEM PW34-19

- (1) That, Report RFD PW-17-2019, re: 2019 Hot Mix Spot Repair Tender Authorization dated September 16th, 2019 be received; and,
- (2) That, Council accept the tender submission by Circle P Paving Inc. for the paving of spot repairs, in the amount of \$175,210.00 (plus HST); and,
- (3) That, Council approve the project budget in the total amount of \$175,210.00 (plus HST); and,
- (4) That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Circle P Paving Inc.

(d) ITEM PW35-19

That, the request received from Mr. Tim Wall to amend Item 4 under the "Alcohol" section of the Township's Special Events Policy, being Policy POL-REC-03-2010 (as amended), which requires "A minimum of two paid police officers shall be on-site at all times while liquor is being served, or sold, and for a period of one hour after" be

amended by removing the words “police officers” and replacing them with the words “security officers from a certified security firm” be received and referred to staff for investigation and report back at a future Public Works/ Recreation/Arena Committee meeting.

**TOWNSHIP OF WEST LINCOLN
PUBLIC WORKS/RECREATION/ARENA
COMMITTEE MINUTES**

MEETING NO. SIX HELD: Monday, September 16, 2019 - Township Administration Building, 318 Canborough Street, Smithville – 7:45 p.m.

PRESENT:

Council: Councillor Jason Trombetta – Chair
Mayor Dave Bylsma
Councillor Christopher Coady
Councillor Cheryl Ganann
Councillor Harold Jonker
Councillor Mike Rehner
Councillor William Reilly

Staff: Joanne Scime, Clerk
Donna DeFilippis, Treasurer/Director of Finance
Mike DiPaola, Director of Public Works & Recreation
Vanessa Holm, CEO – West Lincoln Public Library

Others: Kyle Hunter
Adam Hare, President - West Lincoln Minor Hockey

* **IN ATTENDANCE PART-TIME**

1. **CHAIR:** Councillor Jason Trombetta

Prior to commencing with the Public Works/Recreation/Arena Committee meeting agenda, Chair Trombetta noted the following:

- (1) All Public in attendance were requested to sign the attendance sheet.
- (2) All cell phones, pagers and/or PDAs are to be turned off.
- (3) The meeting was being audio and video recorded.

2. **CHANGE IN ORDER OF ITEMS ON AGENDA:**

There were no requests to change the order of items on the agenda.

3. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

There were no disclosures of pecuniary interest and/or conflict of interest declared by any Member of the Public Works/Recreation/Arena Committee.

4. **APPOINTMENTS/PRESENTATIONS:**

There were no appointments/presentations.

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

- (a) Mr. Kyle Hunter
Re: Item PW35-19 - Request to Amend Township's Special Events Policy POL-REC-03-2010 - Requirement for Two Police Officer On-Site While Liquor is Being Served/Sold

Mr. Kyle Hunter advised that he was in attendance this evening on behalf of Tim Wall to address Item PW35-19, being a request that Mr. Wall has made for the Township's Special Events Policy POL-REC-03-2010, specifically the requirement for two Police Officers to be on-site while liquor is being served/sold.

Mr. Hunter noted that over the last three years the Men's Non-Contact Hockey League has hosted an annual fundraising hockey tournament on the same weekend as West Lincoln Christmas in the Village Parade (Friday night, Saturday, and Sunday), which included a "stag and doe" type event that was held in the upstairs Agricultural Hall of the old arena on the Saturday night. Mr. Hunter advised that historically this event has raised between \$5,000 to \$6,000 each year with proceeds being donated to local minor groups such as West Lincoln Minor Hockey, Girl Guides, etc. Mr. Hunter advised that because the event will now be held in the new West Lincoln Community Centre there are new rules/policies in place as the entire facility is operated by the Township rather than the Agricultural Society, which will have a significant impact on the amount of funds raised at the event due to the requirement for two police officers to be present when alcohol is being served. Mr. Hunter stated that both the Town of Grimsby and Town of Lincoln have as part of their policy a threshold of the number of people attending the event which (1) defines it as a special event (i.e. Lincoln – 150, Grimsby – 250) and (2) if it meets the number threshold their policy allows using security officers versus police officers, which would cut the costs by more than half.

- (b) Mr. Adam Hare
Re: Item PW35-19 - Request to Amend Township's Special Events Policy POL-REC-03-2010 - Requirement for Two Police Officer On-Site While Liquor is Being Served/Sold

Mr. Adam Hare noted that he was the President of West Lincoln Minor Hockey Association (WLMHA), an Executive Member of the West Lincoln Non-Contact Hockey League (WLNHL) and a Member of the West Niagara Minor Hockey Association (WNMHA) and that he wished to address the same item as Mr. Hunter has spoken to being Item PW35-19. Mr. Hare advised that recently a Peach King Jr. "C" Game was held at the new West Lincoln Community Centre with a Bull Dog Game being held at the Fleming Centre on consecutive weekends and after speaking to the President of the West Niagara Minor Hockey Association, there was a pretty stark contrast between the two events mainly due to the fact that the event at the new WLCC could not be licensed which had a significant effect on fundraising efforts for this event. Mr. Hare noted that WLMHA, WLNHL and/or WNMHA have some great ideas to bring viable fundraising initiatives to the new WLCC; however, due to the fact that many of these proposals will require alcohol licensing and with the rules that are currently in place (require two police officers) there will be a significant effect on the association's fundraising abilities. On behalf of WLMHA and WNMHA, Mr. Hare reiterated Mr. Hunter's comments and asked that the Township amend its Special Events Policy to change the requirement for "two police officers" to be present when alcohol is being served to "two security officers".

In response to Mayor Bylsma's inquiry regarding who was the organization and insurer of the West Lincoln Non-Contact Hockey League, Mr. Hare confirmed that CARHA was the insurance company for the league, which is a licensed

underwritten insurance provider that is used by most recreational leagues in Ontario for both league participants and any special events.

6. CONSENT AGENDA ITEMS:

(a) ITEM PW32-19

- (1) West Lincoln Public Library Board Meeting Minutes – Special – August 1, 2019
- (2) Information Report RFI PW-18-2019 – Harvest Routes 2019 Event Update
- (3) Recommendation Report RFD PW-15-2019 - Road Widening - Condition of Consent, 7612 Concession 2 Road, Land Transfer Declaration as a Public Highway, File No: B02/2019WL

Moved by Councillor William Reilly and seconded by Councillor Cheryl Ganann:

The Public Works/Recreation/Arena Committee hereby approve the following Consent Agenda Items:

1. Items 1 & 2 be and are hereby received for information; and,
 2. Item 3 be and is hereby received and that the recommendation contained therein be adopted.
- Carried.

SUMMARY OF APPROVED CONSENT AGENDA ITEM RECOMMENDATIONS:

- (1) That the West Lincoln Public Library Board minutes for a Special Meeting held on August 1, 2019 be and are hereby received for information.
- (2) That, Report RFI PW-18-2019, re: Harvest Routes 2019 Event Update, dated September 16, 2019, be received for information.
- (3)
 1. That, Report RFD PW-15-2019, re: Road Widening - Condition of Consent, 7612 Concession 2 Road, Land Transfer Declaration as a Public Highway, File No: B02/2019WL, dated September 16, 2019, be received; and,
 2. That, a By-Law be passed to declare Part 3 on Reference Plan No. 30R-15419 on Concession 2 Rd as a Public Highway.

7. COMMUNICATIONS:

There were no communications.

8. STAFF REPORTS:

**(a) AMENDMENT TO BUDGET
ITEM PW33-19**

Project Manager (Ray Vachon) & Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report RFD PW-16-2019 - Road Reconstruction of Regional Road 20 - Budget Amendment

Moved by Councillor Harold Jonker and seconded by Councillor Cheryl Ganann:

- (1) THAT, Report RFD PW-16-2019, re: Road Reconstruction of Regional Road 20 - Budget Amendment, dated September 16, 2019, be received; and,
 - (2) THAT, Council hereby approves the redistribution of funds for the Road Reconstruction of Regional Road 20, as shown in Appendix B.
- Carried.

(b) ITEM PW34-19

Public Works Supervisor (Tray Benish) & Director of Public Works & Recreation
(Mike DiPaola)

Re: Recommendation Report RFD PW-17-2019 - 2019 Hot Mix Spot Repair
Tender Authorization

Moved by Mayor Dave Bylsma and seconded by Councillor Cheryl Ganann:

- (1) That, Report RFD PW-17-2019, re: 2019 Hot Mix Spot Repair Tender Authorization dated September 16th, 2019 be received; and,
 - (2) That, Council accept the tender submission by Circle P Paving Inc. for the paving of spot repairs, in the amount of \$175,210.00 (plus HST); and,
 - (3) That, Council approve the project budget in the total amount of \$175,210.00 (plus HST); and,
 - (4) That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Circle P Paving Inc.
- Carried.

9. OTHER BUSINESS:

(a) ITEM PW35-19

Mayor Dave Bylsma

Re: Request to Amend Township's Special Events Policy POL-REC-03-2010 - Requirement for Two Police Officer On-Site While Liquor is Being Served/Sold

Moved by Mayor Dave Bylsma and seconded by Councillor Cheryl Ganann:

That, the request received from Mr. Tim Wall to amend Item 4 under the "Alcohol" section of the Township's Special Events Policy, being Policy POL-REC-03-2010 (as amended), which requires "A minimum of two paid police officers shall be on-site at all times while liquor is being served, or sold, and for a period of one hour after" be amended by removing the words "police officers" and replacing them with the words "security officers from a certified security firm" be received and referred to staff for investigation and report back at a future Public Works/ Recreation/Arena Committee meeting.

- Carried.

(b) ITEM PW36-19

Members of Council

Re: Other Business Items of an Informative Nature

- (i) Councillor Harold Jonker
Re: Federal Election - Candidate for the Christian Heritage Party

Councillor Jonker stated that prior to Federal Election Signs going up; he wanted Members of Council to know that he put his name forward to run as the Christian Heritage Party Candidate for Niagara West.

- (ii) Councillor Jason Trombetta
Re: Sixteen Road Rehabilitation Project

Councillor Trombetta noted that he uses Sixteen Road to drive to and from work on a daily basis and that the contractor that undertook the

rehabilitation work (tar and chip) along Sixteen Road had did a great job as well as undertook the work in a timely manner.

- (ii) Councillor Jason Trombetta
Re: 2018 Rehabilitation Project

In response to Councillor Trombetta's inquiry regarding the status of the rehabilitation work that was undertaken last year in Ward 1 and whether there was any update with respect to the problems that had occurred to sections of Twenty Road (i.e. washboard), the Director of Public Works & Recreation advised that he met with the contractor in mid-August and the contractor will be scarifying those portions of Twenty Road that were tarred and chipped as part of the 2018 Road Rehabilitation to remove the wash boarding, they will also be regrading and repacking the granular and applying a double surface treatment which will be done at the contractor's cost. The Director of Public Works & Recreation advised that he had spoken with the contractor today who indicated that they plan to contact him sometime this week to advise when they will be doing the work, which he hoped would be in the next couple of weeks.

10. NEW BUSINESS:

There was no new business motions put forward by any Member of Public Works/ Recreation/Arena Committee.

11. CONFIDENTIAL MATTERS:

There were no confidential matters.

12. ADJOURNMENT:

The Chair declared the meeting adjourned at the hour of 8:23 p.m.



JOANNE SCIME, CLERK

COUNCILLOR JASON TROMBETTA, CHAIR

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-79

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AT ITS REGULAR MEETING HELD ON THE 12th DAY OF AUGUST, 2019, ITS SPECIAL MEETING HELD ON 11th DAY OF SEPTEMBER, 2019.

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 except where otherwise provided, the powers of any Council shall be exercised by by-law;

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 minutes of the twelfth meeting, regular, held on the 12th day of August, 2019, and thirteenth meeting, special, held on the 11th day of September, 2019, of the Municipal Council of the Corporation of the Township of West Lincoln, be and the same are hereby adopted.
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.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
23rd DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-80

**A BY-LAW TO ADOPT AN UPDATED ENERGY REPORTING
AND CONSERVATION AND DEMAND MANAGEMENT PLAN.**

WHEREAS the Province of Ontario passed the Electricity Act, 1998;

AND WHEREAS the Province of Ontario passed Ontario Regulation 507/18: Broader Public Sector: Energy Reporting and Conservation and Demand Management Plans requiring municipalities to up hold their 5-year energy Conservation and Demand Management Plans,

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

1. That the updated "Township of West Lincoln Energy Reporting and Conservation and Demand Management Plan" for 2019-2024 is hereby adopted as set out in Schedule "A" attached here to and forming part of this By-law.
2. That this by-law shall come into effect upon its passing.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
23rd DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-81

BEING A BY-LAW TO ESTABLISH PART 3 ON REFERENCE PLAN 30R-15419 ON CONCESSION 2 ROAD AS PUBLIC HIGHWAY, IN THE FORMER TOWNSHIP OF CAISTOR, NOW TOWNSHIP OF WEST LINCOLN, REGIONAL MUNICIPALITY OF NIAGARA.

WHEREAS a condition of Severance Application B02/2019WL required that lands depicted as Part 3 of Reference Plan 30R-15419, on Concession 2 Road be conveyed to the Township in order to accommodate road widening requirements on Concession 2 Road;

AND WHEREAS the Township is now in receipt of the subject lands and deems it expedient to establish the lands as a Public Highway, being Part 3 of Reference Plan 30R-15419, on Concession 2 Road in the former Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara.

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

1. That, Part 3 on Reference Plan 30R-15419, on Concession 2 Road, in the former Township of Caistor, now in the Township of West Lincoln, be and is hereby established as a public highway; and,
2. That the Township's Solicitor be and is hereby authorized and instructed to register a copy of this By-law in the Land Titles Office.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
23rd DAY OF SEPTEMBER, 2019**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-82

**BEING A BY-LAW TO AMEND BY-LAW 97-2030, AS
AMENDED, WHICH DESIGNATES PRIVATE ROADWAYS
AS FIRE ROUTES ALONG WHICH NO PARKING OF
VEHICLES SHALL BE PERMITTED**

WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 97-2030 to designate private roadways as fire routes along which no parking of vehicles shall be permitted and provide for the removal and impounding of any vehicle or vehicles parked or left along any fire route so designated at the expense of the owner thereof;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln now deems it expedient that By-law 97-2030, as amended by By-law 2017-20, be further amended by adding Woodstead Holdings to Schedule A and inserting Schedule B – Drawing 27, Niagara Christian Gleaners to Schedule A and inserting Schedule B – Drawing 28, Big Country Raw to Schedule A and inserting Schedule B - Drawing 29, Block 47 of Plan 466 also known as Rosemont Homes to Schedule A and inserting Schedule B – Drawing 30, and Niagara Pallet to Schedule A and inserting Schedule B – Drawing 31.

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

1. That, By-law 97-2030, as amended, be further amended by adding Woodstead Holdings to Schedule A and inserting Schedule B – Drawing 27; and,
2. That, By-law 97-2030, as amended, be further amended by adding Niagara Christian Gleaners to Schedule A and inserting Schedule B – Drawing 28; and,
3. That, By-law 97-2030, as amended, be further amended by adding Big Country Raw to Schedule A and inserting Schedule B - Drawing 29; and,
4. That, By-law 97-2030, as amended, be further amended by adding Block 47 of Plan 466 (Rosemont Homes) to Schedule A and inserting Schedule B – Drawing 30; and,
5. That, By-law 97-2030, as amended, be further amended by adding Niagara Pallet to Schedule A and inserting Schedule B – Drawing 31; and,
6. That, this By-law shall come into force and be effective when the necessary signs have been erected in accordance with the regulations under the Highway Traffic Act.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
23rd DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

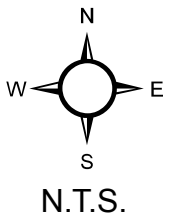
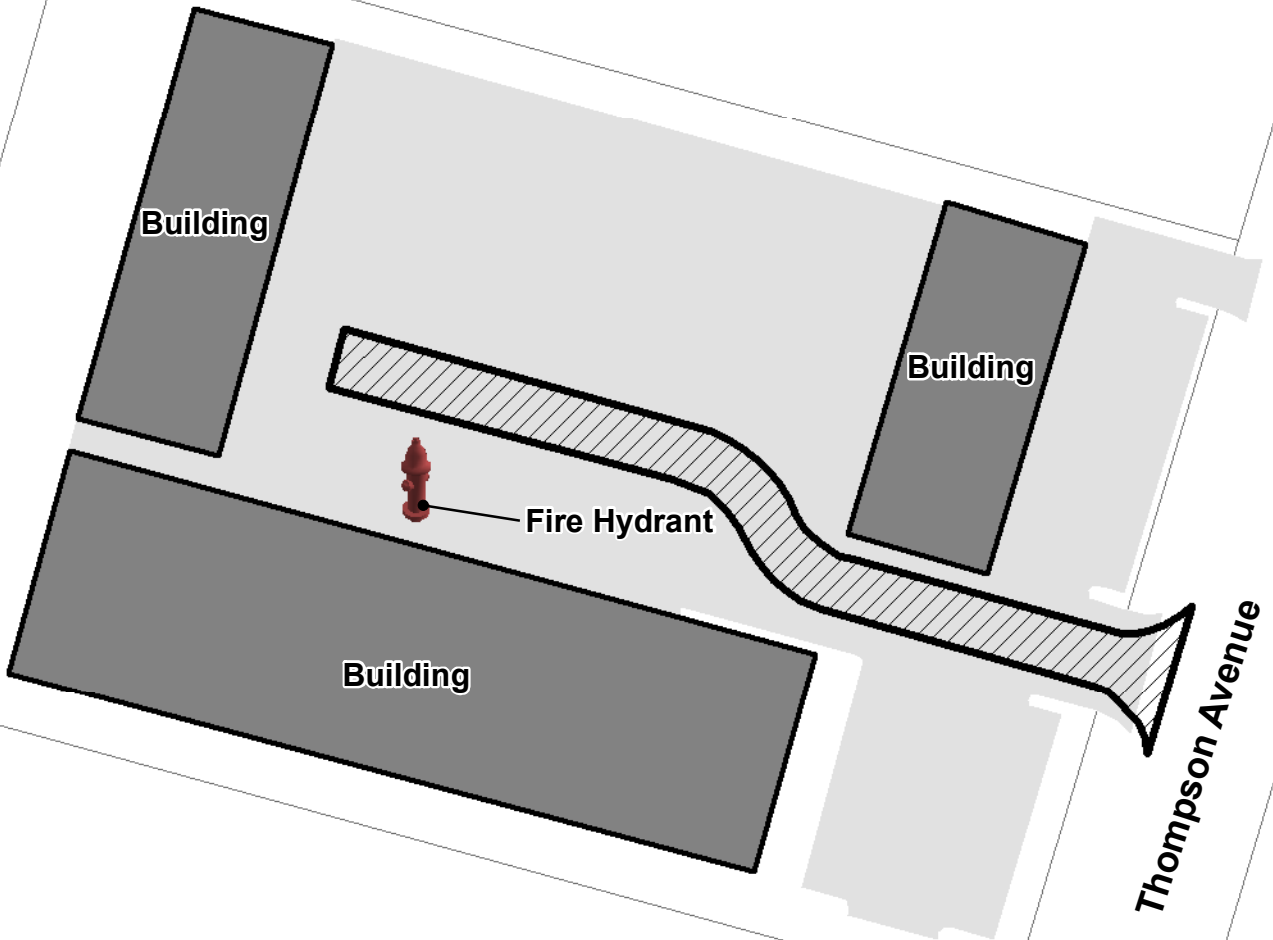
SCHEDULE "A"
FIRE ROUTE BY-LAW NO. 97-2030
(as amended by By-law 2019-82)

Township of West Lincoln Arena & Hall	177 West Street (RR 20)	Schedule B – Drawing 1	By-law 2015-109
Village Square Shopping Centre	239 St. Catharine St. (RR 20)	Schedule B - Drawing 2	By-law 2017-52
Centre Town Estates	149 St. Catharine St. (RR 20)	Schedule B - Drawing 3	By-law 2015-109
Leisureplex	2543 South Grimsby Road 6	Schedule B - Drawing 4	By-law 2015-109
Township of West Lincoln Old Fire Hall	318 Canborough St. (RR 14)	Schedule B - Drawing 5	By-law 2015-109
Zion Free Reformed Church	1075 Boyle Road	Schedule B - Drawing 6	By-law 2015-109
Copper Cliff Metals & Wrecking Corporation	2906 South Grimsby Road 8	Schedule B - Drawing 7	By-law 2015-109
G. McFeeter Holdings Inc.	2815 South Grimsby Road 21	Schedule B - Drawing 8	By-law 2015-109
Sicard Holiday Trailers	7526 Highway 20 (RR 20)	Schedule B - Drawing 9	By-law 2015-109
College Street Condos	124 College Street	Schedule B – Drawing 10	By-law 2015-109
Wes-Li Gardens Condos	Garden Drive & Village Drive	Schedule B – Drawing 11	By-law 2015-109
DiCarlo Condos	North side Highway 20 (RR 20)	Schedule B – Drawing 12	By-law 2015-109
Brookside Condos	Forestview Court	Schedule B – Drawing 13	By-law 2015-109
Dove Co-Operative Homes Ltd.	115 Smits Cove	Schedule B – Drawing 14	By-law 2015-109
Branch 393 Royal Canadian Legion Villa	161 & 171 Mill Street	Schedule B – Drawing 15	By-law 2015-109
Wes-Li Gardens Condos Extension & Heights	Jenny Cres., Riverside Cr. Sunnydale Court	Schedule B – Drawing 16	By-law 2015-109
Foodland	239 St. Catharines St.	Schedule B – Drawing 17	By-law 2015-109
LCBO	249 St. Catharines St.	Schedule B – Drawing 18	By-law 2016-66
New St. Martin School	Regional Road 20	Schedule B – Drawing 19	By-law 2015-109
Crossings on the Twenty	South Side-Townline Rd.	Schedule B – Drawing 20	By-law 2015-109
Griffin Place	South of Townline Rd./West Of Shurie Road	Schedule B – Drawing 21	By-law 2017-28
AT Realty Inc. (Premier Equipment Ltd.)	2887 South Grimsby Rd. 13	Schedule B – Drawing 22	By-law 2017-45
Stepping Stones Condo	Southeast corner of Regional Road 20 & Streamside Drive	Schedule B – Drawing 23	By-law 2017-52
West Niagara Agricultural Society	7402 Mud Street	Schedule B – Drawing 24	By-law 2017-90

PAGE 2

Multi-Use Recreation Site (MURS)	177 West Street	Schedule B – Drawing 25	By-law 2017-110
Wellandport Library	5402 Canborough Road	Schedule B – Drawing 26	By-law 2017-110
Woodstead Holdings	2932 Thompson Avenue	Schedule B – Drawing 27	By-law 2019-82
Niagara Christian Gleaners	6251 Spring Creek Road	Schedule B – Drawing 28	By-law 2019-82
Big Country Raw (Spring Creek Holdings)	6159 Spring Creek Road	Schedule B – Drawing 29	By-law 2019-82
Block 47 of Plan 30M446	Dennis Drive	Schedule B – Drawing 30	By-law 2019-82
Niagara Pallet (Top O' the Hill Farms)	2906 South Grimsby Road 8	Schedule B – Drawing 31	By-law 2019-82

Schedule B - Drawing 27



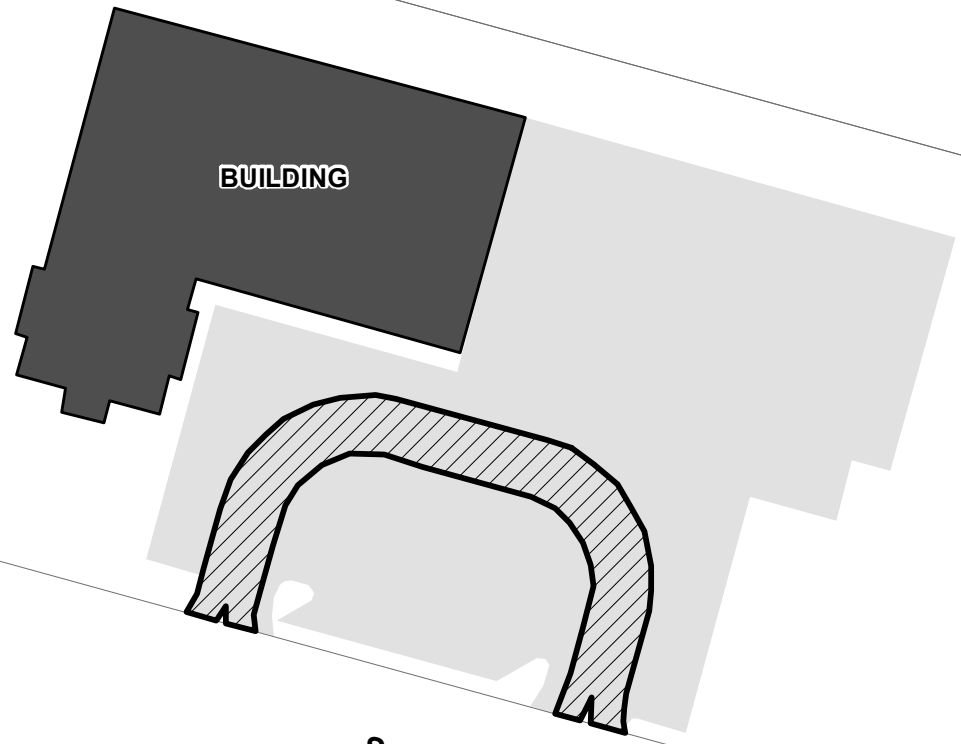
**The Woodshed
Woodstead Holdings Inc.**

CONCESSION 8 PART LOT 6
RP 30R 8872; PART 2

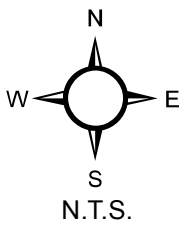
Thompson Avenue

Niagara Christian Gleaners

CONCESSION 8, PART OF LOT 6,
PART 2 ON 30R-15004



Spring Creek Road



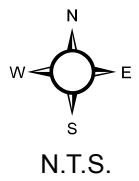
Legend
 Fire Route

Big Country Raw
CONCESSION 8, PART OF LOT 5,
PART 1 ON 30R-15101

Industrial Park Road

Spring Creek Road

Building



Legend

 Fire Route

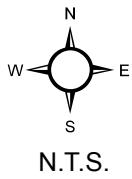
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Block 47

PLAN 30M-446, BLOCK 47

Skyway Road

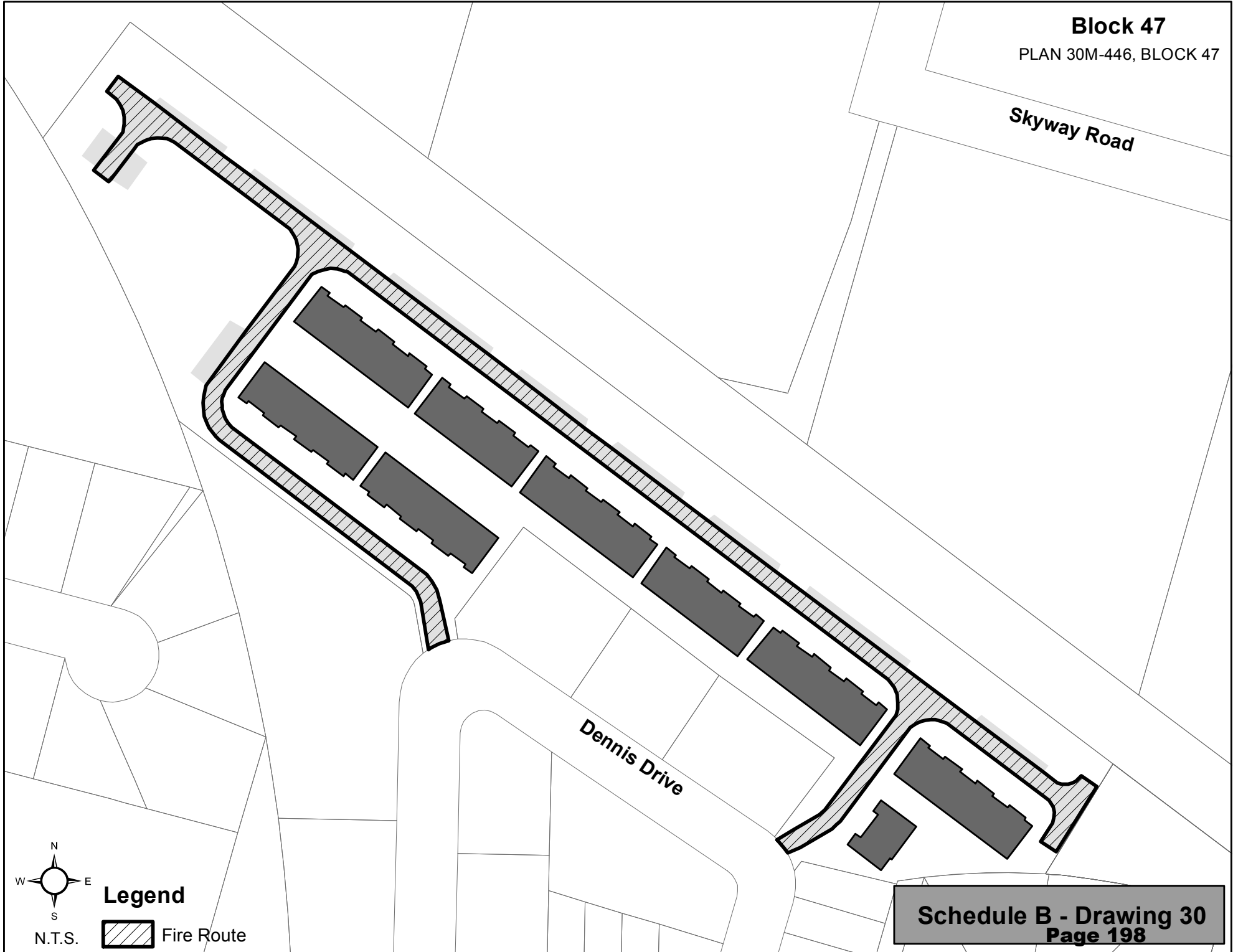
Dennis Drive



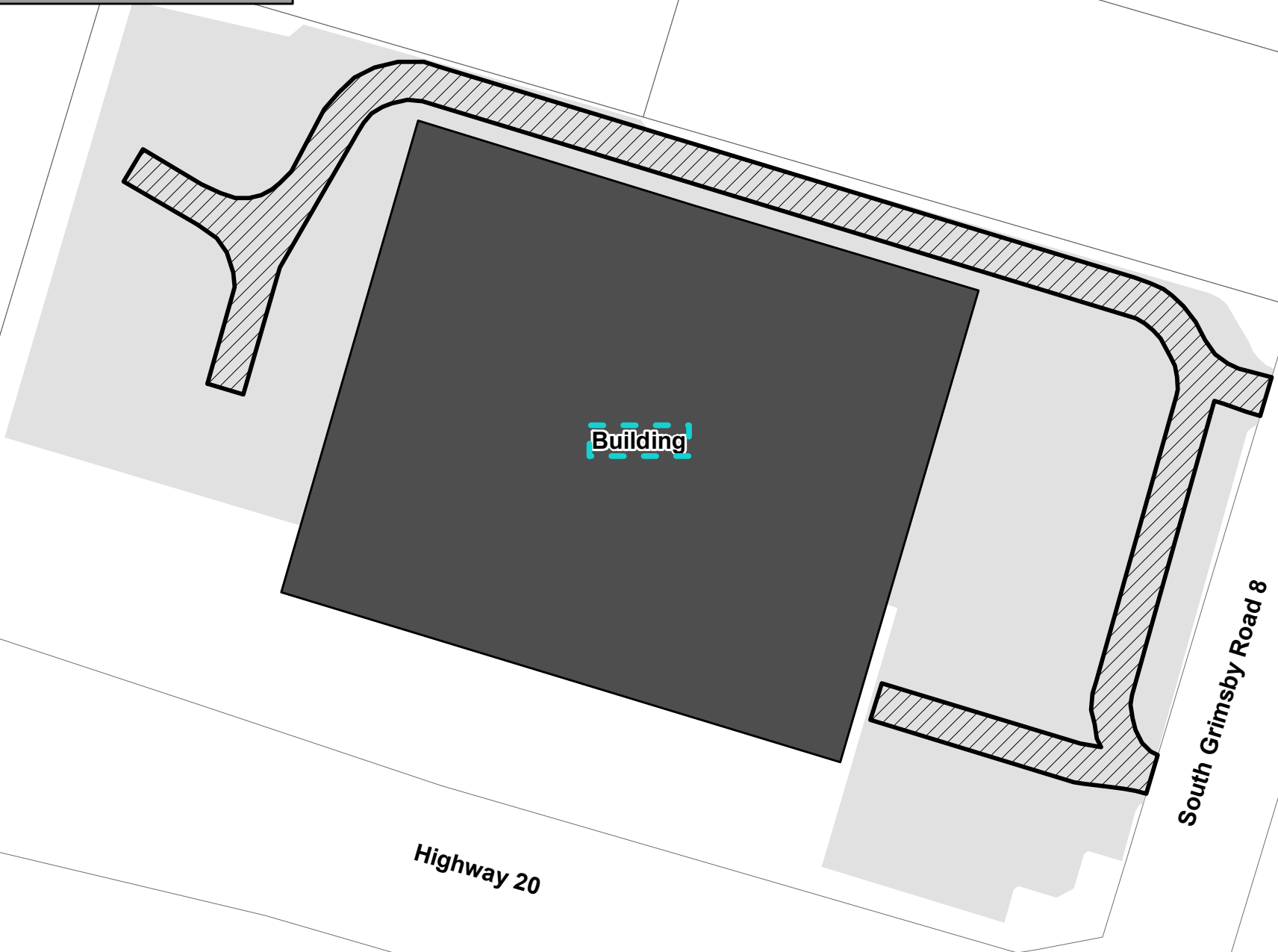
Legend

 Fire Route

Schedule B - Drawing 30
Page 198



Schedule B - Drawing 31



Building

South Grimsby Road 8

Highway 20



Legend
 Fire Route

Niagara Pallets
CONCESSION 8, PART OF LOT 16,
PART 1 ON 30R-1268 AND
PART 1 ON 39R-1269

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THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-83

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

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

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

AND WHEREAS Subsection 8(3) of the *Building Code Act 1992, S.O. 1992, c .23* as amended, authorizes a *Chief Building Official* to issue a Conditional Building Permit in circumstances and subject to the conditions listed in that subsection;

AND WHEREAS Article 8(3)(c) of the *Building Code Act 1992, S.O. 1992, c .23* as amended, sets out that the applicant or such other person as the *Chief Building Official* determines, must enter into a form of agreement which is described in that article and commonly known as a Conditional Building Permit Agreement;

AND WHEREAS the Council of the Township of West Lincoln deems it to be in the public interest that the *Chief Building Official* have the authority to execute Conditional Building Permit Agreements on behalf of the Township of West Lincoln;

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

SECTION 1 GENERAL PROVISIONS

1.1 SHORT TITLE

1.1.1 This by-law shall be known as the "Building By-law".

1.2 DEFINITIONS

1.2.1 For the purpose of this by-law:

- (1) "act" means the *Building Code Act 1992, S.O. 1992, c .23* as amended;
- (2) "*applicant*" means the *owner* of a building or property who applies for a *permit* or any person authorized by the *owner* to apply for a *permit* on the *owner's* behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation;
- (3) "*architect*" means the holder of a licence, certificate of practice or a temporary licence issued under the Architects Act as defined in the *Building Code*;
- (4) "*as constructed plans*" means *as constructed plans* as defined in the *Building Code*;
- (5) "*authorized agent*" means any person authorized by the *owner* of the building or property to apply for a *permit* on the *owner's* behalf as established by the completion of the prescribed form.
- (6) "building" means a building as defined in Section 1(1) of the *Act*;
- (7) "*building code*" means the regulations made under Section 34 of the *Act*;

- (8) “*chief building official*” means the *Chief Building Official* appointed by by-law by The Corporation of the Township of West Lincoln for the purposes of enforcement and administration of the *Act*;
- (9) “*construct*” means *construct* as defined in Subsection 1(1) of the *Act*;
- (10) “*corporation*” means The Corporation of the Township of West Lincoln;
- (11) “*director*” means the *Director* of Planning and Building appointed by by-law by the Corporation of the Township of West Lincoln.
- (12) “*inspector*” means an *inspector* appointed by by-law of The Corporation of the Township of West Lincoln for the purposes of enforcement of the *Act*;
- (13) “*landscape architect*” means a member of the Ontario Association of *Landscape Architects*;
- (14) “*owner*” means the registered *owner* of a property and includes a lessee, a mortgagee in possession, and any person who proves to the satisfaction of the *Chief Building Official* that they are the *authorized agent* of the *owner* of a property and any person who qualifies as the *owner* of a property pursuant to Section 15.1 of the *Act*;
- (15) “*permit*” means permission or authorization given in writing from the *Chief Building Official* to perform *work*, to change the use of a *building* or part thereof, or to occupy a *building* or part thereof, as regulated by the *Act* and the *Building Code*;
- (16) “*permit holder*” means the *owner* to whom a *permit* has been issued or where a *permit* has been transferred, the new *owner* to whom the *permit* has been transferred;
- (17) “*professional engineer*” means a person who holds a license or temporary license under the Professional Engineers Act, as defined by the *Building Code*;
- (18) “*registered code agency*” means a *Registered Code Agency*, as defined in Subsection 1(1) of the *Act*;
- (19) “*sewage system*” means a *sewage system*, as defined in the *Building Code*; and
- (20) “*township*” means The Corporation of the Township of West Lincoln or the geographical area of the municipality, as the context requires;
- (21) “*work*” means construction or demolition or a *building* or part thereof, as the case may be.

1.2.2 Words or terms not defined in this by-law shall have the meaning ascribed to them in the *Act* or *Building Code*.

1.2.3 In the case of any conflict between the provisions of this by-law and the provisions of either of the *Act* or the *Building Code*, the provisions of the *Act* and of the *Building Code* shall prevail.

SECTION 2 PERMITS

2.1 CLASS OF PERMITS

2.1.1 Classes of *permits* required for construction, demolition or change of use are set forth in Schedule “A” of this by-law.

2.2 FILE APPLICATION ON FORMS PRESCRIBED

2.2.1 To obtain a *permit*, an *applicant* shall file an application electronically or in writing, on forms prescribed by the Province of Ontario and provided by the *Township*, as amended from time to time, and supply any other information relating to the application as required by the *Chief Building Official*.

2.3 REQUIRED SUBMISSIONS

- 2.3.1 Every application for a *permit* shall be submitted to the *Chief Building Official*, and contain the following information:
- (1) Where application is made for a **construction permit** under Subsection 8(1) of the *Act*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:
 - (a) complete plans and specifications, documents and other information as required by the *Building Code* and described in Schedule “B” of this by-law for the *work* to be covered by the *permit*; and
 - (b) the required fee(s) and deposit(s) as described in Schedule “A”.
 - (2) Where application is made for a **demolition permit** under subsection 8(1) of the *Act*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:
 - (a) complete plans and specifications, documents and other information as required by the *Building Code* and described in Schedule “B” of this By-law for the *work* to be covered by the *permit*; and
 - (b) the required fee(s) and deposit(s) as described in Schedule “A”.
 - (3) Where application is made for a **private sewage system permit** under subsection 8(1) of the *Act*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:
 - (a) a site evaluation which shall include all of the following items unless otherwise specified by the *Chief Building Official*:
 - i. the date the evaluation was completed;
 - ii. name, address, telephone number and signature of the person who prepared the evaluation; and
 - iii. a scaled map of the site providing such details as prescribed in Schedule “B” of this By-law
 - (b) complete plans and specifications, documents and other information as required by the *Building Code* and described in Schedule “B” of this By-law for the *work* to be covered by the *permit*; and
 - (c) the required fee(s) and deposit(s) as described in Schedule “A”.
 - (4) Where application is made for a **conditional permit** under Subsection 8(3) of the *Act*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall:
 - (a) Include complete plans and specifications, documents and other information as required by the *Building Code* and described in Schedule “B” of this By-law for the *work* to be covered by the *permit*;
 - (b) Include written correspondence to the *Chief Building Official* stating:
 - i. the reason(s) why the *applicant* believes that unreasonable delays in construction would occur if a conditional *permit* is not granted;
 - ii. the necessary approval(s) which must be obtained in respect of the proposed *building* and the time in which such approvals will be obtained; and
 - iii. the time in which plans and specifications of the complete *building* will be filed with the *Chief Building Official*.
 - (c) be subject to entering into an agreement with the *Township* as provided for in subsection 8(3) of the *Act*; and

- (d) include the required fee(s) and deposit(s) as described in Schedule “A” of this by-law.
- (5) Where application is made for a **change of use permit** issued under Subsection 10(1) of the *Act*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:
- (a) complete plans and specifications, documents and other information as required by the *Building Code* and described in Schedule “B” of this by-law for the *work* to be covered by the *permit*;
 - (b) written correspondence to the *Chief Building Official* to identify and describe:
 - i. the *building* in which the occupancy is to be changed, by a description that will readily identify and locate the *building*; and
 - ii. in detail the current and proposed occupancies of the *building* or part of the *building* for which the application is made.
 - (c) complete plans and specifications showing the current and proposed occupancy of all parts of the *building*, and which contain sufficient information to establish compliance with the requirements of the *Building Code* including, but not limited to: floor plans; details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities; and details of the existing *sewage system*, if any; and
 - (d) the required fee(s) and deposit(s) as described in Schedule “A”.
- (6) Where application is made for a **transfer of permit** because of a change of ownership of the land, as permitted under Clause 7(1)(h) of the *Act*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:
- (a) the following information on the prescribed application form:
 - i. the names and addresses of the previous and new land *owner*;
 - ii. the date that the land ownership change took place; and
 - iii. a description of the *permit* that is being transferred.
 - (b) the required fee(s) and deposit(s) as described in Schedule “A”.
- (7) Where application is made for **occupancy of an unfinished building** as provided for in Division C Articles 1.3.3.1 and 1.3.3.2 of the *Building Code*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:
- (a) complete plans and specifications, documents and other information as required by Section 3 and as described in Schedule “B” of this by-law to identify, to the satisfaction of the *Chief Building Official*, the portion of the *building* intended to be occupied;
 - (b) a description and clear indication of the part of the *building* for which occupancy is requested; and
 - (c) the required fee(s) and deposit(s) as described in Schedule “A”.

2.4 INCOMPLETE APPLICATIONS

- 2.4.1 An application is deemed to be incomplete if it does not contain the prescribed information or is not accompanied by plans, certificates and documents specified in this by-law.
- 2.4.2 Where an application is found to be incomplete, except as permitted under Article 2.4.3, the application shall be refused.

2.4.3 An incomplete application may be accepted if the *applicant* acknowledges the application is incomplete by completing the “Acknowledgement of Incomplete Application” form as may be amended from time to time, provided by the *Township*, thus declaring the application exempt of the timelines stipulated by the *Building Code* until the application is deemed to be complete.

2.5 CONDITIONAL PERMITS

2.5.1 The *Chief Building Official* may, upon being satisfied that as many of the requirements of this by-law, the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended, and the *Building Code* as amended, as practicable have been complied with, execute an agreement that includes the terms described in Article 8(3)(c) of the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended.

2.5.2 The delegation of authority set out in Subsection 2.5.1 above is effective as of the date of enactment of this by-law.

2.6 TRANSFER OF PERMITS

2.6.1 In any case wherein the ownership of the land is transferred after a *permit* is issued, the ownership of that *permit* may be transferred if the new land *owner* completes the *permit* application form in accordance with the requirements of Section 2 of this by-law.

2.6.2 Once the *permit* is transferred, the new *owner* shall be the *permit holder* for the purpose of the *Act* and the *Building Code*, thus assuming any responsibility for outstanding inspections.

2.7 PARTIAL PERMITS

2.7.1 Where feasible, the *Chief Building Official* may consider approval of a portion of the *building* or project prior to the issuance of a *permit* for the entire *building* of project, by way of issuance of a partial *permit*.

2.7.2 Where application is made for a partial *permit*, the application shall be made in the form prescribed by Schedule “B” of this By-law and shall include:

- (1) complete plans and specifications, documents and other information as required by the *Building Code* and described in Schedule “B” of this by-law for the *work* to be covered by the partial *permit*, and
- (2) the required fee(s) and deposit(s) as described in Schedule “A” for the complete project.

2.7.3 Where a partial *permit* is requested, the application is deemed to be incomplete.

2.7.4 Where the *Chief Building Official* elects to grant a partial *permit* it shall be in the form of a conditional *permit* and shall be subject to all of the same terms and conditions as identified in Sentence 2.3.1(4), as well as the prescribe fees of Schedule “A” of this by-law for conditional *permits*.

2.7.5 Where a *permit* is issued for part of a *building* or project, this shall not be construed to authorize construction beyond the plans for which approval was given, nor that approval will be necessarily granted for the entire *building* or project.

2.8 REVOCATION OF PERMITS

2.8.1 Prior to revoking a permit under Subsection 8(10) of the Act, the Chief Building Official may serve a notice by personal service or by mail sent to the last known address of the permit holder.

2.8.2 A *permit holder* may, within thirty (30) days from the date of service of the notice described in Article 2.8.1 of this by-law, request in writing the *Chief Building Official* to defer the revocation by stating reasons why the *permit* should not be revoked.

2.8.3 The *Chief Building Official* shall consider the reasons provided and decide to revoke or extend the *permit*.

- 2.8.4 Notice of the decision of the Chief Building Official under Article 2.8.3 shall be mailed to the last known address of the permit holder when, after consideration of the reasons provided, the decision is made to proceed with the revocation of the permit.
- 2.8.5 Where the permit is extended, the permit holder shall have one hundred eighty (180) days to show progress and to have the next required inspection completed or the subject permit may be revoked with no further notice other than written confirmation of revocation given in the same manner as identified in Article 2.8.4.
- 2.8.6 A request for deferral of revocation shall be subject to payment of a non-refundable fee as set out in Schedule “A” of this by-law.

2.9 INACTIVE PERMIT APPLICATION

- 2.9.1 Where an application for a *permit* remains incomplete or inactive for thirty (30) days after it is submitted, the application may be deemed by the *Chief Building Official* to have been abandoned and the application shall be returned to the *applicant* along with a notice of abandonment.
- 2.9.2 Where the application for *permit* has been deemed abandoned and returned to the *applicant*, it shall be accompanied by a refund of the applicable fees in accordance with the provisions for refund of fees described in Schedule “A” of this by-law.
- 2.9.3 Once an application is deemed to be abandoned and the *applicant* is notified, a new application shall be filed for the proposed *work*.

2.10 LIMITING DISTANCE AGREEMENTS

- 2.10.1 An *applicant* may enter into a Limiting Distance Agreement with the *Township* as provided for in Sentence (8) of Division B – Article 3.2.3.1 or in Sentence (5) of Division B – Article 9.10.14.12 of the *Building Code*.

SECTION 3 PLANS AND SPECIFICATIONS

3.1 INFORMATION SUFFICIENT TO DETERMINE CONFORMITY

- 3.1.1 Sufficient information shall be submitted with each application for a *permit* to enable the *Chief Building Official* to determine whether or not the proposed construction, demolition, change of use or transfer of *permit* will comply with the requirements of the *Act*, the *Building Code* and any other applicable law.

3.2 COMPLETE SETS

- 3.2.1 Each application shall, unless otherwise specified by the *Chief Building Official*, be accompanied by one complete set of plans and specifications as described herein as well as in Schedule “B” of this by-law.

3.3 REQUIREMENTS FOR PLANS

- 3.3.1 Plans shall be drawn to scale to a minimum of 1:75 or 3/16” = 1’.
- 3.3.2 Plans shall be legible and provided in an electronic media format approved by the *Chief Building Official*.
- 3.3.3 Where paper submission is accepted by the Chief Building Official the paper submission shall be in a format no larger than 279mm x 432mm [11” x 17”].
- 3.3.4 Where paper submission is accepted by the Chief Building Official in a format larger than that prescribed in Article 3.3.3, any and all costs to convert the paper submission to electronic media format shall be borne in full by the permit applicant.

3.4 SURVEYS

- 3.4.1 Site plans shall be referenced to an up-to-date plan of survey and provided in a manner as prescribed in Schedule “B” of this by-law.

3.5 LOT GRADING PLANS

3.5.1 Each application for *permit* for the construction of a single detached, semi-detached, duplex, triplex, fourplex, row house, and any additions thereto shall be accompanied by a lot grading plan bearing the signature and seal of a practicing Engineer, *Landscape Architect*, *Architect* or Ontario Land Surveyor who certifies thereon that the drainage scheme depicted by the plan:

- (1) conforms to Division B - Subsection 9.14.6 of the *Building Code* for all projects on lands not governed by a registered plan of subdivision; or
- (2) conforms to Division B – Subsection 9.14.6 of the *Building Code* as well as the Master Grading Plan approved with the registered plan of subdivision or plan of condominium for all projects on lands governed by a registered plan of subdivision or plan of condominium.

3.5.2 Where a lot grading plan is required to be submitted with the *permit* application in accordance with Sentence 3.5.1(1), above, the lot grading of the lot shall be completed and an as built lot grading plan bearing the signature and seal of the chosen professional certifying that the finished elevations and grading of the land conforms with the lot grading plan accepted through the issuance of the *permit* shall be submitted within seven (7) months of the issuance of the occupancy *permit* of the associated dwelling unit.

3.5.3 Where a lot grading plan is required to be submitted with the *permit* application in accordance with Sentence 3.5.1(2), above, the lot grading of the lot shall be completed and an as built lot grading plan bearing the signature and seal of the chosen professional certifying that the finished elevations and grading of the land conforms with the lot grading plan accepted through the issuance of the *permit* shall be required as a condition of occupancy of the associated dwelling unit.

3.5.4 Where occupancy of a dwelling unit is sought prior to the satisfaction of the requirements stipulated in Article 3.5.3, the *applicant* may request an extension for the completion of lot grading and submission of the required as built lot grading plan whereby a deposit in the amount specified in Schedule “A” shall be submitted to the *Township*.

3.5.5 Where an extension has been applied for under the provisions of Article 3.6.4, the lot grading of the lot shall be completed and an as built lot grading plan bearing the signature and seal of the chosen professional certifying that the finished elevations and grading of the land conforms with the lot grading plan accepted through the issuance of the *permit* shall be submitted within seven (7) months of issuance of the occupancy *permit* of the associated dwelling unit.

3.6 AS CONSTRUCTED PLANS

3.6.1 On completion of the construction of a *building*, the *Chief Building Official* may require a set of *as constructed plans*, including a plan of survey showing the location(s) of the *building(s)*.

3.7 PLANS PROPERTY OF CORPORATION

3.7.1 Plans and specifications furnished according to this by-law or otherwise required by the *Building Code* and the *Act*, become the property of the *Corporation* and will be dealt with, including both disposal and retention, in accordance with relevant legislation and applicable municipal policies and procedures.

SECTION 4 REGISTERED CODE AGENCIES

4.1 DELEGATION OF AUTHORITY

4.1.1 The *Director* is authorized to enter into and sign contracts for service agreements with Registered Code Agencies and appoint them to perform specified functions from time to time, in order to maintain the time periods for *permits* prescribed in Division C - Article 1.3.1.3 of the *Building Code*.

4.2 FUNCTIONS OF REGISTERED CODE AGENCY

- 4.2.1 The *Registered Code Agency* may be appointed to perform one or more of the specified functions described in Section 15.15 of the *Act*.

SECTION 5 FEES AND REFUNDS

5.1 FEES – SCHEDULE “A”

- 5.1.1 The *Chief Building Official* shall determine the required fees for the *work* proposed, calculated in accordance with Schedule “A” of this by-law and the *applicant* shall pay such fees.
- 5.1.2 If a fee cannot be calculated using the stipulated fees provided in the table of Schedule “A”, the *Chief Building Official* shall calculate the fee using the value of construction method and the *applicant* shall pay such fee.
- 5.1.3 The fee shall be calculated by the *Chief Building Official* through the review of the application for *permit* process and shall be due for payment prior to the issuance of the *permit*. Notwithstanding the provisions of subsection 2.3 for submission of the required fee(s) and deposit(s) as described in Schedule “A”, the calculation of the fee is conducted through the review process and therefore the submission of the fee is not considered a component of a complete application and does not impede the acceptance of an application for *permit* submitted without the fee.
- 5.1.4 A *permit* shall not be issued until the fees thereof have been paid in full.

5.2 REVISIONS TO PERMITS

- 5.2.1 Where the *applicant* for a *permit* makes material changes to plans, specifications or calculations after submission to the *Chief Building Official* for approval, the *Chief Building Official* may increase the required *permit* fee or fees by applying the rates in Schedule “A” to these changes and require payment of such increased fees before the *permits* or approvals are issued.
- 5.2.2 Where the *applicant* for a *permit* makes material changes to plans, specifications or calculations after a *permit* is issued, the *Chief Building Official* may request an additional *permit* fee or fees by applying the rates in Schedule “A” to those changes and require payment of such additional fees before the occupancy *permit* is issued.

5.3 PLANS EXAMINATION

- 5.3.1 The initial plans examination of a complete application, as well as the preparation of the plans examination report shall be included as a component of services provided for the *permit* fee as identified in Schedule “A” of this by-law.
- 5.3.2 In addition to the initial plans examination of a complete application as identified above, a single follow up plans examination with regard to addressing items identified in the plans examination deficiency report shall also be included as a component of services provided for the *permit* fee as identified in Schedule “A” of this by-law.
- 5.3.3 Notwithstanding subsections 5.3.1 and 5.3.2, any subsequent plans examination review beyond those identified as included in the *permit* fee shall be subject to a secondary plans examination fee based on a rate per hour of plans examination beyond those provided for in the cost of the *permit*. This additional hourly rate shall be calculated by the *Chief Building Official* in accordance with the fee established in Schedule “A” of this by-law.

5.4 CONDITIONAL PERMITS

- 5.4.1 Where the *applicant* for a *permit* requests and is granted a conditional *permit*, additional fees shall be applicable as detailed in Schedule “A” to this by-law.
- 5.4.2 In addition to the additional fees described above in Article 5.4.1 for a conditional *permit*, a security deposit shall also be required as part of the Conditional *Permit* Agreement in an amount as detailed in Schedule “A” to this by-law.

5.5 BUILDING WITHOUT A PERMIT

- 5.5.1 Any person or corporation who commences construction, demolition or changes the use of a *building* before receiving a *permit* to commence such *work*, shall in addition to any other penalty under the *Act*, *Building Code* or this by-law pay an additional fee equal to 100% of the amount calculated as the full *permit* fee for the entire project but in no case shall the additional fee exceed \$25,000, in order to compensate the *Township* for the additional *work* incurred by such early commencement of *work*.
- 5.5.2 Where a project receives multiple partial or conditional *permits*, the additional fee described above shall be based on the overall *permit* fee and will not exceed \$10,000 per occurrence for each state of construction.
- 5.5.3 The additional fee outlined in this Section shall not relieve any person or other corporate entity from complying with the *Building Code* and other applicable law or from any penalty prescribed by the *Act*, for commencing construction prior to obtaining a *permit*.

5.6 LIMITING DISTANCE AGREEMENTS

- 5.6.1 Where the *applicant* for a *permit* requests entering into a Limiting Distance Agreement, additional fees shall be applicable as detailed in Schedule “A” to this by-law.

5.7 REFUNDS

- 5.7.1 Where there is a written request for a refund of *permit* fees paid due to the abandonment of all or a portion of the *work* or the non-commencement of any project, the *Chief Building Official* shall determine the amount of paid *permit* fees that may be refunded to the *applicant*, if any, in accordance with Schedule “A” of this by-law.
- 5.7.2 Fees collected for Administrative fees as detailed in Schedule “A” to this by-law shall not be refundable.
- 5.7.3 Notwithstanding subsection 5.7.1, no refund will be made which shall result in the retention by the *Township* of a sum less than the minimum *permit* fee payable as detailed in Schedule “A” to this by-law.

SECTION 6 INSPECTIONS

6.1 NOTICE REQUIREMENTS

- 6.1.1 The *permit holder* shall notify the *Chief Building Official* or a *Registered Code Agency*, where one is appointed, of each stage of construction for which a mandatory notice is required under Division C – Subsection 1.3.5 of the *Building Code*.
- 6.1.2 The *permit holder* shall provide the notice of completion as prescribed by Section 11 of the *Act*, or where occupancy is required prior to completion, notice of inspection to ensure that the requirements of Section 11 of the *Act* and Division C – Subsection 1.3.3 of the *Building Code* are complied with.
- 6.1.3 A notice pursuant to this part of the by-law is not effective until notice is actually received by the *Chief Building Official* or the *Registered Code Agency*, if one is appointed.
- 6.1.4 Notice shall be deemed to have been received when the *Chief Building Official* makes a written or electronic record of the request for inspection.
- 6.1.5 Upon receipt of proper notice, the *inspector* or *Registered Code Agency*, if one is appointed, shall make a written or electronic record of the time notice is received and undertake a site inspection of the *building* to which the notice relates, in accordance with the time periods stated in Division C – Article 1.3.5.3 of the *Building Code* and Section 11 of the *Act*.

6.2 UNPREPAREDNESS FOR SCHEDULED INSPECTION

- 6.2.1 A *permit holder* shall be subject to a fee, as prescribed in Schedule “A” to this by-law, for each inspection which is cancelled less than twenty-four (24) hours prior to the time of the scheduled inspection or where an inspection is conducted on *work* which is not substantially completed as required for the requested inspection.
- 6.2.2 Inspections may be cancelled and the applicable fee waived where the inspection was cancelled for reasons due to natural causes, at the discretion of the *Chief Building Official*.
- 6.2.3 The fees assessed for the instances described in subsections 6.2.1 and 6.2.2 above shall be required to be paid in full prior to the issuance of an occupancy *permit* and / or the closing of the *permit* file and the release of any applicable deposits.

SECTION 7 ADMINISTRATION**7.1 SEVERABILITY**

- 7.1.1 In the event that any provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of the by-law.

7.2 CHIEF BUILDING OFFICIAL DISCRETION

- 7.2.1 The *Chief Building Official* may waive the requirements of Part 2 or Schedule “B” of this by-law with respect to any application submitted with respect to this by-law where at their sole discretion it is deemed appropriate to do so.
- 7.2.2 Where the *Chief Building Official* exercises their discretion as set out in this section, the requirements of this by-law are deemed to be modified accordingly.

7.3 BY-LAWS TO BE REPEALED

- 7.3.1 By-law No. 2017-15 of The Corporation of the Township of West Lincoln, and any amendments made thereto, are hereby repealed as of October 1st, 2019.

7.4 DATE OF ENACTMENT

- 7.4.1 This by-law shall come into force and effect as of October 1st, 2019.

**READ A FIRST, SECOND
AND THIRD TIME AND
FINALLY PASSED THIS 23RD
DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

Schedule “A”
By-law No. 2019 – 83

SECTION 1 FEE CALCULATION

1.1 FORMULA

1.1.1 All permit fees provided in the tables below shall be considered to be per square metre for the purpose of the prescribed formula unless otherwise noted.

1.1.2 Permit fees shall be calculated based on the formula given below, unless otherwise specified by this schedule.

Permit Fee = Prescribed Fee x Area

Where the prescribed fee is that specified in the schedule for classification of the proposed work; and

Where Area is the calculated gross floor area of the proposed work in square metres (sq. m.) for each class of permit

1.2 MINIMUM PERMIT FEE

1.2.1 A minimum permit fee of \$125.00 shall be charged for all work, unless otherwise indicated or prescribed “flat fee” has been assigned within the tables below

1.2.2 The minimum permit fee shall be a non-refundable fee.

SECTION 2 PERMIT FEES

2.1 NEW CONSTRUCTION AND ADDITIONS

Group A – Assembly Occupancies

Class of Permit	Fee
school, church, restaurant over 30 seats, library, theatre, educational or recreational facility and occupancies of a similar nature	\$14.33
outdoor public swimming pool	\$310 flat

Group B – Institutional Occupancies

Class of Permit	Fee
hospital, nursing home, reformatory, prison and occupancies of a similar nature	\$16.02

Group C – Residential Occupancies

Class of Permit	Fee
single detached, semi-detached, duplex dwellings	\$11.92
triplex, fourplex, townhouse dwellings	\$11.92
apartment building	\$11.92
hotel / motel	\$10.14
garage, carport, deck, porch, shed (accessory building)	\$3.00
finish basement in dwelling unit	\$5.96

Class of Permit	Fee
sunroom / solarium (not heated)	\$6.62

Group D – Business and Personal Service Occupancies

Class of Permit	Fee
office or medical building, financial institution and occupancies of a similar nature – FINISHED	\$13.32
office or medical building, financial institution and occupancies of a similar nature – ARCHITECTURAL SHELL	\$10.66

Group E – Mercantile Occupancies

Class of Permit	Fee
low rise retail store, strip plaza, small restaurant or 30 seats or less and occupancies of a similar nature – FINISHED	\$11.61
low rise retail store, strip plaza, small restaurant or 30 seats or less and occupancies of a similar nature – ARCHITECTURAL SHELL	\$9.29

Group F – Industrial Occupancies

Class of Permit	Fee
factory, plant, warehouse, industrial building and occupancies of a similar nature	\$8.65
parking garage	\$9.51
service station and / or car wash	\$5.61
canopies including gas station canopies and those intended for the parking and loading or unloading of vehicles	\$3.00
solar collectors for swimming pools	\$125 flat

Private Sewage Systems

Class of Permit	Fee
new application and/or replacement of existing CLASS IV system	\$800 flat
minor sewage system repair or septic tank replacement	\$425 flat
CLASS V installation	\$350 flat
building addition / alteration	\$250 flat
comment on consent applications	\$225 flat
subdivision for each lot	\$225 flat

Farm Buildings

Class of Permit	Fee
Greenhouse	\$0.83

Class of Permit	Fee
barn or agricultural building other than a greenhouse	\$2.00

Mobile / Portable Buildings

Class of Permit	Permit Fee
trailer (construction trailer / sea container)	\$200 flat
relocatable building / portable (support structure included)	\$475 flat
CSA certified mobile home (foundation not included)	\$250 flat
uncertified mobile home (foundation included)	\$6.24
mobile home foundation	\$1.79

Tents and Air Supported Structures

Class of Permit	Permit Fee
air supported structure, tent, temporary fabric structure (use aggregate area for multiple tents) – under 250 m²	\$125 flat
air supported structure, tent, temporary fabric structure (use aggregate area for multiple tents) – 250 m² or more	\$3.67

Signs

Class of Permit	Permit Fee
signs – under 10m²	\$125 flat
signs – 10m² or more	\$300 flat

Designated Structures

Class of Permit	Permit Fee
communication tower	\$300 flat
satellite dish with structural pedestal anchored to solid concrete pier and or building structure	\$125 flat
other designated structures as listed in Division A 1.3.1.1 of the Ontario Building Code	\$250 flat

Miscellaneous Works

Class of Permit	Fee
roof structure (replace, modify or alter structure)	\$375 flat
installation of drainage layer & weeping tile system	\$200 flat
minor alterations and repairs (not requiring plans)	\$125 flat
underpinning / shoring	\$125.00 / m
temporary stages	\$275 flat
demising wall / party wall installation	\$120 flat

Class of Permit	Fee
fireplace / woodstove	\$125 flat

Fire Systems

Class of Permit	Fee
commercial kitchen hood & fire suppression system	\$250 flat
fire alarm system upgrades / installations	\$400 flat
sprinkler system upgrades / installations	\$400 flat
standpipe system upgrades / installations	\$400 flat

Energy Projects

Class of Permit	Fee
industrial wind turbines subject to Renewable Energy Approval in accordance with the Green Energy and Green Economy Act	\$10,000 flat
solar collector – swimming pool	\$125 flat
solar collector – ground mounted	\$350 flat
solar collector – roof mounted	\$250 flat

2.2 ALTERATIONS AND REPAIRS

Group A – Assembly Occupancies

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$8.60
including plumbing OR mechanical (55% of full rate)	\$7.88
excluding plumbing AND mechanical (50% of full rate)	\$7.17

Group B – Institutional Occupancies

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$9.61
including plumbing OR mechanical (55% of full rate)	\$8.81
excluding plumbing AND mechanical (50% of full rate)	\$8.01

Group C – Residential Occupancies

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$7.15
including plumbing OR mechanical (55% of full rate)	\$6.56
excluding plumbing AND mechanical (50% of full rate)	\$5.96
foundation only	\$2.98

Group D – Business and Personal Service Occupancies

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$8.02
including plumbing OR mechanical (55% of full rate)	\$7.35
excluding plumbing AND mechanical (50% of full rate)	\$6.69

Group E – Mercantile Occupancies

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$6.97
including plumbing OR mechanical (55% of full rate)	\$6.39
excluding plumbing AND mechanical (50% of full rate)	\$5.81

Group F – Industrial Occupancies

Class of Permit	Fee
including plumbing AND mechanical (60% of full rate)	\$5.19
including plumbing OR mechanical (55% of full rate)	\$4.76
excluding plumbing AND mechanical (50% of full rate)	\$4.33

2.3 DEMOLITION

Class of Permit	Fee
buildings less than 100m² in gross floor area	\$125 flat
all other demolitions	\$0.67

2.4 PLUMBING AND SEWER

2.4.1 Construction work related to plumbing and sewer installation when conducted as a component of other construction covered by a permit shall be included in the permit fee charged for that construction.

2.4.2 Where plumbing or sewer works are done as standalone projects the following fees shall be applicable:

Single, Semi-Detached, Duplex, Triplex, Fourplex, and Row House

The fee shown below shall include all plumbing contained inside the building

Class of Permit	Fee
first six (6) fixtures	\$125 flat
each additional fixture	\$8 per fixture

All Other Buildings

The fee shown below shall include all plumbing contained inside the building

Class of Permit	Fee
first five (5) fixtures	\$200 flat
each additional fixture	\$8 per fixture

Sewer and Water Main Installations

The fee shown below shall include all buried pipe on private property outside the building

Class of Permit	Fee
first fifteen (15) metres	\$125 flat
each additional fifteen (15) metres	\$35 flat

Specialized Plumbing Fixtures and Appurtenances

The fee shown below shall include all plumbing contained inside the building

Class of Permit	Fee
back flow preventer installation (water line)	\$125 flat
back water valve (sewer)	\$125 flat
sump pump installation (weeping tile installation included)	\$250 flat
grease / oil interceptor installation	\$250 flat

2.5

OTHER FEES

Administration

Class of Permit	Fee
transfer of permit	\$125 flat
moving a building (all alterations & repairs subject to applicable charges as stipulated above)	\$125 flat
deferral of permit revocation (per instance)	\$125 flat
limiting distance agreement (registered on title)	\$1,000 flat
research request – Building Division Records search	\$70 / hour
911 house number – sign, post and installation (rural lots)	\$125 flat
911 house number – replacement of sign only	\$60 flat

Permits

Class of Permit	Fee
change of use (under 400m ²)	\$125 flat
change of use (400m ² or more)	\$0.76
change of use (no construction required)	\$75 flat
partial occupancy permit for unfinished buildings	\$125 flat

Inspections

Class of Permit	Fee
non routine inspection	\$75 / hour
illegal grow operation – general inspection	\$625
illegal grow operation – occupancy inspection	\$750
off hours inspection	\$125 / hour
unprepared for inspection	\$75 flat

Plans Examination

Class of Permit	Fee
stock plans examination (model plans reviewed without building permit application)	\$350 flat
off hours plans examination requests (min. 4 hours)	\$125 per hour
review of alternative solution (min. 4 hours)	\$125 per hour
secondary plans examination	\$75 per hour
review of revisions / amendments to permits	\$100 per hour
engineer review as determined by Chief Building Official	actual cost

2.6 CONDITIONAL / PARTIAL PERMITS

Class of Permit	Percentage of Permit Fee
conditional building permit agreement, in addition to all applicable building permit fees – <i>the conditional building permit fee shall be a nonrefundable fee</i>	\$750 flat
Building Foundation – complete to grade including all underground services	15%
Completed Structural Shell – complete exterior shell without any interior finishes	55%
Completed Architectural Shell – complete exterior shell including interior finishes on exterior and structure walls	80%
Complete Building – includes all tenant improvements and complete interior finishes	100%

2.7 FEE BASED ON VALUE OF CONSTRUCTION

Class of Permit	Fee
for categories of construction not listed above (minimum permit fee identified in subsection 1.2 of this schedule shall apply)	\$15 per \$1,000 of valuated construction cost or portion thereof

SECTION 3 DEPOSITS

3.1 PERFORMANCE / SECURITY

- 3.1.1 The performance / security deposit is collected by the Township to provide securities for any potential damage that may occur to municipal property through the course of the permitted construction. Furthermore, the deposit is also held for the assurance that all necessary inspections are completed through the duration of construction and finally to ensure that the permit file can be appropriately closed at the conclusion of the works.
- 3.1.2 An applicant shall be required to submit the applicable deposit(s) as specified below for each permit application submitted.
- 3.1.3 Where fees are incurred by the applicant through the course of the construction process, these fees shall be deducted from the submitted deposit and upon the close of the permit, any deposit funds remaining will be refunded to the applicant.

Performance / Security Deposits

Class of Permit	Fee
single, semi, duplex, triplex, fourplex, townhome	\$1,000 per dwelling unit
addition(s) to buildings described above where excavation is required	\$750 flat
buildings accessory to the buildings above w/ construction value greater than \$3,500	\$500 flat
construction projects other than those described above (Site Plan Agreement IS required)	\$1,250 flat
construction projects other than those described above (Site Plan Agreement IS NOT required)	\$2,500 flat
demolition project	\$750 flat
moving a building	\$1,000 flat

3.2 LOT GRADING

- 3.2.1 The lot grading deposit is collected by the Township to provide securities to ensure compliance with the proposed lot grading plan submitted with the application.
- 3.2.2 An applicant shall be required to submit the applicable deposit(s) as specified below for each permit application submitted.

Lot Grading Deposit

Class of Permit	Fee
each dwelling on property in a plan of subdivision that HAS NOT already been assumed by the Township	\$1,000 per dwelling unit
each dwelling on property other than those listed above	\$1,500 per dwelling unit

- 3.2.3 Where an applicant requests an extension for the completion of lot grading to allow occupancy of the dwelling in a plan of subdivision or plan of condominium to occur prior to the completion of lot grading in accordance with Article 3.6.4 of this by-law, any such request shall be accompanied by the following applicable deposit(s) as specified below for each dwelling having occupancy being requested.

Occupancy despite Incomplete Lot Grading Deposit

Class of Permit	Fee
single detached, semi-detached, duplex dwellings	\$3,500 per dwelling unit
triplex, fourplex, street townhouse dwellings	\$3,000 per dwelling unit
condominium townhouse dwellings	\$2,500 per dwelling unit
any dwelling type other than those listed above	\$2,000 per dwelling unit

3.3 CONDITIONAL PERMIT

- 3.3.1 In the case of a conditional permit the applicant shall submit a conditional permit deposit which shall be calculated by the Chief Building Official to be a percentage of the value of construction as prescribed below.
- 3.3.2 The conditional permit deposit shall be submitted as a condition of a Conditional Permit Agreement whereby the agreement shall establish a limitation to the extent of permitted construction.
- 3.3.3 Where an applicant exceeds the limitations set out by the Conditional Permit Agreement, the Applicant shall be deemed to be in breach of the said agreement and as such the conditional permit deposit, in its entirety, shall be forfeited to the Township.

Conditional Permit Deposit

Class of Permit	Fee
conditional building permit deposit	10% of construction value (minimum \$5,000)

SECTION 4 REFUNDS

4.1 FEES

- 4.1.1 Pursuant to the provisions of Subsection 5.7 of this by-law, the fees that may be refunded shall be a percentage of the eligible applicable fees assessed by this Schedule of Fees, calculated by the Chief Building Official as follows:

Stage of Permit	Refund
where the permit has been issued and field inspections have yet to be performed, subsequent to permit issuance	50%
for each inspection conducted after issuance of the permit	5%

- 4.1.2 If the calculated refund is less than the minimum permit fee applicable to the work as described in Subsection 1.2 of this Schedule, no refund shall be made of the fees paid.
- 4.1.3 No fee shall be eligible for a refund where the request for refund is made twelve (12) months or more after the issuance of the permit.

4.2 DEPOSITS

- 4.2.1 The Performance / Security deposit identified in this Schedule shall be held by the Township until the work for which the permit has been issued has been completed in accordance with the stipulated requirements of the permit to the satisfaction of the

Chief Building Official. The applicant shall be responsible for any damage to municipal property or any restriction and associated costs of any such damage or repair may be deducted by the Township in addition to any other available remedy or penalty.

- 4.2.2 Should the cost of repairs exceed the value of the deposit held, the Township shall invoice the applicant for the amount in excess of the deposit, and if such invoice is not paid by the stipulated due date, the Township may recover the costs by action or by adding the costs to the tax roll of the property to which the permit relates, and collecting them in the same manner as taxes according to Section s.1 (2.1) of the *Municipal Act*.
- 4.2.3 Should the Performance / Security deposit not be required to be called upon during the duration of the project, it will be released upon successful completion of the project in accordance with the approved permit documents which results in closure of such permit file unless the provisions of subsection 5.8 for the forfeiture of deposits has been applied.
- 4.2.4 The Lot Grading deposit and Occupancy despite Incomplete Lot Grading deposit identified in this Schedule shall be held by the Township until the lot grading of the lot is complete and the as built lot grading plan complying with the provisions of Article 3.6.1 of this by-law has been submitted to the satisfaction of the Chief Building Official.
- 4.2.5 In situations where the lot grading of the lot is not completed within the given timeline of seven (7) months from the date of issuance of the occupancy permit of the associated dwelling, the Lot Grading deposit and / or the Occupancy despite Incomplete Lot Grading deposit may be drawn upon to have the necessary lot grading works completed to conform to the original lot grading plan submitted and accepted through the issuance of the permit.
- 4.2.6 Should the cost to complete the lot grading work exceed the value of the deposit(s) held, the Township shall invoice the applicant for the amount in excess of the deposit(s) and if such invoice is not paid by the stipulated due date, the Township may recover the costs by action or by adding the costs to the tax roll of the property to which the permit relates, and collecting them in the same manner as taxes according to Section s.1 (2.1) of the *Municipal Act*.
- 4.2.7 Should the Lot Grading deposit and / or Occupancy despite Incomplete Lot Grading deposit not be required to be called upon during the duration of the project, it will be released upon the successful completion of the lot grading and the submission of the as built lot grading plan complying with the provisions of Article 3.6.1 of this by-law to the satisfaction of the Chief Building Official unless the provisions of subsection 5.8 for the forfeiture of deposits has been applied.

SECTION 5 EXPLANATORY NOTES

5.1 AREA OF CALCULATION

- 5.1.1 The area to be used in the calculation of fees shall be the total area of all floors, including those below grade, measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls. Area shall be calculated in square metres (m²) for the purpose of this schedule.
- 5.1.2 Where there are no floor or exterior walls for the project, area is to be calculated as the greatest horizontal area of the structure
- 5.1.3 No deductions shall be made in the calculation of floor area for openings such as stairs, elevators, shafts or ramps.
- 5.1.4 Unfinished or unoccupied basements and crawlspaces are not to be included in the calculation of area in fee calculations for new construction and additions.

5.2 INTERPRETATION

- 5.2.1 Major occupancy is based upon the classifications as provided in the Ontario Building Code.

- 5.2.2 A multiple unit (apartment) building is a building which consists of five (5) or more individual residential units in the same building.
- 5.2.3 An Alternative Solution is as defined in the Ontario Building Code.
- 5.2.4 The fee prescribed for and Alternative Solution shall be in addition to any other applicable fee prescribed by this Schedule. Should any additional fees be incurred by the Township in relation to the review of such a submission, but not limited to consultant fees, these costs shall be added to the calculated permit fee at 100% of its value.
- 5.2.5 Where multiple conditional permits are requested for the same property due to the construction of multiple buildings on the same property, the Chief Building Official may assign a value for the conditional building permit deposit that differs from that specified in the table above. This process may be utilized to collect a deposit for the property for the removal of the requested construction collectively as opposed to individually with each permit and shall be reflective of the cost associated with the removal of the requested construction. This deposit shall be associated and available to be drawn upon by each of the individual conditional building permits that it is assigned to represent.

5.3 DISPUTE

- 5.3.1 The permit fee shall be determined by the Chief Building Official or designate, on the basis of this Schedule. If the applicant disagrees with the fee so determined, then the prescribed fee shall be paid as a deposit and after the works are complete, a refund shall be made based on the actual work done and inspection performed, at the discretion of the Chief Building Official.

Schedule “B”
By-law No. 2019-83

SECTION 1 REQUIRED DRAWINGS AND SPECIFICATIONS

1.1 GROUP C OCCUPANCIES

1.1.1 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for each residential unit of a Single Detached, Semi-Detached, Triplex, Fourplex, and Townhouse type dwelling.

1.1.2 Required information for works identified in Article 1.1.1 shall include:

- (1) Site Plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading;
 - (b) Drainage; and
 - (c) Site servicing;
- (2) Architectural drawings and specifications providing:
 - (a) Floor Plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Building sections, minimum one building section and one detailed wall section;
- (3) Mechanical drawings and specifications providing for heat loss/heat gain calculations; and
- (4) Structural drawings and specifications providing for product layout, confirmation of compliance with pre-engineered product specifications, and engineered sealed drawings for all point loaded and unique unspecified members where used within the proposed project for the following items:
 - (a) pre-engineered lumber beams, lintels or columns;
 - (b) pre-engineered lumber joists, and floor framing members;
 - (c) pre-engineered lumber wall framing members;
 - (d) pre-engineered lumber roof framing members and
 - (e) pre-engineered roof truss systems.

1.1.3 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for any additions or alterations to a single detached, semi-detached, triplex, fourplex, and rowhouse type dwelling.

1.1.4 Required information for works identified in Article 1.1.3 shall include:

- (1) Where the proposed works extend outside of the existing building envelope, site plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading; and
 - (b) Drainage;
- (2) Architectural drawings and specifications providing modification to:
 - (a) Floor Plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Where new exterior walls or interior fire separations are to be constructed, building sections, minimum one detailed wall section;
- (3) Where additional interior tempered space is proposed to be added to the existing building, mechanical drawings and specifications providing for modifications to heat loss/heat gain calculations; and
- (4) Structural drawings and specifications providing for product layout, confirmation of compliance with pre-engineered product specifications, and engineered sealed drawings for all point loaded and unique unspecified members where used within the proposed project for the following items:
 - (a) pre-engineered lumber beams, lintels or columns;
 - (b) pre-engineered lumber joists, and floor framing members;
 - (c) pre-engineered lumber wall framing members;
 - (d) pre-engineered lumber roof framing members and
 - (e) pre-engineered roof truss systems;

1.1.5 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for all Group C occupancies other than those specified in Article 1.1.1 or Subsection 1.3.

1.1.6 Required information for works identified in Article 1.1.5 shall include:

- (1) Site Plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading;
 - (b) Drainage; and
 - (c) Site servicing;
- (2) Geotechnical Investigation Report (two copies only);
- (3) Architectural drawings and specifications providing:
 - (a) Floor plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Building sections, minimum one building section and one detailed wall section;
 - (d) Architectural details; and
 - (e) Schedules, including window, door and hardware;
- (4) Structural drawings and specifications providing for:
 - (a) Foundation design(s);
 - (b) Roof design(s); and
 - (c) Structural framing design(s);
- (5) Mechanical drawings and specifications providing for:
 - (a) Plumbing design(s);
 - (b) HVAC design(s);
 - (c) Sprinkler design(s); and
 - (d) Standpipe design(s);
- (6) Electrical drawings and specifications providing for:
 - (a) General lighting design(s);
 - (b) Emergency and Exit lighting design(s);
 - (c) Fire alarm design(s); and
 - (d) Any other emergency life safety system design(s);

1.1.7 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for any additions or alterations to all Group C Occupancies other than those specified in Article 1.1.1 or Subsection 1.3.

1.1.8 Required information for works identified in Article 1.1.7 shall include:

- (1) Where the proposed works extends outside of the existing building envelope, site plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading;
 - (b) Drainage; and
 - (c) Site Servicing
- (2) Architectural drawings and specifications providing for modification to:
 - (a) Floor plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Where new exterior walls or interior fire separations are to be constructed, building sections, minimum one detailed wall section;
- (3) Structural drawings and specifications providing for modification to:
 - (a) Foundation design(s);
 - (b) Roof design(s); and
 - (c) Structural framing design(s);
- (4) Mechanical drawings and specifications providing for modification to:
 - (a) Plumbing design(s);
 - (b) HVAC design(s);
 - (c) Sprinkler design(s); and
 - (d) Standpipe design(s);

- (5) Electrical drawings and specifications providing for modifications to:
 - (a) General lighting design(s);
 - (b) Emergency and Exit lighting design(s);
 - (c) Fire alarm design(s); and
 - (d) Any other emergency life safety system design(s);

1.2 GROUP A, B, D, E and F OCCUPANCIES

1.2.1 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for Group A, B, D, E and F occupancies.

1.2.2 Required information for works identified in article 1.2.1 shall include:

- (1) Site Plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading;
 - (b) Drainage; and
 - (c) Site servicing;
- (2) Geotechnical Investigation Report (two copies only);
- (3) Architectural drawings and specifications providing:
 - (a) Floor Plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Building sections, minimum one building section and one detailed wall section;
 - (d) Architectural details; and
 - (e) Schedules, including window, door and hardware;
- (4) Structural drawings and specifications providing for:
 - (a) Foundation design(s);
 - (b) Roof design(s); and
 - (c) Structural framing design(s);
- (5) Mechanical drawings and specifications providing for:
 - (a) Plumbing design(s);
 - (b) HVAC design(s);
 - (c) Sprinkler design(s); and
 - (d) Standpipe design(s);
- (6) Electrical drawings and specifications providing for:
 - (a) General lighting design(s);
 - (b) Emergency and Exit lighting design(s);
 - (c) Fire alarm design(s); and
 - (d) Any other emergency life safety system design(s);

1.2.3 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for any additions or alterations to all Group A, B, D, E and F Occupancies.

1.2.4 Required information for works identified in Article 1.2.3 shall include:

- (1) Where the proposed works extends outside of the existing building envelope, Site Plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading;
 - (b) Drainage; and
 - (c) Site Servicing
- (2) Architectural drawings and specifications providing for modification to:
 - (a) Floor plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Where new exterior walls or interior fire separations are to be constructed, building sections, minimum one detailed wall section;
- (3) Structural drawings and specifications providing for modification to:
 - (a) Foundation design(s);
 - (b) Roof design(s); and

- (c) Structural framing design(s);
- (4) Mechanical drawings and specifications providing for modification to:
 - (a) Plumbing design(s);
 - (b) HVAC design(s);
 - (c) Sprinkler design(s); and
 - (d) Standpipe design(s);
- (5) Electrical drawings and specifications providing for modifications to:
 - (a) General lighting design(s);
 - (b) Emergency and Exit lighting design(s);
 - (c) Fire Alarm design(s); and
 - (d) Any other emergency life safety system design(s);

1.3 ACCESSORY USES TO GROUP C OCCUPANCIES

1.3.1 Unless otherwise specified by the Chief Building Official or stated below one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for structures such as decks, porches and other accessory buildings intended to be used complimentary to a Single Detached, Semi-Detached, Triplex, Fourplex, and Townhouse type dwelling.

1.3.2 Required information for works identified in Article 1.3.1 shall include:

- (1) Site Plan(s) referenced to a legal plan of survey providing for:
 - (a) Lot grading; and
 - (b) Drainage;
- (2) Architectural drawings and specifications providing:
 - (a) Floor plan(s), minimum one per floor;
 - (b) Elevations, minimum all sides affected by proposed work;
 - (c) Building sections, minimum one detailed wall section;
- (3) Structural drawings and specifications providing for product layout, confirmation of compliance with pre-engineered product specifications, and engineered sealed drawings for all point loaded and unique unspecified members where used within the proposed project for the following items:
 - (a) pre-engineered lumber beams, lintels or columns;
 - (b) pre-engineered lumber joists, and floor framing members;
 - (c) pre-engineered lumber wall framing members;
 - (d) pre-engineered lumber roof framing members and
 - (e) pre-engineered roof truss systems;

1.4 SPECIAL CATAGORIES / DESIGNATED STRUCTURES

1.4.1 Unless otherwise specified below, one (1) set or copy of all required information determined by the Chief Building Official on a case by case basis shall be submitted as part of a complete permit application submission for the following special categories of construction or designated structures:

- (1) Agricultural buildings;
- (2) Air supported structures, tents, temporary fabric structures (three sets);
- (3) Signs;
- (4) Trailers / Relocatable buildings;
- (5) Communication towers;
- (6) Wind turbine structures, on ground or roof mounted solar panels; and
- (7) Mobile homes.

1.5 DEMOLITION

1.5.1 Unless otherwise specified by the Chief Building Official or stated below, one (1) set or copy of all required information shall be submitted as part of a complete permit application submission for the demolition in part or in whole of any building.

- 1.5.2 Required information for works identified in Article 1.5.1 shall include:
- (1) Site Plan(s) referenced to a legal plan of survey providing for the location of the building or portion thereof to be demolished; and
 - (2) A description of the structural design characteristics of the building and method of demolition prepared by a professional engineer where deemed necessary by the Chief Building Official and / or the Building Code.

1.6 MISCELLANEOUS WORKS AND PLUMBING

1.6.1 Unless otherwise specified below, one (1) set or copy of all required information determined by the Chief Building Official on a case by case basis shall be submitted as part of a complete permit application submission for the following miscellaneous works:

- (1) Underpinning;
- (2) Stages (three sets);
- (3) Demising wall / party wall Installation;
- (4) Fireplace / wood stove;
- (5) Commercial kitchen hood & fire suppression system (three sets);
- (6) Fire alarm system upgrades / installations; and
- (7) Sprinkler and / or standpipe system upgrades / installations.

1.6.2 Unless otherwise specified below, one (1) set or copy of all required information determined by the Chief Building Official on a case by case basis shall be submitted as part of a complete permit application submission for the following plumbing installation and / or modification projects:

- (1) Additions to an existing plumbing system;
- (2) Backflow preventer installation;
- (3) Back water valve installation (no drawings required);
- (4) Sump pit installation (no drawings required); and
- (5) Grease / oil interceptor installation;

SECTION 2 DRAWING REQUIREMENTS

2.1 SITE DRAWINGS

2.1.1 Unless otherwise specified by the Chief Building Official, site drawings required to accompany applications for permit shall be provided in accordance with the following table.

Residential Dwellings

Project Type	Size	Required Site Drawing
new	all sizes	grading plan
addition	less than 50m ²	survey sketch
addition	50m ² and greater	grading plan

Buildings Accessory to Residential Dwellings

Project Type	Size	Required Site Drawing
new or addition	less than 15m ²	site sketch
new or addition	15m ² to 100m ²	survey sketch
new or addition	100m ² and greater	legal survey
decks	any size	site sketch

Agricultural Buildings

Project Type	Size	Required Site Drawing
new or addition	less than 15m ²	site sketch
new or addition	15m ² to 100m ²	survey sketch
new or addition	100m ² and greater	legal survey

Other Buildings

Project Type	Size	Required Site Drawing
new	all sizes	legal survey
addition	all sizes	legal survey

Buildings Accessory to Other Buildings

Project Type	Size	Required Site Drawing
new or addition	less than 15m ²	site sketch
new or addition	15m ² to 100m ²	survey sketch
new or addition	100m ² and greater	legal survey

Note: In all above tables, the size for additions refers to the aggregate area of the proposed construction only and not that of the completed building the addition is being added to and will be a part of.

2.1.2 Unless otherwise specified by the Chief Building Official where a legal survey is required it shall:

- (1) Be a legal plan of survey sealed and signed by an Ontario Land Surveyor or Engineer;
- (2) Be up to date and accurately illustrate the location, use, height and dimensions of any existing and proposed building(s) including, but not limited to, front, side and rear yard dimensions and relationships to adjoining property lines, Condominium Corporation lines and buildings, common element lines (where applicable);
- (3) Identify and include all easements and legal lot information including the legal description of the lot as well as survey property boundaries and dimensions, all bearing of metes and bounds and compass orientation;
- (4) Identify the relation of buildings and finished grade to existing elevations to identify general lot drainage and any storm water drainage control plan on site, where applicable;

- (5) Be drawn to scale in metric units;
- (6) Identify all existing and proposed parking layouts, retaining walls, swimming pools, accessory buildings and any other such physical additions necessary to the site;
- (7) Identify the location of all fire access routes with regard to the building, including all fire hydrants, siamese connections, and sources of water supply for firefighting (where applicable);
- (8) Identify the location of any and all existing / proposed private sewage systems and their components; and
- (9) Provide the total lot coverage of the property.

2.1.3 Unless otherwise specified by the Chief Building Official where a grading plan is required it shall:

- (1) Be a legal plan of survey sealed and signed by an Ontario Land Surveyor or Engineer;
- (2) Be up to date and accurately illustrate the location, use, height and dimensions of any existing and proposed building(s) including, but not limited to, front, side and rear yard dimensions and relationships to adjoining property lines, Condominium Corporation lines and buildings, common element lines (where applicable);
- (3) Identify and include all easements and legal lot information including the legal description of the lot as well as survey property boundaries and dimensions, all bearing of metes and bounds and compass orientation;
- (4) Include sufficient lot grading information to confirm compliance with the requirements for lot grading provided in the Ontario Building Code with regard to the proposed building as well as the master lot grading plan for the development where applicable;
- (5) Be drawn to scale in metric units;
- (6) Identify all existing and proposed parking layouts, retaining walls, swimming pools, accessory buildings and any other such physical additions necessary to the site;
- (7) Identify the location of all fire access routes with regard to the building, including all fire hydrants, siamese connections, and sources of water supply for firefighting (where applicable);
- (8) Identify the location of any and all existing / proposed private sewage systems and their components; and
- (9) Provide the total lot coverage of the property.

2.1.4 Unless otherwise specified by the Chief Building Official where a survey sketch is required it shall:

- (1) Be referenced to a legal plan of survey and include all easement information;
- (2) Be prepared using an acceptable electronic media drawing platform;
- (3) Be pertinent to the area of the property subject to the proposed construction (easements should be identified if pertinent to building location);
- (4) Be drawn to scale in metric units;
- (5) Identify the location of any and all existing / proposed private sewage systems and their components; and
- (6) Provide the total lot coverage of the property.

2.1.5 Unless otherwise specified by the Chief Building Official where a site sketch is required it shall:

- (1) Be prepared in a clear and concise manner;
- (2) Be pertinent to the area of the property subject to the proposed construction (easements should be identified if pertinent to building location);
- (3) Be drawn to scale in metric units;
- (4) Identify the location of any and all existing / proposed private sewage systems and their components; and
- (5) Provide the total lot coverage of the property.

2.2 ARCHITECTURAL DRAWINGS

2.2.1 Unless otherwise specified by the Chief Building Official, where architectural drawings are required they shall consist of:

- (1) Building Code matrix, foundation and grade details;
- (2) Each floor plan with exact dimensions of the layout of all proposed areas and identified with room names;
- (3) All wall thicknesses and type of construction, window and door openings and schedules, elevator, sections and details of all walls, stairs and exits, fire walls, fire separations, shaft and duct openings and other related pertinent information;
- (4) Building elevations, cross sections and wall sections showing all floor to floor heights, materials and thickness, etc.; and
- (5) Specifications where applicable.

2.3 STRUCTURAL DRAWINGS

2.3.1 Unless otherwise specified by the Chief Building Official, where structural drawings are required they shall consist of:

- (1) All foundation, floor, roof and wall structural elements indicating sizes, shapes and proper locations, and all dead and live design loads and conditions of loading;
- (2) All reinforced concrete work indicating thickness and strength of concrete, as well as size, spacing, minimum cover and type of reinforcing steel;
- (3) All lintels, column and beam locations, and their size and snowdrift loading;
- (4) Where applicable, de-watering report and shoring or pile driving information;
- (5) Flow control roof drainage declaration to be completed; and
- (6) Specifications where applicable.

2.4 MECHANICAL AND ELECTRICAL DRAWINGS

2.4.1 Unless otherwise specified by the Chief Building Official, where mechanical drawings are required they shall consist of:

- (1) All plumbing, heating, ventilation and air conditioning including legends and schedules for compliance with the Building Code;
- (2) If space permits on drawing submissions for small buildings and dwellings, the information required from sentence (1) can be shown on the same plans as the architectural;

- (3) All ventilation and fire protection systems required for the installation of commercial cooking equipment;
- (4) Sprinkler and standpipe drawings are to include floor plans and riser diagrams to locate the entire system including connections and sprinkler heads as well as hydraulic calculations; and
- (5) Specifications where applicable.

2.4.2 Unless otherwise specified by the Chief Building Official, where electrical drawings are required they shall consist of:

- (1) Electrical drawings are to show lighting, emergency lighting, exit signs, fire alarms systems and their legends and schedules for compliance with the Building Code;
- (2) If space permits on drawing submissions for small buildings and dwellings, the information required from sentence (1) can be shown on the same plans as the architectural; and
- (3) Specifications where applicable.

SECTION 3 REQUIRED FORMS

3.1 APPLICATION FORMS

- 3.1.1 The permit application form, provided by the Township of West Lincoln or the Ministry of Municipal Affairs and Housing shall be used for submission of all applications for a permit.
- 3.1.2 The permit for partial occupancy, transfer of permit and change of use application form shall be used by applicants in various types of applications. This form provides applicants with a form to submit the necessary information to the Chief Building Official for submission of applications for consideration for partial occupancy, change of use permits and requests for the transfer of permits. This form replaces the standard building permit application form in the change of use permit process.
- 3.1.3 The conditional building permit application form shall be used subsequent to the submission of an application for building permit to initiate a request for issuance of a conditional building permit.

3.2 SUPPLEMENTARY DATA FORMS

- 3.2.1 The Building Permit Supplementary Data form shall be submitted with all applications for a permit. The purpose of the form is to obtain the necessary supplemental data to allow for the issuance of a permit.
- 3.2.2 The Demolition Permit Supplementary Data form shall be submitted with all applications for a permit. The purpose of the form is to obtain the necessary supplemental data to allow for the issuance of a permit.
- 3.2.3 The Applicable Law checklist shall be completed for each application for permit regardless of type of permit being applied for to provide verification of compliance of the proposed construction with the applicable law requirements of the Building Code.

3.3 COMMITMENT FORMS

- 3.3.1 The General Review by Architects and Engineers form shall be completed and submitted as part of a complete application for every project where drawings are required by the Building Code to be prepared by an Architect or Engineer.
- 3.3.2 The Authorized Agent form shall be completed and submitted as part of a complete application where an owner wishes to permit another party to act on their behalf for the purpose of application for permit and administration thereof.
- 3.3.3 If permitted to be accepted, an applicant shall complete and submit the Acknowledgement of Incomplete Application form to submit an application that does not satisfy the requirements of a complete application.

3.4 ENERGY CONSERVATION FORMS

- 3.4.1 The Energy Efficiency Design Summary form(s) shall be completed and submitted as a component of a complete application for the applicable type of construction for each application where works are required to satisfy Building Code requirements for energy efficiency.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-84

BEING A BY-LAW TO AMEND BY-LAW 2011-28 WHICH PRESCRIBES A TARIFF OF FEES FOR THE PROCESSING OF APPLICATIONS MADE WITH RESPECT TO PLANNING MATTERS, AS AMENDED.

WHEREAS In accordance with the provisions of Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13, the Council of the municipality may by By-Law prescribe a tariff of fees for the processing of applications made in respect of planning matters.

AND WHEREAS The Council of the Township of West Lincoln passed by By-Law No. 2011-28 on April 26, 2011, to prescribe a tariff of fees for the processing of applications made with respect to planning matters;

AND WHEREAS The Council of the Township of West Lincoln has previously amended Appendix "A" through By-law 2017-101;

AND WHEREAS The Council of the Corporation of the Township of West Lincoln deems it necessary and expedient to further amend Appendix A "Schedule of Fees"; in order to incorporate the consumer price index;

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

1. That, By-law 2011-28, as amended, be further amended by deleting Schedule "A" and inserting the attached new Schedule "A" in lieu thereof.
2. That, By-law 2017-101 be and is hereby repealed effective October 1, 2019.
3. That this new By-law takes effect on October 1, 2019.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF SEPTEMBER, 2019.

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

**APPENDIX “A”
SCHEDULE OF FEES
TOWNSHIP OF WEST LINCOLN**
(Schedule A to By-law 2011-28 – as amended by By-law 2019-84)

The fees for processing planning applications are outlined below for the fees effective
October 1, 2019

Note: Application fees do not apply to applications initiated by the Region of Niagara within the limits of the Township of West Lincoln.

Section	Fees Effective October 1, 2017	Fees Effective October 1, 2019
1. Official Plan Amendment	\$ 8,390	\$8,724
2. Combined Official Plan Amendment/Zoning By-law Amendment	\$ 11,220	\$11,667
3. Zoning By-law Amendment	\$ 6,535	\$6,795
4. Zoning By-law Amendment (Condition of Consent)	\$ 3,270	\$3,400
5. Removal of (H) Holding Symbol	\$ 1,365	\$1,419
6. Temporary Use By-law	\$ 2,310	\$2,402
7. Extension to Temporary Use By-law	\$ 1,550	\$1,612
8. Temporary Use Agreement	\$ 1,550	\$1,612
9. Site Plan Approval (Initial or Amendment where a new Agreement is Required)	\$ 4,715	\$4,903
10. Site Plan Approval Amendment where no Agreement is required	\$ 2,310	\$2,402
11. Discharge of a Site Plan Agreement	\$ 1,365	\$1,420
12. Consultation Process for Telecommunication Facilities	\$ 1,765	\$1,835
13. Plan of Subdivision Approval	\$ 7,675	\$7,980
14. Red Line Revisions to a Draft Approved Plan of Subdivision/ Condo or Site Plan	\$ 2,310	\$2,402
15. Plan of Condominium	\$ 7,675	\$7,980
16. Condominium Conversion	\$ 7,345	\$7,637
17. Condominium Amalgamation	\$ 1,365	\$1,420
18. Exemption of Draft Plan of Condominium Approval	\$ 1,550	\$1,612
19. Extension to Draft Plan Approval of a Draft Plan of Subdivision or Condominium	\$ 1,550	\$1,612
20. Subdivision, Development or Condominium Agreement	\$ 7,075	\$7,356
21. Development Agreement as a Condition of Consent	\$ 3,535	\$3,676
22. Final Approval of a Plan of Subdivision or Condominium	\$ 1,550	\$1,612
23. Street Naming for New Subdivisions	\$ 1,365	\$1,420
24. Amendment to Subdivision, Development or Condominium Agreement	\$ 6,535	\$6,795
25. Request for Removal of Part Lot Control (per lot/block)	\$ 1,365	\$1,420
26. Approval of Road Opening/Upgrade (to allow access to build)	\$ 1,550	\$1,612
27. Adjournment or Rescheduling Fee for any Planning Application requested for any Planning Application	\$ 265	\$ 275
28. Deeming By-law	\$ 890	\$ 925
29. Zoning Compliance/Green Energy Zoning Compliance	\$ 175	\$ 182
30. Written Property Reports	\$ 175	\$ 182
31. Site Plan/Subdivision/Condominium Development Servicing (Engineering Review and Administration Fee)		

In addition to the application fees as outlined in Appendix A, Engineering Review and Administration fees are payable on an invoice basis prior to final approval. The Engineering Review and Administration fee shall cover the costs incurred following the signing of the agreement and are calculated as a percentage based upon one hundred percent (100%) of the Township's estimated total costs of construction of all services (internal and external) as shown in the development agreement's Financial Schedule and charged as follows:

- (a) Total cost of services less than \$ 1,000.00: no charge;
- (b) Total cost of services less than \$ 5,000.00: \$ 250.00 total charge;
- (c) Total cost of services less than \$ 20,000.00: \$1,500.00 total charge;
- (d) Total cost of services less than \$ 30,000.00: \$2,000.00 total charge;
- (e) Total cost of services less than \$ 60,000.00: \$3,000.00 total charge;
- (f) Total cost of services less than \$ 75,000.00: \$4,000.00 total charge;
- (g) Total cost of services less than \$100,000.00: \$5,000.00 total charge;
- (h) For total costs of services over \$100,000.00, the total fee cost shall be:
 - i. \$5,000.00 for the cost of services up to \$100,000, plus
 - ii. Four percent (4%) of the total costs of any services in excess of \$100,000.00 up to \$500,000.00; plus
 - iii. Three-percent (3%) of the total cost of any services in excess of \$500,000.00

All fees shall be payable in cash to the Township prior to and as a condition of the Township signing and registering the executed development agreement.”

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-85

BEING A BY-LAW TO AMEND BY-LAW 2002-112 WHICH APPOINTS A COMMITTEE OF ADJUSTMENT, DELEGATES THE AUTHORITY FOR CONSIDERING APPLICATIONS FOR MINOR VARIANCES AND CONSENTS, PROVIDES FOR COMPENSATION FOR THE MEMBERS OF THE COMMITTEE OF ADJUSTMENT, ADOPTS POLICIES, PROCEDURES AND CONDITIONS FOR THE OPERATION OF THE COMMITTEE OF ADJUSTMENT, AND ESTABLISHES A TARIFF OF FEES UNDER THE PLANNING ACT.

WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 2002-112 to appoint a Committee of Adjustment, to delegate the authority for considering applications for minor variances and consents, to provide for compensation for the members of the Committee of Adjustment, to adopt Policies, Procedures and Conditions for the Operation of the Committee of Adjustment, and to establish a Tariff of Fees under the Planning Act;

AND WHEREAS The Council of the Township of West Lincoln has previously amended Schedule "D" through By-law 2017-100;

AND WHEREAS the Township of West Lincoln now deems it expedient to amend Schedule "D" of By-law 2002-112, as amended which provides for a tariff of fees for the processing of applications for consent or minor variance.

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

1. That, By-law 2002-112, as amended, be further amended by deleting Schedule "D" and inserting the attached new Schedule "D" in lieu thereof.
2. That, amending By-law 2017-100 be and is hereby repealed effective October 1, 2019
3. That this By-law takes effect on October 1, 2019.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF SEPTEMBER, 2019.

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

SCHEDULE "D"
TARIFF OF FEES FOR THE COMMITTEE OF ADJUSTMENT
(Schedule D to By-law 2002-112 – as amended by 2019-85 - effective October 1, 2019)

The fees for processing an application for consent or minor variance to the Committee of Adjustment are outlined below, **effective October 1, 2019**.

Description	Fee July 1, 2015	Fee September 1, 2017	Fee October 1, 2019
Basic Processing Fee - Applications for Consent <i>Includes administration and mailing fees required to process consent applications and Validation of Title requests.</i>	\$2145.00 (where new lot created/validation of title) \$1075.00 (for minor boundary adjustments and other)	\$2230.00 (where new lot created/validation of title) \$1120.00 (for minor boundary adjustments and other)	\$2320.00 (where new lot created/validation of title) \$1165.00 (for minor boundary adjustments and other)
Health Inspection Fee - West Lincoln Properties <i>Required if municipal sewage system is unavailable (i.e. private septic system proposed).</i>	\$210.00 Per new lot + remnant	\$220.00 Per new lot + remnant	\$230.00 Per new lot + remnant
Adjournment/Rescheduling Fee <i>Applicable as determined by Committee when an adjournment of an application is necessary.</i>	\$255.00 Per application	\$265.00 Per application	\$275.00 Per application
Final Certification Fee <i>Fees are per application, payable upon submission of the documents (deeds) for issuance of final certification.</i>	\$335.00	\$350.00	\$365.00
Basic Processing Fee - Minor Variance Applications <i>Includes administration and mailing fees required to process minor variance applications.</i>	\$1,565.00	\$1625.00	\$1690.00
Request for Change in Conditions - Consents <i>Includes administration and mailing fees required to process requests for change in conditions, under Section 53(23) of the Planning Act.</i>	\$715.00	\$745.00	\$775.00

NOTE: These fees do not apply to applications made by the Region of Niagara within the limits of the Township of West Lincoln.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019- 86

**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;

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

1. THAT Schedule 'A' Map 'C3 & C4' to Zoning By-law No. 2017-70, as amended, is hereby amended by changing the zoning on Concession 7, Part Lot 9, formerly in the Township of Caistor, now in the Township of West Lincoln, with no municipal number, and on Concession 7, Part Lot 9, Part 1 on 30R-9144, formerly in the Township of, now in the Township of West Lincoln, municipally known as 2394 Short Road, shown as the subject lands on Schedule 'A', attached hereto and forming part of this By-law.
2. THAT Map 'C3 & C4' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural 'A' zone to a Rural Residential 'RuR' zone with Exception 'RuR-185 zone.
3. THAT Map 'C3 & C4' to Schedule 'A' to Zoning By-law No. 2017- 70, as amended, is hereby amended by changing the zoning on part of the subject lands shown on Schedule 'A', attached hereto and forming part of this By-law from an Agricultural Purposes Only 'APO' zone to a Rural Residential 'RuR' zone with Exception 'RuR-185.'`
4. THAT Part 5 of Zoning By-law 2017- 70, as amended, is hereby amended by adding the following to Part 13.2:
RuR-185
Permitted Uses:
As per the parent zone.
Regulations:
As per the parent zone, except:
To permit an accessory building to be located closer to the front lot line than the main building at a front yard setback of 11 metres
Accessory Building maximum height = 5.5 metres
5. THAT all other provisions of By-law 2017-70 continue to apply.
6. AND 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
23rd DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2019-86

Location:

This By-law involves a parcel of land legally described as Concession 7, Part Lot 9, formerly in the Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara with no municipal address and Concession 7, Part Lot 9, Part 1 on 30R-9144, formerly in the Township of Caistor, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 2394 Short Road.

Purpose & Effect:

Parcel 2 of the subject lands were zoned as Agricultural Purposes Only 'APO.' The rezoning for Parcel 2 zoned the subject lands to a Rural Residential Zone with a site specific exception 'RuR-185.'

Parcel 3 of the subject lands were zoned Agricultural 'A'. The rezoning for Parcel 3 rezoned the subject lands to a Rural Residential zone with a site specific exception 'RuR-185.'

The site specific exception permits an accessory building to be located closer to the front lot line than the main building at a front yard setback of 11 metres whereas an accessory building is not permitted to be located closer to the front lot line than the main building and permits for a maximum height of 5.5 metres for an accessory building whereas the permitted maximum is 5 metres.

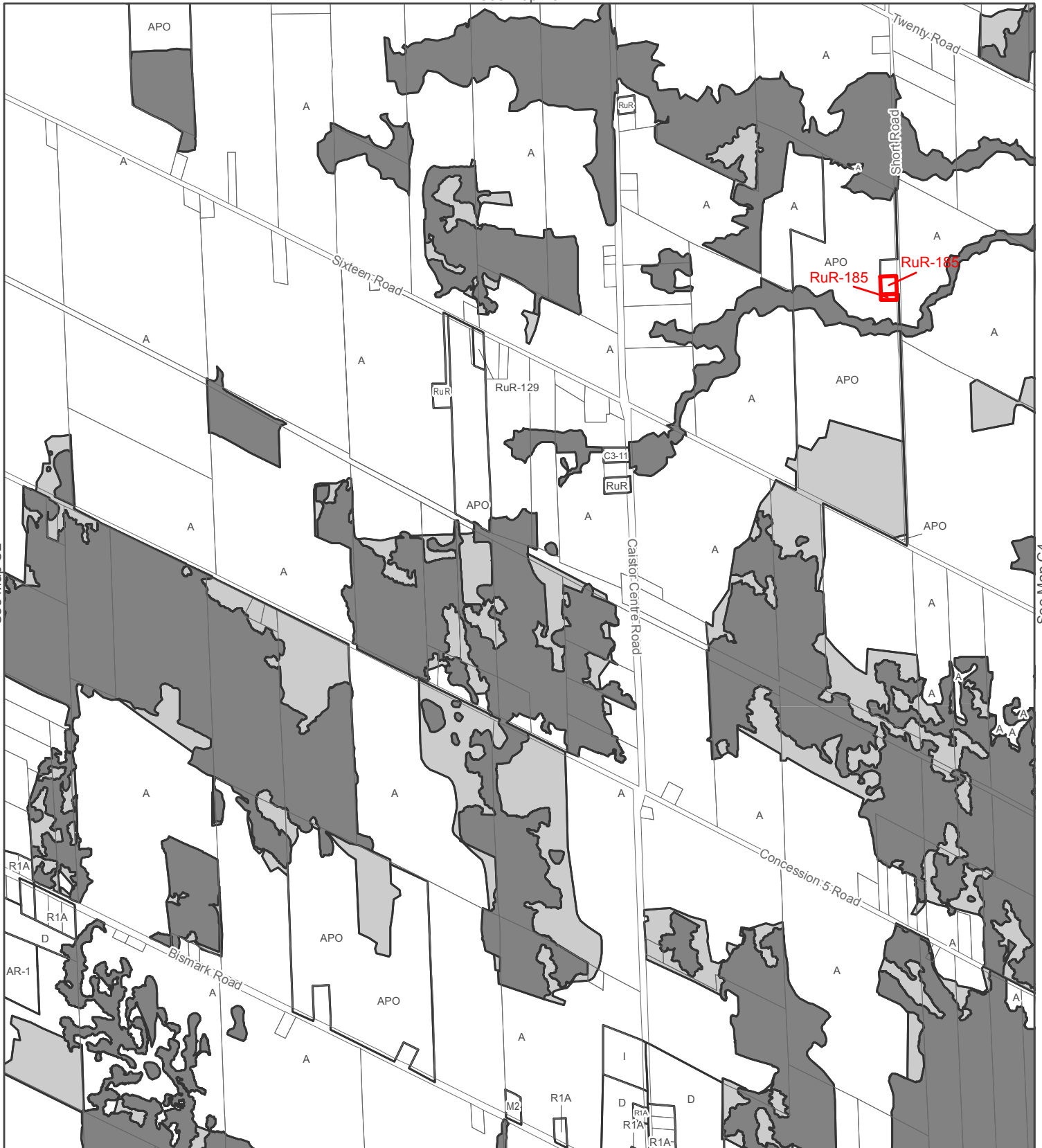
Public Consultation:

The Public Meeting was held on August 12th, 2019. The Township received verbal and written comments from 0 neighbour(s) regarding this application. All written and oral comments were considered in the making of the decision by Council.

File: 1601-012-19

Applicants: Louis & Gwen Zeldenrust (Jeffery & Annette Tenhage – Agents)

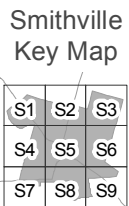
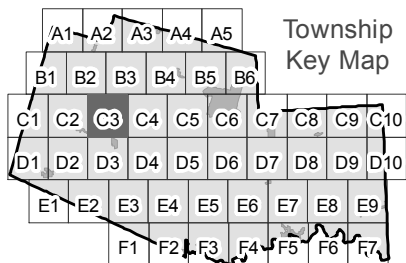
See Map B3



See Map C2

See Map C4

See Map D3

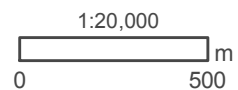


- Settlement Area Boundary
- Zone Boundary
- EC
- EP
- Waste Management Facility Assessment Area

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

Map

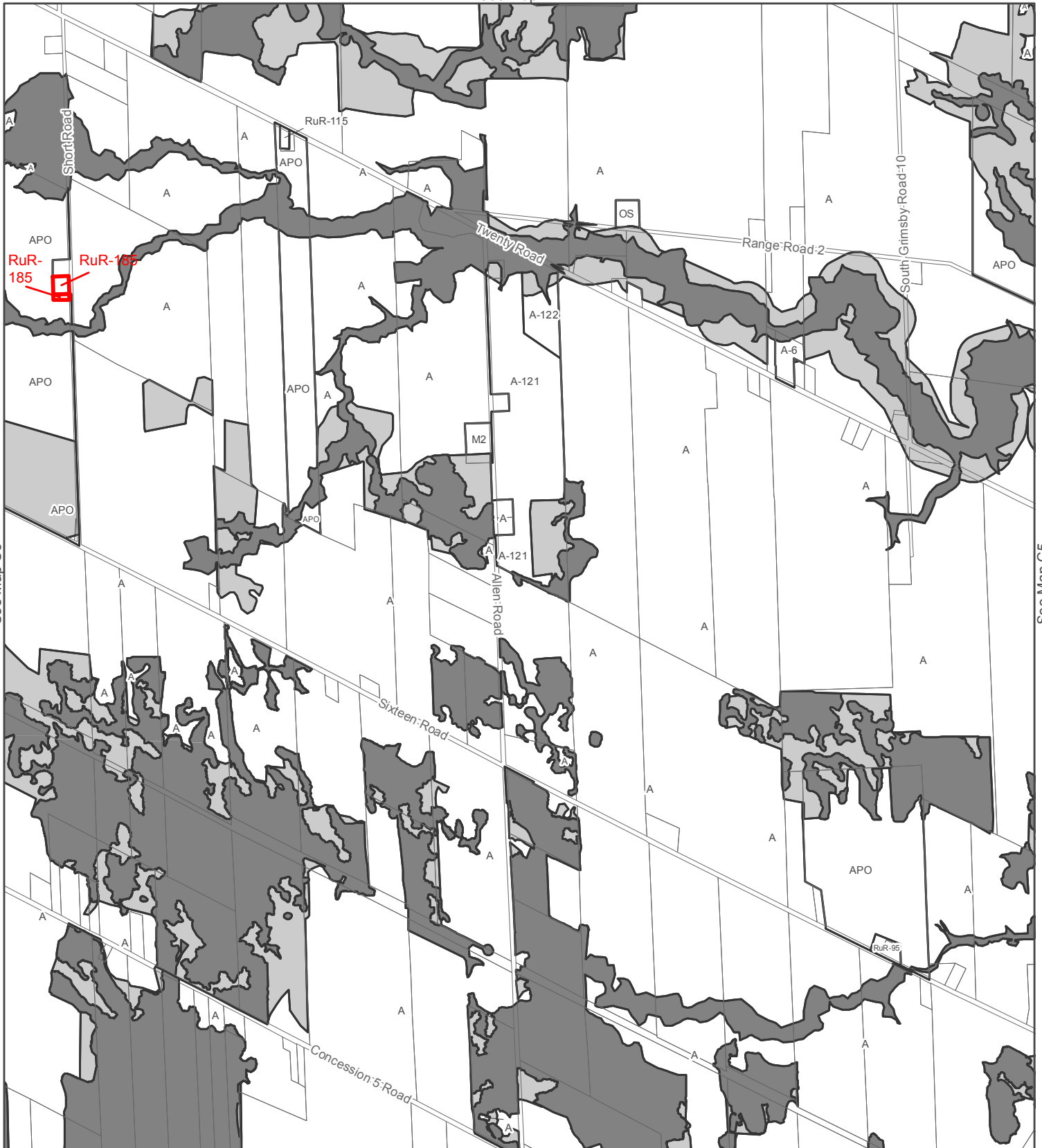
C3



Last Updated: By-Law 2019-86

Last Updated 30/07/2019 **Page 237** Page 14 of 56

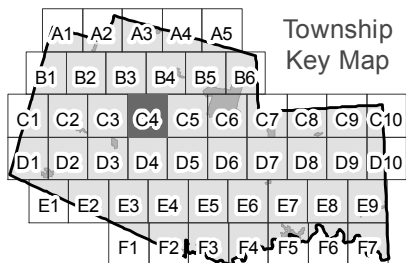
See Map B4



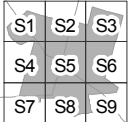
See Map C3

See Map C5

See Map D4



Smithville Key Map

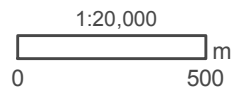


- Settlement Area Boundary
- Zone Boundary
- EC
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- Waste Management Facility Assessment Area

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

Map

C4



Last Updated: By-Law 2019-86

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-87

**BEING A BY-LAW TO AMEND BY-LAW 2011-28 WHICH
PRESCRIBES A TARIFF OF FEES FOR THE PROCESSING OF
APPLICATIONS MADE WITH RESPECT TO PLANNING
MATTERS, AS AMENDED.**

WHEREAS in accordance with the Provisions of Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13, the Council of the municipality may by By-Law prescribe a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS the Council of the Township of West Lincoln passed By-Law No. 2015-110 on December 14th, 2015, to prescribe a tariff of fees for the processing of applications made with respect to planning matters;

AND WHEREAS The Council of the Township of West Lincoln has amended Appendix "D" through By-law 2019-87;

AND WHEREAS The Council of the Corporation of the Township of West Lincoln deems it necessary and expedient to further amend Appendix D of the "Schedule of Fees;" in order to clarify the professional expertise required to determine the appraised value of a property in order to calculate the appropriate parkland dedication fee;

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

1. That, By-law 2011-28, as amended, be further amended by deleting Appendix "D" and inserting the attached new Appendix "D" in lieu thereof, and;
2. That, By-law 2015-110 be and is hereby repealed.
3. That, this new By-law takes effect as of the date of its passing.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
23RD DAY OF SEPTEMBER, 2019.**

DAVE BYLSMA, MAYOR

JOANNE SCIME, CLERK

APPENDIX “D”

CASH-IN-LIEU OF PARKLAND DEDICATION FEES

TOWNSHIP OF WEST LINCOLN

(to By-law 2011-28 – as amended by By-law 2019-87)

The following schedule outlines the provisions for the collection of cash-in-lieu of parkland dedication for all new lots granted through consent within the Township of West Lincoln:

- | | |
|-------------------------|------------------------|
| • Rural lots | Flat Fee of \$1,000.00 |
| • Hamlet lots | 5% of Appraised Value |
| • Urban lots | 5% of Appraised Value |
| • Commercial/Industrial | 2% of Appraised Value |

Where a calculation of appraised value is required, such work shall be completed in accordance with the requirements of Section 53(13) of the Planning Act, as amended, and shall be completed only by a qualified appraiser with either Canadian Residential Appraiser (CRA) or Accredited Appraiser Canadian Institute (AACI) professional designation following the Canadian Uniform Standard of Professional Appraisal Practice (CUSPAP). The appraisal shall be initiated by the property owner, at their own expense.

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-88

A BY-LAW TO AUTHORIZE AN AMENDING SUBDIVISION AGREEMENT WITH MARZ HOMES (SMITHVILLE STATION) INC., AND ANY MORTGAGEE(S) ON LANDS DESCRIBED AS BLOCKS 34, 35, 37 & 45 ON PLAN 30M-466 IN THE TOWNSHIP OF WEST LINCOLN (ORIGINAL SUBDIVISION AGREEMENT AUTHORIZED BY BY-LAW NO. 2017-137 & REGISTERED UNDER NR487417)

WHEREAS the Corporation of the Township of West Lincoln deems it expedient to enter into an Amending Subdivision Agreement with Marz Homes (Smithville Station) Inc., and any of their mortgagees on lands described as Blocks 34, 35, 37 & 45 on Plan 30M-466 in the Township of West Lincoln.

AND WHEREAS approval and authority for such Amending Agreement is required;

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

1. That the Council of the Corporation of the Township of West Lincoln enter into an Amending Subdivision Agreement with Marz Homes (Smithville Station) Inc., and any of their mortgagees on lands described as Blocks 34, 35, 37 & 45 on Plan 30M-466 in the Township of West Lincoln.
2. That the Mayor and Clerk be and each of them is hereby authorized to sign the said Amending Subdivision Agreement and any other document or documents necessary to implement the intent of this By-law and the said Amending Subdivision Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto and deliver the same to the appropriate parties.
3. That a copy of the said Amending Subdivision Agreement and any supplementary Agreements, when executed by the said parties shall be attached hereto as "Schedule A" and shall form part of this By-law.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 23rd
DAY OF SEPTEMBER, 2019**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-89

**A BY-LAW TO EXEMPT CERTAIN LAND FROM PART LOT CONTROL
PURSUANT TO SECTION 50 OF THE PLANNING ACT, R.S.O. 1990
(OLD TOWNE GATEWAY ESTATES – SMITHVILLE STATION)**

WHEREAS Subsection 50(5) of the Planning Act, 1990, c.P. 13, as amended, states:

“WHEREAS land is within a plan of subdivision registered before or after the coming into force of this section, no person shall convey a part of any lot or block of land by way of deed, or transfer, or grant, assign of the land, or mortgage or change a part of any block of the land, or entre into an agreement of sale and purchase that has the effect of granting the use or right in a part or any lot or block of the land directly or by entitlement to renewal for a period of twenty-one years or more unless. One of the conditions in Subsection 50(5), paragraph (a) to (g) has been met”;

AND WHEREAS the council of a municipality may by By-law passed under Subsection 50(7) of the Planning Act, R.S.O. 1990, c.P. 13 as amended; provide that Subsection 50(5) does not apply to lands designated in the bylaw.

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

1. THAT the provisions of Subsection 50(5) of the Planning Act, R.S.O. 1990, c.P. 13 as amended, does not apply to the following land;

Blocks 34, 35, 37 & 45 of Plan 30M-446, for the purpose of creating street townhouse dwellings and maintenance easements as shown on the draft reference plans for Blocks 34, 35, 37 & 45 of Plan 30M-446

2. THAT this By-law shall be registered by the Corporation of the Township of West Lincoln in the property Registry Office
3. THAT unless sooner repealed or unless sooner amended to the extent of the time period specified for the expiration of this By-law herein, this By-law shall be in effect for a period of one year beginning on the 23rd of September, 2019.
4. THAT this By-law shall apply to Blocks 34, 35, 37 & 45 on Plan 30M-446.
5. AND THAT By-law 2019-40 be and is hereby repealed.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
23rd DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2019-90

**A BY-LAW TO AUTHORIZE AN AGREEMENT
BETWEEN THE CORPORATION OF THE TOWNSHIP
OF WEST LINCOLN AND CIRCLE P PAVING INC.
FOR HOT MIX SPOT REPAIRS AT VARIOUS
LOCATIONS**

WHEREAS the Council of the Corporation of the Township of West Lincoln deems it expedient to enter into an agreement with Circle P Paving Inc. for hot mix spot repairs at various locations.

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

1. That, the Council of the Corporation of the Township of West Lincoln enter into an agreement with Circle P Paving Inc. for hot mix spot repairs at various locations; and,
2. That, the Mayor and Clerk be authorized to sign the above mentioned agreement, and any other related documents, and to affix the Corporate Seal thereto.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 23rd
DAY OF SEPTEMBER, 2019.**

MAYOR DAVE BYLSMA

JOANNE SCIME, CLERK