

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

**MEETING NO. TWO**

**February 8, 2021, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

Council: Councillor William Reilly (Chair)  
Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann  
Councillor Harold Jonker  
Councillor Mike Rehner  
Councillor Jason Trombetta

Staff: Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Madyson Ettl, Planner II\*  
Gerrit Boerema, Planner II\*  
Meghan Birbeck, Planner I\*

Other Members: Albert Witteveen, Regional Councillor  
Fred VanderVelde\*  
Jennifer Musca\*  
Sidney Thompson\*  
Michelle Baya\*  
Dan Currie\*  
Jowett Lau\*

**\* IN ATTENDANCE PART TIME**

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- 1. CHAIR - Councillor William Reilly**
- 2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST**

There were no disclosures of pecuniary interest and/or conflict of interest.

**3. PUBLIC MEETING(S)**

Public Meeting(s) under the Planning Act commenced at 6:30 p.m.

**3.1 Zoning By-law Amendment - Kenneth Martin (File No. 1601-001-21)**  
Re: Kenneth Martin (Owner) for property legally described as Concession 1, Part of Lot 3, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 6800 Elcho Road (File No. 1601-001-21 - Zoning Amendment).

**3.2 Zoning By-law Amendment - Cathy and William Vitucci (File No. 1601-002-21)**  
Re: Cathy and William Vitucci (Owners) for property legally described as Concession 4, Part Lot 13, formerly in the Township of Gainsborough, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 5291 Regional Road 20 (File No. 1601-002-21 - Zoning Amendment).

**4. CHANGE IN ORDER OF ITEMS ON AGENDA**

There was no change in order of items on the agenda.

**5. APPOINTMENTS**

**5.1 ITEM P14-21**

Dan Currie, MHBC Planning Ltd.

Re: East Smithville Secondary Plan – PowerPoint Presentation  
**(Refer to Consent Agenda 7.1 No. 4)**

The Director of Planning & Building provided an overview of the East Smithville Secondary Plan and stated that the Township hired MHBC Planning Ltd. to complete a full secondary plan on behalf of the Township. The Director of Planning & Building also stated that the Secondary Plan for East Smithville will allow the Township to lead the process; making recommendations that are in the best interest of the Township.

Mr. Currie reviewed the PowerPoint Presentation regarding the East Smithville Secondary Plan, which was attached to the Planning/Building/Environmental Committee agenda.

Councillor Ganann raised concerns about option 3 and stated that she is worried about the gateway look coming into Smithville. In response to Councillor Ganann's questions regarding the Region allowing driveways to be permitted for small commercial use, Mr. Currie stated that the Region is not interested in granting any access and stated that it would be a form of

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development that would be geared to office related and service commercial type uses. Councillor Ganann also stated that because of the industry that is growing in the Industrial Park, the Township is also in need of housing that is closer to that industry which makes her lean more towards option one and two being presented.

Mayor Bylsma stated that he is interested in the mixed use development plan and that there should be an effort to grow towards commercial and industrial development to balance the community. In response to Mayor Bylsma's question regarding the natural features and if the seasonal streams and ditches could be moved or guided elsewhere, Mr. Currie stated that an environmental impact assessment would have to be completed in order to look at the situation. Mr. Currie noted that part of the goal of the secondary plan is to identify the potential environmental features, which would set up a policy framework for when the draft plans of subdivision come forward. Mr. Currie stated that the developers would have to look at the potential environmental features outlined in the secondary plan and the appropriate steps to take. Mayor Bylsma asked what drives the designation of "heavy industrial" and whether it is quality driven or quantity driven. In response to Mayor Bylsma's question, Mr. Currie stated that heavy industrial is quality driven and the scale impact of the type of industry.

In response to Councillor Jonker's question regarding the land designation based on the Township's direction of land use options presented, Mr. Currie stated that the land use options being presented are guidelines and the Township has a certain level of control, although recognizing that the secondary plan has to comply with Regional Official Plan policy and the Region's comments provided. Mr. Currie also stated that either one of land use options, or combination of options presented, are appropriate, however, it comes down to the balancing of objectives, impacts and interests of each that will work for the municipality.

### 6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

#### 1. Jowett Lau, Phelps Homes

Re: Staff Report 9.2 Item P17-21 - Recommendation Report No. PD-18-2021 - Planning Fees By-law Revision

The Deputy Clerk advised that a written submission was received late afternoon on Monday, February 8th, 2021 from Phelps Homes with respect to Staff Report No. 9.2 Item P17-21. The Deputy Clerk read the comments into the record and they are attached to the minutes (**Schedule A**).

**7. CONSENT AGENDA ITEMS**

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

**7.1 ITEM P15-21**

CONSENT AGENDA ITEMS:

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

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

**Carried**

**SUMMARY OF APPROVED CONSENT AGENDA ITEMS:**

1. Technical Report No. PD-12-2021- Kenneth Martin Zoning By-law Amendment (File No. 1601-001-21)
2. Technical Report No. PD-14-2021 – William and Cathleen Vitucci - Zoning By-law Amendment (File No. 1601-002-21)
3. Technical Report No. PD-16-2021 - Naming of Regional Road 14 from Canborough Street to the Twenty Road Intersection, West Lincoln (PERS 9-1-1 Compliance)
4. Information Report No. PD-15-2021 – East Smithville Secondary Plan – Future Redevelopment and Intensification

**8. COMMUNICATIONS**

There are no communications.

**9. STAFF REPORTS**

**9.1 ITEM P16-21**

Planner I (Meghan Birbeck) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-19-2021 - 1970187 Ontario Inc (Jim Van Ryn) Amending Site Plan Authorizing By-law

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Jason Trombetta

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1. That, report PD-019-2021, regarding “1970187 Ontario Inc (Jim Van Ryn) Amending Site Plan Authorizing By-law”, dated February 8th, 2021, BE RECEIVED; and,
2. That, a bylaw be passed to authorize the Mayor and Clerk to sign an amending Site Plan Agreement with 1970187 Ontario Inc. (Jim Van Ryn) once all site plan details are substantially completed.

**Carried**

### 9.2 ITEM P17-21

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

Re: Recommendation Report No. PD-18-2021 - Planning Fees By-law Revision

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Shelley Bradaric

1. That, Report PD-18-2021 regarding “Recommendation Report, Planning Fees By-law Revision” dated February 8th, 2021, be RECEIVED, and;
2. That, a by-law be passed by Council to amend the planning fees by-law to impose an across the board fee in the amount of \$1200.00, where development (that first required a rezoning, official plan amendment, plan of subdivision, site plan or site plan amendment) has commenced before a planning application is submitted, and;
3. That, a by-law be passed to amend the existing fee schedule and impose such an additional fee of \$1200.00 where a minor variance is required for such work that has commenced prior to the required planning application being submitted.

**Carried**

### 9.3 ITEM P18-21

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-17-2021 - Deeming By-law, Caistorville

Mayor Bylsma asked if the Director of Planning & Building could explain “deeming” with respect to the Deeming By-law, Caistorville report. In response to Mayor Bylsma’s question, the Director of Planning & Building stated that there is a provision in the *Act* that allows Council to take an old Plan of Subdivision, where the lots are very small and are not adequate

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for development purposes. The Director of Planning & Building stated that the parcel fabric remains in place, however, the lots cannot be sold. The Director of Planning & Building also stated that the Township can repeal this Deeming By-law later on when it no longer applies.

In response to Councillor Rehner's question regarding the deeming by-law being used on a particular property, the Director of Planning & Building stated that the Deeming By-law would not apply to the property in question as the lot sizes are sufficient enough to be developed on.

**Moved By** Councillor Harold Jonker

**Seconded By** Mayor Dave Bylsma

1. That, Report PD-17-2021 regarding "Recommendation Report, Deeming By-law, Caistorville" dated February 8th, 2021, be RECEIVED, and;
2. That, a Deeming By-law be passed pursuant to Section 50(4) of the Planning Act, so as to deem Lots 1,2,3 (North of David Street, Registered Plan TP-26), Lots 6,7,8,9,10 and 11 (South of York Road, Registered Plan TP-26 ), and Lots 1,2, and 3 (West of Church Street, Registered Plan TP-26) as not being registered lots within a Plan of Subdivision, and;
3. That, the Deeming By-law be provided to Township Legal Counsel for registration on title.

**Carried**

### 9.4 ITEM P19-21

By-law Enforcement Officer (Tiana Richardson) and Director of Planning & Building (Brian Treble)

Re: Technical Report No. PD-13-2021 - ATV Regulation Changes, Province of Ontario

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Cheryl Ganann

1. That, Report PD-13-2021 regarding "Technical Report, ATV Regulation Changes, Province of Ontario" dated February 8<sup>th</sup>, 2021, be RECEIVED, and;
2. That, Staff report back with a draft by-law prior to holding a public meeting.

**Carried**

**10. OTHER BUSINESS**

**10.1 ITEM P20-21**

Members of Committee

Re: Other Business Matters of an Informative Nature

- i) Councillor Jonker  
Re: Chamber of Commerce AGM

Councillor Jonker noted that the AGM meeting for the West Lincoln Chamber of Commerce will be on February 18<sup>th</sup>, 2021 at 5:00pm.

- ii) Mayor Bylsma  
Re: West Lincoln Memorial Hospital – Phase 3

Mayor Bylsma highlighted the news that was shared regarding the movement into Phase 3 for the West Lincoln Memorial Hospital adding that 15 million dollars was committed by the Province. Mayor Bylsma noted that there was a small indication that June 2022 might be shovels in the ground. Councillor Ganann added to Mayor Bylsma's comments regarding the West Lincoln Memorial Hospital announcement, stating that a lot of Phase 3 had already been in the works which is why they can say a spring 2022 start.

- iii) Director of Planning & Building  
Re: Urban Boundary Master Community Plan PIC

The Director of Planning & Building shared that the 'Pick One' public information center with respect to the Urban Boundary Master Community Plan process will be on Thursday, February 11<sup>th</sup>, 2021 from 6:30pm-8:30pm.

**11. NEW BUSINESS**

There were no items of new business.

**12. CONFIDENTIAL MATTERS**

There were no confidential matters.

**13. ADJOURNMENT**

The Chair declared the meeting adjourned at the hour of 8:02 p.m.



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**JESSICA DYSON, DEPUTY CLERK**

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**COUNCILLOR WILLIAM REILLY, CHAIR**

**SCHEDULE "A" TO THE FEBRUARY 8, 2021  
PLANNING/ENVIRONMENTAL COMMITTEE MINUTES**



Members of West Lincoln's Planning Committee  
Township of West Lincoln  
318 Canborough St  
Smithville ON  
LOR 2A0

February 8<sup>th</sup>, 2021

**Re: TWL Planning Committee Meeting, Feb 8<sup>th</sup>, 2021 - ITEM P17-21**

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Dear Committee members,

Phelps Homes and the Township of West Lincoln have developed a strong working relationship throughout the years. We would like to speak on agenda item P17-21 regarding the proposed Planning Fees By-law Revision, which we feel would negatively impact developers in your community.

While we appreciate the submission of planning applications after development has occurred can often be more complex to process, Phelps Homes feels the proposed additional planning fee places unfair financial burden on the applicant. Often times an unforeseen issue or site condition requires a change to design or a deviation from what was initially approved is what prompts the additional planning applications. The applicant already incurs a loss in time and money due to unforeseen issues that require an additional application after work has started, the proposed additional planning fee would further compound the issue. We feel applicants should not be penalized because their application are of a more complex nature than others.

With the increase in housing market demand, many municipalities often do not have the resources to process the applications in a timely manner: Smithville's growth is no exception. In these situations, builders will often proceed, at their own risk, with the installation of under-ground servicing work to help maintain the schedule for building construction. They may need to incur additional costs to revise the servicing and the additional risk is solely at the expense of the builder. The additional fees in this circumstance would not be appropriate as the builder is adapting their process as a result of the municipality's shortage in resources.

We would like to thank you for taking the time to consider our comments and request that the change proposed be denied, or the wording be revised to include certain exceptions based on the concerns expressed.

Thank you,

Phelps Homes

Jowett Lau  
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