

**TOWNSHIP OF WEST LINCOLN  
PUBLIC MEETING MINUTES UNDER THE PLANNING ACT  
AMENDMENTS TO THE TOWNSHIP OF WEST LINCOLN'S OFFICIAL PLAN &  
ZONING BY-LAW**

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

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

Staff: Bev Hendry, CAO  
Brian Treble, Director of Planning and Building  
Jessica Dyson, Deputy Clerk  
Madyson Etzl, Planner II  
Gerrit Boerema, Planner II  
Meghan Birbeck, Planner I  
Roberta Keith, IT Manager

Other Members: Albert Witteveen, Regional Councillor  
Jared Marcus\*  
Anthony Chiarella\*  
Jowett Lau\*  
Phillip Owens\*  
Maria Apostolakos\*  
Lisa Kouwenberg  
Brian Gatcke\*

**\* IN ATTENDANCE PART TIME**

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**(A) FOLIERA HOLDINGS INC. - ZONING BY-LAW AMENDMENT**

**1. Application for Zoning By-law Amendment**

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(12) of the Planning Act as submitted by Foliera Holding Inc. for the property legally described as Concession 8, Part Lot 12, Part 3 and Part 1 of 30R5659 formerly in the Township of South Grimsby, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 6850 Young Street.

**EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:**

The application proposes to rezone ±10.29 hectares of land from Agricultural 'A' to Agricultural 'A' with a site specific exception. The site specific exception will permit two mobile homes on the property to house greenhouse employees, in addition to an existing unit within the greenhouse, whereas a maximum of only one accessory farm dwelling unit is permitted.

**2. Purpose of the Public Meeting**

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 amendments.

The Chair stated that the purpose of this meeting was to give an opportunity for the public and Council Members to provide comments and/or ask questions regarding the Zoning By-law Amendment Application submitted by Foliera Holding Inc. for the property legally described as Concession 8, Part Lot 12, Part 3 and Part 1 of 30R5659 formerly in the Township of South Grimsby, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 6850 Young Street (File No. 1601-003-21).

The Chair stressed that, at this point, no decision has been made on the proposed amendments and 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).

**3. Public Meeting**

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 was given by way of mailed distribution to neighbouring properties within 120 metres of the subject property on February 10<sup>th</sup>, 2021. Additionally, a yellow sign was posted on the subject property.

The Chair advised that this was a public meeting to consider a Zoning By-law Amendment Application submitted by Foliera Holding Inc. for the property legally described as Concession 8, Part Lot 12, Part 3 and Part 1 of 30R5659 formerly in the Township of South Grimsby, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 6850 Young Street (File No. 1601-003-21).

The Chair asked the Planner II, Madyson Etzl, to explain the purpose and reason for the proposed Zoning By-law Amendment.

The Planner provided an overview of the application as outlined in Staff Report PD-024-2021.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

Ms. Lisa Kouwenberg (Applicant) was present at the Public Meeting and stated that she had no further comments regarding the application, however, asked what the next steps would be with respect to the approval process and timeframe. In response to Ms. Kouwenberg's questions regarding the timeframes and approval process, the Director of Planning & Building provided an outline of the next steps, including meeting dates and what to expect during this process. The Chair also provided clarification regarding the purpose of the Public Meetings.

The Chair asked if there were any oral or written submissions from any members of the public present as part of the Zoom meeting that wished to provide comments at this time with respect to the Foliera Holding Inc. (File No. 1601-003-21) Zoning By-law Amendment. The Chair suggested that if there were any Members of the Public present who wished to provide comments that they should state them now, as LPAT may not consider comments made during any other Council and/or Committee meetings.

There were no oral or written submissions on the proposed Zoning By-law Amendment from any public members present.

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 Committee 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 or written submissions on the proposed Zoning By-law Amendment from any Members of the Committee.

The Chair stated that a Technical Report was being considered by Committee later as part of this evening's Committee meeting, and that a recommendation report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council have made 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 stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Joanne Scime at [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca).

The Chair stated that anyone who is 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 applicable meetings and suggested that the public watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The Chair advised that agendas for meetings are posted on the Township Website at 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the Township's website for the public to view. The Chair stated that anyone wishing to receive notices by email, should contact the Township Clerk to advise of their request and include their email address along with their mailing address and phone number.

#### **4. Adjournment**

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 6:58 p.m.

### **(B) GREEK ASSOCIATION & MARZ HOMES (SMITHVILLE WEST) INC. – OFFICIAL PLAN & ZONING BY-LAW AMENDMENT**

#### **1. Application for Official Plan & Zoning By-law Amendment**

The Chair advised that this public meeting was being held to consider an amendment to the Township of West Lincoln's Official Plan and Zoning By-law under Sections 17 & 34 of the Planning Act as submitted by the Greek Association & Marz Homes (Smithville West) Inc. for the property located at 6659 RR 20 (Lot 8, Plan M98).

**EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:**

An application for Official Plan Amendment and Zoning Bylaw Amendment has been submitted in conjunction with a minor boundary adjustment application for the property located at 6659 RR 20 (Lot 8, Plan M98). The boundary adjustment proposes to sever 1.384 acres (0.56 hectares) from 6659 RR 20, being the Greek Association property, and merge it to the Marz Homes (Smithville West) Inc. property which is currently within a Draft Plan Approval of Subdivision process.

The Official Plan Amendment and Zoning Bylaw Amendment is needed to change the current Institutional designation and zoning to permit the severed lands to be used for future residential uses as part of the Marz Homes “Thrive” draft plan of subdivision. The proposed concept would allow approximately 16 lots for single detached dwellings, fronting on a proposed internal street. The draft plan of subdivision is also being amended through this process.

**2. Purpose of the Public Meeting**

The Planning Act requires in Section 34(12) and Section 17(15) that before passing a Zoning By-law Amendment and Official Plan Amendment, Council must hold at least one public meeting for the purpose of informing the public in respect of the amendments.

The Chair stated that the purpose of this meeting was to give an opportunity for the public and Council Members to provide comments and/or ask questions regarding the amendment to the Township of West Lincoln's Zoning By-law and Official Plan application submitted by the Greek Association & Marz Homes (Smithville West) Inc. for the property located at 6659 RR 20 (Lot 8, Plan M98).

The Chair stressed that, at this point, no decision has been made on the proposed amendments and 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) and under Ontario Regulation 543/06 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).

**3. Public Meeting**

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 was given by way of mail distribution to individual property owners within 120 metres of both the subject property and the Marz Smithville West Inc. property. Additionally, a public notice sign was placed on the subject property as well as advertised on the Township's website.

The Chair advised that this was a public meeting to consider an Official Plan & Zoning By-law Amendment Application submitted by the Greek Association & Marz Homes (Smithville West) Inc. for the property located at 6659 RR 20 (Lot 8, Plan M98) (File No. 1701-001-21 - OPA) & (File No. 1601-004-21 - ZBA).

The Chair asked the Planner II, Gerrit Boerema, to explain the purpose and reason for the proposed Official Plan & Zoning By-law Amendment.

The Planner provided an overview of the application as outlined in Staff Report PD-020-2021.

The Chair asked if the applicant or their authorized agent were present to speak to the application.

Mr. Jared Marcus (Authorized Agent) provided a PowerPoint presentation (attached as **Schedule A**) related to the proposed application and was available to answer any questions from the public and Members of the Committee.

The Chair asked if there were any oral or written submissions from any members of the public present as part of the Zoom meeting that wished to provide comments at this time with respect to the Greek Association & Marz Homes (Smithville West) Inc. (File No. 1701-001-21 - OPA) & (File No. 1601-004-21 - ZBA) Official Plan & Zoning By-law Amendment. The Chair suggested that if there were any Members of the Public present who wished to provide comments that they should state them now, as LPAT may not consider comments made during any other Council and/or Committee meetings.

There were no oral or written submissions on the proposed Official Plan & Zoning By-law Amendment from any public members present.

The Chair asked if any Members of the Committee had any oral or written submissions on the proposed Official Plan & 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 Committee 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 or written submissions on the proposed Official Plan & Zoning By-law Amendment from any Members of the Committee.

The Chair stated that a Technical Report was being considered by Committee later as part of this evening's Committee meeting, and that a recommendation report would be forthcoming to a future Committee and/or Council Meeting. The Chair advised that once Committee and/or Council have made 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 stated that if there was anyone who wished to be notified of Council's decision, they should email the Township Clerk, Joanne Scime at [jscime@westlincoln.ca](mailto:jscime@westlincoln.ca).

The Chair stated that anyone who is 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 applicable meetings and suggested that the public watch the Township's website for posting of agendas to review items that will be discussed at Council and/or Committee meetings. The Chair advised that agendas for meetings are posted on the Township Website at 4 p.m. on the Friday prior to the meeting and that meeting schedules are also noted on the Township's website for the public to view. The Chair stated that anyone wishing to receive notices by email, should contact the Township Clerk to advise of their request and include their email address along with their mailing address and phone number.

#### **4. Adjournment**

The Chair advised that this public meeting with respect to the proposed Official Plan & Zoning By-law Amendment is concluded at the hour of 7:16 p.m.



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**JESSICA DYSON, DEPUTY CLERK**

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**COUNCILLOR WILLIAM REILLY, CHAIR**

# 6659 Regional Road 20 PUBLIC MEETING

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**IBI GROUP – Jared Marcus, CPT**  
Marz Homes (Smithville West) Inc.  
March 8, 2021





- $\pm 121.9\text{m}$  frontage on Regional Road 20
- Total lot area of 1.96 ha.

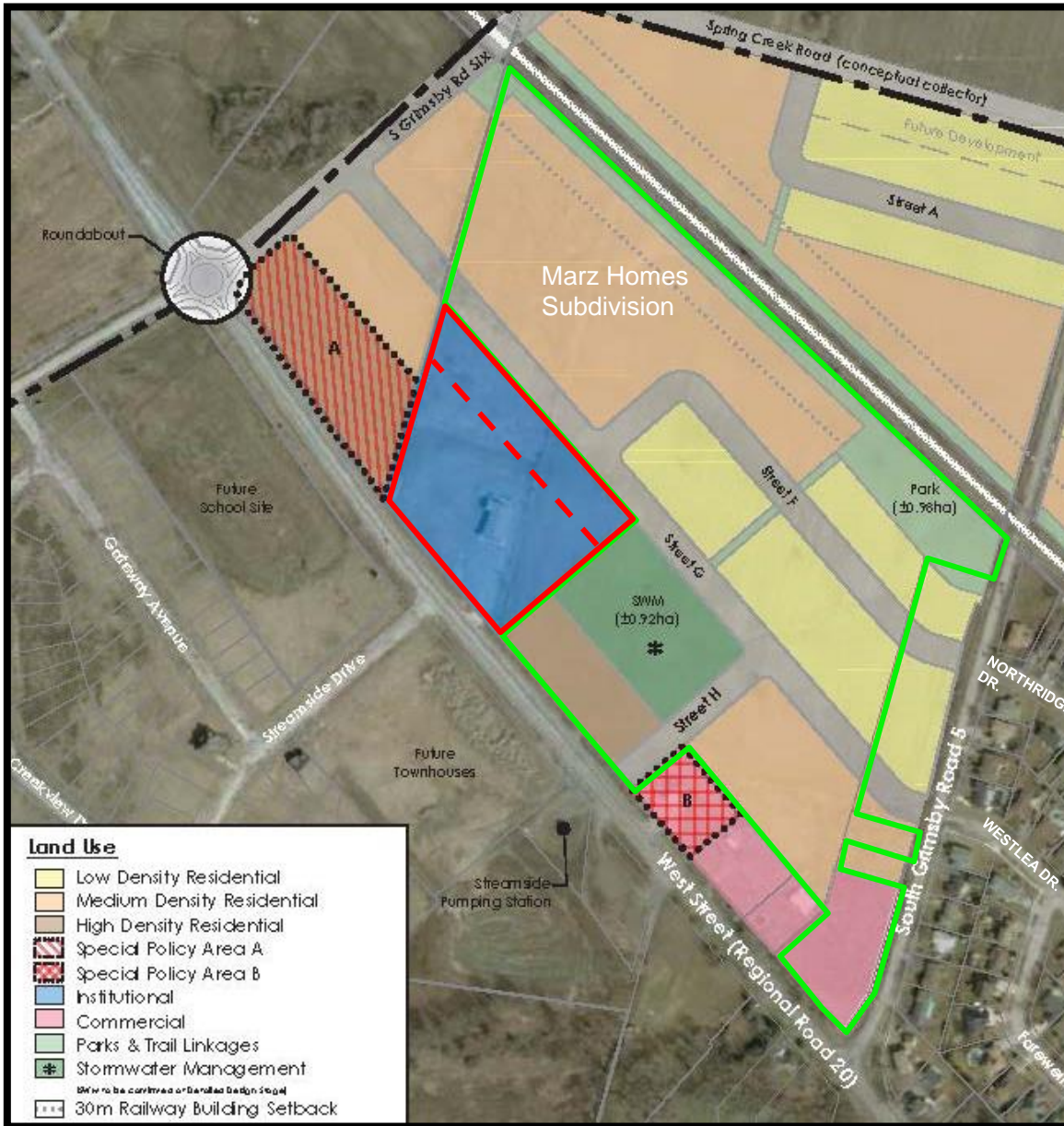
### "Subject Lands"

- $\pm 201.1\text{m}$  frontage of future street
- Lot area of 0.56 ha.
- Lot depth of 29.25m

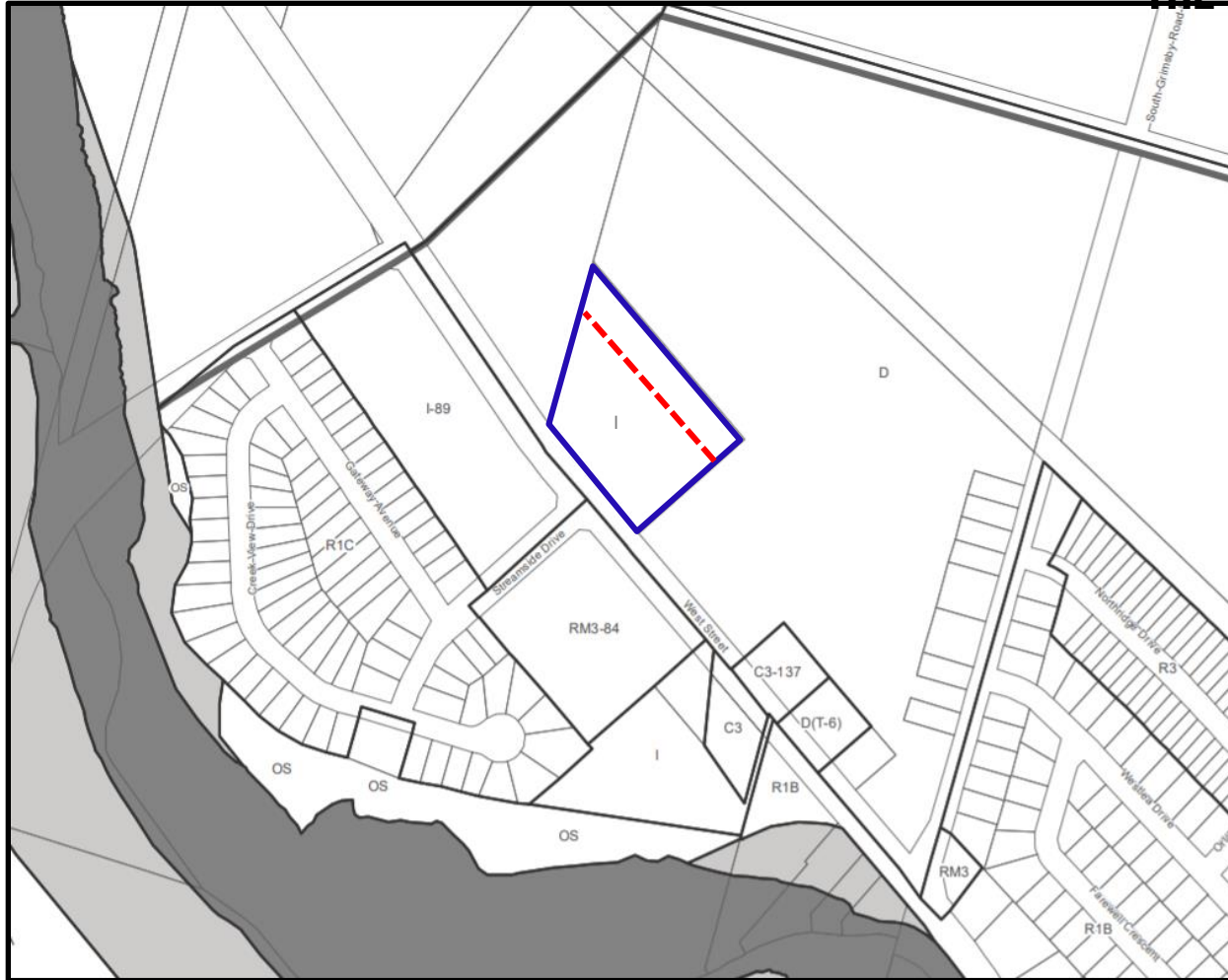
### Institutional

- Recognizes the existing use of the Greek Association community centre.
- Requires OPA to permit development

Initial drafts of the NWQSP had subject lands to be Residential, owner wanted to keep lands Institutional.







### Institutional "I" Zone

#### Permitted uses:

- Commercial School
- Day Care
- Funeral Home
- Hospital
- Medical Office
- Place of Worship
- Private Club

Requires ZBA to permit  
Residential uses

Existing Zoning

- Pre-consultation meeting held December 3, 2020;
- Official Plan Amendment, Zoning By-law Amendment, and Severance applications submitted February 2, 2021;
- Initial circulation for review and notice of Public Meetings sent out February 10, 2021;
- Municipal and Agency review is ongoing;
- Statutory Public Meeting March 8, 2021;
- Final Township review and Council Recommendation Meeting – TBD.

## Official Plan Amendment Application

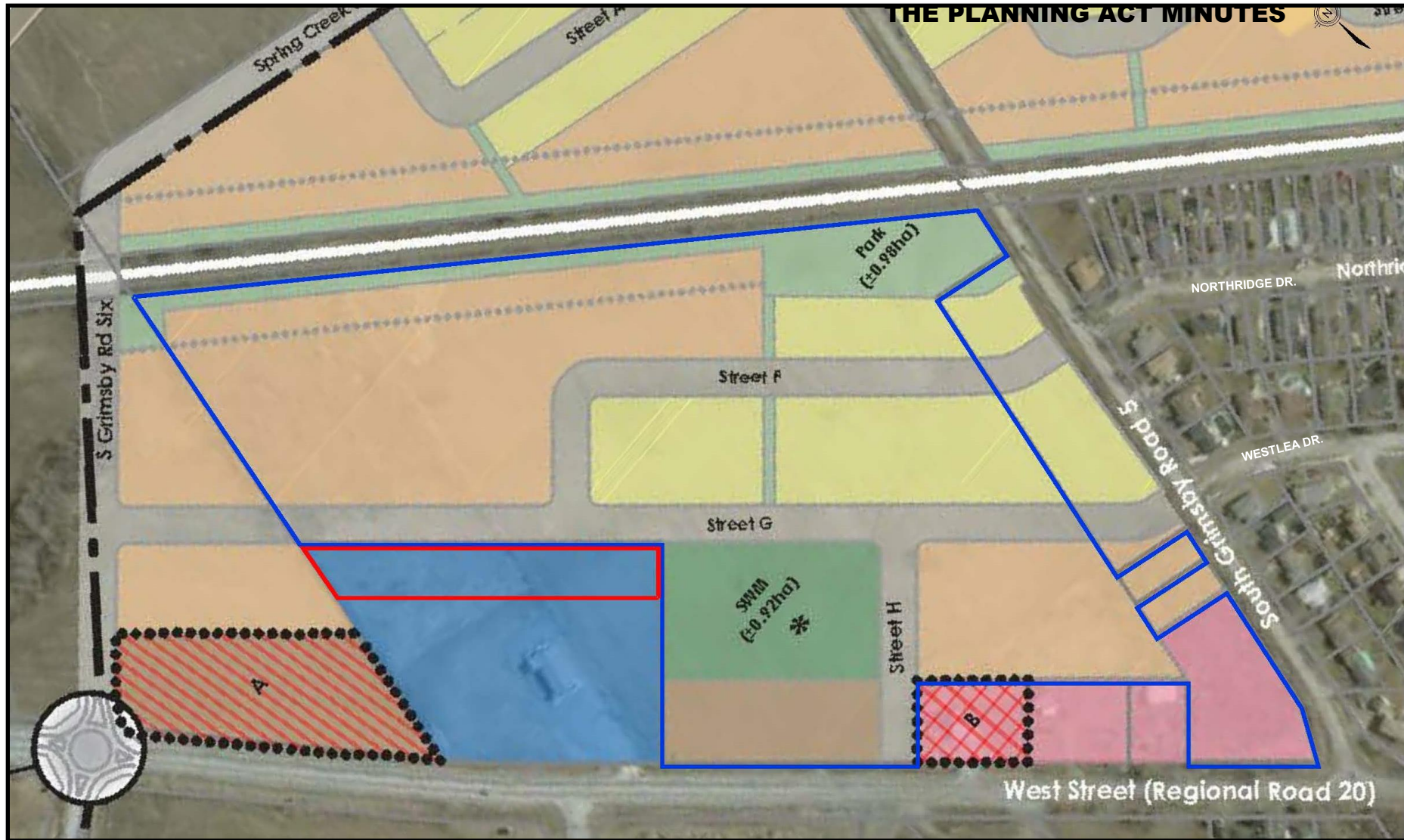
Redesignate the subject lands from Institutional to Low Density Residential to permit up to 16 single detached lots.

## Northwest Quadrant Secondary Plan Conformity

### Section 6.11.5.2 Land Use Policies

#### f) Institutional

iii) Any future redevelopment of...6659 Highway 20 will require an Official Plan Amendment and shall have regard to the general land use patterns identified on Schedule A, including the identified local road pattern. Any redevelopment proposals on these lands shall include a road connection via an extension of Streamside Drive and future development will require consideration of stormwater management options



Northwest Quadrant Secondary Plan



**SCHEDULE "A" TO THE MARCH 8, 2021  
PUBLIC MEETING UNDER  
THE PLANNING ACT MINUTES**





## Zoning By-law Amendment Application

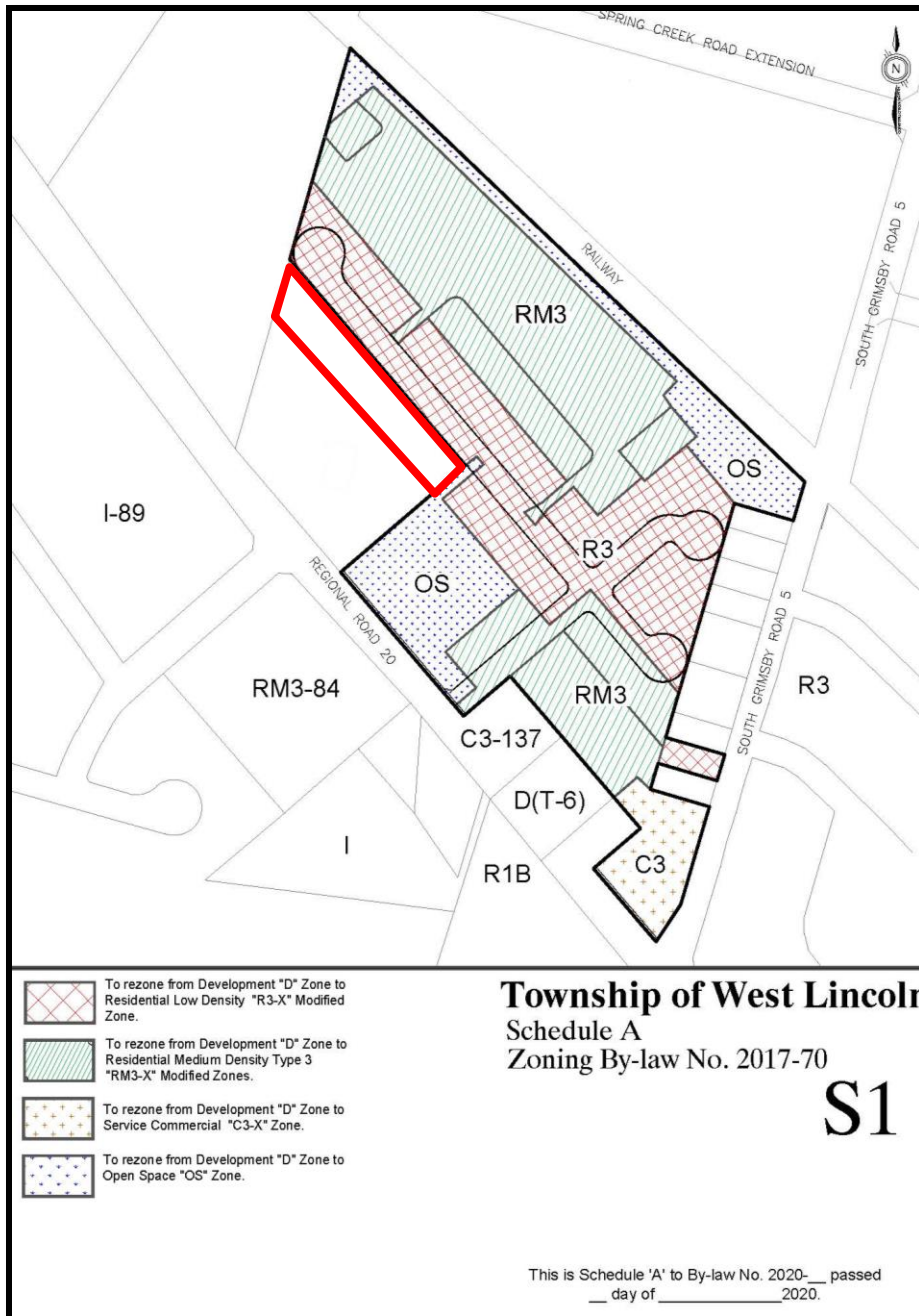
Rezone the subject lands from Institutional “I” to Residential Low Density “R3” zone.

No site specific modifications to the zoning are being requested.

## Rezone from Institutional (I) Zone to Residential Low Density Type 3

### R3 Zone Requires

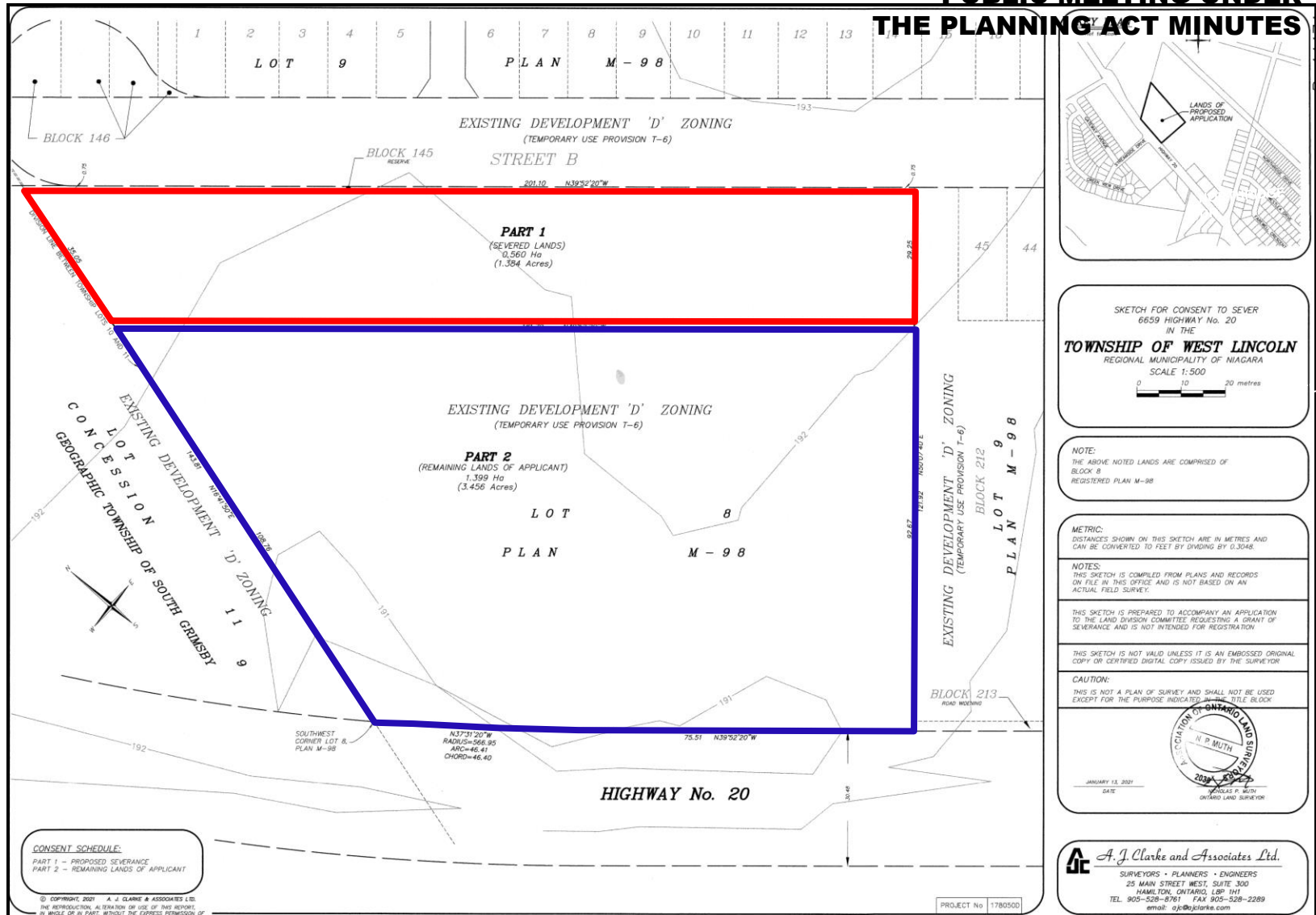
- Min. Frontage of 10m;
  - Min. Lot Area of 300m<sup>2</sup>;
  - Min. Front Yard of 4.5m to a dwelling and 6m to a garage;
  - Min. Side Yard of 1.2m;
  - Min. Rear Yard of 7.5m;
  - Min. Lot Coverage of 45%;
  - Max. Building Height of 10m.
- 
- No modifications to the permitted regulations are being requested.

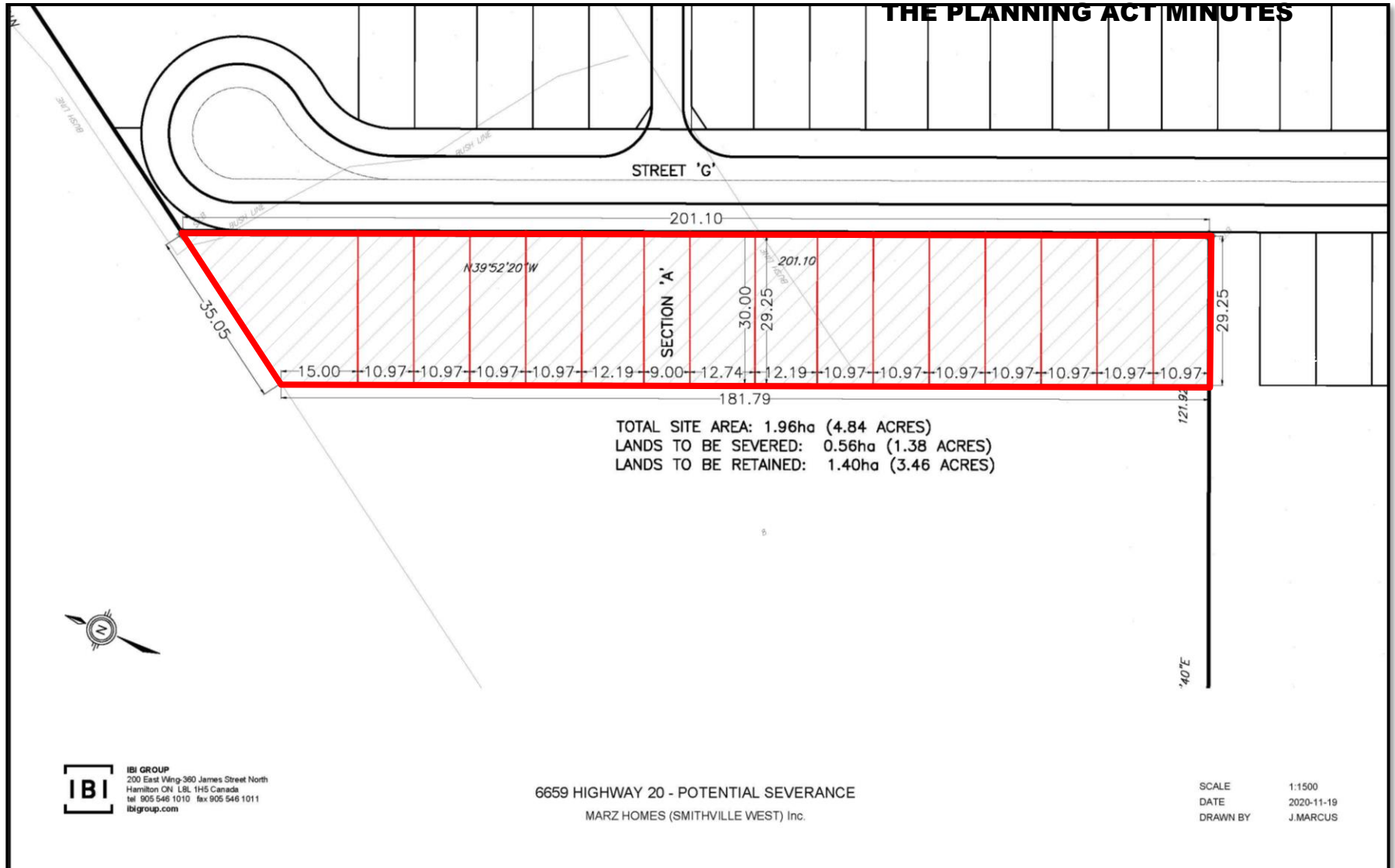


Zoning By-law Amendment

## Severance Application

- Sever approximately 0.56 hectares (1.38 acres)
- Approximately 1.40 hectares (3.46 acres) to be retained for existing community centre.
- Severed lands will accommodate up to 16 single detached lots.
- Final lot fabric will be determined at future date when lands are merged with “Thrive” Subdivision.
- Severance application public hearing to be held March 31st.





Potential Lot Layout

## Conclusions

- The proposal is consistent with the Provincial Policy Statement and Growth Plan for intensification, housing supply and housing diversity;
- Conforms to the Region Official Plan for intensification and housing options;
- Conforms to the Township Official Plan by having regard for the general land use patterns and local road pattern identified in the Secondary Plan.

Questions?