

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. SIX

April 26, 2021, 7:00 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

Staff: Joanne Scime, Clerk
Bev Hendry, CAO
Donna DeFilippis, Treasurer/Director of Finance*
Brian Treble, Director of Planning and Building*
Roberta Keith, IT Manager

Others: Regional Councillor Albert Witteveen*
Nicholas Fearn, Niagara This Week*

*** IN ATTENDANCE PART-TIME**

1. SINGING OF "O CANADA"

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

1. Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to jscime@westlincoln.ca before 4:30 pm. on the day of the meeting. Comments submitted will be considered as public information and read into public record.
3. The meeting will be recorded and available on the Township's website within 48 hours of the meeting, unless otherwise noted.

2. OPENING PETITION - Councillor William Reilly

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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

There were no Members of Council that declared a pecuniary interest and/or conflict of interest.

5. REQUEST TO ADDRESS ITEMS ON THE AGENDA

The Chair inquired if the IT Manager was aware if there were any members of the public in attendance virtually on the Zoom meeting call that wished to address a specific item on tonight's agenda as permitted under Section 6.7 of the Procedural By-law, for which the IT Manager confirmed there were not.

Additionally, the Chair asked the Clerk if she had received any emails or correspondence from a member of the public prior to 4:30 p.m. today to read into the record, for which the Clerk confirmed she had not.

6. APPOINTMENTS/PRESENTATIONS

There are no appointments/presentations.

7. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Albert Witteveen read from a prepared statement which is attached as **Schedule "A"** to the minutes. Regional Councillor Witteveen provided an update regarding the following issues:

- (a) Provided highlights of a meeting he attended, along with a couple of the Township's Councillors and staff from the Township and Niagara regarding the Niagara Region's New Official Plan, which will be the first comprehensive plan since 1973, and will create a future road map for Niagara and especially West Lincoln; and,
- (b) Advised that in May, Niagara Region will be presenting mapping for its new Official Plan and municipalities' will be given an opportunity to determine the accuracy of the mapping as well as various options as to what the Township would like to see moving forward and he encouraged Council to develop a position of the desired option that will best suit our community; and,
- (c) Provided highlights from a meeting he attended on March 25th, at which staff from the Niagara Parks Commission were in attendance and provided highlights of their operations which included \$1.2 billion in economic impact, generates \$458 million in tax revenue, employed 1,050 staff in 2020, own 56 km of the Niagara Parkway, own 53 km of Niagara River Recreation trails,

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- manages 1,300 hectares of land, has 7 attractions, owns 4 paid heritage sites, owns 3 Championship golf courses and 6 trail systems which saw, in 2020, over 300,000 hikers and owns 5 full service restaurants; and,
- (d) Provided highlights of the April Niagara Region Public Works Committee meeting which included a report being presented on the producer responsibility program as it relates to Municipal Household Hazardous Waste; and
 - (e) Advised that he had requested a 6-month update with respect to the new recycling and garbage collection program and whether the diversion targets were being met; and,
 - (f) Provided highlights from Niagara Region's Public Health meeting which included a presentation that requested support for a National Child Care Strategy which was timely as it relates to Councillor Bradaric's motion to request more licensed childcare facilities in West Lincoln and advised that he looked forward to advocating for this at the Regional level; and,
 - (g) Provided an update on two Regional Long-Term Care facilities that are being rebuilt including Linhaven Manor and Gilmore Lodge; and,
 - (h) Provided highlights from the Niagara Region Planning and Economic Development meeting which included discussion relating to the Niagara Region's new Official Plan process and that the public concerns and comments were in line with those of Regional Councillors. This meeting included a second presentation on Niagara's Economic Status which provided an update on Niagara's current population being 481,700, the average household per capita which was \$31,000 to \$33,000 per capita, the average housing price index which was \$553,000 in January 2021 and advised that in 2020, in spite of the challenges relating to the pandemic, Niagara experienced \$2.75 billion in residential, non-residential and institutional growth; however, Niagara's tourism and hospitality was hit hard due the lack of international visitors.

8. CONFIRMATION OF MINUTES

- 8.1 Council Minutes – Regular
Re: March 22, 2021

Moved By Councillor Shelley Bradaric
Seconded By Councillor Cheryl Ganann

That, the minutes of the open session portion of the March 22, 2021 regular Council meeting be accepted; and,
That, the confidential minutes relating to the closed session portion of the March 22, 2021 regular Council meeting be accepted; and that the

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minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

Carried

8.2 Council Minutes – Special

Re: March 30, 2021

Moved By Councillor Mike Rehner

Seconded By Councillor Harold Jonker

That, the minutes of the March 30, 2021 special Council meeting be accepted.

Carried

8.3 Public Meeting - Amendments to Building Fees By-law (Increase Building Fees)

Re: April 12, 2021

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

That, the minutes of a public meeting held on April 12, 2021 under the Ontario Building Code Act relating to amendments to the Township's Building By-law (Increase Building Fees) be accepted.

Carried

8.4 Public Consultation Meeting

Re: April 12, 2021 Minutes – Xplornet Communications Inc. – 9257 Regional Road 20

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

That, the minutes of the Public Consultation Meeting held on April 12, 2021 with respect to:

- Xplornet Communication Inc. – Communication Tower – 9257 Regional Road 20; be accepted.

Carried

9. COMMUNICATIONS

There were no communications.

10. MAYOR'S REMARKS

Mayor Bylsma acknowledged the retirement of Jean Friesen, Accounting/General Secretary, who has been employed as part of the Finance/Treasury Department

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for the past 6 1/2 years and, on behalf of Council and staff, he congratulated Ms. Friesen on her upcoming retirement at the end of June and he wished her well on a long and fulfilling retirement.

11. REPORT OF COMMITTEE

11.1 Planning/Building/Environmental Committee

Re: Minutes of April 12, 2021

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

That, the minutes of the open session portion of the April 12, 2021 Planning/ Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved with the exception of Item P46-21; and,

That, the confidential minutes relating to the closed session portion of the April 12, 2021 Planning/ Building/ Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

Carried

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

That, Item P46-21 (Recommendation Report No. 035-21 - OP & ZBA Greek Association & Marz Homes) of the April 12, 2021

Planning/Building/Environmental Committee Minutes be approved.

Carried as Amended

AMENDMENT:

Moved By Councillor William Reilly

Seconded By Councillor Shelley Bradaric

That, Item P46-21 of the April 12, 2021 Planning/Building/Environmental Committee Meeting regarding Recommendation Report PD-35-2021 - Official Plan and Zoning Bylaw Amendment for 6659 Regional Road 20 – Greek Association & Marz Homes (Smithville West) Inc. be amended by removing Recommendation #3 and replacing it with the following new Recommendation #3:

“3. That, the Authorizing By-law be PASSED to authorize the Mayor and Clerk to sign Official Plan Amendment No. 59, be APPROVED, and that staff circulate Notice of Approval in accordance with the Planning

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Act, and;”

Carried

11.2 Administration/Finance/Fire Committee

Re: Minutes of April 19, 2021

Moved By Councillor Jason Trombetta

Seconded By Councillor William Reilly

That, the minutes of the Administration/Finance/Fire Committee meeting held on April 19, 2021 be accepted and that the recommendations contained therein, be approved; and

That, the confidential minutes relating to the closed session portion of the April 19, 2021 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the Municipal Act.

Carried

11.3 Public Works/Recreation/Arena Committee

Re: Minutes of April 19, 2021

Moved By Councillor Harold Jonker

Seconded By Councillor Jason Trombetta

That, the minutes of the Public Works/Recreation/Arena Committee meeting held on April 19, 2021 be accepted and that the recommendations contained therein, be approved.

Carried

12. RECONSIDERATION

There were no items put forward for reconsideration.

13. NOTICE OF MOTION TO RESCIND

There were no motions to rescind put forward by any Member of Council.

14. OTHER BUSINESS

14.1 Director of Planning & Building (Brian Treble)

Re: Memo - Lifting of Part Lot Control and Signing Of Agreement - By-Laws 2021-31 & 2021-32, Blocks 41 & 44, Plan 30m-446, Parts 1 -13 (41) & Parts 1 - 10 (44) Smithville Station (Old Towne Gateway Estates) Marz Homes

RECEIVED FOR INFORMATION

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14.2 Councillor Mike Rehner

Re: Request Province of Ontario for Financial Assistance - Closure of West Lincoln Community Centre (WLCC) - COVID-19 & Province Orders

Councillor Rehner stated that he had brought this issue forward during the 2021 budget deliberations regarding the closure of the West Lincoln Community Centre at least three times over the past year due to the COVID-19 Pandemic and the Province's Stay at Home Order and the fact that the taxpayers of our community must continue to pay for a facility that cannot be used. Councillor Rehner advised that, in his opinion, the Province should be paying the entire associated costs with respect to WLCC as the Province has restricted its use and any taxpayer's money that has been allocated towards costs associated with the WLCC should be refunded and the Province should then be required to provide the Township with funding for these costs.

The Treasurer/Director of Finance advised that it was the Township's decision to build the WLCC and when it was approved the funding model was also approved at that time and it is the Township's responsibility to pay for the costs of the facility. The Treasurer/Director of Finance stated that she agreed that the Province closed the building for recreational use due to the pandemic; however, she noted that the facility has been used as a vaccination site and the Province has provided funding to the Township to assist with the loss of revenues. The Treasurer/Director of Finance stated that the Province has provided the Township with assistance due to the loss of revenue and, it was her opinion, the Province will not provide financial assistance for fixed costs, being the net budget of \$489,280 for 2021; however, she noted that if it is up to Council if they want to approach the Province for additional funding. The Treasurer/Director of Finance advised each month she reports the COVID-19 costs and if she sees there is a need for additional funds she would recommend Council to advocate for the funding from the Province. The Treasurer/Director of Finance confirmed that the Township had received the following funding from the Province to assist with the impact of the COVID-19 Pandemic:

- (1) Received \$329,800 in 2020 through the Restart Agreement (Phase 1);
- (2) Received \$66,000 in December 2020 as allocated by the Province (did not apply for these funds);

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- (3) On March 4th, 2021 the Township received \$267,744 which was allocated on a formula basis by the Province (did not apply for these funds), and has resulted in a total of \$383,744 of funding received to date to use in 2021, with additional funding being expected on or before November 1, 2021. The Treasurer/Director of Finance noted that currently there was little factual support that could be given to ask the Province for additional funding as it relates to the impact of COVID-19 and recommended that staff continue to monitor the 2021 operating budget, as they have been doing, and should a need arise whereby additional funding was needed then she would recommend that the Township advocate the Province for additional funding at that time.

There were many comments and much discussion among Members of Council which included the reading of excerpts from two letters that were received from Minister Steve Clark, Municipal Affairs & Housing, which were received for information at the March 15, 2021 Administration/ Finance/Fire Committee meeting regarding the Province's commitment of providing financial support to the Township through the 2021 COVID-19 Recovery Funding for Municipalities program as well as the discussion that took place between Minister Clark, MPP Sam Oosterhoff and Township representatives at the 2021 Virtual Rural Ontario Municipal Association (ROMA) Conference regarding the Province's commitment to supporting municipalities and the Township's concerns with respect to loss of revenue as the result of the pandemic lockdowns. It was noted that we do not want it to appear that the Township was not appreciative of the funding support that has been received to date as well as being a municipality that is not understanding of the importance of budgeting, funding and appropriate governance.

The CAO confirmed that the WLCC will be used for the West Niagara Vaccination Site from May 3rd, to 8th, 2021 and that this facility has been selected by Niagara Public Health because of its great layout and providing a service to the community.

Mayor Bylsma noted that during the lockdown the Smithville Library has continued to function through curbside service which has continued to provide a valuable service to our community.

Moved By Councillor Mike Rehner

Seconded By Councillor Jason Trombetta

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That, the Council for the Township of West Lincoln respectfully requests the Province of Ontario support the Township's request for financial assistance to offset the fixed costs as the result of the closure of the West Lincoln Community Centre (arena, walking track, gymnasium, community meeting rooms, etc.) due to the COVID-19 Pandemic and the Orders issued by the Province since March 2020, which has resulted in these costs being borne by the taxpayers of our municipality who have been financially impacted by the COVID-19 Pandemic.

Lost

14.3 Members of Council Re: Council Remarks

- (1) Councillor Harold Jonker
Re: Niagara Region Transportation Steering Committee Meeting

Councillor Jonker advised that he will be attending the Niagara Region Transportation Steering Committee Meeting that has been scheduled for tomorrow at 9 am and that it has been awhile since this Committee has met. Councillor Jonker stated that he will be addressing the roundabout/traffic circle that was constructed at Regional Road 20 and Townline Road and the fact that it was fairly tight for truck traffic to go through so they were aware when designing future roundabouts/traffic circles. Councillor Jonker asked if there were any other issues that Members of Council wish that he raise at this meeting, for which there were no issues brought forward.

- (2) Councillor Cheryl Ganann
Re: West Lincoln Memorial Hospital

Councillor Ganann advised that the Township received communication today from Mr. Tom Perry, Communications & Stakeholder Relations Senior Specialist at Hamilton Health Sciences stating that Infrastructure Ontario publicly shared the names of three teams, which were pre-qualified through the RFQ Process for the new West Lincoln Memorial Hospital, who will be invited to submit proposals through the RFP which will be open this summer with the processing closing in December of 2021, they will then be assessed during the winter months, with the winning bid and team being announced in the Spring.

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- (3) Councillor Cheryl Ganann
Re: Town Wide Food Drive for West Lincoln Community Care

Councillor Ganann reminded Members of Council for the town-wide food drive for West Lincoln Community Care that will take place on Saturday, May 1st, 2021 from 10 am until Noon. Councillor Ganann stated that there will be teams of people from the same household who will be driving around to collect food and delivering those items collected to the West Lincoln Community Care building where there will be Board Members and Volunteers in attendance to help receive and sort the donations.

- (4) Councillor William Reilly
Re: Smithville Christian High School - Grade 9 Class Earth Day Cleanup

Councillor Reilly stated that he wanted to acknowledge Scott Antonides, who is a Science Teacher at Smithville Christian High School and whose Grade 9 class did a video to promote Earth Day and clean up of the community as well as picking up garbage/waste along roadways and parks. Councillor Reilly advised that he hoped the initiative that has been taken by Smithville Christian High School will be much larger next year with the entire community becoming involved in cleaning up litter along our roadways and parks, etc.

15. NEW ITEMS OF BUSINESS

There were no new items of business brought forward by any Member of Council in attendance.

16. BY-LAWS

Moved By Councillor Cheryl Ganann

Seconded By Councillor Harold Jonker

That, leave be granted to introduce By-laws # 2021-30, 2021-31, 2021-32, 2021-33, 2021-34, 2021-35, 2021-36, 2021-37, 2021-38, 2021-39, 2021-40, 2021-41 and 2021-42 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

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SUMMARY OF BY-LAWS

16.1 BY-LAW 2021-30

To Confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its Regular Meeting held on the 22nd day of March, 2021 and its Special Meeting held on the 30th day of March, 2021.

16.2 BY-LAW 2021-31

A By-law to authorize an agreement with Marz Homes (Smithville Station) Inc., and any Mortgagee(s) on lands described as Block 41 & Block 44 on Plan 30M-446 in the Township of West Lincoln (Original Subdivision Agreement Authorized by By-law No. 2017-137 & Registered under NR487417)

16.3 BY-LAW 2021-32

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)

16.4 BYLAW 2021-33

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Stonecast Contracting Limited for the Brock Street Watermain replacement and Road Reconstruction (Tender PW 2021-01)

16.5 BY-LAW 2021-34

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Anthony's Excavating Central Inc. for Road Rehabilitation works (Tender PW 2021-02 - Hard topping Concession 5 Rd from Caistor Centre Road and Westbrook Road).

16.6 BY-LAW 2021-35

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Duomax Developments Limited for the West Lincoln Community Centre Bandshell (Canada Summer Games) Design-Build

16.7 BY-LAW 2021-36

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln and Play Power for the supply and installation of the Caistorville Library Playground equipment

16.8 BY-LAW 2021-37

A By-law to authorize an agreement between the Corporation of the Township of West Lincoln, The Corporation of the Township of Wainfleet and Da-Lee Dust Control for the supply and application of dust control material for the three-year term 2021 to 2023

16.9 BY-LAW 2021-38

A By-law to authorize the Mayor and Clerk to sign a lease agreement

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between Ken Brunaccioni (Dog Got it – Hot Dog Cart) and the Corporation of the Township of West Lincoln for 2021 and 2022 (Lease Portion of Smithville Parette/CIBC Parking Lands).

16.10 BY-LAW 2021-39

A By-law to authorize an amending Site Plan Agreement between the Corporation of the Township of West Lincoln and Foliera Holdings Inc. for lands described as Concession 8, Part Lot 12, 30R-5659, Part 3, PT Part 1, in the Former Township of South Grimsby, Now in the Township of West Lincoln (6850 Young Street).

16.11 BY-LAW 2021-40

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln (Foliera - Concession 8, Part Lot 12, Part 3 and Part 1 of 30R5659, 6850 Young Street (File No. 1601-002-21))

16.12 BY-LAW 2021-41

Being a By-law adopt Amendment No. 59 (Greek Association & Marz Homes (Smithville West) Inc – Institutional to Residential) to the Official Plan for the Township of West Lincoln

16.13 BY-LAW 2021-42

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln (Greek Association & Marz Homes (Smithville West) Inc. - Lot 8, Plan M-98, 6659 Regional Road 20 (File No. 1601-004-21))

17. CONFIDENTIAL MATTERS

All Members of Council, noted as present, the CAO, Clerk, Treasurer and IT Manager were in attendance for the closed session deliberations.

Moved By Councillor Harold Jonker

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) Treasurer/Director of Finance

Re: Property Matter - Confidential IT Matter

Applicable closed session exemption:

(a) the security of the property of the municipality or local board.(8:15 pm)

Carried

Moved By Councillor Mike Rehner

Seconded By Councillor William Reilly

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That, this Council meeting does now resume in open session at the hour of 8:25 p.m.

Carried

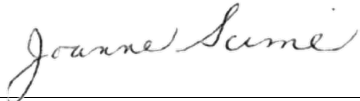
17.1 Treasurer/Director of Finance (Donna DeFilippis)

Re: Property Matter - Confidential IT Matter

Council rose without reporting.

18. ADJOURNMENT

The Mayor declared the meeting adjourned at the hour of 8:26 p.m.



JOANNE SCIME, CLERK

MAYOR DAVE BYLSMA

Regional Councillors Report: April 26, 2021

Good evening Mayor, members of council, staff and the public. I would like to begin by sharing in my involvement this past month as a councillor.

Beginning with a meeting with West Lincoln councillors, and staff from the Niagara Region and from our township regarding the Niagara Official Plan.

This is the first comprehensive plan since 1973 which makes this process very important as it creates a road map into the future for Niagara and especially West Lincoln. Many items were discussed such as planning framework, economic competitiveness, housing mix, response to climate change and natural heritage systems. All of you have been involved in one form or another in this process and I would just like to mention to all of you an important component for us is the Natural Heritage System and Water resource system as we are primarily agriculture. In May the Niagara Region will be presenting the mapping for this in which we will be able to determine the accuracy of the mapping and the suggested options we would like to see moving forward. The option will be chosen and then the mapping will follow. I encourage the council to develop a position of the desired option that will best suit our community.

On March 25th we were given a presentation on the Niagara Parks Commission, David Adames is the CEO of this Crown Corporation,

and to highlight the Niagara Parks by the numbers go as such, 1.2 billion in economic impact, generates 458 million in tax revenue, 1,050 staff in 2020, 56 km of the Niagara Parkway, 53km Niagara River-Rec trails, manages 1,300 hectares of land, 7 attractions, 4 paid heritage sites, 3 Championship golf courses, 6 trail systems which sees over 300,000 annual hikers users (2020) and 5 full service restaurants I found these stats impressive as a resident of Niagara and thought you would also.

In April at the Public Works meeting we received a report on the producer responsibility program on Municipal Household hazardous waste. Staff submitted a report to AMO and through industry associations to ensure we understand the impacts of this new collection system mostly we are concerned with dumping of this product in our communities because of the clean-up costs to our residences. I will keep you updated on this progress as it unfolds at the Province and at the Region.

I requested a report on a 6month update on the new collection contractors looking for diversion targets and where did we see increases and decreases in collection of the materials.

Later that day was our Public Health meeting and our first presenters talked about looking for support for a National child care strategy, this is great timing with Councillor Braderic's motion to request more spaces

for parents in our community. And with the Federal Budget announcement of moving in this direction I look forward in supporting and speaking to Councillors Braderic's motion that was supported by this council.

A quick update on the the two Regional long-term care facilities being rebuilt, Linhaven's tender award will be June 24th with a 30 month build being Nov 2023. And Gilmore tender award will be Aug 26th it being a 27 month build to also be completed in November of 2023. The plan is to move all residences in before Christmas of 2023. I did ask if their was a number of contractors that were pre-qualified and the answer was that 7 contractors were pre-qualified for the bidding process.

The following day at the Planning and Economic Development meeting we were giving another step of the Niagara Official Plan process where public concerns on input were in line with that of the Councillors feedback. Most of the presentation was based on the Pillars and directives on how they need to be aligned to create a made in Niagara approach to planning. We had a second presentation on Niagara's Economic update, the population of Niagara is now 481,700, average household per capita was 31,000-33,000 per capita, average housing price index was 553,000 in January 2021. In 2020 Niagara experienced 2.75 billion in residential, non-residential and institutional growth. Even though the challenges of 2020

Niagara did well in this category but tourism and hospitality was the hardest hit with the lack of international visitors. This sector will obviously take time to rebuild moving forward.

And councillors this is my report for April, if any members have any questions I will answer them to the best of my abilities. Thank-you

Albert