

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

**MEETING NO. SEVEN**

**September 13, 2021, 5:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

**Council:** Councillor William Reilly (Chair)  
Councillor Shelley Bradaric  
Mayor Dave Bylsma  
Councillor Cheryl Ganann

**Absent:** 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

<b>Other Members:</b>	Albert Witteveen, Regional Councillor	Fred vanderVelde*
	Tony Miele*	Frank DeFilippis*
	Peter Budd*	Jowett Lau*
	Edward Stubbing*	Raymond Ziemba*
	Paul Hecimovic*	Tamara Tannis*
	Chris Millar*	Rino Mostacci*
	Adam Moote*	Jared Marcus*
	Kathy Varner*	John Ariens*
	Tristan Marks*	Adam Mildenberger*
	Steven Frankovich*	David Samis*
	Karl Grueneis*	Lillian Jovic*
	Risto Mijatović*	Jonathan Kingma*

**\*IN ATTENDANCE PART TIME**

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## **PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – Sept. 13, 2021**

### **1. CHAIR - Councillor William Reilly**

Prior to commencing with the Planning/Building/Environmental Committee meeting agenda, Chair Reilly provided 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 [jdyson@westlincoln.ca](mailto:jdyson@westlincoln.ca) before 4:30 pm on the day of the meeting. Comments submitted will be considered as public information and will be read into the 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. LAND ACKNOWLEDGEMENT STATEMENT**

On behalf of the Members of Council and staff, we wish to acknowledge this land on which the Township of West Lincoln operates. The land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples and is still home to many indigenous people today. We are grateful to have the opportunity to work here today and to follow the Haudenosaunee system of blending laws and values and the Anishinaabe beliefs to strive to live in harmony and balance throughout the Municipality. We acknowledge that we are all treaty people and accept our responsibility to honour all our relations.

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

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

### **4. PUBLIC MEETING(S)**

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

#### **4.1 Official Plan Amendment - Garden Suite Policy Amendment**

Re: Official Plan Amendment application submitted by staff, to implement a change in section 18.4.1 of the Temporary Use Bylaw and Garden Suite Provisions, by changing the time limit from 10 years to 20 years (File No. 1701-003-21)

#### **4.2 Zoning By-law Amendment - Township of West Lincoln Housekeeping Amendments No. 5**

Re: Zoning By-law Amendment application submitted by staff for the Township of West Lincoln House Keeping Amendments No. 5 (File No. 1601-0012-21).

### **5. CHANGE IN ORDER OF ITEMS ON AGENDA**

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

**6. APPOINTMENTS**

**6.1 ITEM P83-21**

Kevin Huinink, Executive Director (Cairn Christian School)

Re: Upcoming Building Project for Cairn Christian School

Mayor Bylsma started off by sharing his support of Cairn Elementary school and the importance the school plays in the community. Mayor Bylsma stated that in his years as a Member of Council he does not recall the Township waiving any development charges for other groups in a similar situation, noting that these fees that are set out are for existing services and the growth of these services and that waiving these fees as a form of donation would not be fair to the taxpayers.

In response to Councillor Ganann's question regarding if waiving of development fees have been done in the past, the Director of Planning & Building stated that the Township has been involved in a number of school improvement projects in the past and noted that no charges were waived. The Director of Planning & Building also stated that he is unsure as to how the development charges outlined in Mr. Huinink's presentation were calculated, adding that that he would be more prepared and could provide more guidance if this matter were referred back to staff.

In response to Mayor Bylsma's question regarding the funding support with waiving the development fees as requested by Mr. Huinink, and if funding in the form of a grant would be a better possibility, the CAO stated that if there is a request for waiving a fee, Township staff would have to see if such request would be allowed and if so what the impacts would be on the taxpayers.

Mr. Huinink provided clarification with respect to how the estimated development charges were calculated, stating that Cairn Elementary School's architect (Jason Brower), who has worked with the Township on other projects in the past, developed the fee estimates for this project.

Members of Committee shared that the best form of action would be to refer this request and correspondence back to staff for further review.

**Moved By** Councillor Cheryl Ganann

**Seconded By** Mayor Dave Bylsma

1. That, the correspondence received from Kevin Huinink regarding the Upcoming Building Project for Cairn Christian School dated September 13, 2021, be received; and,
2. That the correspondence outlined above be referred to staff

**Carried**

**6.2 ITEM P84-21**

Steve Wever, Planning Consultant (Urban Boundary Expansion)  
Re: Urban Boundary Expansion Update  
(Refer to Item No. P92-21 - Staff Report No. PD-105-2021)

**6.3 ITEM P85-21**

Dan Currie, MHBC Planning Ltd.  
Re: Rural Employment Lands, Settlement Area Expansion Options  
(Refer to Item No. P91-21 - Staff Report No. PD-107-2021)

The Director of Planning & Building stated that Mr. Wever and Mr. Currie's presentations are very important for the preparation of future growth in the Township. The Director of Planning & Building also stated that many members in attendance are interested in these presentations, noting that staff encourage feedback and comments during this evenings meeting as the Niagara Region has requested that Township staff bring forward a recommendation report outlining the boundaries of both the Rural Employment Lands and the Urban Boundary Expansion. The Director of Planning & Building added that by outlining the boundaries now and getting a sense of support from the Niagara Region, it allows staff to proceed forward with detailed servicing and transportation analysis.

In response to Mayor Bylsma's question regarding the Township's brown fields and using this type of land, specifically in Bismark and Gainsborough, that may help reach the Township's target without using prime agricultural lands, Mr. Currie stated that the consultants are looking at all of the lands; however, there are a couple of points to consider when looking at different areas of land. The first point that Mr. Currie stated was that the consultants have to analyze two strategies when making the recommendations, being whether it is better to make one or two expansions in larger parcels that allow more efficiencies for a large scale of development vs. small adjustments to a number of Hamlets. The second point that Mr. Currie stated was that the Township is bound in terms of the Settlement Expansion, that the lands have to be a settlement expansion to an existing settlement area, therefore the growth plan does not allow for the creation of new settlements and permits only expansions contiguous to an existing settlement area. Mr. Currie added that there is a need for settlement expansions that include the residential component as well and noted that there is a lack of available land in the Hamlet settlement areas for both residential and employment land.

The Director of Planning & Building stated that the Township cannot create existing Hamlets as part of the Rural Employment Lands review. The Director of Planning & Building also stated that the Gainsborough lands are designated for non-farm use therefore the Township is in a good position with respect to those lands and that Bismark is on the Township's radar as one of the areas staff are looking at.

In response to Mayor Bylsma's question regarding reorienting the hamlets that tend to form around a set of crossroads in order to create a safe passage through the hamlet, Mr. Currie stated that this would be considered in the next phase during the detailed analysis for location specific criteria. Mr. Currie also stated that what makes the best expansion area and all the points raised will be considered in the detailed analysis within the next couple of weeks.

In response to Councillor Ganann's question regarding the two identified areas in the Grassie area that have a boarder with the Town of Grimsby and if this boarder would affect the process of trying to develop those rural employment areas, Mr. Currie stated that in terms of the locational criteria, it would not affect the process of developing rural employment areas, adding that it may introduce interest for individuals across the Township line if a settlement is directly adjacent to the municipal boundary, which would be more unique than it would be in the other settlement areas. The Director of Planning & Building added by stating that the offsetting issue is complicated by a lot of environmental type limitations such as the greenbelt, which would take away any availability for development.

**7. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

1. Lillian Jovic  
31 Catalina Drive – Hamilton

Ms. Jovic requested Council's consideration to include the property located at Young and South Grimsby Rd 16 as part of the Hamlet, as it is the first property that is next to the last property on the West side of South Grimsby Road 16. Ms. Jovic stated that an invite was received to attend tonight's meeting; however, when viewing the map, the property located at Young St. and South Grimsby Rd. 16 was not included as part of the Hamlet.

**8. CONSENT AGENDA ITEMS**

**8.1 ITEM P86-21**  
**CONSENT AGENDA ITEMS**

**Moved By** Councillor Shelley Bradaric  
**Seconded By** Councillor Cheryl Ganann

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

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

**Carried**

**SUMMARY OF APPROVED CONSENT AGENDA ITEMS:**

1. Technical Report No. PD-94-2021 - Comprehensive Zoning Bylaw 2017-70, as amended Housekeeping Amendments No. 5 Introduction of New Housing Types
2. Recommendation Report No. PD-104-2021 – East Smithville Secondary Plan Project - AMENDMENT TO BUDGET (BA2021-09)
3. Recommendation Report No. PD-95-2021 - Site Plan Approval Authorization - 5138 Concession 4 Road – Niagara Regional Sportsman Club

**9. COMMUNICATIONS**

There are no communications.

**10. STAFF REPORTS**

**10.1 ITEM P87-21**

Planner II (Madyson Etzl) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-101-2021 – Garden Suite Official Plan Policy Amendment - Official Plan Amendment No. 61

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Shelley Bradaric

1. That, Report PD-101-2021, regarding “Garden Suite Official Plan Policy Amendment – Official Plan Amendment No. 61”, dated September 13<sup>th</sup> 2021, 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 1701-003-21 (#61) for Official Plan Amendment, BE APPROVED and that the necessary bylaw be prepared at the Township Council Meeting and that staff circulate Notice of Approval in accordance with the Planning Act.
4. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period.

**Carried**

**10.2 ITEM P88-21**

Planner II (Madyson Etzl) and Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-102-2021 - Zoning By-Law Amendment (Temporary Use By-law) Richard and Anita Merritt - Garden Suite Application

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The Director of Planning & Building stated that this report ties into Recommendation Report No. PD-101-2021 that recommends changing the 10-year time limitation to 20-years, noting that report No. PD-101-2021 was required to be supported first before the support and passing of Report No. PD-102-2021 due to the time limitation change.

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

1. That, Report PD-102-2021, regarding “Zoning By-law Amendment (Temporary Use By-law) –Richard and Anita Merritt Garden Suite Application”, dated September 13<sup>th</sup> 2021, be RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, an application for Zoning By-law Amendment 1601-011-21 submitted by Richard and Anita Merritt and a corresponding Zoning By-law be APPROVED and passed; and
4. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period

**Carried**

### 10.3 ITEM P89-21

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

Re: Recommendation Report No. PD-106-2021- Giro Estates - Zoning By-law Amendment File No. 1601-010-21

In response to Mayor Bylsma’s concerns regarding comments made by the neighbouring property owner at the last Public Meeting with respect to the property location and privacy concerns proposed in the Giro Estates Zoning By-law Amendment, The Director of Planning & Building stated that the Planner I (Meghan Birbeck), has been in communication with the neighbouring property owner who has seen the concept sketch that can be found in the recommendation report and is satisfied with the updated proposal and will be withdrawing his concerns. The Planner I (Meghan Birbeck), noted that Upper Canada Consulting, who is the agent for Giro Estates, updated the map which is also found in the recommendation report on attachment 4.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Cheryl Ganann

1. That, report PD-106-2021, regarding “Giro Estates Zoning By-law Amendment File No. 1601-010-21”, dated Sept 13<sup>th</sup> 2021, be RECEIVED; and,

## PLANNING/BUILDING/ENVIRONMENTAL COMMITTEE MINUTES – Sept. 13, 2021

2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, an application for Zoning By-law Amendment 1601-010-21 submitted by Upper Canada Consultants and a corresponding Zoning By-law be APPROVED and passed; and
4. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period.

**Carried**

### 10.4 ITEM P90-21

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

Re: Recommendation Report No. PD-108-2021 - Approval of a new by-law: Non-Parking Administrative Penalty By-law

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

1. That, Report PD-108-2021, regarding “Recommendation Report - Approval of a new Non-Parking Administrative Monetary Penalty By-law”, dated September 13<sup>th</sup>, 2021, be RECEIVED; and,
2. That, a by-law be adopted at Council with multiple short form schedules in the form found at attachment 1 to this report including Clean Yards, Site Alteration, Boulevard, Swimming Pool, Sign, with potentially more amendments in the near future.

**Carried**

### 10.5 ITEM P91-21

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

Re: Information Report PD-107-2021 – Regional Official Plan Work and Township led Rural Hamlet/Rural Employment Considerations

The Director of Planning & Building stated that written comments were submitted by Nick and Frank DeFilippis (attached as **Schedule A**), with respect to the Fulton Rural Hamlet considerations.

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

1. That, Report PD-107-2021, regarding “Recommendation Report Regional Official Plan Work and Township led Rural Hamlet/Rural Employment Considerations”, dated September 13<sup>th</sup>, 2021, be RECEIVED for INFORMATION PURPOSES; and,



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2. That, a final report for endorsement of proposed boundary adjustments and requirements to be provided to the Region, be presented in the fall of 2021 once further consultant, Regional and agency input has been received.

**Carried**

### 10.6 ITEM P92-21

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

Re: Information Report No. PD-105-2021 - Regional Official Plan Work and the West Lincoln Master Community Plan/Urban Boundary Review Project by Township of West Lincoln Consulting Teams (Aecom and Wood)

The Director of Planning & Building stated that written comments were submitted by SGL Planning & Design Ltd. (attached as **Schedule B**), on behalf of the Landowners Association, with respect to the Natural Heritage System. The Director of Planning & Building made note that the Natural Heritage System is still under review and will be deliberated on with the professionals on all levels of the review process. The Director of Planning & Building also stated that if the concerns regarding the Natural Heritage System and environmental factors are not resolved then it may be an issue that has to be dealt with by the Planning/Building/Environmental Committee in the future.

**Moved By** Councillor Shelley Bradaric

**Seconded By** Mayor Dave Bylsma

1. That, Report PD-105-2021, regarding “Information Report, Regional Official Plan Work and the West Lincoln Master Community Plan/Urban Boundary Review Project by Township of West Lincoln Consulting Teams (Aecom and Wood)”, dated September 13<sup>th</sup>, 2021, be RECEIVED for INFORMATION PURPOSES; and,
2. That, staff will present a future recommendation report after proceeding with PIC 2 on October 6<sup>th</sup>, 2021. Notice will be provided to the Public very soon.

**Carried**

## 11. OTHER BUSINESS

### 11.1 ITEM P93-21

Members of Committee

Re: Other Business Matters of an Informative Nature

There were no comments from any Members of Committee.

**12. NEW BUSINESS**

There were no new items of business.

**13. CONFIDENTIAL MATTERS**

Councillor Jonker, Councillor Trombetta and Councillor Rehner were not in attendance for all confidential matters. All other Members of Committee noted as present as well as the CAO, Deputy Clerk and the Director of Planning & Building were in attendance for discussion of all confidential matters.

Prior to the closed session, all Members of Committee were reminded that any discussions in closed are to remain confidential as per the Township's Code of Conduct and the Procedural By-law.

All those in attendance electronically for closed session deliberations confirmed and acknowledged that they understood and confirmed to all of the following statements:

- That all confidential matters and discussions are to remain confidential;
- No one else was present with them during the electronic confidential discussions;
- No one else could hear the electronic closed session deliberations;
- No one was using any electronic devices other than their tablet or computer; for the purpose of the video conferencing; and,
- No one was recording any portion of the confidential portion of the meeting.

**Moved By** Mayor Dave Bylsma

**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:

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

Re: Legal/Enforcement Matter – Quarterly By-law Update

**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

13.2 Director of Planning & Building (Brian Treble)

Re: CONFIDENTIAL - Recommendation Report No. PD-72-2021 – Property Matter/Legal Matter - Monitoring of John Street Property, Caistorville

**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

13.3 Director of Planning & Building (Brian Treble)

Re: CONFIDENTIAL - Recommendation Report No. PD-103-21 - Natural Severance on Concession 2 Road and Concession 3 Road, Caistor Center

**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**

**Moved By** Councillor Cheryl Ganann

**Seconded By** Mayor Dave Bylsma

That, this Committee meeting does now resume in open session at the hour of 9:45p.m.

**Carried**

**13.1 ITEM P94-21**

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

Re: Legal/Enforcement Matter – Quarterly By-law Update

Members of Committee rose without reporting.

**13.2 ITEM P95-21**

Director of Planning & Building (Brian Treble)

Re: CONFIDENTIAL - Recommendation Report No. PD-72-2021 – Property Matter/Legal Matter - Monitoring of John Street Property, Caistorville

**Moved By** Councillor Cheryl Ganann

**Seconded By** Councillor Shelley Bradaric

1. That, Report PD-72-2021 regarding “CONFIDENTIAL, Recommendation Report, Property Matter/Legal Matter - Monitoring of John Street Property, Caistorville” dated September 13<sup>th</sup>, 2021, be RECEIVED; and,
2. That, staff be authorized to proceed as directed in closed session; and,

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3. That, staff report back with an update on this monitoring project, as required.

**Carried**

### 13.3 ITEM P96-21

Director of Planning & Building (Brian Treble)

Re: CONFIDENTIAL - Recommendation Report No. PD-103-21 - Natural Severance on Concession 2 Road and Concession 3 Road, Caistor Center

**Moved By** Mayor Dave Bylsma

**Seconded By** Councillor Cheryl Ganann

1. That, Report PD-103-2021, regarding “CONFIDENTIAL - Recommendation Report Natural Severance on Concession 2 Road and Concession 3 Road, Caistor”, dated September 13<sup>th</sup>, 2021, be RECEIVED; and,
2. That, staff be authorized to proceed as directed in closed session.

**Carried**

### 14. ADJOURNMENT

The Chair declared the meeting adjourned at the hour of 9:47 p.m.



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JESSICA DYSON, DEPUTY CLERK

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COUNCILLOR WILLIAM REILLY,  
CHAIR

Nick DeFilippis  
44 Mud St. West  
Grassie, ON L0R 1M0

**SCHEDULE "A" TO THE  
SEPTEMBER 13, 2021 PLANNING/BUILDING/  
ENVIRONMENTAL COMM. MINUTES**

Frank DeFilippis  
9024 Twenty Rd.  
Smithville, ON

September 13, 2021

RE: Fulton Hamlet Expansion  
PD-107-2021

We have reviewed the mapping information provided and wish to add or make the following comments:

The inconsistency of the shape of hamlet expansion leads to our comments.

As the owner's of Lot 33 Conc. 8, Reg. Plan No. 30R-6980 Pt. 4,11,12 & 13 (i.e. east of South Grimsby Rd. 18 and north of Highway 20), it seems apparent that these additional lands should be included. At present, the lands along the east side of South Grimsby Rd. 18 are zoned rural commercial for the first 600 ft+/- north from Highway 20, the balance to the hydro corridor are rural residential. Expanding the hamlet along Highway 20 to a rural commercial(employment) use seems logical, but should be increased in depth to approximately 600 ft. Any development on this site will have restricted access to Highway 20 and the depth will be necessary to create private access to these commercial lands.

The balance of lands to the north and east of the existing residential use should continue as a residential designation. There presently exists a 66 foot wide access from South Grimsby Rd. 18, which will permit a proper road allowance to those residential lands, in the expanded hamlet area.

We trust the preceding is self explanatory and look forward to any continued discussion.

Regards,

Nick DeFilippis  
Frank DeFilippis

**SCHEDULE "B" TO THE SEPTEMBER 13, 2021 PLANNING/  
BUILDING/ ENVIRONMENTAL COMM. MINUTES**



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Toronto, Ontario M6P 1A5  
☎ (416) 923-6630  
✉ info@sglplanning.ca

September 13, 2021

Project: UE.WL

**VIA EMAIL**

Brian Treble, Director of Planning & Building  
Township of West Lincoln  
318 Canborough St. Box 400  
Smithville, ON  
L0R 2A0

**Re: Smithville Subwatershed Study and Natural Heritage System**

As you know, SGL Planning & Design Inc. is assisting the Smithville Landowners Group in their review of the Smithville Master Community Plan and Subwatershed Study. The Landowners Group are also being assisted by LCA Environmental, A.J. Clark and Associates Ltd and Terra-Dynamics Consulting Inc. Our team of consultants has been actively involved in the Smithville Master Planning and Subwatershed studies that are being undertaken by the Township. We have reviewed the extensive background information, attended the Technical Advisory Committee (TAC) meetings and provided comments on the various reports. However, the team of consultants continues to have concerns with the recommendations of the Subwatershed Study Natural Heritage System as summarized in this letter.

**Restoration Areas**

The mapped restoration areas are not based on a watershed or scientific approach and should not be mapped at this stage of the reporting. The addition of the word "Recommended" and an indication of "some flexibility" regarding size and location does not address the technical concerns that the team of consultants has raised to date. The "Recommended Restoration Areas" (however slightly modified in one case) remain poorly justified. In our consultant team's opinion, the Restoration Area approach is wholly inadequate as it does not identify many smaller meaningful potential restoration opportunities distributed throughout the Study Area, but instead proposes turning a very few discrete but large areas into hard constraints on the basis of rather weakly conceived arguments. It is inconceivable that only three large opportunities for Restoration would occur within the Study Area.

We have reviewed the Terms of Reference for the Subwatershed Study and note that there is no mention of proposing "restoration areas" on potential development lands (i.e., agricultural fields with no ecological functions or existing residential land uses), but rather the Terms of Reference states that the mapping should reflect "opportunities for enhancement of the terrestrial environment". We interpret this requirement as recognizing suitable buffers and opportunities to incorporate enhancement areas into the proposed land uses, not simply blocking areas as "no touch" at the



beginning of the study. Further, section 2.4.5 of the Terms of Reference suggests that the report and mapping should “identify successional habitats that include potential restoration areas within the NHS”. The current mapping identifies clear blocks of agricultural land as restoration which is counter to the Terms of Reference text.

We recommend a policy approach with text added to the subsequent secondary plan(s) to address restoration and enhancement rather than specific mapping. This policy approach would address the restoration/enhancement considerations over the entire watershed area, including opportunities beyond the defined Urban Area boundary limits.

### **Linkages**

The proposed small connecting linkages are based on movement patterns that have not been documented in the field and are simply mapped connecting lines through currently open agricultural fields sometimes along the edges of existing roads and subdivisions. These linkages do not represent movement corridors, which is what the provincial intent is regarding connectivity.

At the August 9<sup>th</sup> TAC meeting, there was consensus on removing the Linkage at the Leisureplex on the north side of Townline Road in favour of the Linkage to the south along the existing tributary. Instead, only the widths of each have been tweaked, and the recommended Linkage in that area presumes the “Recommended” Restoration in the “Horseshoe-shaped woodland”. Our concerns about other Linkages depicted at Brookside have been completely ignored.

Rather than delineating linkages that do not represent movement corridors, we recommend a policy approach with linkage policies included in the subsequent secondary plan(s) that addresses the need for linkages /corridors to be established at the draft plan of subdivision development stage once we can logically and scientifically identify the best opportunities and most suitable locations based on current and future land uses.

### **Small Wetland Pockets**

The tiny wetland pockets, which have not been officially recognized by MNRF, have been revised in terms of the legend, but we do not agree that the revised terminology. “Unevaluated” and “Previously Unevaluated” are both inaccurate and misleading. These supposed wetlands are not mapped by either of NPCA or the Province, and they have not been evaluated, so are not Previously Unevaluated. The correct process has not been completed and the title implies that they have some standing based on regulation.

We recommend that the depiction of these wetland pockets should be limited to the ELC mapping in the SWS report, and that these wetland pockets should be recommended for further and more detailed study and confirmation in site-specific Environmental Impact Studies completed at the draft plan of subdivision stage.

### **Significant Wildlife Habitat**

We are concerned that the application of the provincial significant wildlife habitat has been stretched in terms of the small isolated areas that are occupied by locally common species. Again, this is something that should be refined and documented at a draft plan of subdivision stage through Environmental

Impact Statement (EIS) reports. Data on significant wildlife habitat is only valid for a 5 year period. For transient species, the location of these pockets and ecological function can vary annually.

We recommend a policy be added to the subsequent secondary plan(s) stating the requirement to address significant wildlife habitat through EIS reports at the draft plan of subdivision stage, which requirements is already incorporated into the Regional EIS guidelines.

#### **Karst Sinkholes**

The proposed 50 metre buffer/setbacks around the Karst sinkholes are natural hazard setbacks and not natural heritage buffers. Those 50 metre potential hazard setbacks (that may not even apply if a sinkhole is grouted closed or if it is determined not be a hazard by a qualified engineer) should not be presumed to be part of the NHS. Even if it is determined that proposed development should respect a 50m setback from a Karst feature, NPCA policy does not require that the 50 metre setback be naturalized.

We recommend that the 50 metre buffer / setbacks be identified in the mapping as a natural hazard setback not an NHS buffer.

In our opinion, all of the 'final adjustments' have been considered in the Land Needs Assessment Methodology and applied as applicable and appropriate.

Yours very truly,

**SGL PLANNING & DESIGN INC.**



Paul Lowes, MES, MCIP, RPP

c.c. Richard Vandezande  
Tony Miele, Smithville Landowners Group  
Lisa Price, LCA Environmental  
Adi Irani, A.J. Clark and Associates Ltd.  
David Slaine, Terra-Dynamics Consulting Inc.

/Volumes/Server\_Data/Projects/UE.WL Urban Expansion West Lincoln/Correspondence/Memo and Letters/Memo:Ltrs on NHS 2021/Ltr re Smithville Subwatershed Study.docx