



**TOWNSHIP OF WEST LINCOLN
PUBLIC MEETING UNDER THE PLANNING ACT MINUTES
AMENDMENT TO TOWNSHIP OF WEST LINCOLN'S ZONING BY-LAW**

MEETING NO. FOUR

April 11, 2022, 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 Jason Trombetta

Absent: 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
 Mike DiPaola, Director of Public Works & Recreation*
 Kevin Geoghegan, IT Help Desk Analyst

Other Members:	Tom Richardson, Township Solicitor*	Peter Budd*
	Neil Carter*	Jared Marcus*
	Sidney Thompson*	Jill Anthony*
	Lianne Timbers-Sharp*	Kenneth Kranendonk*
	Jesse Auspitz*	Matt Wichmann*
	WeeStreem	Andrea Wichmann*
		Shawn Ryan*

***IN ATTENDANCE PART-TIME**

197 Griffin Street (C A Real Estate Holdings) - Zoning By-law Amendment

1. Application for Zoning By-law Amendment

The Chair advised that this public meeting for rezoning was being held to consider an amendment to the Township of West Lincoln's Zoning By-law under Section 34 of the Planning Act as submitted by NPG Planning Solutions on behalf of C A Real Estate Holdings for an Application for the property municipally known as 197 Griffin Street (File No. 1601-005-22).

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

An application for Zoning Bylaw Amendment has been submitted for the property located at 197 Griffin Street (Regional Road 20/14) (Lot 17, Plan M92). The Zoning Bylaw Amendment has been submitted to address a number of zoning deficiencies generated as part of a redevelopment of the site which would result in office space and four accessory dwelling units. A number of zoning deficiencies have been identified and a full list can be found within the Planning Justification Report on the Township's website.

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 amendment.

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 submitted by NPG Planning Solutions on behalf of C A Real Estate Holdings for an Application for the property municipally known as 197 Griffin Street (File No. 1601-005-22).

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(14) 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 Ontario Land Tribunal.

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 property owners within 120 metres of the subject property on March 8th, 2022 as well as a yellow sign posted on the subject property.

The Chair advised that this was a public meeting to consider a Zoning By-law Amendment application submitted by NPG Planning Solutions on behalf of C A Real Estate Holdings for the property municipally known as 197 Griffin Street (File No.: 1601-005-22).

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

The Planner, Gerrit Boerema, provided an overview of the application and Technical Report PD-37-2022.

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

Jesse Auspitz and Shawn Ryan (Authorized Agents) provided a PowerPoint presentation (attached as **Schedule A**) related to the proposed application and noted that they were 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 Zoning By-law Amendment. The Chair suggested that if there were any Members of the Public present that wished to provide comments that they should state them now, as the OLT may not consider comments made during any other Council and/or Committee meetings.

1. Kenneth Kranendonk
West St, Smithville

Mr. Kranendonk raised concerns with respect to the two-storey garage that they are adding to the existing one storey garage as the proposed addition will directly look into their back yard and would shade the property. Mr. Kranendonk also raised concerns regarding the modern look of the proposal as it does not suit the urban and heritage look of the surrounding buildings in Smithville.

2. Matt Wichmann & Andrea Wichmann
Griffin St North, Smithville

Raised multiple concerns regarding the proposed amendment such as the proposal stating that there is a shared drive, which the driveway is not shared

noting that the subject property does not have a right away or easement onto their backyard area, noting that their property cannot and should not be utilized as regular access for the subject property required parking. Another concern raised by Mr. Wichmann is the location of the accessibility parking spot as it encourages pedestrian traffic into Mr. Wichmann driveway posing a safety concern. Mr. Wichmann also raised concerns regarding the storage and water runoff plan as well as the height of the proposed building as it will block sunlight from neighbouring properties and eliminate privacy. Ms. Wichmann addressed concerns regarding the scale of the project and the impacts it will have to their business which is beside the subject property.

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 has any comments they should state them now as the Ontario Land Tribunal (OLT) may not consider comments made during any other Council and/or Committee meetings.

Councillor Ganann raised multiple concerns regarding the proposed amendment and stated that this application will require a lot of work and consideration to address many concerns around this proposed amendment. The comments and concerns raised by Councillor Ganann are as follows:

- (1) Site is being dismissed as unimportant, as the report indicated that the building is not to be considered a landmark as it is felt that it is not a prominent location nor does it have any historical value. Councillor Ganann disagreed with this statement as the property is close to a corner lot and is a prominent location on the main street of Griffin St.
- (2) The proposed architectural details and design does not meet the guidelines for private development in Downtown Smithville as stated in the document Smithville Urban Design Manual (2016).
- (3) Size of the proposed development and the impacts the height will have on the neighbouring properties.
- (4) Parking issues and the accessibility parking suggestion. Lack of parking spaces for the use of the development, noting that counting on on-street parking to supplement parking is not feasible. Councillor Ganann also questioned how the suggested accessible parking spot would be an appropriate and logical location.

Mr. Auspitz addressed the comments raised regarding the accessible parking space noting that currently the subject lands do not have any accessible parking spaces and therefore the consultants are looking for ways to accommodate an

accessible parking space noting that although the location of the accessible parking spot is not ideal, it is required under AODA that an accessible parking space be available for a commercial property. Mr. Ryan addressed concerns regarding accessibility in the building noting that the intention is that there will be an accessible lift located in the front lobby of the commercial unit, instead of outside of the building.

Councillor Trombetta expressed his concerns with respect to the design of the proposed building noting that he would like to keep the existing façade and landscape that is present in the downtown core of Smithville. Councillor Trombetta also raised concerns regarding the amount of zoning modifications requested to Council with respect to this project noting that there are a number of requests that need to go back to the consultant for review and further consideration.

In response to Mayor Bylsma's question regarding the number of modifications that are being requested for this proposal and whether the existing property would need to be dismantled in order to achieve these modifications and the line between a redevelopment and extensive renovation, the Director of Planning & Building stated that redevelopment vs. new development should not matter as much as the goal to complete a development that blends in with the character of the core. The Director of Planning & Building stated that staff have not yet provided an opinion, however, suggests that more needs to be done with this proposal in order to keep the character of downtown Smithville.

The Chair stated that a Technical Report was being considered by Council 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 has 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.

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 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's website after 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 8:50 p.m.

2990 South Grimsby Road 18 (Neil Cater) - 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 of the Planning Act as submitted by Neil Carter for the property located at 2990 South Grimsby Road 18 (File No. 1601-002-22).

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

An application for a Zoning Bylaw Amendment has been made to rezone the property legally described as Concession 8, Part of Lot 34, formerly in the Township of South Grimsby, now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 2990 South Grimsby Road 18.

The intent of this rezoning application is to rezone the property that is currently zoned Residential Low Density (R1A) to a Residential Low Density zone with a site specific provision (R1A-###) to allow for a Home Industry on the property. Home industries are not permitted within the R1A zone, except by rezoning, the applicants are proposing to operate a private data processing center from the existing 157 square meter accessory building. The business use would take up approximately 78 square meters of the garage. The applicants wish to operate computer servers engaged in various data processing tasks.

6. 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 amendment.

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 submitted by Neil Carter for the property located at 2990 South Grimsby Road 18 (File No. 1601-002-22).

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(14) 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 Ontario Land Tribunal.

7. 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 circulated to all relevant agencies on March 22nd, 2022 as well as a yellow sign posted on the subject property and posted on the Township's website on March 23rd, 2022.

The Chair advised that this was a public meeting to consider a Zoning By-law Amendment application submitted by Neil Carter for the property located at 2990 South Grimsby Road 18. (File No.: 1601-002-22).

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

The Planner, Madyson Etzl, provided an overview of the application and Technical Report PD-46-2022.

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

The applicant, Neil Carter, was present for the Public Meeting and advised that the Planner had summarized the application well and that he was available to answer any additional questions that may arise.

The Chair asked if the applicant or their authorized agent were present to speak to the application. There were no comments from the applicants.

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 proposed zoning by-law amendment. The Chair suggested that if there were any Members of the Public present that wished to provide comments that they should state them now, as OLT may not consider comments made during any other Council and/or Committee meetings.

There were no comments or written submissions from any members of the public.

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

There were no comments or written submissions from any Members of Committee

The Chair stated that a Technical Report was being considered by Council 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 has 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.

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 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's website after 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.

8. Adjournment

The Chair advised that this public meeting with respect to the proposed Zoning By-law Amendment is concluded at the hour of 8:58 p.m.

JESSICA DYSON, DEPUTY CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR

197 Griffin Street

Public Meeting

Zoning By-law Amendment Application

April 11th, 2022

Prepared by NPG Planning Solutions Inc.



Description of Subject Lands

Lot Area: 838.5 m²

Frontage: 4.37 metres

Lot Depth: 57 metres

Existing Use: Mixed-Use –
Commercial/Residential

Surrounding Uses: Low Density
Residential, Commercial, West Lincoln
Ambulance Station, Vacant and Commercial

Zoning: Commercial (C1)



Proposed Development

- **The main building:** mix of 94.9 m² (1,022 ft²) of office leasable space with three (3) accessory dwelling units.



197 Griffin Street – Public Meeting

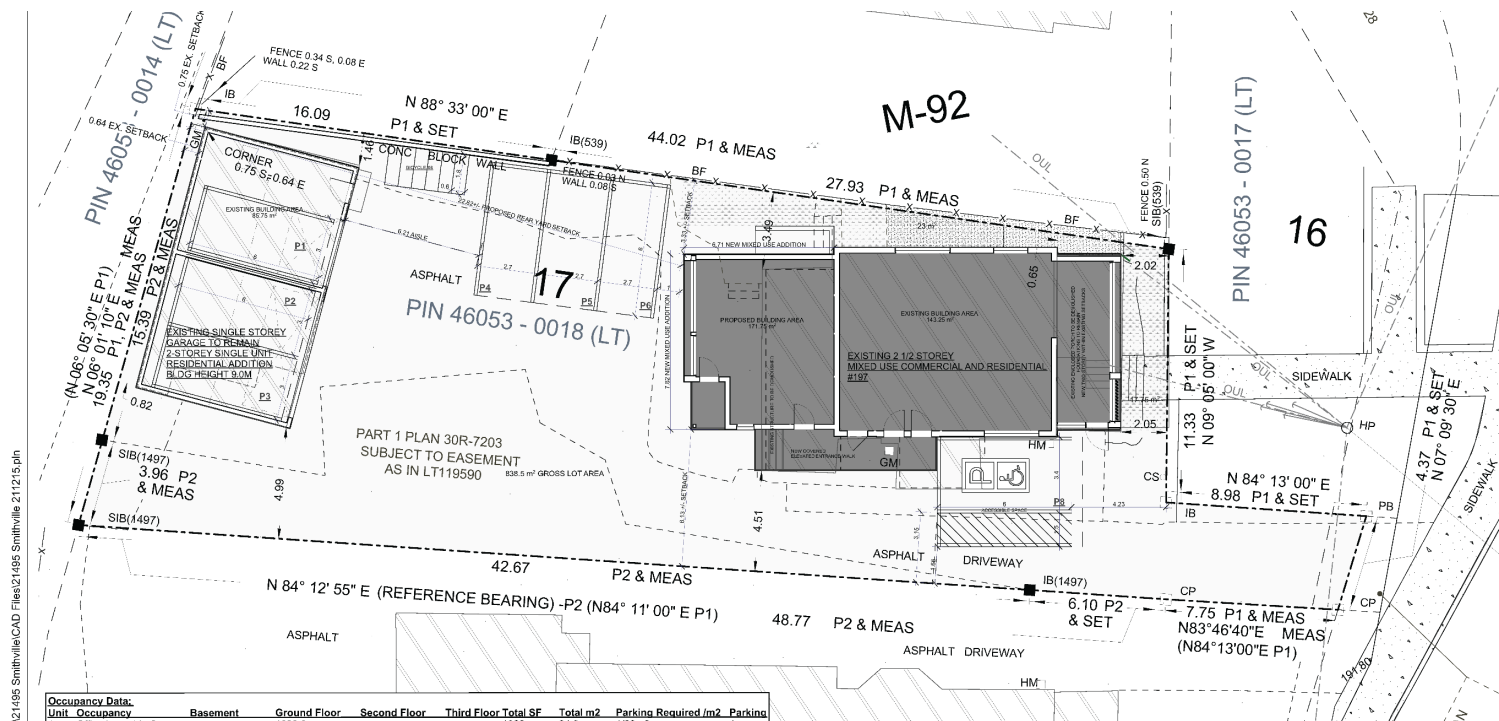
Proposed Development

- **Three (3) port garage (at rear):**
- Two (2) additional storeys to provide for one (1) additional dwelling unit.
- Height of 9.2 metres
- 10.2% Coverage for accessory building (as existing)
- 0.64 metres rear yard setback



Proposed Development

- **Parking Spaces:** Seven (7) parking spaces are proposed. Relief is being sought with respect to number of parking spaces & parking/aisle dimensions.



Proposed Development

- **Use-Based Provisions**

- **Permit:** accessory dwelling unit without a commercial use in an accessory building.
- **Permit:** 47 m² of the ground floor of the main building to be used as an accessory dwelling unit.

Supporting Information

- **Planning Justification Report** with an **urban design section** addressing guidelines within the **Smithville Urban Design Manual**.
- **Conceptual site plan**; and
- **Architectural Elevations**.

Comments

Agency:

- **Region:** No comments. Will review future Site Plan Application.
- **CP Rail:** General comments are provided regarding 2013 Proximity Guidelines. The proposed development is outside a noise influence area of the rail line.

Public:

- **108 West Street:** Shadowing & privacy from accessory building; Character of main building.
- **195 Griffin Street:** Safety regarding accessible parking space; Parking space length; concerns regarding snow storage and stormwater management; shadowing; and construction impacts.
- **59 Alma Drive:** Concerns pertain to design, heritage and compatibility.

Conclusion

- **Consistent with** the PPS
- **Conforms with** the Growth Plan, NROP, and Township of West Lincoln Official Plan
- **Conforms with** the Smithville Urban Design Manual
- **Compatible with** the surrounding neighborhood
- **Contributes to** complete communities and a full range of housing options.

3D Video

- <https://youtu.be/5o43LRLSdC4>