



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. TEN

August 11, 2022, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Dave Bylsma
Councillor Shelley Bradaric
Councillor Cheryl Ganann
Councillor William Reilly

Absent: Councillor Harold Jonker (notification provided – with regrets)
Councillor Mike Rehner (notification provided – with regrets)
Councillor Jason Trombetta (notification provided – with regrets)

Staff: Joanne Scime, Director of Legislative Services/Clerk
Bev Hendry, CAO
Donna DeFilippis, Treasurer/Director of Finance*
Dennis Fisher, Fire Chief*
Mike DiPaola, Director of Public Works & Recreation
Brian Treble, Director of Planning & Building*
Gerrit Boerema, Planner II*
Kevin Geoghegan, IT Help Desk Analyst*
Stephanie Pouliot, Planner I*

Others: Regional Councillor Albert Witteveen*
Karl Grueneis*
Aaron Farrell*
Paul Lowes*
Bryon Tan*
Gary Scandlan*
Steve Wever*
Richard Vandezande*
Scott Antonides*
Ron Budenas*
Sylvie Budenas*
Bruce Harris, WeeStream*

*** = IN ATTENDANCE PART-TIME**

1. PUBLIC MEETING UNDER THE PLANNING ACT

Chair - Councillor William Reilly

The Chair, Councillor Reilly, called the Public Meeting under the Planning Act to order at approximately 6:30 p.m.

Prior to commencing with the Public Meeting under the Planning Act, the Councillor Reilly provided the following announcements:

- a) 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.
- b) Councillor Jonker, Councillor Rehner and Councillor Trombetta had provided notice that they will not be attending this evening's meetings.
- c) 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 being August 11, 2022. Comments submitted will be considered as public information and read into public record.
- d) This evening's meeting were being livestreamed as well as recorded and will be available on the Township's website following the meeting.

The Public Meeting adjourned at the hour of 6:37 p.m.

Councillor Reilly called a 5-minute recess before moving forward with the next Public Meeting relating to the 2022 Development Charges Background Study for the Township of West Lincoln.

- 1.1 Zoning By-law Amendment - Leonard and Lynne Snippe - 5444
Concession 4 Road (File No. 1601-010-22)

Refer to the August 11, 2022 Public Meeting under the Planning Act Minutes under separate cover.

2. PUBLIC MEETING - DEVELOPMENT CHARGES

Chair - Mayor Dave Bylsma

The Chair, Mayor Dave Bylsma, called the 2022 Development Charges Background Study Public Meeting to order at approximately 6:42 p.m.

The Public Meeting adjourned at 7:03 p.m.

- 2.1 Subrina Goolsarran, Byron Tan & Gary Scandlan, Watson & Associates Economists Ltd.
Re: 2022 Development Charges Background Study - Township of West Lincoln

Refer to the August 11, 2022 Development Charges Public Meeting Minutes under separate cover.

3. SINGING OF "O CANADA"

Following the singing of O' Canada and prior to commencing with the Council meeting, Mayor Bylsma made 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. Councillor Jonker, Councillor Rehner and Councillor Trombetta provided advance notice that they will not be in attendance this evening.
3. 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.
4. Any Members of the Public can watch this evening's Council meeting by using the livestream link found on the Township's website as this meeting is being livestreamed and is also being audio/video recorded and will be posted on the Township's website and can be viewed anytime following the meeting.

4. LAND ACKNOWLEDGEMENT STATEMENT

Mayor Bylsma read the following Land Acknowledgement Statement:

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen- DA-ronk), the Haudenosaunee (Hoe-den-no- SHOW-nee), and the Anishinaabe (Ah-nish-ih- NAH-bey), including the Mississauga's of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

5. OPENING PETITION - Councillor Cheryl Ganann

6. CHANGE IN ORDER OF ITEMS ON AGENDA

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

7. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

NOTE: Items for which conflicts were recently declared at Committee Meeting(s)

- 7.1 July 18, 2022 Council (All Committee) Meeting - 7(7.1)
Appointments/Presentations Re: Meaghan Barrett & John Mascarin, Aird Berlis LLP (Township Integrity Commissioners) - Code of Conduct Complaint 2022-01 - Integrity Commissioner Report

Mayor Bylsma stated that at the July 18, 2022 Council (All Committee) Meeting, Councillor Harold Jonker had declared a conflict of interest/pecuniary interest with respect to Item 7.1 under the Appointments/Presentations Section of the minutes. This item related to Code of Conduct Complaint 2022-01 against Councillor Jonker. The Integrity Commissioners, Meaghan Barrett & John Mascarin of Aird Berlis LLP, presented a report and recommendations for Council's consideration which included suspension of remuneration paid to Councillor Jonker, as permitted per Section 223.4(5) or (6) of the Municipal Act, 2001.

8. REQUEST TO ADDRESS ITEMS ON THE AGENDA

- 8.1 ITEM 17.6
Re: Recommendation Report No. PD-077-2022 - Official Plan Amendment No. 63 - Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification

Mayor Bylsma asked the Director of Legislative Services/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.

The Director of Legislative Services/Clerk advised that she had received an email which included a letter from Mr. Scott Antonides on behalf of the citizen group, Community for Responsible Growth. A copy of the letter was read into the record and has been attached to the minutes as **Schedule "A"** to the minutes.

On behalf of the Landowners Group, Mr. Paul Lowes, SGL Planning & Design Inc. stated that he appreciated the efforts staff and the consultant team of the Township took to address concerns that his clients brought forward. Mr. Lowes stated that there were still a number of concerns that the Landowners Group has, but hoped that the working relationship with the Township and the Landowners Group will continue forward and that these concerns will be addressed in the future.

9. APPOINTMENTS/PRESENTATIONS

- 9.1 Steve Wever, GSP Group Inc.
Re: Official Plan Amendment No. 63 – Smithville Urban Boundary Expansion

Mr. Wever reviewed a PowerPoint Presentation, which has been attached to the minutes as **Schedule "B"** to the minutes.

Councillor Bradaric asked if there was any regard given for infrastructure and community facilities to address the expansion of early-years childcare (0 years to school age) and the need of more community facility space to incorporate programs for children in the early-years category.

In response to Councillor Bradaric's inquiry, Mr. Wever advised that the school boards were appreciative for the opportunity to provide comments; however, they do not typically make decisions on population growth and developments until much further into the process. Mr. Wever stated that the school boards seemed to be in support of the reports that were presented to them; however, much more dialogue will be had in the future.

Councillor Ganann stated her appreciation for Mr. Wever and his team and for their hard work alongside Township staff.

Councillor Reilly also stated his appreciation for the dedication of staff and the consultants in their work

Mayor Bylsma inquired to Mr. Wever regarding the mention of reverse lotting in the report, and how it pertains to the arterial road and adjacent properties.

In response to Mayor Bylsma's inquiry, Mr. Wever, explained the concept of reverse lotting (similar to the residential development constructed at the corner of Spring Creek Road and Station Street) which has been recommended in the policy.

10. REGIONAL COUNCILLOR'S REMARKS

Regional Councillor Witteveen read from a prepared statement which is attached as **Schedule "C"** to the minutes. Regional Councillor Witteveen provided an update on various matters, meeting highlights, and events that were addressed by Niagara Region over the past couple of weeks.

11. CONFIRMATION OF MINUTES

11.1 Council Minutes – Regular
Re: July 18, 2022

NOTE: Councillor Harold Jonker declared a conflict on this item. (Mayor Bylsma stated that at the July 18, 2022 Council (All Committee) Meeting, Councillor Harold Jonker had declared a conflict of interest/pecuniary interest with respect to Item 7.1 under the Appointments/Presentations Section of the minutes. This item related to Code of Conduct Complaint 2022-01 against Councillor Jonker. The Integrity Commissioners, Meaghan Barrett & John Mascarini of Aird Berlis LLP, presented a report and recommendations that were presented for Council's consideration at the July 18, 2022 Council meeting including suspension of remuneration paid to Councillor Jonker, as permitted per Section 223.4(5) or (6) of the Municipal Act, 2001.

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

1. That, the minutes of the open session portion of the July 18, 2022 regular Council meeting be accepted; and,
2. That, the confidential minutes relating to the closed session portion of the July 18, 2022 regular Council meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided Section 239 of the Municipal Act.

Carried

12. COMMUNICATIONS

12.1 Municipal Engineers Association

Re: The Retention of Professional Engineers at Ontario Municipalities

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

That, the correspondence from the Municipal Engineers Association regarding "The Retention of Professional Engineers at Ontario Municipalities", dated June 23, 2022; be received for information.

Carried

12.2 Brian Walker, Niagara Peninsula Energy Inc.

Re: Advance Notice of Peninsula West Director Appointments

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

1. That, the correspondence received from Brian Walker, Board of Directors of Niagara Peninsula Energy Inc., dated July 12, 2022, regarding advance notice of Peninsula West Director Appointments, and;
2. That, Councillor William Reilly's term will end on December 31, 2022 and as of January 1, 2023 the Township of West Lincoln will have one (1) representative on the Board, being Councillor Mike Rehner, whose term will end on December 31, 2023, be received for information.

Carried

12.3 Ann-Marie Norio, Regional Clerk

Re: All Way Stop Designation By-law - Regional Road 14 (Thirty Road) at Young Street in the Township of West Lincoln

RECEIVED FOR INFORMATION

12.4 Community for Responsible Growth

Re: Letters on behalf of the citizen group, Community for Responsible Growth - Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification

RECEIVED FOR INFORMATION

13. MAYOR'S REMARKS

Mayor Bylsma advised that he attended the opening ceremony of the Niagara Games, which he thoroughly enjoyed. Mayor Bylsma stated that last evening he had the opportunity to speak to the Premier of Ontario, Doug Ford, who was in Niagara with Minister of Heritage, Sport, Tourism and Culture Industries, being newly appointed Minister Neil Lumsden, for an announcement in the Niagara Falls and Niagara-on-the-Lake area. Mayor Bylsma thanked Premier Ford for the hard work with respect to the construction of the new West Lincoln Memorial Hospital. Mayor Bylsma also stated that he looked forward to the upcoming AMO Conference and working along side other area local municipalities to address joint issues of concern such as the Invasive European Water Chestnut, Joint and Several Liability and Cemeteries.

14. REPORT OF COMMITTEE

There were no Reports of Committee.

15. RECONSIDERATION

15.1 Councillor Cheryl Ganann

Re: Reconsideration - Item 18.4 of the July 18, 2022 Council Minutes - Legal, Solicitor-Client and Property Matter - West Lincoln Community Centre

Moved By Councillor Cheryl Ganann

Seconded By Councillor William Reilly

That, the motion adopted at the July 18, 2022 Council Meeting (All Committees) with respect to Item 18.4 (Confidential Matters) relating to a Legal, Solicitor-Client and Property Matter relating to the West Lincoln Community Centre, be reconsidered; and,

That, this matter be referred to the confidential matters section of the agenda for discussion at the end of the meeting.

Carried

16. NOTICE OF MOTION TO RESCIND

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

17. OTHER BUSINESS

17.1 CONSENT AGENDA

Moved By Councillor Shelley Bradaric

Seconded By Councillor Cheryl Ganann

That, the Council hereby approves the following Consent Agenda item(s):

1. Items 1, 2, 3, 4 and 5 be and are hereby received for information.

Carried

SUMMARY OF CONSENT AGENDA ITEMS:

1. West Lincoln Santa Claus Parade Committee Minutes - October 14, 2021, November 11, 2021, November 18, 2021, November 25, 2021 & December 2, 2021
2. Information Report No. WLFD-10-2022 - Monthly Update July 2022
3. Information Report No. PD-74-2022 - Withdrawal of Temporary Use By-law Application – Stephenson & Givens (File No. 1601-01-22)
4. Information Report No. PD-75-2022 – Update Relating to the Residential Lot Inventory for the Smithville Settlement Area and Compliance Analysis with the A Place to Grow (P2G) Plan.

5. Technical Report No. PD-73-2022 - Zoning Bylaw Amendment – Leonard and Lynne Snippe – 5444 Concession 4 Road (File No: 1601-010-22)

17.2 TABLED ITEM (March 28, 2022 Council Meeting)

Director of Planning & Building (Brian Treble)

Re: Recommendation Report No. PD-36-2022 - Smithville Landowners Group

request for support of Minister's Zoning Order (MZO)

17.3 CAO (Bev Hendry)

Re: Employee Professional Accomplishments

1. Brian Treble, Director of Planning & Building
Re: Ontario Professional Planners Institute - Recognition and appreciation of 25 years of support as a valued Full Member of the Ontario Professional Planners Institute

The CAO recognized the accomplishment of the Director of Planning & Building for his 25 years of support as a valued full member of the Ontario Professional Planners Institute.

All Members of Council in attendance commended the Director of Planning & Building with respect to his recognition as well as complimenting his knowledge, hard work, dedication and leadership of the Township's Planning & Building Department.

17.4 Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report No. T-23-2022 - CIBC Wood Gundy Account

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

1. That Recommendation Report T-23-2022 regarding the "CIBC Wood Gundy Account", dated August 11, 2022, be received; and,
2. That, Council authorize staff to open and operate a CIBC Wood Gundy Investment Account; and,
3. That, Council authorize the following signing authorities on the CIBC Wood Gundy Investment Account: D. DeFilippis, Director of Finance and Treasurer and K. Hall, Manager of Finance and Deputy Treasurer; and,

4. That, Council authorize the Mayor and Clerk to sign the CIBC Wood Gundy Corporate Resolution as presented as Appendix A to this report.

Carried

- 17.5 Director of Public Works & Recreation (Mike DiPaola)
Re: Recommendation Report REC-06-2022 - Niagara Tourism Relief Fund – LeisurePlex Pavilion Project

Moved By Councillor Shelley Bradaric

Seconded By Councillor William Reilly

1. THAT, Recommendation Report REC-06-2022, re: “Niagara Tourism Relief Fund – LeisurePlex Pavilion Project”, dated August 11, 2022, be received; and,
2. THAT, the Township CAO execute the Project Contribution Agreement between Niagara Tourism Relief Fund and The Township of West Lincoln upon review and acceptance of Legal Counsel; and,
3. THAT, Council approves a budget amendment BA2022-07 to increase the LeisurePlex Pavilion budget by \$100,000, for a total project budget of \$220,000, with the additional cost financed through funding from the Niagara Tourism Relief Fund; and,
4. THAT, Council grants Delegated Authority to the CAO or Clerk to award the Design/Build RFP and execute the contractual agreement with the successful bidder.

Carried

- 17.6 Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-77-2022 – Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

1. That, Recommendation Report PD-77-2022, regarding “Official Plan Amendment No. 63 – Land Use Policy for Development of Smithville Urban Boundary Expansion Lands Plus Infill and Intensification”, dated August 11th, 2022, be RECEIVED; and,
2. That, Official Plan Amendment No. 63 be adopted and corresponding implementation by-laws be APPROVED and passed; and,

3. That, as per the Planning Act, no further public meeting is required; and,
4. That, Staff be authorized to circulate the Notice of Adoption for Official Plan Amendment No. 63 to the required agencies and the public and to submit a copy of Official Plan Amendment No. 63 to the Region for approval, along with the required information record, with full force and effect occurring once Official Plan Amendment No. 63 has been approved by the Region of Niagara, without appeal.

Carried as Amended (see below)

AMENDMENT:

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

That, Official Plan Amendment 63 to the Official Plan of the Township of West Lincoln, attached as Attachment No. 1 to Planning Staff Recommendation Report No. PD-077-2022, be amended by removing Natural Heritage System – Core Areas – Policy Nos. 6.11.7.3.5 e), f) and g) and replacing these sections with the following:

- e) Notwithstanding Policy Nos. 6.11.7.3.5.b), c) and d) above, the following uses are not considered as development and may be permitted as follows:
 - i. forest management, fisheries management, and wildlife management, subject to the approval of the Township in consultation with Niagara Region and the NPCA;
 - ii. conservation projects, flood control projects, and erosion control projects, as approved by the Township in consultation with the Region and the NPCA, provided that it has been demonstrated that the project is necessary to maintain the public interest and all alternatives have been considered;
 - iii. activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act; and
 - iv. small-scale structures for passive recreational uses, such as boardwalks, footbridges, and picnic facilities, provided that the Township, in consultation with the Region and the NPCA, is satisfied that the number of such structures will be minimized

and that there will be no negative impacts on Core Area features or their functions.

- f) Where development or site alteration is permitted in accordance with Policy No. 6.11.7.3.5.c) or No. 6.11.7.3.5.d), then the permitted uses shall be those permitted by the land use designation (or designations) in which adjoining the feature is located.
- g) The determination of the applicable land use designation(s) that are permitted under Policy No. 6.11.7.3.5.f) will be made at the Block Plan stage, where applicable, and the specific uses permitted will be established in the implementing Zoning By-law.

Carried

- 17.7 Director of Planning & Building (Brian Treble)
Re: Recommendation Report No. PD-76-2022 - Preliminary Staff
Resourcing Adjustments in Planning and Public Works - Staffing Levels to
Prepare for Extra Development Applications

Moved By Councillor Cheryl Ganann

Seconded By Councillor Shelley Bradaric

- 1. That, Recommendation Report PD-76-2022, regarding “Preliminary Staff Resourcing Adjustments in Planning and Public Works - Staffing Levels to Prepare for Extra Development Applications”, dated August 11th, 2022, be RECEIVED; and,
- 2. That, Council approve an additional Full Time Equivalent (FTE) in the Planning and Building Department and that a Manager of Planning position be created and the Planner I and Planner II positions be renamed Planner and Senior Planner respectively; and,
- 3. That, one of the Planner II positions be funded by the Land Owners Group for up to the next four years to help accommodate for planning approval pressures; and,
- 4. That, in addition, one Engineering Technologist will also be funded by the Land Owners Group for up to the next 4 years; and,
- 5. That, a by-law be passed to authorize the Mayor and Clerk to sign the Land Owners Staffing Offset Agreement once drafted by the Township Legal Counsel.

Carried

- 17.8 Director of Planning & Building (Brian Treble)
Re: Ontario Land Tribunal (OLT) - Peter Budd - Update

The Director of Planning & Building advised that Housekeeping Amendment No. 5 that was appealed by Peter Budd of Budd Developments has been settled at the Ontario Land Tribunal (OLT).

- 17.9 Members of Council
Re: Council Remarks

(1) Councillor William Reilly
Re: Various Matters

(i) West Lincoln Santa Claus Parade are meeting in preparation of this year's parade and events and he expected to see normalcy return to this holiday season.

(ii) On August 2, 2022, the Niagara Transit Committee met at which Carla Stout was appointed as General Manager.

(2) Councillor Shelley Bradaric
Re: Various Matters

(i) Wished to celebrate the 100th Anniversary of the Smithville Garden Club which will be celebrated tonight at Centennial Park and commended this wonderful organization.

(ii) The last Music in the Park will be held this Friday which will be a great end of the season.

(3) Councillor Cheryl Ganann
Re: Various Matters

(i) The last Movie in the Park is coming up next Saturday.

(ii) Extended thanks to the Kiwanis, who provided snacks at Movie in the Park as well as their fundraising initiatives which recently included a bottle drive. These fundraising events helped Kiwanis to donate \$1,000 to 4-H, \$1,000 to Gillian's Place, and \$4,000 to the Smithville Christian High School's pickle ball courts, which will be open for public use outside of the school's use.

18. NEW ITEMS OF BUSINESS

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

19. BY-LAWS

Moved By Councillor William Reilly

Seconded By Councillor Cheryl Ganann

1. That, leave be granted to introduce By-laws # 2022-71, 2022-72, 2022-73 and 2022-74, 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,
2. 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

SUMMARY OF BY-LAWS

19.1 BY-LAW 2022-71

A By-law to confirm the proceeding of the Council of the Corporation of the Township of West Lincoln at its regular meeting held on the 18th day of July, 2022.

19.2 BY-LAW 2022-72

A By-law to appoint a Secretary-Treasurer and an assistant Secretary-Treasurer to the Committee of Adjustment for the Corporation of the Township of West Lincoln.

19.3 BY-LAW 2022-73

Being a By-law to adopt amendment No. 63 (Land Use Policy for Development of Smithville Urban Boundary Expansion Lands plus Infill and Intensification) to the Official Plan for the Township of West Lincoln and forward to the Regional Municipality of Niagara for approval.

19.4 BY-LAW 2022-74

A By-law to authorize the Township of West Lincoln to sign an agreement with the Land Owner's Group and Trustee to fund one Planner II (Senior Planner) position and one Engineering Technologist position within the Township of West Lincoln.

20. CONFIDENTIAL MATTERS

20.1 Councillor Cheryl Ganann

Re: Reconsideration - Item 18.4 of the July 18, 2022 Council Meeting - Legal, Solicitor-Client and Property Matter - West Lincoln Community Centre

Moved By Councillor Shelley Bradaric

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:

Councillor Cheryl Ganann

Re: Reconsideration of Item 18.4 of the July 18, 2022 Council Minutes - Legal, Solicitor-Client and Property Matter - West Lincoln Community Centre

Applicable closed session exemption(s):

- Advice that is subject to Solicitor-Client privilege including communication necessary for that purpose
- Personal matters about an identifiable individual, including municipal or local board employees
- The security of the property of the municipality or local board
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

Moved By Councillor Cheryl Ganann

Seconded By Councillor William Reilly

That, this Council (All Committee) meeting does now resume in open session at the hour of 9:03 p.m.

Carried

NOTE: See below for resolution after rising from closed session deliberations.

21. RECONSIDERATION (CONTINUED)

21.1 Councillor Cheryl Ganann

Re: Reconsideration - Item 18.4 of the July 18, 2022 Council Minutes - Legal, Solicitor-Client, and Property Matter - West Lincoln Community Centre

Following closed session deliberations with respect to reconsideration of a resolution adopted at the July 18, 2022 Council Meeting (refer to Section 15 above), the following motion was put forward for consideration:

Moved By Councillor William Reilly

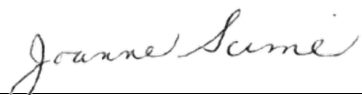
Seconded By Councillor Shelley Bradaric

That, the CAO be and is hereby authorized to proceed as directed in closed session with respect to "Reconsideration of Item 18.4 of the July 18, 2022 Council Meeting - Legal, Solicitor-Client and property matter - West Lincoln Community Centre".

Carried

22. ADJOURNMENT

The Mayor declared this meeting adjourned at the hour of 9:05 p.m.



**JOANNE SCIME, DIRECTOR OF
LEGISLATIVE SERVICES/CLERK**

MAYOR DAVE BYLSMA

SCHEDULE "A" TO THE AUGUST 11, 2022 COUNCIL MINUTES

Scott Antonides

August 8th, 2022

To the members of West Lincoln Town Council and Planning Dept.

Thank you for all that you do to help make West Lincoln an excellent place to live. I am writing on behalf of the citizen group, **Community for Responsible Growth** with respect to OPA 63 and the upcoming vote in Council on August 11. I would like to reiterate my support for the inclusion of natural heritage systems (NHS) as noted in the current version of OPA 63. The town's plan to reserve 30% of the land for self-sustaining ecosystems is a note-worthy goal for which future generations will be thankful.

Forests and other ecosystems should be seen as part of the town's infrastructure as they are known to generate and stabilize soil, filter air and water, sequester carbon, regulate the climate and maintain biodiversity. Any short-term financial gain made from decreasing the percentage of NHS will be paid by future generations.

It is important to note that landowners to the west of Harvest Gate have intentionally been degrading the remaining forest prior to doing their own environmental assessment. Such tactics undermine the integrity of the planning process and should not be rewarded.

Land Care Niagara stands ready to work with the town to restore the trapezoidal forest west of Harvest Gate or any other areas in need. The horseshoe-shaped border that was left standing in 2007 is filled with mature, native trees including Elm, Hickory, Beech, Sugar Maple, Sumac, Black Cherry, Ironwood and others. These trees and understory plants support a host of other species and provide essential services that would be lost if the forest is removed. With its proximity to schools, residential areas and our sports complex it is imperative that this forest be protected and restored. A trail system through the forest connecting the residential/school areas with the Leisureplex would be an excellent addition to our town. I would be happy to facilitate the restoration process when necessary.

Sincerely,

Scott Antonides

The world's forests—which today cover 30% of the earth's land surface—are an incredibly valuable resource, storing massive amounts of carbon, helping to purify water and air, ensuring natural biodiversity. Despite the vital importance of forests, they are under worldwide assault, with the equivalent of 30 soccer fields disappearing every minute.¹

1. <https://www.bcg.com/publications/2020/the-staggering-value-of-forests-and-how-to-save-them>



SMITHVILLE MASTER COMMUNITY PLAN
OFFICIAL PLAN AMENDMENT NO. 63

August 11, 2022

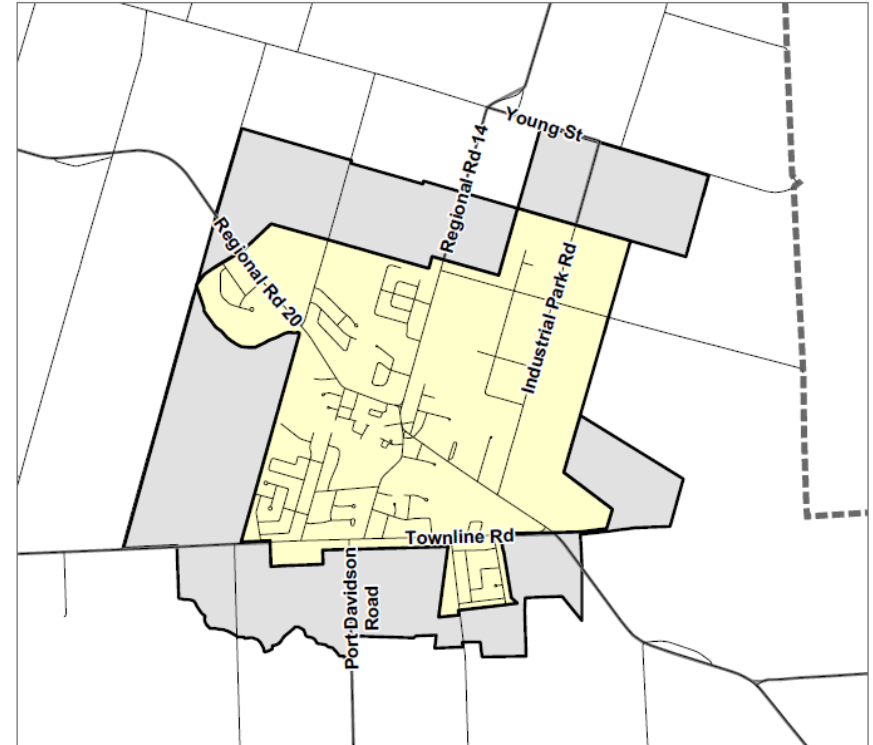
AGENDA

- 1. OPA 63 Policy Updates**
- 2. OPA 63 Map Updates**
- 3. Discussion/Questions & Next Steps**

OPA 63 POLICY UPDATES

- Location & Land Subject to Amendment
 - Simplified location description and directed the reader to the location map
 - Total land area within MCP study area: ~685 Ha
 - Total land area within the MCP Secondary Plan: ~540 Ha
 - Included description of the effect of this amendment to the Smithville Urban Area as a whole including the Natural Heritage system mapping and policies.

Location Map



OPA 63 POLICY UPDATES

- 6.11.7.1.1 Area Context & Integrated Planning Approach
 - Clarified the intent of this section to act as a preamble and to assist with the interpretation and application of the Secondary Plan.
- 6.11.7.1.2 Vision
 - Added a paragraph describing the intent of this section to act as a preamble to assist with the interpretation and application of the Vision.
 - Added that Smithville accommodates a growing population and employment.
- 6.11.7.2 Land Use Plan
 - Added a paragraph describing the intent of this section to act as a preamble to assist with the interpretation of the Secondary Plan and to be read in the conjunction with the policies described in the section 6.11.7.2.1.a-h.
- 6.11.7.2.1.e) Policy
 - Removed the description of height in meters and directs to the definition established in the implementing zoning bylaw.

OPA 63 POLICY UPDATES

- 6.11.7.2.2.f) Residential Policy
 - Revised “overall density” to overall “gross density”.
 - Clarified that density shall be measured across the designated area in each Block Plan.
- 6.11.7.2.3 Medium Density Policy
 - Policy a): the number of units in other forms of multi-residential development is up to six unless otherwise approved by the Township through the implementing Zoning By-law.
 - Policy g): clarified gross density to be measured across the designated area in each Block Plan.
- 6.11.7.2.4 Commercial Policy
 - Policy d): added provision for a place of worship and commercial use with shared parking arrangements to be established in the implementing Zoning By-law and appropriate development agreements.

OPA 63 POLICY UPDATES

- 6.11.7.2.5 Mixed Use Node Policy
 - Policy e): revised policy so that the meaning of “small-scale” commercial uses shall be determined as part of the implementing Zoning By-law instead of Block Plan.
 - Policy h): added provisions to allow separate commercial and residential buildings on the same site provided:
 - the ground floor area of residential building(s) shall not exceed the lesser of the commercial ground floor area or 15% of the total net developable.
 - the residential building(s) shall be for one or more uses permitted by Policy No. 6.11.7.2.5.f); and
 - if shared parking provisions are proposed these requirements shall be established in the implementing Zoning By-law
 - Policy u) ii.: clarified that that stand alone commercial uses shall not exceed 15% of the net developable land area of the site.

OPA 63 POLICY UPDATES

- 6.11.7.2.5 Mixed Use Node Policy
 - Policy k): clarified “gross density” measured across the designated area in each Block Plan
 - Policy n): added provision for shared parking arrangements through the implementing Zoning By-law and appropriate development agreements.
- 6.11.7.2.6 Open Space Policy
 - Policy d): Added new policy describing the conceptual locations and rationale for a total of eight (8) future Neighbourhood Parks as shown on the Land Use Plan. Also added clarification that the final number and location of the parks shall be determined through Block Plan process, which may refine the Land Use Plan, subject to certain conditions as described in the policy section d)i-iii.
 - Policy e): Added new policy describing the intent of the existing Leisureplex Township Park to continue to function as the primary recreation location and that adjoining lands shall be developed in a manner that maintains and contributes to the functioning of the park.

OPA 63 POLICY UPDATES

- 6.11.7.2.7 Community Facility
 - Policy c): Added a new policy that the Township will work with the School Boards to determine the need for new schools, their number, location and other aspects. The Township will encourage the Board(s) to locate the school sites within the “Community Facility” designation.
- 6.11.7.2.10 Potential Restoration Areas Policy
 - Relocated this policy with similar policies for Recommended Restoration Areas.
- 6.11.7.3 Natural Heritage Systems
 - 1. Natural Heritage System Context & Subwatershed Study: Added preamble context to state that the Natural Heritage system policies are meant to work in harmony with other sections of the Official Plan, particularly the policies contained in Section 10 (natural Environment) and Section 11 (Watershed Planning). Added the intent and objectives specifically, the SWS and the NHS for Smithville including the policies of this section.

OPA 63 POLICY UPDATES

- 6.11.7.3.2 Principles/Objectives
 - Policy a): Added core areas and buffers in the list of objectives for NHS. Added objective for achieving the natural cover target.
 - Policy f): Revised policy from “Provide” to “Identify and plan” areas to be restored while providing flexibility in their location and extent.
- 6.11.7.3.3 Interpretation
 - Policy e): Added policy describing the definition and meaning of “natural cover target”.
- 6.11.7.3.4 General Policies
 - Policy d): Revised policy that the extent of refinement that may be permitted shall be determined based on EIS and in a manner that contributes towards achieving natural cover target.
 - Policy k).ii.: Added flexibility in the policy of maximizing the span of crossings over watercourses by adding “where appropriate and financially feasible”.

OPA 63 POLICY UPDATES

- 6.11.7.3.5 Core Areas
 - Policy e): clarified list of limited uses/activities (e.g. passive recreation) not considered as development and may be permitted subject to the conditions set in this policy.
 - Policy f): Removed text “in a feature that is located outside the Smithville NHS”.
- 6.11.7.3.6 Wetlands
 - Policy b): Added text “Where possible, wetland water balance assessments should be completed at the Block Plan stage through the MESP”.
- 6.11.7.3.7 Wetlands for Further Review
 - Policy f): Added text stating the determination of whether linkages are required shall be based on a comprehensive EIS report.
 - Policy g): Added requirement for wetland compensation as determined in accordance with NPCA and may be regulated by NPCA.

OPA 63 POLICY UPDATES

- 6.11.7.3.8 Woodlands
 - Policy f): clarified that Tree Preservation Plans shall be used in conjunction with an EIS and other supporting information to demonstrate the development will contribute and not conflict with the achievement of natural cover target.
- 6.11.7.3.14 Conceptual Buffers
 - Policy b): Revised text from “The ecologically appropriate” to “The ecologically and hydrologically appropriate”.
 - Policy c): Changed text from “overall coverage target of 30%” to “achievement of the natural cover target in combination with the other feature areas identified in Policy No. 6.11.7.3.3.e)”.
 - Policy e): Removed text “provided that the Buffer in question maintains the same general shape and configuration”.

OPA 63 POLICY UPDATES

- 6.11.7.3.15 Linkages
 - Clarified that the identification, type and width of Linkages shall be based on the SWS.
 - Policy a): Added text to allow refinement of Linkages where appropriate as determined through an EIS based upon the SWS and provided the roles and functions are maintained.
 - Policy c)iii.: Added Stormwater management facilities to the list of permitted uses.
 - Policy e): Existing agricultural uses are recognized with associated minor construction.
- 6.11.7.3.16 Recommended Restoration Areas and Potential Restoration Areas
 - Added text that recommended potential restoration areas may also be considered to be part of Smithville NHS as determined through an EIS.
 - Policy iv-v): Clarified that and EIS shall take into consideration and support the achievement of the natural cover target.
 - Policy k): Allows Township to consider accepting all or a portion of a Restoration Area as part of the required conveyance of land for park or other recreation purposes, subject to criteria/conditions.

OPA 63 POLICY UPDATES

- 6.11.7.3.16 Natural Hazards
 - Policy c): karst features and buffer may be considered towards the achievement of natural cover target, where connected with the NHS.
 - Policy i): karst features and buffers to be maintained as a single block or where this is not possible the fragmentation of the karst feature shall be minimized.
- 6.11.7.4.2 Infrastructure & Transportation Systems
 - Added intent of preamble to assist with the interpretation of the Secondary Plan and to be read in conjunction with applying the subsequent policies of this section.
 - Policy b): Added “where appropriate and financially feasible” related to extension of full municipal services to existing uses.

OPA 63 POLICY UPDATES

- 6.11.7.4.4 Transportation Network
 - Policy d): clarified that the network of roads shall be based on the conceptual Arterial and Collector Road alignments and the general pattern of Local Roads shown on Sch. "E-13".
 - Policy f): clarified that changes will be made to the Local Roads network shown on Sch. "E-13" in reference to related criteria.
 - Policy h): provides that the Township can reduce minimum ROW of any road without requiring an amendment to this Plan.
 - Policy o): provides for sidewalks on both sides of the street unless otherwise approved by the Township, where appropriate.
 - Policy p): direction for determining the appropriate orientation of future developments along Street "A" based on Urban Design Guidelines and discourages reverse-lotting.
 - Policy u): added description and rationale for the extension of the Spring Creek Road and permitting additional rail crossings, supported by appropriate studies, without an amendment to this plan.

OPA 63 POLICY UPDATES

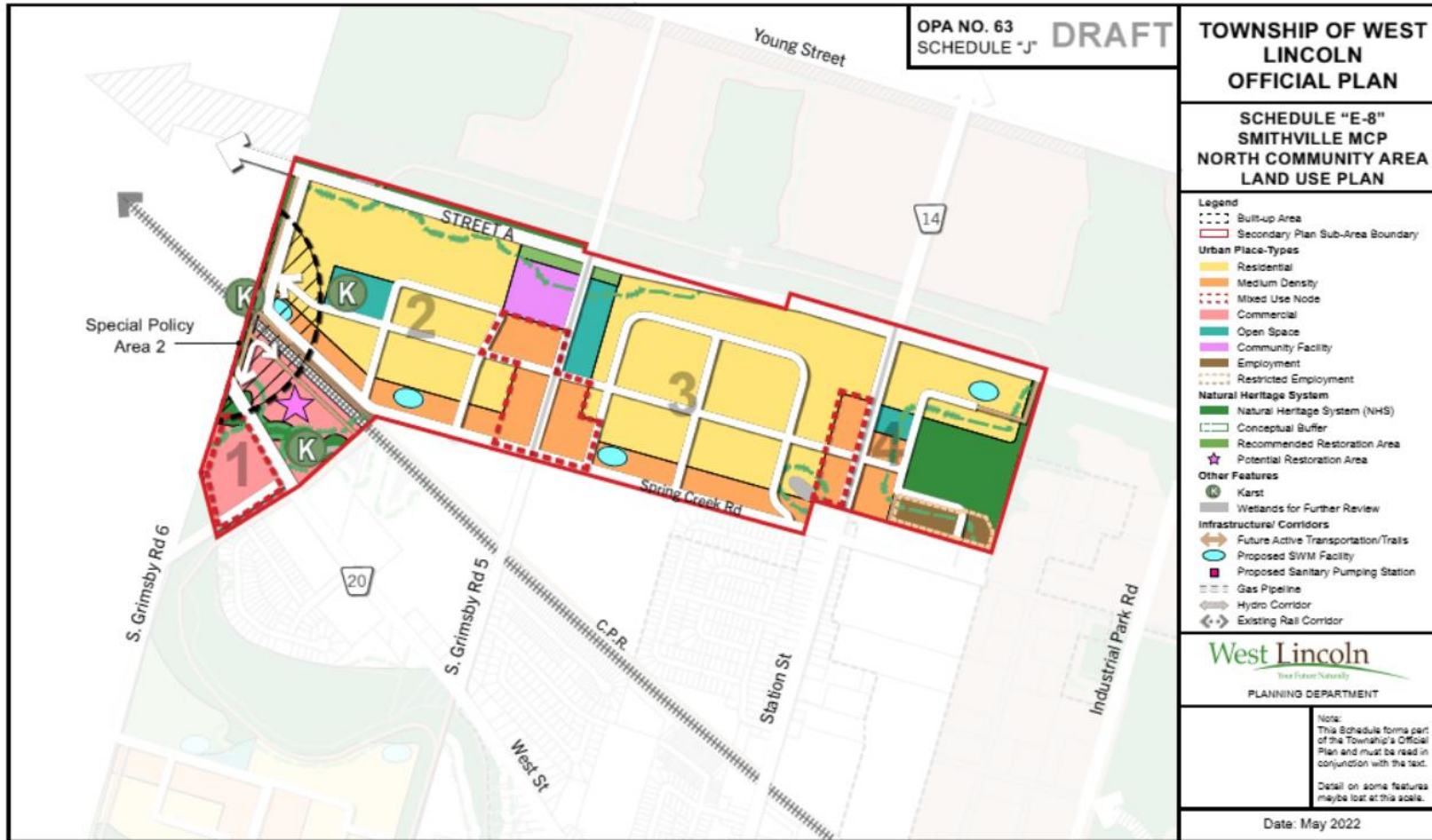
- 6.11.7.5.3 Commercial Areas
 - Policy b)iv.: Added text “ Located near the front lot line”.
- 6.11.7.6.4 Complete Applications
 - Policy b): Added text “which may in some cases be scoped based upon or limited to confirmation of certain studies completed at the Block Plan stage”.
- 6.11.7.6.5 Parks Master Plan/Greening Plan
 - Policy a): Added policy giving direction that the Township may undertake and adopt a Parks Master Plan / Greening Plan or similar initiative to recommend policies and address the community recreational needs.

OPA 63 ADDITIONAL MINOR TEXT CHANGES PROPOSED

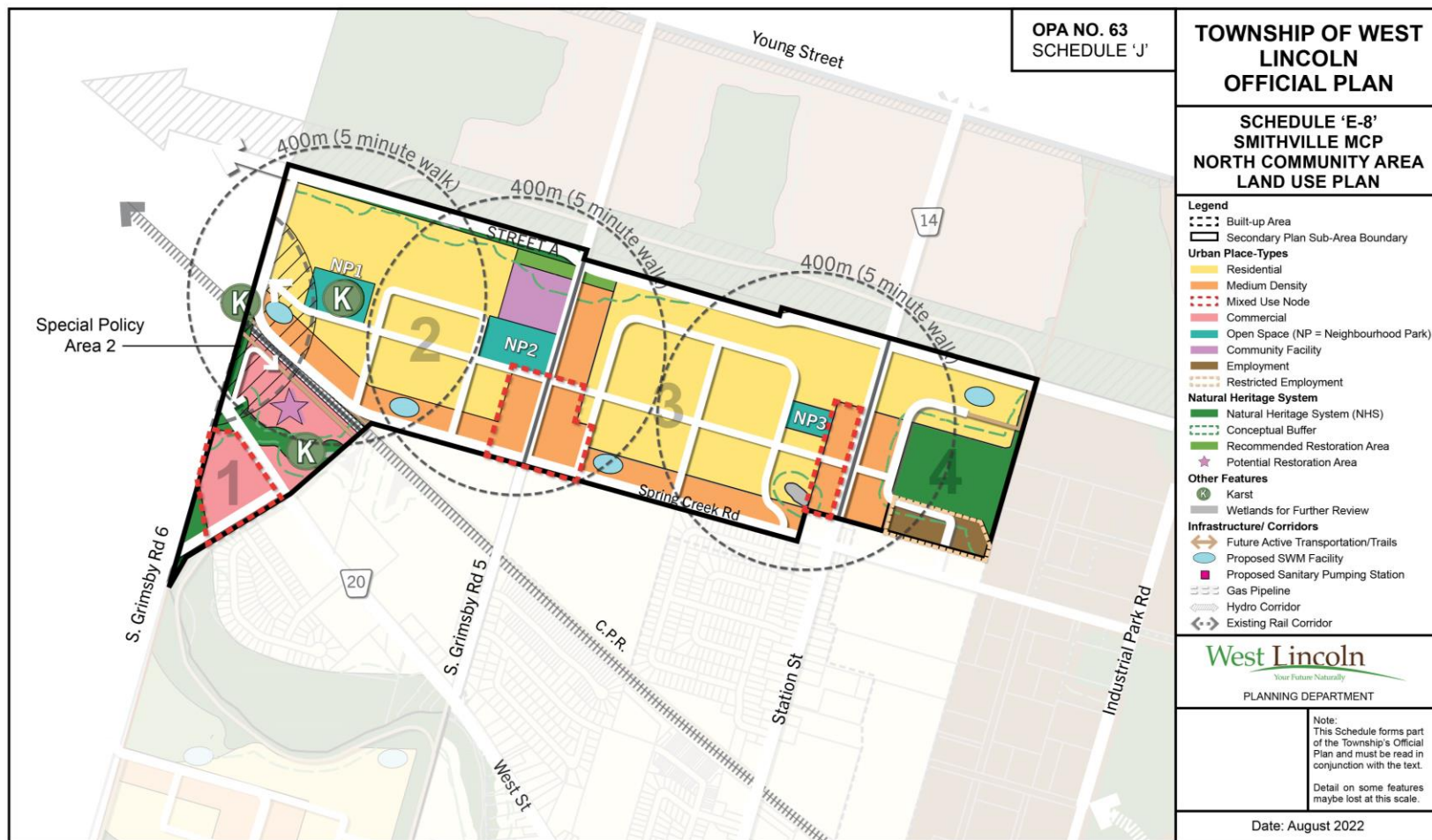
■ Natural Heritage System – Core Areas – Policy Nos. 6.11.7.3.5 e), f) and g):

- e) Notwithstanding Policy Nos. 6.11.7.3.5.b), c) and d) above, the following uses are not considered as development and may be permitted as follows:
 - i. forest management, fisheries management, and wildlife management, subject to the approval of the Township in consultation with Niagara Region and the NPCA;
 - ii. conservation projects, flood control projects, and erosion control projects, as approved by the Township in consultation with the Region and the NPCA, provided that it has been demonstrated that the project is necessary to maintain the public interest and all alternatives have been considered;
 - iii. activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the *Environmental Assessment Act*; and
 - iv. small-scale structures for passive recreational uses, such as boardwalks, footbridges, and picnic facilities, provided that the Township, in consultation with the Region and the NPCA, is satisfied that the number of such structures will be minimized and that there will be no negative impacts on Core Area features or their functions.
- f) Where development or site alteration is permitted in accordance with Policy No. 6.11.7.3.5.c) or No. 6.11.7.3.5.d), then the permitted uses shall be those permitted by the land use designation (or designations) in which adjoining the feature is located.
- g) The determination of the applicable land use designation(s) ~~that are permitted~~ under Policy No. 6.11.7.3.5.f) will be made at the Block Plan stage, where applicable, and the specific uses permitted will be established in the implementing Zoning By-law.

OPA 63 MAP SCHEDULE E-8 (DRAFT)



OPA 63 MAP SCHEDULE E-8 (UPDATED)



NEXT STEPS

- Township Council adoption of OPA 63
- Submission of OPA 63 to Region for Approval
 - Subject to Provincial approval of Region OP
- Finalize SWS and Master Plans
- Regional approval of OPA 63 (with modifications, if needed)

DISCUSSION / QUESTIONS



West Lincoln
Your Future Naturally

SMITHVILLE MASTER COMMUNITY PLAN

COUNCIL MEETING, August 11, 2022

SCHEDULE "C" TO THE AUGUST 11, 2022 COUNCIL MINUTES

Regional Councillors Report August 11, 2022

Good evening Mayor, members of council, staff and members of the public

This evening I have a few items to report on, first the Niagara Regional

staff have formalized a policy around excess soil generated by

construction activities. It will be in compliance with the requirements of

O.Reg.406/19- On site and excess soil management (The Regulation)

made under the Environmental Protection Act, R.S.O, 1990, c. E.19.

Niagara Region will develop, maintain, and update a corresponding

procedure outlining Niagara Regions approach for the implementation

of the Regulation. An Excess Soils Committee will be created, and shall

comprise of representatives from the construction Energy & Facilities

Management, Legal Services, Public Works.

At the Public Works committee on August the 9th another roads tender

was completed and in this tender the completion of RR#20 from

Caistor Center Rd to Regional Rd #12. Earlier in the year work was

completed from Westbrook rd to Caistor Center. This shows the

commitment from the Niagara Region to maintain key pieces of

infrastructure in West Lincoln. If this project come within budget or

under budget a provisional location is RR#27 (Wellandport Rd) from

Vaughan Rd to Elco Rd.

SCHEDULE "C" TO THE AUGUST 11, 2022 COUNCIL MINUTES

I have been preparing with Regional Staff and West Lincoln staff on our delegations at the AMO conference coming up on August 14-17. I look forward to this in person conference this year and to meet ministers on important issues on and for our community.

Thank-you for allowing me to present and if there are any questions I will always answer them or further inquire.

Regional Councillor Witteveen