

The Smithville Landowners Group

October 15, 2020

Mayor David Bylsma
Town of West Lincoln
318 Canborough Street,
Smithville, Ontario LOR 2A0

By email: dbylsma@westlincoln.ca

Dear Mr. Bylsma;

On behalf of The Smithville Landowners Group, please accept this letter as a formal request to The Township of West Lincoln and The Regional Municipality of Niagara to remove the existing By Pass alignment and its registration on title in the Town of Smithville as it currently exists.

As the Township and Region are aware, The Smithville Landowners in partnership with The Township of West Lincoln are working cooperatively in a prescribed process to expand The Smithville Urban boundary. Part of that process will establish a new Smithville By Pass. The current By Pass alignment not only severs the Town and its land uses and Leisure plex, but also unduly affects the process for establishment of land uses and urban expansion. i.e. the proposed land uses are affected by the existing By Pass.

According to the NGTA Corridor Planning and Environmental Assessment Study, “the highway designations in areas that are not being considered for new corridors and are not influenced by potential highway requirements adjacent to the study area and therefore are no longer of provincial interest, should be revoked”. The Province dropped the need for it when they transferred Highway 20 to the Region and the Region’s TMP shows a potential northern by-pass rather than a southern by-pass. The Highway 20 – Bypass of Smithville was listed as an affected highway designation that should have been revoked. The Province Downloaded the By Pass to the Region but never removed the By Pass from the title of the affected land. Attached is a plan showing the By Pass and also the OIC that was approved and encumbering the lands since 1971.

Therefore, we are requesting the Town and The Region approve a Council Resolution removing the Current Alignment of The By Pass off the lands within the study area and also requesting The Province to remove the Order in Council registered on title.

The Smithville Landowners Group strongly supports a new By-Pass alignment and would like to express its support in establishing a new By-Pass Alignment prior to the finalization of the urban boundary expansion. In order to facilitate this new alignment, the Smithville Landowners Group by way of this letter is recommending Option 1 with modifications and therefore are requesting the municipality to disregard Option 2 as proposed by the consultants.

In our opinion Option 1 is preferred as it maximizes the residential land areas. The residential areas are located close to and are an extension of existing residential neighbourhoods. The southern by-pass in Option 2 cuts off the leisure plex from the residential community and reduces its size. Option 1 also consolidates the employment lands in one area which creates a more significant employment area to compete with other large employment areas in the GTA.

Having a focus on just Option 1 with modifications will allow the consultants, the land owners and the municipality to expedite the finalization of the urban boundary expansion.

Yours sincerely,

Tony Miele

For: The Smithville Landowners Group

Attachments

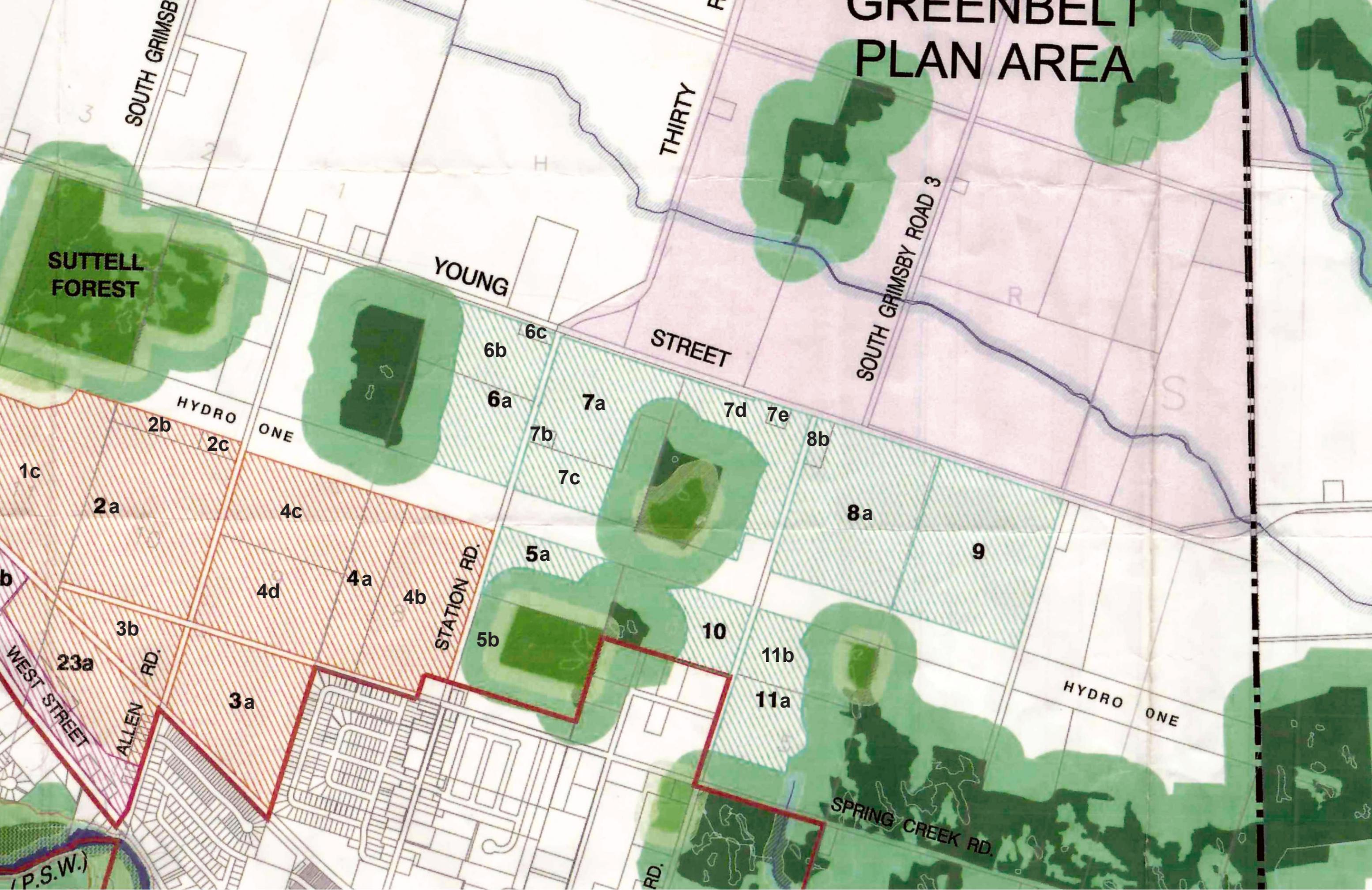
Cc: Brian Treble, Director of Planning and Building at Township of West Lincoln -
btreble@westlincoln.ca

Rino Mostacci, Commissioner of Planning and Development Services for the
Region of Niagara – rino.mostacci@niagararegion.ca

Phill Lambert Director, Infrastructure Planning and Development Engineering
Niagara Region – phill.lambert@niagararegion.ca

Richard Vandezande – anatasiagroves@sympatico.ca

GREENBELT PLAN AREA



SUTTELL
FOREST

THIRTY
STREET

YOUNG

SOUTH GRIMSBY ROAD 3

STREET

HYDRO
ONE

1c

2a

2b

2c

ONE

4c

4d

4a

4b

3b

23a

3a

STATION RD.

5b

5a

10

11a

11b

6b

6a

6c

7b

7c

7a

7d

7e

8b

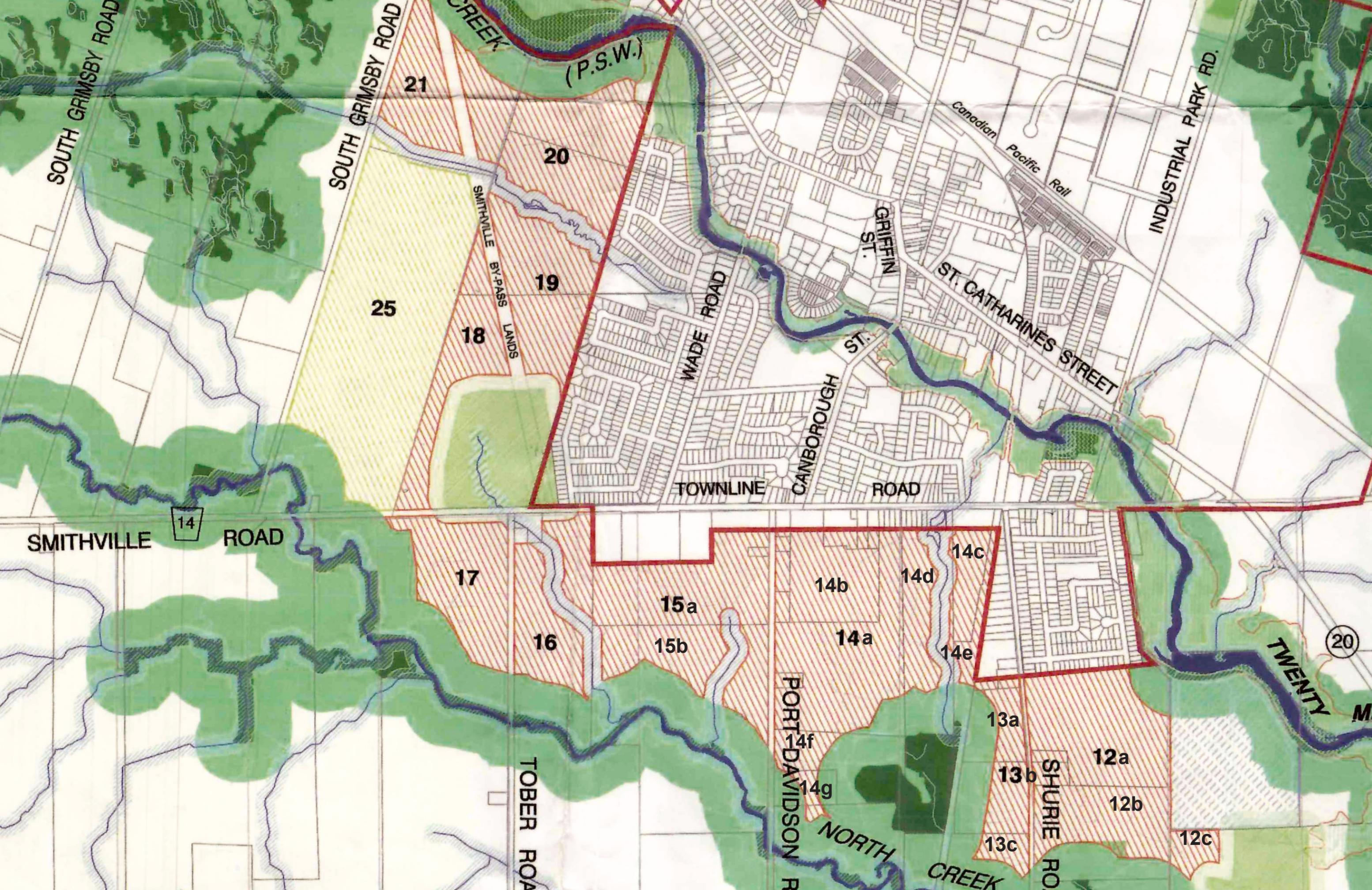
8a

9

HYDRO
ONE

SPRING CREEK RD.

(P.S.W.)



224773

2



ONTARIO
EXECUTIVE COUNCIL OFFICE

OC-873/71

Copy of an Order-in-Council approved by
His Honour the Lieutenant Governor, dated the 31st
day of March, A.D. 1971.

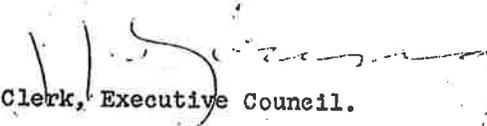
Upon the recommendation of the Honourable
J. A. C. Auld, Acting Minister of Highways, the
Committee of Council advise that

(a) the portion of proposed highway in the
Township of West Lincoln, in the Regional
Municipality of Niagara, shown as PART 1
on the attached copy of Department of
Highways plan P-1884-44, filed with
the Documents Section of the Department
of Highways at Toronto, on the 1st day
of March, 1971, be designated as the
King's Highway, and

(b) Order-in-Council numbered OC-5044/68,
dated December 12, 1968, as amended by
Order-in-Council numbered OC-118/69,
dated January 9, 1969, and Order-in-
Council numbered OC-2996/70, dated
October 1, 1970, be amended so as to
cease to apply to that portion of the
King's Highway, shown as part of PART
1 in Lot 26, Concession 6 and in lots
14 and 15, concessions 8 and 9, in the
Township of West Lincoln,

pursuant to Section 5 of The Highway Improvement Act.
R.S.O. 1960, c. 171.

Certified,


Clerk, Executive Council.

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NOTE:
PART I BEING THE KING'S HIGHWAY AS SHOWN ON THIS PLAN HAS BEEN DESIGNATED AS A CONTROLLED-ACCESS HIGHWAY BY THE LIEUTENANT-GOVERNOR IN COUNCIL AND THE DESIGNATION FILED IN THE OFFICE OF THE REGISTRAR OF REGULATIONS AT TORONTO AND PUBLISHED IN THE ONTARIO GAZETTE IN ACCORDANCE WITH THE PROVISIONS OF THE REGULATIONS ACT.

PLAN TYPE "N"
DESIGNATION PLAN OF A PROPOSED HIGHWAY
OF PART OF
THE KING'S HIGHWAY
IN THE TOWNSHIP OF
WEST LINCOLN

REGIONAL MUNICIPALITY OF NIAGARA

SCALE: 1 INCH = 200 FEET

Feb 19, 1971

S. Manol
S. MANOL
ONTARIO LAND SURVEYOR

SUPERINTENDENT OF DOCUMENTS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN P-1884-44 HAS BEEN FILED WITH THE DOCUMENTS SECTION OF THE DEPARTMENT OF HIGHWAYS AT TORONTO ON THE 19th DAY OF MARCH 19 71.

A. M. Fraser
SUPERINTENDENT OF DOCUMENTS

DEPARTMENT OF HIGHWAYS, ONTARIO

FOR D.H.O. OFFICE USE ONLY

PART I WAS DESIGNATED AS THE KING'S HIGHWAY BY ORDER IN COUNCIL OC 873/71 EFFECTIVE MARCH 31/71

PART I WAS DESIGNATED A CONTROLLED ACCESS HIGHWAY AS SCHEDULE 168 TO REGULATION 213 BY O. REG. 165/71 FILED IN THE OFFICE OF THE REGISTRAR OF REGULATIONS AS NUMBER EFFECTIVE APRIL 21/71 PUBLISHED IN THE ONTARIO GAZETTE MAY 8/71 AT PAGE 1566

HWY. DIST. - HAMILTON
HWY. No. 20 (Smithville By-Pass)
MILEAGE - 7.0 MILES *

W.O. 70-22-213 AND W.O. 70-22-214

PLAN NO

PLAN HAS BEEN CHECKED AND AGREES WITH APPROVAL FROM: R.G. BURNFIELD, DATED: FEB. 17, 1971.

INDEXED UNDER TWP OF SOUTH GRIMSBY

K.M.J. Bulloch Feb. 19/71
K.M.J. BULLOCH, C.E.T., DRAFTING SUPERVISOR

P-1884-44

PLAN TYPE "N"

CENTRAL REGION

12 1/2 FEET LONG