



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

**September 11, 2023, 6:30 p.m.**  
**Township Administration Building**  
**318 Canborough Street, Smithville, Ontario**

Council:                   Councillor William Reilly (Chair)  
                                Councillor Shelley Bradaric  
                                Mayor Cheryl Ganann  
                                Councillor Jason Trombetta  
                                Councillor Mike Rehner  
                                Councillor Terry Bell  
                                Joann Chechalk

Staff:                      Bev Hendry, CAO  
                                Brian Treble, Director of Planning and Building  
                                Justin Paylove, Deputy Clerk  
                                Kevin Geoghegan, IT Help Desk Analyst  
                                Susan Smyth, Senior Planner

Other Members:       Nancy Neville  
                                Rodger Vaughan  
                                Dora Pavlidis  
                                WeeStreem  
                                Rob Wood  
                                Gord Szaszi  
                                Henry Van Ryn

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8248 Concession 3 Road (Henry and Lisa Van Ryn) - 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 Henry and Lisa Van Ryn for the property municipally known as 8248 Concession 3 Road and on behalf of the owners (Doug and Rita Lampman) of 8214 Concession 3 Road. Both properties are located on the south side of Concession 3 Road, south east of the Hamlet of Caistor Centre, west of Smithville Road/Regional Road 14, municipally known as 8214 and 8248 Concession 3 Road (File No. 1601-006-23).

**EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:**

The rezoning application has been submitted to permit the operation of a salvage yard on the lands recently added to 8248 Concession 3 Road (shown as Parcel 3 on the attached sketch), with adequate setbacks from significant environmental features. This will also fulfill condition 6 of the applicants' consent application (B03/2023WL) which granted the minor boundary adjustment. The intent of this zoning bylaw amendment will also recognize the deficient lot area of 8214 Concession 3 Road which does not meet the minimum lot area requirement of 40 hectares, being a total lot size of 17.0 hectares following the boundary adjustment. This will also fulfill condition 6 of the related consent application (B03/2023WL). The rezoning will also recognize the deficient front yard setback for the existing residence located at 8214 Concession 3 Road which is located approximately 6.0 metres from the front lot line whereas, 15 metres is the minimum front yard requirement within an Agricultural 'A' zone.

The purpose of the zoning bylaw amendment is to change the zoning from an Agriculture 'A' zone to Agriculture 'A-5' zone for Parcel 3 (4037.4 square metres), being the lands added to 8248 Concession 3 Road. Additionally, to rezone 8214 Concession 3 Road with site specific exceptions to recognize the zoning deficiencies on the property, being the reduced lot area of 17.0 hectares and a front yard setback of 6.0 metres.

**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 for the property municipally known as 8248 and 8214 Concession 3 Road (File No. 1601-006-23)

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 (OLT).

### **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 Clerk advised the Chair that notice was given by way of email and mail circulation to agencies and neighboring properties on August 18th, 2023. Additionally, a notice sign was placed on the property on August 17th, 2023.

The Chair advised that this was a public meeting to consider a Zoning By-law Amendment application submitted for the property municipally known as 8248 and 8214 Concession 3 Road (File No. 1601-006-23).

The Chair asked Senior Planner, Susan Smyth, to explain the purpose and reason for the Zoning By-law Amendment.

The Senior Planner, Susan Smyth, provided an overview of the application.

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 OLT may not consider comments made during any other Council and/or Committee meetings.

There were no oral or written submissions from any members of the public for the proposed zoning by-law amendment application.

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, she 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.

Mayor Ganann inquired to the Director of Planning and Building, Brian Treble, in regards to the 30 metre protected setback, and if it was enforceable for the Township, to ensure compliance.

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In response to the inquiry, the Director of Planning and Building Brian Treble, stated that this would be difficult to enforce however it could be possible through random By-law checks. Council agreed, and directed the Director of Planning and Building to have staff conduct random By-law checks, to which the Director agreed.

Councillor Chechalk inquired if a fence would provide a more practical buffer to the possible encroachment on the protected lands.

In response to the inquiry from Councillor Chechalk, the Director of Planning and Building Brian Treble stated that this possibility could be explored through the site plan process.

Councillor Chechalk further inquired to the update to the Township Zoning By-law, which was modified to include a salvage yard, and wondered if it was brought up due to this application.

In response to the inquiry from Councillor Chechalk, the Director of Planning and Building Brian Treble, confirmed that the Zoning By-law definition of a salvage yard was out of date, and was altered to be more applicable to West Lincoln as a whole.

Councillor Bradaric inquired into the type of salvage the yard will hold, and if that was taken into account into the 30 metre barrier suggested by the Region during the site visit.

In response to the inquiry from Councillor Bradaric, the Director of Planning and Building Brian Treble confirmed that the site visit was to see just how far the graveled portion of the yard extended and its proximity to the protected land, and further noted that the entire site is likely a contaminated site. However, the Director of Planning and Building Brian Treble, noted that there was no instruction that the site had to be cleaned from the regulatory authorities, just that the 30 metre setback now had to be respected.

Councillor Bradaric inquired how a 30 metre setback was decided, and if this provided enough space.

In response to the inquiry from Councillor Bradaric, the Director of Planning and Building Brian Treble, stated that a 30 metre setback is standard, and that the applicant was not interested in the high cost to evaluate the site to see if a few more metres could be obtained.

The Chair stated that a combined Technical and Recommendation Report was being considered by Council later. The Chair advised that once Committee and/or Council has made a decision with respect to the Zoning By-law

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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, Jessica Dyson at [jdyson@westlincoln.ca](mailto:jdyson@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 called the meeting adjourned at the hour of 7:05 PM.

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JUSTIN PAYLOVE, DEPUTY  
CLERK

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COUNCILLOR WILLIAM REILLY,  
CHAIR