



**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN  
COUNCIL MINUTES**

**MEETING NO. FIFTEEN**

**September 25, 2023, 6:30 p.m.**

**Township Administration Building**

**318 Canborough Street, Smithville, Ontario**

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

Staff: Bev Hendry, CAO  
Jessica Dyson, Director of Legislative Services/Clerk  
Brian Treble, Director of Planning and Building  
Kevin Geoghegan, IT Help Desk Analyst

Other Members: Bruce Harris, WeeStreem

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**1. SINGING OF "O CANADA" - Cairn Christian School**

Prior to commencing with the Council meeting, Mayor Ganann provided the following announcements:

1. Comments from the public for a matter that is on the agenda may be provided in person by attending the meeting and advising the Chair during the "Request to Address an Item on the Agenda" Section of the agenda.
2. For those individuals that are unable to attend the meeting in person, you may submit comments for matters that are on the agenda by either
  - a. emailing [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 read into public record OR
  - b. by contacting the Clerk's Department to request a Zoom Link to attend the meeting virtually.

3. Tonight's Council Meeting will be livestreamed as well as recorded and available on the Township's website by visiting [events.westlincoln/meetings](https://events.westlincoln.ca/meetings)

## **2. LAND ACKNOWLEDGEMENT STATEMENT**

Mayor Ganann 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 Hattiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-nee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the Mississaugas 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.

## **3. OPENING PETITION - Councillor Joann Chechalk**

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

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

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

- 5.1 September 11, 2023 - Planning/Building/Environmental Committee Meeting (Appointments) - Item P59-23 - Waiving of Development Fees for Legion Villa

Councillor Bell declared a conflict of interest/pecuniary interest with respect to Item P59-23 - Waiving of Development Fees for Legion Villa, as he sits on the Legion Villa Board.

## **6. REQUEST TO ADDRESS ITEMS ON THE AGENDA**

There were no requests to address items that were on the agenda.

## **7. APPOINTMENTS/PRESENTATIONS**

There were no appointments/presentations.

## **8. REGIONAL COUNCILLOR'S REMARKS**

Regional Councillor Witteveen provided notice that he was not able to attend the September 25th Council meeting; therefore, an update was not provided this month.

**9. CONFIRMATION OF MINUTES**

- 9.1 Special Council - Joint Special Meeting of the Councils of: Township of West Lincoln, Town of Lincoln and Town of Grimsby  
Re: Minutes - August 9, 2023

**RECOMMENDATION:**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Joann Chechalk

That, the minutes of the August 9, 2023 Special Council Meeting (Joint Special Council Meeting of the Councils of: Township of West Lincoln, Town of Lincoln and Town of Grimsby), be accepted.

**Carried**

- 9.2 Council (All Committee) Minutes – Regular  
Re: August 14, 2023

**RECOMMENDATION:**

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor William Reilly

That, the minutes of the open session portion of the August 14, 2023 regular Council (All Committees) meeting be accepted.

**Carried**

- 9.3 Public Meeting Under the Planning Act  
Re: September 11, 2023

**RECOMMENDATION:**

**Moved By** Councillor Terry Bell

**Seconded By** Councillor Mike Rehner

That, the minutes of the public meeting held on September 11, 2023 under Section 34 of the Planning Act, with respect to Zoning Bylaw Amendment - Henry and Lisa Van Ryn - 8248 Concession 3 Road (File No. 1601-006-23), be accepted.

**Carried**

**10. COMMUNICATIONS**

- 10.1 Heather Vitucci, Business and Support Services (City of Hamilton)  
Re: City of Hamilton Notification Letter to Launch 311 Telecom Service

Councillor Trombetta inquired to the Director of Legislative Services, in regards to what the 311 number entails. In response to the inquiry from Councillor Trombetta, the Director of Legislative Services stated that the 311 number would patch citizens in directly to the City of Hamilton's customer service line.

In response to the inquiry made by Councillor Trombetta regarding if number would be a new area code used alongside 905 and 289, the Director of Legislative Services clarified that this would not be a new area code, but a standalone telephone number that would patch citizens through directly to the City of Hamilton's customer service line.

Councillor Reilly inquired about the reason why it was required that the council support the City of Hamilton in adopting the 311 customer service line and what supporting it entailed of the Township of West Lincoln. In response to Councillor Reilly, the Director of Legislative Services clarified that this would have no financial implications for the Township of West Lincoln, but that support was required due to the potential for confusion for residents of West Lincoln, particularly those living on or near the boundary shared with the City of Hamilton.

In response to the inquiry made by Councillor Chechalk regarding the potential confusion that may arise amongst residents who may call 311 and receive information pertaining to the City of Hamilton and not the Township of West Lincoln, the CAO clarified that the 311 line would direct citizens to customer service to ask about social services and non-emergency services, which is common across larger municipalities like the City of Hamilton.

**RECOMMENDATION:**

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Terry Bell

That, the correspondence received from Heather Vitucci, Business and Support Services from the City of Hamilton regarding the City of Hamilton's Notification Letter to Launch 311 Telecom Service, dated September 14, 2023, be received and supported.

**Carried**

**11. MAYOR'S REMARKS**

Mayor Ganann read from a prepared letter attached to the minutes as Schedule A.

## 12. REPORT OF COMMITTEE

### 12.1 Planning/Building/Environmental Committee

Re: Minutes - September 11, 2023

Confidential Minutes Provided Under Separate Cover

Councillor Terry Bell declared a conflict on this item. (Councillor Bell declared a conflict of interest/pecuniary interest with respect to Item P59-23 - Waiving of Development Fees for Legion Villa, as he sits on the Legion Villa Board.)

#### **RECOMMENDATION:**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Joann Chechalk

1. That, the minutes of the open session portion of the September 11, 2023 Planning/Building/Environmental Committee meeting, be accepted, and the recommendations contained therein, be approved; with the exception of Item#(s) \_\_\_\_\_; and,
2. That, the confidential minutes relating to the closed session portion of the September 11, 2023 Planning/Building/Environmental Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the *Municipal Act*.

**Carried**

### 12.2 Public Works & Recreation Committee

Re: Minutes - September 18, 2023

#### **RECOMMENDATION:**

**Moved By** Councillor Mike Rehner

**Seconded By** Councillor Shelley Bradaric

That, the minutes of the September 18, 2023 Public Works & Recreation Committee meeting, be accepted, and the recommendations contained therein, be approved;  
with the exception of Item#(s) \_\_\_\_\_.

**Carried**

### 12.3 Administration/Finance/Fire Committee

Re: Minutes - September 18, 2023

Confidential Minutes Provided Under Separate Cover

**Moved By** Councillor Jason Trombetta

**Seconded By** Councillor Terry Bell

1. That, the minutes of the open session portion of the September 18, 2023 Administration/Finance/Fire Committee meeting, be accepted, and the recommendations contained therein, be approved; with the exception of Item#(s) \_\_\_\_\_; and,
2. That, the confidential minutes relating to the closed session portion of the September 18, 2023 Administration/Finance/Fire Committee meeting be accepted; and that the minutes remain confidential and restricted from public disclosure in accordance with Section 239 of the *Municipal Act*.

**Carried**

**13. RECONSIDERATION**

There were no items put forward for reconsideration.

**14. NOTICE OF MOTION TO RESCIND**

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

**15. OTHER BUSINESS**

**15.1 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)

**15.2 Director of Planning & Building (Brian Treble)**

Re: Recommendation Report PD-47-2023 - 167 St. Catharine Street Draft Plan of Condominium Extension Approval - 1 Year (File No. 2100-086-17)

**Referred Item from September 11, 2023**

**Planning/Building/Environmental Committee Meeting**

The Director of Planning and Building explained how staff reached out to the applicant and discussed their intentions for this project. The Director of Planning and Building shared that the applicant expressed their interest in building within the Township of West Lincoln, but that at the current interest rate, they could not put the money up that is necessary for the project, and so he requested a two year extension.

The Director of Planning and Building then recommended to council that they approve the report as presented, which would give the applicant until May 2024, while also not forcing him to build until then.

The Director of Planning and Building stated that at that point, it would be the applicants responsibility, not Council's, which was suggested would be preferable given the political climate in the province towards housing construction projects.

Councillor Reilly inquired to the Director of Planning and Building about the construction site and previous extensions that have been granted to previous owners. In response to Councillor Reilly's inquiry, the Director of Planning and Building confirmed that an extension had been given to the previous owner of the site, and that this was the first extension under the current owner/applicant.

Councillor Reilly further inquired to the Director of Planning and Building about how declining the extension request now would reflect poorly on the Township of West Lincoln politically, given that the site has received a previous extension already. In response to Councillor Reilly's inquiry the Director of Planning and Building explained that this extension would give the current applicant the ability to begin construction and invest in the Township of West Lincoln ahead of May 2024.

In response to Councillor Chechalk's inquiry regarding the applicant's current involvement in another development within another municipality, Director of Planning and Building, Brian Treble clarified that the applicant is currently involved in another construction project in the City of London, and is looking to remain focused on only one project at a time. However, he further explained that the applicant was willing to move forward on the Township of West Lincoln project when it was more economically favourable.

Councillor Chechalk further commented on the extension request sent by the applicant and suggests that the request outlines the reasons why the applicant has not moved forward and is requesting an extension at this time and that it is not due to the actions of the Township of West Lincoln but larger market pressures. Councillor Chechalk suggested that the request be sent to the Association of Municipalities of Ontario, as it explains the difficulties faced by small municipalities in courting development while also contradicting claims made by the provincial government suggesting that Councils are obstructing development projects.

Mayor Ganann inquired to the Director of Planning and Building about the nature of this extension request and if there is anything abnormal about it.

In response to Mayor Ganann's inquiry, Director of Planning and Building, Brian Treble responded that he does not anticipate that this extension request is abnormal or indicative of a previous development project that was extended numerous times.

Mayor Ganann inquired further to the Director of Planning and Building about the extension and the impact on the applicant if the extension is not provided. In response to Mayor Ganann's inquiry, Director of Planning and Building, Brian Treble explained that the applicant would only be able to build rental units and not condominiums without the extension, which is not preferable for the applicant. Without the extension the applicant would be required to re-file and it would then have to be approved by Council again, which the Director of Planning and Building predicts would be all but guaranteed, and so it would simply take up time and resources.

Mayor Ganann then inquired with Director of Planning and Building, Brian Treble, if his recommendation to council was still to provide an extension to May 2024 for the applicant.

In response to Mayor Ganann's question regarding whether or not it was still the Director of Planning and Building's recommendation to Council to provide an extension to May 2024 for the applicant, the Director of Planning and Building confirmed that this was still his recommendation.

Councillor Bradaric noted their support for providing the extension, recognizing the economic pressures felt by a smaller scale developer, and that declining the extension will only create greater work for council and support staff down the line when they do approve the applicant as economic conditions improve.

Mayor Ganann inquired to Director of Planning and Building about what the cost of the deposit would be for the applicant to provide, which had been referenced by Councillors Reilly and Bell. In response to Mayor Ganann's inquiry, Director of Planning and Building, Brian Treble clarified that the security deposit would be one million dollars.

Mayor Ganann further inquired to Director of Planning and Building, Brian Treble if the applicant's extension request could be forwarded to the Association of Municipalities of Ontario, as had been suggested by Councillor Chechalk, and if that could be done without requiring a motion because the document is now publicly available. In response to Mayor Ganann's inquiry, the Director of Legislative Services clarified that the extension request document was not included in the agenda and so it was



not yet public, and thus the applicant should be contacted before forwarding the extension request to the Association of Municipalities of Ontario.

CAO Bev Hendry clarified to Mayor Ganann that in order to direct staff to send the extension request to the Association of Municipalities of Ontario, it will have to be introduced under new business, because the vote was already carried on the extension request itself, where releasing the extension request could have been introduced as a new amendment prior to the vote.

**RECOMMENDATION:**

**Moved By** Councillor William Reilly

**Seconded By** Councillor Shelley Bradaric

1. That, report PD-47-2023, regarding “Recommendation Report, 167 St. Catharine Street Draft Plan of Condominium Extension Approval, File No. 2100-086-17” dated September 11, 2023, be received; and,
2. That, the Draft Plan approval for 167 St. Catharine Street BE EXTENDED for a period of one year, to expire on May 25, 2024, subject to the conditions found at Attachment 2 to this report; and,
3. That, a notice of extension be circulated to relevant agencies and departments.

**Carried**

15.3 Members of Council

Re: Council Remarks

1. Councillor Rehner  
Re: Road work on Concession 3 Road  
Councillor Rehner remarked that he was happy to see Concession Road 3 had been completed.
2. Councillor Chechalk  
Re: Community and Business Awards  
Councillor Chechalk shared that she was happy to see the community working together to fund charities and charitable projects, open and manage recreation facilities, and more. Councillor Chechalk then encouraged nominations for the West Lincoln Chamber of Commerce's Business Awards.

3. Councillor Bradaric Re: Vehicle Break-Ins Councillor Barbaric remarked about a recent uptick in vehicle break-ins, as well as the Niagara Regional Police's Lock It or Lose It campaign, meant to highlight precautions that can be taken to protect vehicle owners from theft.

## 16. NEW ITEMS OF BUSINESS

### RECOMMENDATION:

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Mike Rehner

That, a new item of business be introduced regarding issues and constraints brought forward to Townships Council with respect to development within the Community.

### **Carried**

#### 16.1 Councillor Joann Chechalk

Re: Issues and constraints with respect to development within the Community.

Councillor Chechalk brought forward a New Item of Business as it relates to the difficulties faced by small municipalities in courting development while also contradicting claims made by the provincial government suggesting that Councils are obstructing development projects. Councillor Chechalk suggested that this request, or a similar letter from the Township, be sent to the Association of Municipalities of Ontario outlining these challenges.

Councillor Rehner commented that he was happy to see the vote on the extension request was close, as he hopes it will send a message to the applicant that support on Council is limited and that they will have to move quickly on development to maintain support of Council.

**Moved By** Councillor Joann Chechalk

**Seconded By** Councillor Terry Bell

That, a letter be drafted for signature by the Mayor and that the letter be forwarded to the Minister of Municipal Affairs, Associations of Municipalities of Ontario (AMO) and its member municipalities, outlining the issues and constraints brought to the Township Council's attention with respect to holding back development applications of new homes within the community.

## 17. BY-LAWS

### **RECOMMENDATION:**

**Moved By** Councillor Shelley Bradaric

**Seconded By** Councillor Jason Trombetta

1. That, leave be granted to introduce By-law #s 2023-65, 2023-66, 2023-67, 2023-68, 2023-69, 2023-70, and 2023-71 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**

#### 17.1 BY-LAW 2023-65

A By-law to confirm the proceedings of the Council of the Corporation of the Township of West Lincoln at its Special Council held on the 9th day of August, 2023 and at its regular meeting held on the 14th day of August, 2023.

#### 17.2 BY-LAW 2023-66

Being a By-law to amend By-law 2023-03 which confirmed various appointments and/or recommendations for appointments to Boards, Committees & Municipal positions.

#### 17.3 BY-LAW 2023-67

Being a By-law to amend schedule A of By-law 2023-05 which provided for appointments to the Township of West Lincoln Public Library Board.

#### 17.4 BY-LAW 2023-68

A By-law to amend Zoning By-law No. 2017-70, as amended, of the Township of West Lincoln.

#### 17.5 BY-LAW 2023-69

A By-law to authorize the removal of the previously registered development agreement (RO697920) from title on lands legally described as PT of North half of Lot 31, Conc. 6, Gainsborough as in RO818154, (pin 46077-0291) in the former Township of Gainsborough, now in the Township of West Lincoln.

17.6 BY-LAW 2023-70

A By-law to amend By-law 97-2020, as amended, being a by-law to authorize certain parking, standing or stopping of vehicles operated by or conveying physically handicapped persons on any highway and to authorize and require the provision of designated parking spaces for the sole use of vehicles operated by or conveying physically handicapped persons.

17.7 BY-LAW 2023-71

A By-law to authorize an agreement between the corporation of the Township of West Lincoln and Ontario Construction Inc. for the East Chippawa Road Slope Failure and Concrete Box Culvert emergency repair.

**18. CONFIDENTIAL MATTERS**

There were no confidential matters.

**19. ADJOURNMENT**

The Mayor declared the meeting adjourned at the hour of 7:48 p.m.

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**JESSICA DYSON, DIRECTOR OF  
LEGISLATIVE SERVICES/CLERK**

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**MAYOR CHERYL GANANN**

**Mayor's Remarks - September 25, 2023 Council Meeting**

It is hard to believe that since our last All-Committee/Council meeting on August 14, 2023, not only has a great deal happened in our municipality, but Summer of '23 is actually over!

I will start by thanking our Recreation Staff for the great job that they have done in organizing and operating several weeks of Summer Day Camp opportunities that entertained a great many children. Additionally they organized 6 Music in the Park and 4 Movie in the Park events that were enjoyed by many families and individuals. I would also like to acknowledge the partnership between Recreation Staff and the Kiwanis Club to provide snacks and drinks at these special events. Partnerships of these types continue to work well for each group or organization.

On the morning of August 24th, our CAO Bev Hendry, Councillor Reilly and I were able to attend a funding announcement at Niagara Pallets made by the Provincial Minister of Natural Resources and Forestry, Graydon Smith, in recognition of their sustainable growth plans for the future.

On August 30th, I was pleased to attend Regional Headquarters for a FedDev funding announcement by Filomena Tassi, the Federal MP responsible for the Federal Economic Development Agency for Southern Ontario. This was a grant to the Region of Niagara to enable them to pursue work related to the EV sector. I was also in attendance at the Regional Headquarters flag-raising for Big Brothers/Big Sisters as they celebrated becoming one organization aimed at supporting the youth of Niagara with dedicated mentoring, guidance and personal relationship-building.

As September rolled out, I have represented West Lincoln and in some situations brought, as requested, words of official greetings from the Municipality, to the NPEI AGM, The Grape Growers of Ontario Luncheon, the starting ceremony of the Terry Fox Run, a Celebration Tea for Long-time Ladies Guild Members of St. Luke's Church, the Tour of Niagara Pallets and follow-up meeting of the Grand Erie Business Centre Board, held in West Lincoln, the Official Opening of the combined Township, Smithville Christian High School and Kiwanis pickleball/tennis and beach volleyball courts project. I also made a presentation to the West Lincoln Historical Society regarding the Aspiring UNESCO Niagara GeoPark project. I will mention how pleased I am that CAO Hendry and Councillor Chechalk also represented West Lincoln at some of these named events.

Councillor Rehner was, as our representative, part of the NPEI AGM.

I volunteered, as I have done for some time now, to run the Spelling Bee on Friday night of the West Niagara Fair and also sold tickets, along with other Kiwanis members, to help 4H with raising funds for their roof project.. Additionally on Saturday, I took part along with Lincoln Mayor Sandra Easton Grimsby Mayor Jeff Jordan. Regional Councillor Albert Witteveen, MPP Sam Oosterhoof and Fair Vice President Ron Murre, in a pie-eating contest where the person feeding us the pie was themselves wearing a blindfold! Messy for sure, but fun for a good cause! Thanks to Councillor Reilly for MCing that event. Councillor Chechalk and her family members are extremely involved in all aspects of the Fair and I can attest to the fact that the councillor spent most of her weekend at the fair doing one job or another. John and I also volunteered as we have for many years, at the Silverdale Chili and Corn Roast fundraising dinner. There is a very hard-working group of volunteers at all of the Silverdale events and it is our pleasure to regularly help them with their efforts to keep that hall in good repair.

I want to take this opportunity to inform Council and the public that Councillors Reilly, Chechalk and I, along with Administrative Assistant Jacquie Thrower have continued to have meetings throughout the summer regarding our Community Recognition Awards. The nomination period which opened on Canada Day, closed on September 8th. Redacted nominations, labelled only A, B, C etc. were sent to each of the

5 judges who were also unknown to each other. They were asked to judge the nominations based on weighted criteria that we had compiled and sent to them. As of Friday, I now have all of the score sheets back from each independent judge and at the October Administration/Finance/Fire Committee, I am pleased to say, the winners will be announced. All nominees and their family members will be invited to a Celebration Event to be held in the Library Programme Room at the West Lincoln Community Centre, on October 26 at 7:00 PM. We are very pleased with the number of nominations for this first-time event and hope to see it grow over time.

This past Saturday I had the pleasure of attending the West Lincoln Fire Department Open House, which although held at Station 1, had equipment and firefighters from both stations. It was an extremely well-organized event with lots to see and do for all. I would like to thank all members of both stations for the work that they put into organizing and running this event for the public. On a personal note, I want to say how proud I am of the many volunteers currently on the department who were once my JK/SK Kindergarten students. All grown-up, responsible citizens and community-minded volunteers - for a former teacher to be able to see those outcomes, it doesn't get much better!

And finally, this morning I had the pleasure of raising the United Way Flag, marking our community's appreciation for the great work that this organization does to support Niagara residents.

As this up-coming Saturday, September 30th is the 10th Anniversary of Orange Shirt Day, which in the past couple of years has also officially become the Day of Truth and Reconciliation, I want to point out that at 1:00 PM on Friday, September 29th, we will be raising a community flag to commemorate this occasion. I hope that some members of Council, staff and the public might be available to put on their own orange shirts and come out to help raise this "Every Child Matters" flag.

Our annual Harvest Routes also takes place this up-coming Friday and Saturday with things to do for all ages, taking place in our community centres and library branches.

It was a busy month and I am certain that I missed some things in my report, but I want to say how wonderful it is to see that so many opportunities for gathering, celebrating and socializing with each other are being provided by various groups, churches and organizations in our community. Thank you to all who are involved in trying to engage our community by providing these opportunities.