

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

February 12, 2024, 6:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

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

Absent: Councillor Terry Bell (Notification Provided – with Regrets)

Staff: Donna DeFilippis, Interim CAO/Treasurer
Brian Treble, Director of Planning and Building
Gerrit Boerema, Manager of Planning
Justin Paylove, Deputy Clerk
Nancy Fiorentino, Director of Legislative Services/Clerk
Kevin Geoghegan, IT Help Desk Analyst

Attendees: Dora Pavlidis*
David Wilton*
Gilles Arguin*
Steven Vooy*
Dave Bylsma*
Chicken Farmers of Ontario*
Heather Vernier*
Warren Gamble*
Ashley Lindley*
Denise Ravensbergen*
Jessica VanSydenborgh*
Rob Shrum*
Kristine Gyldenbjerg*

Henry Wilmavis*
Ana Tsementzis*
Breanne Griffin*
Regional Councillor Albert Witteveen*
Jordan Fois*
Katie Boyko*
Tony Mous*
Steve Lenting*
James Smith

*Attended Part-Time

Backyard Chickens (Township of West Lincoln) - Public Consultation

1. Purpose of the Public Meeting

The Chair stated that the purpose of this public consultation is to receive comments and answer questions from the public regarding permitting 'backyard chickens'.

The Chair further stated that, at this point, no decision has been made on the issue and any comments received will be taken into account by Council in their consideration.

2. Public Meeting

The Chair inquired to the Deputy Clerk, Justin Paylove, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Deputy Clerk, Justin Paylove, explained that proper notice was given by way of an advertisement in the newspaper on January 4, 2024.

The Chair inquired to the Director of Planning and Building, Brian Treble, to explain the purpose and reason for this public consultation.

In response to the inquiry from the Chair, Director of Planning and Building, Brian Treble, explained the purpose and reason for this public consultation.

The Chair asked if there were any oral or written submissions from any members of the public present in person or as part of the Zoom meeting that wished to provide comments at this time with respect to the public consultation.

Dora Pavlidis

Ms. Pavlidis spoke to Council about backyard chickens in September 2023, and has returned to speak further to what she believes are the benefits of having backyard chickens. The benefits she mentions include getting fresh eggs from humanely raised chickens, they make good pets and companions, are good therapy animals, and can support those suffering with dementia.

Ms. Pavlidis continued by addressing common concerns, including the smell produced by chicken waste, which Ms. Pavlidis suggested is the result of poor care and neglect, and that animal waste is a common smell in a community like West Lincoln. Another concern Ms. Pavlidis addressed is that chickens attract rodents and other small predators like foxes and coyotes. She suggested that these animals are drawn by any source of food, and may even be drawn to an area unrelated to the presence of a food source.

Ms. Pavlidis highlighted another potential benefit of backyard chickens, namely that they eat mosquitos, ticks and fleas, which can carry diseases and be harmful to humans and other domestic animals like cats and dogs.

Lastly, Ms. Pavlidis addressed the concern of Avian Flu spread, which she suggested is not airborne but is spread through contact with an infected animal, and so she argued that the spread of Avian Flu is not the concern that some think it is. Additionally, Ms. Pavlidis suggested that Avian Flu cases that have been reported in Canada have seemingly not been connected to backyard chickens.

David Wilton

Mr. Wilton inquired to the Director of Planning and Building, Brian Treble, if the restriction on backyard chickens would have an impact on agricultural lands.

In response to Mr. Wilton's inquiry, Director of Planning and Building, Brian Treble, explained that any of the agricultural zones in the Township allow for chickens based on MDS and nutrient management. Those rules would and will continue as normal.

Gilles Arguin

Mr. Arguin expressed his concern about attracting more animals like coyotes to the community, which he believes backyard chickens would do.

Additionally, Mr. Arguin argued that to address the tick problem, residence next to over grown municipal lands should be free to mow the tall grass down.

Mr. Arguin feels that the issue of backyard chickens is dividing the neighbourhood.

Steven Vooyo

Mr. Vooyo shared that he is involved heavily in raising and showing chickens in festivals and exhibitions. Chickens are a low cost livestock for showing in festivals and exhibitions, and that they are a good choice for children to get involved in showing livestock. Additionally, Mr. Vooyo does not see a problem in having backyard chickens in areas without close neighbours and on large lots. Mr. Vooyo also expressed his support for large scale chicken farmers. As an advocate for chicken showing and exhibiting, Mr. Vooyo shared his passion and support for backyard chickens.

Dave Bylsma

Mr. Bylsma expressed his support for backyard chickens and much of what had been said by previous speakers. Mr. Bylsma further expressed support for backyard chickens because they produce larger and higher quality eggs than those that can be bought in grocery stores. He argued that limiting people's ability to grow their own food, either in a garden or in the form of limited livestock, should be done only in select circumstances and only to a limited extent. Backyard farming at a small scale has many individual and community benefits, and Mr. Bylsma argued that it should be thought of as a human right to be able to grow food on one's own property.

Mr. Bylsma thanked Council for considering this issue and hearing the public speak on it.

Chicken Farmers of Ontario

The Chicken Farmers of Ontario (CFO) thanked the Township for considering allowing backyard chickens. CFO also suggested that if the Township were to allow backyard chickens, that they should require participants to register with the CFO's Family Food Program as part of the licensing process. The registration process through the program provides growers with resources to help in caring for their chickens, alerts regarding poultry disease in their area to curtail spread, as well as up to date regulatory information.

Heather Vernier

Ms. Vernier is a resident of Grimsby who is looking to move her and her family to a rural area, in part so that they can raise livestock for personal use. Ms. Vernier is concerned by the current regulatory environment in the Township of West Lincoln, because livestock is currently not allowed on any residential lot under

two acres in size, whether urban or rural, in the Township of West Lincoln. This is deterring Ms. Vernier and her family from considering moving to West Lincoln, and so she would like to see by-laws changed in the Township to allow for responsible, context-specific hobby farming, as this would entice Ms. Vernier and her family to move to West Lincoln.

Warren Gamble

Mr. Gamble expressed concern over the potential increase cost to taxpayers that backyard chickens could present. Additionally, Mr. Gamble was concerned about the potential for this issue to divide neighbours and alienate community members.

Ashley Lindley

Ms. Lindley expressed her support for permitting backyard chickens in residential areas. She provided some considerations that should be taken into account when crafting the regulations, including property size, coop size, number of hens permitted, requiring personal use and consumption of the chickens and eggs, and so on.

Ms. Lindley went on to highlight some perceived benefits of allowing backyard chickens, including that they provide higher quality eggs than those sold in the grocery store, they control pests like ticks and mosquitos, they eat food waste, they fertilize gardens, and provide companionship and a learning opportunity to young children and adults alike.

Ms. Lindley ended by addressing some concerns, like the noise levels, their waste and odour, the potential for spread of avian flu and other diseases, and the attraction of rodents, pests and small predators.

Ms. Lindley finished by stating that she believes the benefits of backyard chickens outweighs the concerns, if properly regulated.

The Chair asked if any Members of the Committee had any oral or written submissions on the public consultation.

Councillor Trombetta thanked the members of the public for speaking to this issue and for attending the public consultation. Councillor Trombetta expressed his support for small scale chicken farming on rural residential properties, while expressing hesitation over the same being done on urban residential properties.

Councillor Trombetta inquired to the Director of Planning and Building, Brian Treble, about what would or could be done in instances where backyard chickens in urban areas roam into other properties and caused property damage.

In response to Councillor Trombetta's inquiry, Director of Planning and Building, Brian Treble, explained that enforcement of rules regarding backyard chickens is the primary point of contention and topic of future research that staff must delve deeper into ahead of the creation of a recommendation report to present to Council. The expectation is that allowing backyard chickens in urban areas would result in an increase in enforcement, which would increase costs, and so an approach regarding enforcement will be researched and then later detailed in a report to Council. Staff is considering recommending permitting backyard chickens on certain property types first and allowing them on more types of properties in increments, as well as the fact that staff is looking at approaches taken to backyard chickens by other similar municipalities.

Councillor Bradaric thanked staff for bringing this issue to Council's attention so quickly, and for public engagement on this issue. Councillor Bradaric thanked staff for their hard work thus far and into the future with the staff report coming. Councillor Bradaric hopes that staff and Council will remember the different needs and desires across the community when considering and voting on this issue down the road.

Councillor Rehner explained that he previously owned backyard chickens and that they were all killed by, presumably, coyotes. Councillor Rehner expressed concern about bringing coyotes further into urban areas with an easy food source like backyard chickens. Additionally, Councillor Rehner shared his concern for the safety of dogs, cats, and small children, that could be jeopardized by luring coyotes further into urban areas with backyard chickens. Councillor Rehner stressed that his concern is not over the act of raising the chickens, which he suggests is a fun leisure activity and has many benefits that others have previously touched on, but he doesn't want to see something go wrong in the community as a result of luring coyotes by approving backyard chickens in urban areas.

Mayor Ganann agreed with the points raised by Councillor Rehner, and also suggested that increased by-law enforcement in the urban areas is something that should be considered. To meet the by-law enforcement need that permitting backyard chickens in urban areas would likely create, this would require not only paying additional by-law enforcement officers, but would require more invasive enforcement measures in order to address concerns between neighbours and across multiple urban lots.

Councillor Chechalk thanked all members of the public who attended the meeting and who submitted their comments online. Councillor Chechalk stressed her concerns about the potential to divide the community over this issue. She hopes

to ensure all are understood and that the solution Council comes to will work for everyone or most people. Councillor Chechalk explained that caring for chickens properly is a great burden, and while she does not doubt that they produce higher quality eggs, and that caring for them may make a good hobby, she does not want to see chickens end up in places where they will be neglected or not properly cared for. Councillor Chechalk stressed the need for good judgement from Council and the need to come to a decision that will allow everyone to live together peacefully without the need for excessive by-law enforcement and community division.

Chair Reilly inquired to the Director of Planning and Building, Brian Treble, about the impact of allowing backyard chickens on the livestock evaluators and how they would fit into that process.

In response to Chair Reilly's inquiry, the Director of Planning and Building, Brian Treble, explained that he is unclear on their role in allowing backyard chickens, but that he will look into that further and report back to Council on this issue.

Chair Reilly expressed his reluctance to move forward too quickly on permitting backyard chickens, as disallowing them after the fact would be much harder to do than only allowing backyard chickens in limited instances, surveying the impacts of that change, and then further tweaking the program over time.

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 at a future Committee Meeting. The Chair advised that once Committee and/or Council has made a decision with respect to permitting backyard chickens, 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 Deputy Clerk, Justin Paylove, at jpaylove@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.

3. Adjournment

The Chair declared the meeting adjourned at the hour of 7:34 p.m.

Update of Accessible Parking Regulations (Township of West Lincoln) - Zoning By-Law Amendment

4. 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.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

Staff have deemed it necessary to amend the Township Comprehensive Zoning By-law to reflect Ontario Regulation 413/12 and bring the Township into compliance with current recognize accessible parking standards.

5. Purpose of Public Meeting

The Chair stated that the Planning Act requires in Section 34(12) and Section 39 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 further stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed Zoning By-law Amendment.

The Chair further stated that no decision has been made on the proposed amendment and any comments received will be taken into account by Council in their consideration.

6. Public Meeting

The Chair stated that the Planning Act requires through Section 34(13) 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).

The Chair inquired to the Deputy Clerk, Justin Paylove, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Deputy Clerk, Justin Paylove, explained that proper notice was given by way of an advertisement in the newspaper on January 4, 2024.

The Chair inquired to the Director of Planning and Building, Brian Treble, to explain the purpose and reason for the proposed Zoning By-law Amendment.

In response to the inquiry from the Chair, Director of Planning and Building, Brian Treble, explained the purpose and reason for the proposed Zoning By-law Amendment.

The Chair asked if there were any oral or written submissions from any members of the public present in person or 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.

There were no oral or written submissions from any members of the public that wished to provide comments with respect to the Zoning By-law Amendment.

The Chair asked if any Members of the Committee had any oral or written submissions on the 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 Chechalk inquired to the Director of Planning and Building, Brian Treble, if this by-law amendment would come into effect immediately after passing the resolution.

In response to Councillor Chechalk's inquiry, Director of Planning and Building, Brian Treble, explained that there would be an appeal period because this is a zoning by-law amendment, and so such a period is required by law. However, barring no appeal, the decision of Council would be final on this amendment.

Councillor Chechalk further inquired to the Director of the Planning and Building, Brian Treble, what timeline would be required of businesses to comply with this regulatory update.

In response to Councillor Chechalk's further inquiry, Director of Planning and Building, Brian Treble, explained that they would be expected to comply upon the filing of a future planning application. So, should there be a proposal to expand a

business on their property, then they would conduct an analysis for compliance with the zoning by-law standards in place at that time, and that is how enforcement would be applied.

The Chair stated that a Recommendation Report was being considered by Council later as part of this evening's Committee meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the update to the accessible parking regulations 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 Deputy Clerk, Justin Paylove, at jplove@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.

7. Adjournment

The Chair declared the meeting adjourned at the hour of 7:42 p.m.

[1738 Caistor Gainsborough Townline Road \(Brad Snippe\) - Zoning By-Law Amendment](#)

8. 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.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

The intent of this rezoning application is to fulfill a condition of consent for severance file B05/2023WL. The consent application severed a dwelling with 0.51 hectares/1.26 acres of land (Parcel 1) from 18.5 hectares/45.71 acres of agricultural land (Parcel 2). This application proposes to rezone Parcel 2 (Retained Lands) to Agricultural Purposes Only (APO) with a site specific exception (APO-###) to restrict residential uses and to recognize the deficient lot

size of 18.5 hectares (45.71 acres) whereas, 39 hectares (96.37 acres) is the minimum lot size requirement within an 'APO' zone. This application also proposes to rezone Parcel 1 (Severed lands) to Rural Residential (RuR) with a site specific exception (RuR-###) to recognize three specific zoning deficiencies.

9. Purpose of the Public Meeting

The Chair stated that the Planning Act requires in Section 34(12) and Section 39 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 further stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed Zoning By-law Amendment.

The Chair further stated that no decision has been made on the proposed amendment and any comments received will be taken into account by Council in their consideration.

10. Public Meeting

The Chair stated that the Planning Act requires through Section 34(13) 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).

The Chair inquired to the Deputy Clerk, Justin Paylove, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Deputy Clerk, Justin Paylove, explained that proper notice was given by way of email circulation to agencies and mail circulation to all residents within 120 metres of the subject property on January 12, 2024. Public notice was also posted to the subject property on January 16, 2024.

The Chair inquired to the Manager of Planning, Gerrit Boerema, to explain the purpose and reason for the proposed Zoning By-law Amendment.

In response to the inquiry from the Chair, Manager of Planning, Gerrit Boerema, explained the purpose and reason for the proposed Zoning By-law Amendment.

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

The applicant or their authorized agent were not present to speak to the application.

The Chair asked if there were any oral or written submissions from any members of the public present in person or 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.

There were no oral or written submissions from any members of the public that wished to provide comments with respect to the Zoning By-law Amendment.

The Chair asked if any Members of the Committee had any oral or written submissions on the 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 Bradaric inquired to the Manager of Planning, Gerrit Boerema, about why the septic report was not included in the recommendation report. Additionally, she noted a condition that would be on this approval, and so she wanted more information regarding that condition.

In response to Councillor Bradaric's inquiry, Manager of Planning, Gerrit Boerema, explained that the septic inspector provided comment to the Township that he has not yet received the septic evaluation that is a condition as part of the severance application. However, he did also state that he was comfortable and had no objections for the zoning amendment moving forward, as the proposed property sized was over 1.25 acres, which should be able to satisfy a new septic system if that is required. So while they are waiting on the septic evaluation, they felt confident as staff to move the zoning forward while the applicant still works on the septic evaluation.

Councillor Bradaric further inquired to the Manager of Planning, Gerrit Boerema, if he anticipates anything that could come back from the septic evaluation that would impact the zoning.

In response to Councillor Bradaric's further inquiry, Manager of Planning, Gerrit Boerema, explained that he does not anticipate any potential result from the septic evaluation that would put this project in jeopardy.

Councillor Rehner inquired to the Manager of Planning, Gerrit Boerema, what some of the parameters are that the Manager looks for with regards to relevant policies that would qualify this as a surplus farm dwelling.

In response to Councillor Rehner's inquiry, Manager of Planning, Gerrit Boerema, explained that they must have at least 10 hectares of tillable farm land on the property, that the applicant must be a bona fide farmer, they must have multiple farm locations, and for the purposes of declaring a farm house as surplus to their needs, they would need a farm house on the property in close proximity where the farmer resides, so that the farmer could argue that the second dwelling is surplus to their needs.

Manager of Planning, Gerrit Boerema, continued that more recently, in the regional planning document approved in November 2022, there is a requirement for the age of the house, that it must be constructed prior to 2006 for the house to be eligible to be severed. There is a number of other criteria, such as that the house has to be intended to be resided in, that it is in a condition to be resided in, that it meets MDS setbacks for any livestock barns on the subject property or adjacent properties.

Councillor Rehner further inquired to the Manager of Planning, Gerrit Boerema, about surplus farm dwellings and related topics.

Manager of Planning, Gerrit Boerema responded to Councillor Rehner's further inquiries about surplus farm dwellings and related topics.

Councillor Chechalk inquired to the Manager of Planning, Gerrit Boerema, that if the applicant does not meet the conditions of the severance, the severance would be revoked.

In response to Councillor Chechalk's inquiry, the Manager of Planning, Gerrit Boerema, explained that that could be a possibility. The time permitted to comply with severance conditions has recently been lengthened to two years. Generally speaking, every surplus farm dwelling severance that comes forward must have its zoning completed prior to the Township issuing the final certificate.

Director of Planning and Building, Brian Treble, further explained that the decision of the Committee of Adjustment to grant a severance approval is subject to conditions. If any one of those fails then the severance fails, unless they come back and ask for an amendment to the decision, which does happen on occasion. They have a timeline to meet the conditions. He cannot think of any time when zoning approval was granted and then the rest of it fails, but it is a possibility.

The Chair stated that a Recommendation Report was being considered by Council later, as part of this evening's Committee meeting. The Chair advised that once Committee and/or Council has made a decision with respect to the Zoning By-law Amendment application 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 Deputy Clerk, Justin Paylove, at jpaylove@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.

11. Adjournment

The Chair declared the meeting adjourned at the hour of 8:03 p.m.

8399 Concession 2 Road (James Smith) - Zoning By-Law Amendment and Temporary Use By-Law

12. 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 to consider an application for a Temporary Use By-law.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATION:

The applicants are requesting to temporarily permit a mobile home for use as a Garden Suite on their property.

13. Purpose of the Public Meeting

The Chair stated that the Planning Act requires in Section 34(12) and Section 39 that before passing a Zoning By-law Amendment and a Temporary Use By-law, Council must hold at least one public meeting for the purpose of informing the public in respect of the amendment.

The Chair further stated that the purpose of this public meeting is to receive comments and answer questions from the public regarding the proposed Zoning By-law Amendment.

The Chair further stated that no decision has been made on the proposed amendment and any comments received will be taken into account by Council in their consideration.

14. Public Meeting

The Chair stated that the Planning Act requires through Section 34(13) 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).

The Chair inquired to the Deputy Clerk, Justin Paylove, about the methods and dates by which notice of the public meeting was given.

In response to the Chair's inquiry, Deputy Clerk, Justin Paylove, explained that proper notice was given by way of email circulation to agencies and mail circulation to all residents within 120 metres of the subject property on January 11, 2024. Public notice was also posted to the subject property on January 12, 2024.

The Chair inquired to the Manager of Planning, Gerrit Boerema, to explain the purpose and reason for the proposed Zoning By-law Amendment.

In response to the inquiry from the Chair, Manager of Planning, Gerrit Boerema, explained the purpose and reason for the proposed Zoning By-law Amendment.

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

The applicant or their authorized agent was present, but did not choose to speak to the application.

The Chair asked if there were any oral or written submissions from any members of the public present in person or 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.

There were no oral or written submissions from any members of the public that wished to provide comments with respect to the Zoning By-law Amendment.

The Chair asked if any Members of the Committee had any oral or written submissions on the 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 Trombetta inquired to the Manager of Planning, Gerrit Boerema, as to what the acreage of the property is.

In response to Councillor Trombetta's inquiry, Manager of Planning, Gerrit Boerema explained that it is one acre, as it was severed from the farmland within the last five years.

Councillor Trombetta inquired further to the Manager of Planning, Gerrit Boerema, as to what abuts this property.

In response to Councillor Trombetta's further inquiry, Manager of Planning, Gerrit Boerema, explained that the farmland encompasses the east, north and west side of this property. There is a building on the adjacent property, and basically the property line runs up between the house, jogs slightly westward. The building is on the farmland and the house is on this one acre residential piece.

Councillor Trombetta further inquired to the Director of Planning and Building, Brian Treble, about the potential future impact of approving garden suites.

In response to Councillor Trombetta's further inquiry, the Director of Planning and Building, Brian Treble, explained that with the garden suites, the Township is able to collect a \$5,000 security deposit as long as the garden suite remains on the property, which incentivizes the applicant to get the garden suite off of the property when the time allowance expires.

Councillor Trombetta reiterated his question to the Director of Planning and Building, Brian Treble.

In further response to Councillor Trombetta's inquiry, the Director of Planning and Building, Brian Treble questioned the likelihood of a dramatic increase in garden suite applications, but that with broader societal affordability concerns he finds it understandable why the provincial government requires municipalities to allow garden suites and why they are becoming more popular.

Councillor Chechalk commented on the fact that in urban residential lots that are on full municipal service they can have two garden suites if the lot is large enough, and that this is a sign of modern efforts at intensification.

Director of Planning and Building, Brian Treble, explained that this trend towards intensification has led to discussions between the planning and public works departments to ensure we have sufficient sewer capacity.

Councillor Trombetta further inquired to the Director of Planning and Building, Brian Treble, about if this 20-year garden suite allowance is transferable to new owners if the property is sold.

In response to Councillor Trombetta's further inquiry, Director of Planning and Building, Brian Treble, explained that the zoning stays with the land, but the agreement that implements it requires we know who the garden suite is for, and so it would have to be renegotiated.

Mayor Ganann inquired to the Director of Planning and Building, Brian Treble, if this renegotiation would restart the 20-year allowance or would it continue from where it left off.

In response to Mayor Ganann's inquiry, Director of Planning and Building, Brian Treble, explained that because the zoning is connected to the land, a renegotiated garden suite allowance on the same land would not restart the 20-year allowance.

Chair Reilly inquired to the Director of Planning and Building, Brian Treble, if the \$5,000 security deposit is returned to the applicant if the property comes back into compliance at the end of the garden suite allowance.

In response to Chair Reilly's inquiry, Director of Planning and Building, Brian Treble, explained that they would receive the full security deposit back in such an instance.

Chair Reilly further inquired to the Interim CAO/Treasurer if the property would be reassessed by MPAC with a garden suite included on the lot.

In response to Chair Reilly's further inquiry, the Interim CAO/Treasurer explained that applications are sent to MPAC and then they do their assessment. While garden suites are considered temporary, depending on the structure, there is additional assessment put on the property with a garden suite.

The Chair stated that a Recommendation Report was being considered by Council later as part of this evening's Committee 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 Deputy Clerk, Justin Paylove, at jpaylove@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.

15. Adjournment

The Chair declared the meeting adjourned at the hour of 8:22 p.m.

JUSTIN PAYLOVE, DEPUTY
CLERK

COUNCILLOR WILLIAM REILLY,
CHAIR