



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

**December 9, 2024, 6:30 p.m.
West Lincoln Community Centre
177 West Street, Smithville, Ontario**

Council: Mayor Cheryl Ganann, Chair
Councillor Shelley Bradaric
Councillor Jason Trombetta
Councillor Mike Rehner
Councillor Joann Chechalk
Councillor Greg Maychak
Councillor William Reilly

Staff: Justin Paylove, Director of Legislative Services/Clerk
Gerrit Boerema, Director of Planning and Building
Kevin Geoghegan, IT Help Desk Analyst
Truper McBride, CAO
Mike DiPaola, Director of Public Works & Recreation
Katelyn Repovs, Director, Corporate Services/CFO
Tim Hofsink, Acting Fire Chief

Attendees: John Ganann
Jordan Hambleton, Niagara Transit Commission

1985 Hodgkins Road (Jeremy Brown (Agent, Niagara Planning Consultants)
Carrie-Jo TeBrake)- Zoning By-law Amendment

1. 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:

This application for a Zoning Bylaw Amendment has been made to rezone the property legally described as Concession 5, Part Lot 9, 30R3189 PARTS; 5, 6 & 7, in the former Township of Gainsborough now in the Township of West Lincoln, Regional Municipality of Niagara, municipally known as 1985 Hodgkins Road.

The intent of this rezoning application is to fulfill a condition of consent for severance file B08/2024WL. The consent application severed a surplus farm dwelling and barn with 0.63 hectares (Parcel 1 on attached sketch) of land from a 21.1-hectare farm (Parcel 2) This application proposes to rezone Parcel 2 (Retained Lands -21 hectares) to Agricultural Purposes Only (APO) with a site specific exception to recognize the deficient lot size of 21.1 hectares whereas, 39 hectares is the minimum lot size requirement within an APO zone, this site specific will also recognize an interior side yard setback to an agricultural building on the lands of 6.72 metres where 15 metres is required.

This application also proposes to rezone Parcel 1 (Severed residential lands) to Rural Residential (RuR) with a site specific exception to recognize an accessory barn to be 136 square meters in size whereas 120 square metres is the permitted maximum. This site specific amendment will also recognize a front yard setback to the accessory building of 2.89 metres, whereas accessory buildings shall be located in line with or behind the main building on the property, which has a setback of 46.63 metres.

2. Purpose of the Public Meeting

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

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 Amendments.

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

3. Public Meeting

The Chair stated that in accordance with the *Planning Act* and the Minister, the applicant or specified person, public body or registered land owner of any land to which the by-law amendment will apply who made oral submissions at a public

meeting or written submissions to Council prior to the adoption and/or passage of the by-law may appeal the by-law amendment to the Ontario Land Tribunal.

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

In response to the Chair's inquiry, Director of Legislative Services/Clerk, Justin Paylove, explained that proper notice was given.

The Chair inquired to the Acting Director of Planning and Building, Gerrit Boerema, to explain the purpose and reason for the proposed Zoning By-Law Amendments.

In response to the inquiry from the Chair, Acting Director of Planning and Building, 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 and/or their authorized agents 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 submission from any members of the public.

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 Rehner inquired to the Acting Director of Planning and Building, Gerrit Boerema, about the size of the lot retained from the surplus farm dwelling.

In response to Councillor Rehner's inquiry, the Acting Director of Planning and Building, Gerrit Boerema, explained that the lot was approximately 21.7 hectares; therefore, falling short of the required 39 hectares minimum lot area.

Approximately 21.1 hectares will be zoned agricultural purposes and 0.61 hectares will be zoned rural residential.

Councillor Chechalk inquired to the Acting Director of Planning and Building, Gerrit Boerema, if the owner is keeping the vacant farmland or the house.

In response to Councillor Chechalk, the Acting Director of Planning and Building, Gerrit Boerema, explained that the owner will be keeping the farmland and that the 0.6 hectare residence will be purchased by another farmer.

The Chair stated that a Recommendation Report was being considered by Committee this evening. 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 Director of Legislative Services/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.

4. Adjournment

The Chair declared the meeting adjourned at the hour of 6:46 p.m.

JUSTIN PAYLOVE, DIRECTOR OF
LEGISLATIVE SERVICES/CLERK

MAYOR CHERYL GANANN,
CHAIR