
**TOWNSHIP OF WEST LINCOLN
PLANNING/BUILDING/ENVIRONMENTAL
COMMITTEE AGENDA**

MEETING NO. FIVE HELD: Monday, May 13, 2013, Township Administration Building, 318 Canborough Street, Smithville – **6:30 p.m.**

1. **CHAIR:** Alderman Joann Chechalk (Chair)
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

NOTE: **PUBLIC MEETINGS UNDER THE PLANNING ACT**

Planning Meetings required under the Planning Act will commence at 6:30 P.M.

- (a) Zoning By-law Amendment – Daryl Haanstra (File No. 1601-013-13)
- (b) Zoning By-law Amendment – Mike & Wilma DeHaan (File No. 1601-014-13)

3. **APPOINTMENTS:**

There are no appointments.

4. **REQUEST TO ADDRESS ITEMS ON THE AGENDA:**

Chair to inquire if there are any members of the public present who wish to address any items on the Planning/Building/Environmental Committee Agenda.

5. **CONSENT AGENDA ITEMS:**

All items listed below are considered to be routine and non-controversial and will be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

- (a) **ITEM P53-13**

- (1) Information Report No. PD-055-13 – Building Permit Fee Annual Report 2012
- (2) Recommendation Report No. PD-060-13 – Jonker Trucking Inc. Site Plan Agreement Authorizing By-law

RECOMMENDATION:

The Planning/Building/Environmental Committee hereby approve the following Consent Agenda Items:

1. Item 1 be hereby received for information; and
2. Item 2 be hereby received and that the recommendations contained therein be adopted;
with the exception of Items #(s)_____.

6. **COMMUNICATIONS:**

There are no communications.

7. **STAFF REPORTS:**

(a) **ITEM P54-13**

Planner II (Rachelle Larocque) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-059-13 – Recommendation Report – Zoning By-law Amendment –
Daryl Haanstra (File No. 1601-013-13)

RECOMMENDATION:

- (1) That, report PD-059-13, regarding Daryl Haanstra Application for Rezoning, dated May 13, 2013 be received;
- (2) That, Zoning By-law Amendment Application 1601-013-13 submitted by Daryl Haanstra BE APPROVED.

(b) **ITEM P55-13**

Planner II (Tara Lynn O'Toole) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-056-13 – Recommendation Report – Zoning By-law Amendment –
Mike & Wilma DeHaan (File No. 1601-014-13)

RECOMMENDATION:

- (1) That, report PD-056-13, regarding Mike and Wilma DeHaan's Application for Rezoning, dated May 13, 2013 BE RECEIVED; and,
- (2) That, Application 1601-014-13 submitted by Mike and Wilma DeHaan, BE APPROVED.

(c) **ITEM P56-13**

Planner II (Rachelle Larocque) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-058-13 – Recommendation Report – Regional Policy Plan
Amendment, Official Plan Amendment & Zoning By-law Amendment – West Lincoln
Leisureplex - Phase II - File Nos. 1701-003-13 (#41) & 1601-012-13

RECOMMENDATION:

- (1) That, report PD-058-13, regarding West Lincoln Leisureplex Official Plan Amendment and Zoning By-law Amendment dated May 13, 2013 BE RECEIVED;
- (2) That the Township of West Lincoln hereby requests the Region of Niagara to approve a Regional Policy Plan Amendment to implement the Township's Official Plan Amendment #41 for Phase II of the Leisureplex;
- (3) That a by-law to adopt Official Plan Amendment #41, BE APPROVED;
- (4) That, Official Plan Amendment #41 being the Leisureplex Phase II, be forwarded to the Region of Niagara for approval;
- (5) That application for rezoning 1601-009-13 made by the Township of West Lincoln, BE APPROVED; and
- (6) That, no further public meeting is required as per Section 34(17) of the Ontario Planning Act, R.S.O. 1990 as the changes to the application are considered to be minor in nature.

8. **OTHER BUSINESS:**

(a) **ITEM P57-13**

Alderman Joann Chechalk

Re: Resolution to Province regarding not being a "Willing Host" for Industrial Wind Turbines

RECOMMENDATION:

WHEREAS the Premier of Ontario has repeatedly conveyed the Government's desire to limit Industrial Wind Turbine (IWT) Projects to communities that have indicated that they are "willing hosts";

AND WHEREAS Council for the Township of West Lincoln has consistently noted its concern regarding the Green Energy Act, the installation of IWTs, and the restricted jurisdiction of municipalities with respect to the Green Energy Act;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Township of West Lincoln hereby applauds the position taken by Premier Wynne, to focus the installation of IWT's in communities that have indicated that they are "willing hosts"; and

THAT, due to the lack of information on the long term health impacts, the potential negative impact on property values, and the long term negative economic implications to our community resulting from the proposed installation of IWTs in West Lincoln, the Council for the Township of West Lincoln hereby confirms that it is not a "willing host" for IWTs; and

THAT, the Council of the Township of West Lincoln encourages AMO to strike a committee to review and establish a policy position on municipal jurisdiction as it relates to the Green Energy Act; and,

THAT, other municipalities not impacted by IWTs show their support for those municipalities who have been impacted by this legislation by endorsing this motion; and,

THAT, this resolution be forwarded to the Premier, Leaders of the Official Oppositions; Ministers of the Ministries of the Environment, Infrastructure and Energy, Rural Affairs and Agriculture and Food, Municipal Affairs; Region of Niagara; Niagara Peninsula Energy Inc.; local MP and MPP, the Association of Municipalities of Ontario, and the Renewable Energy Approval applicants in West Lincoln.

(b) **ITEM P58-13**

Alderman John Glazier

Re: Donation Clothing Bins

FOR DISCUSSION

(c) **ITEM P59-13**

Members of Committee

Re: Referred Matters List & Time Sensitive Tracking List

UNDER SEPARATE COVER

- (d) **ITEM P60-13**
Members of Committee
Re: Other Business Matters

9. **CONFIDENTIAL MATTERS:**

Closed session item(s) relate to the following allowable exceptions:

1. Personal matters about an identifiable individual, including municipal or local board employees; and,
2. Proposed or pending acquisition or disposition of land by the municipality or local board; and,
3. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

- (a) **ITEM P61-13**
Director of Planning & Building (Brian Treble)
Re: Confidential Report No. PD-028-13 – Implementation of a New Noise By-law – Legal & By-law Enforcement - **UNDER SEPARATE COVER**
NOTE: Staff Sergeant D’Annunzio to be in attendance to address any questions and/or concerns

RECOMMENDATION:

- (1) That, Report No. PD-028-13, dated May 13, 2013, relating to “Implementation of a new Noise By-law”, BE RECEIVED; and,
- (2) That, the current Noise By-law be repealed and replaced with the new Noise By-law attached as Attachment No. 3 to this report; and,
- (3) That, the Nuisance By-law as attached as Attachment No. 4 to this report be adopted; and,
- (4) That, the new fines as included in the Noise By-law and Nuisance By-law be submitted, by Township Staff, to the Provincial Office of the Attorney General for approval.

- (b) **ITEM P62-13**
Director of Planning & Building (Brian Treble)
Re: Quarterly By-law Enforcement Update
REPORT TO BE DISTRIBUTED AT MEETING

- (c) **ITEM P63-13**
CAO (Derrick Thomson) & Director of Planning & Building (Brian Treble)
Re: Offer to Purchase - Property Matter
VERBAL UPDATE

RECOMMENDATION:

That, the CAO be and is hereby authorized to proceed with the negotiation of the purchase of land and report back at a future Committee and/or Council meeting.

(d) **ITEM P64-13**

CAO (Derrick Thomson)

Re: Vibrancy Fund Agreement – Update – Legal Matter

FOR DISCUSSION

(e) **ITEM P65-13**

Director of Planning & Building (Brian Treble)

Re: By-law Enforcement/Legal Matter

VERBAL UPDATE

(f) **ITEM P66-13**

Director of Planning & Building (Brian Treble)

Re: Confidential Report PD-001-13 – Personal Matters relating to an Identifiable Individual – Renewal of Contract for Sewage System Inspection Services in Accordance with the Ontario Building Code

UNDER SEPARATE COVER

RECOMMENDATION:

- (1) That, report PD-001-13, regarding “Renewal of contract for Sewage System Inspection Services in accordance with the Ontario Building Code” dated May 13, 2013 be received; and,
- (2) That, Staff be authorized to proceed with the required steps to implement the proposed contract for Sewage System Inspection Services.

10. **ADJOURNMENT:**

That, this Committee does now adjourn at the hour of _____ p.m.