

Lincoln Chambers

October 2nd, 1978

The Council of the Town of Lincoln met in regular session on Monday, October 2nd, 1978, at 7:30 p.m., in the Lincoln Chambers.

All members of Council were present and the meeting was chaired by His Worship Mayor F.D.McKenzie.

Official present was: Michael F.Duc (Clerk).

#### ADOPTION OF MINUTES

Moved by Ald.G.Huffman, Seconded by Ald.J.Thomas

THAT the prior resolutions on this subject under Council minutes of September 11th and 18th, 1978, be now rescinded.

CARRIED

Moved by Ald.P.Matthieu, Seconded by Ald.J.Troup

THAT the minutes of Council's regular meeting of September 18th, and two special meetings of September 26th and 27th, be adopted as circulated by the Clerk.

CARRIED

#### HEARING UNDER SECTION 636-A

##### OF THE MUNICIPAL ACT

The Council gave consideration to a series of appeals for tax rebates and refunds under the provisions of Section 636-A of the Municipal Act. Each appeal was accompanied by a recommendation from the Regional Assessment Department. The following persons appeared before the Council with respect to their specific appeal:

Mr. V.Markwick, re: Golden Horseshoe Court; Mr. R.Butler; Mr. M.Ejupovic; Mr. W.Pulchinski; Mrs. R.Carbone and Mr. M.Vandeyar, Solicitor for Niagara Tennis World Ltd.

On completion of its review of the appeals submitted, the Council adopted the following resolutions.

Moved by Ald.G.Huffman, Seconded by Ald.A.Savage

THAT this Assessment Review Court recommend that Item 8251 which is a display unit at Golden Horseshoe Court be removed from taxation for the year 1978. And further Item 11252 be charged for three months of taxation, and the balance of nine months be only license fees.

CARRIED

Moved by Ald.A.Gretsinger, Seconded by Ald.R.Konkle

THAT it is the opinion of this Court that Mr. R.Butler has been unfairly assessed and that he is entitled to a reduction of assessment and a commensurate rebate for 1977. Reduction to be calculated at \$295.00 assessment on 1977 mill rate.

CARRIED

Moved by Ald.A.Savage, Seconded by Ald.G.Huffman

THAT the recommendations to write the amount of \$272.59 on Roll No. 1-2-199, application 244 for the year 1977, be approved. Be it further recommended that the property be assessed on the lot only for the year 1977.

CARRIED

Moved by Ald.P.Matthieu, Seconded by Ald.J.Troup

THAT the following applications under Section 636-A of the Municipal Act be approved fk202, #220-226, ii228-239, #240-242, #245-246, #249-250, ik253-264.

CARRIED

#### PETITIONS

The Clerk read petitions signed principally by residents of Queen Street in Beamsville requesting that the Council continue to allow parking along the east side of Queen Street in Beamsville and also take action to restrict truck traffic along this narrow roadway.

One of the petitioners, Mr. B.Sweet, addressed the Council on this subject and outlined his reasons for requesting that parking be allowed along the east side of Queen Street. % Mrs. D.Erhardt, operator of a business on King Street at the foot of Queen Street explained that her business would suffer if the Council took action to prohibit parking on the subject street. She explained that parking facilities were inadequate in this general area and that her customers depended heavily on the few spaces available on Queen Street.

The Clerk read a letter from the Secretary of the Church of Christ, stating the Church's opposition to any action which might be taken by the Council to further prohibit parking on Queen Street. Moved by Ald.A.Savage, Seconded by Ald.A.Gretsinger THAT this Council recommend that the petitions from Citizens of Queen Street, re: parking changes be referred to Public Works for study and recommendation with respect to restriction of trucks on this street.

CARRIED

#### REPORTS

##### RECREATION & PARKS COMMITTEE -

Alderman A.Gretsinger, Chairman of the Recreation & Parks Committee read the Committee's report being the minutes of its meeting of September 18th, 1978.

CARRIED

Moved by Ald.A.Gretsinger, Seconded by Ald.J.Thomas THAT the report of the Recreation & Parks Committee, being the minutes of its meeting of September 19th, 1978, be adopted as read by Alderman A.Gretsinger.

CARRIED

##### PLANNING BOARD

His Worship Mayor McKenzie invited discussion on the reports of the Planning Board, being the minutes of its meetings of September 20th, 25th and 27th.

CARRIED

Moved by Ald.G.Huffman, Seconded by Ald.A.Savage THAT the report of the Planning Board, being the minutes of its meeting of September 25th, and two special meetings of September 20th and 27th, be adopted as circulated by the Board Secretary.

CARRIED

##### FINANCE & ADMINISTRATION COMMITTEE

Alderman J.Troup read the report of the Finance & Administration Committee, being the minutes of its special meeting of September 26th.

Moved by Ald.J.Troup, Seconded by Ald.G.Huffman

THAT the report of the Finance & Administration Committee, being the minutes of a special meeting on September 26th, be adopted as read by Alderman J.Trou- .

##### PUBLIC WORKS COMMITTEE -

Alderman A.Savage, Chairman of the Public Works Committee, read the Committee's report, being the minutes of its meeting of September 28th.

Moved by Ald.A.Savage, Seconded by Ald.P.Matthieu

THAT the report of the Public Works Committee, being the minutes of its meeting of September 28th, 1978, be adopted as read by Alderman A.Savage.

CARRIED

##### SUNDRY REPORTS

The Clerk read the report of the By-law Enforcement Officer for the month of August, 1978. Moved by Ald.A.Gretsinger, Seconded by Ald.P.Matthieu, THAT the report of the By-law Enforcement Officer for the month of August, 1978, be approved. CARRIED

##### APPLICATIONS FOR TILE DRAIN LOANS

The Council gave consideration to the applications of D.Rittenhouse, G.Van Rooyen, D.Grisonich and D.Cole, for loans under the Tile Drainage Act.

Moved by Ald.G.Huffman, Seconded by Ald.R.Konkle

THAT the following applications for Tile Drain Loans be approved;

1. Dorothy Rittenhouse, Lot 20-21, Concession Broken Front, \$9,800.00.
2. G.Van Rooyen, Lot 7, Concession 3, \$1,100.00.
3. Dario Grisonich, Lot 12, Concession 3, \$4,700.00.
4. D.Cole, Lot 9, Concession 3, \$2,200.00. CARRIED

##### PROPOSED SALE OF LAND, INDUSTRIAL PARK

The Council discussed further the proposal to sell to Gorge Construction a three acre parcel of land owned by the Municipality located in the intersection of Ontario Street and the South Service Road.

Moved by Ald.A.Gretsinger, Seconded by Ald.A.Savage  
THAT this Council authorize the Mayor and Clerk to sign the agreement between the Town and Gorge Construction as drawn up by the Solicitor (date September 12th, 1978), on behalf of the Town.

CARRIED

BY-LAWS

BY-LAW TO ESTABLISH THE BEAMSVILLE BUSINESS IMPROVEMENT AREAn

Moved by Ald.J.Thomas, Seconded by Ald.R.Konkle  
THAT leave be given to introduce "A By-law to designate an improvement area within the Town of Lincoln and to establish a Board of Management for the area."

CARRIED

Second and Third reading of this By-law is deferred to the next regular meeting of the Council.

CARRIED

BY-LAW TO AUTHORIZE CONVEYANCE OF ORIGINAL ROAD ALLOWANCE TO IAFRETE

Moved by Ald.A.Savage, Seconded by Ald.J.Riediger  
THAT leave be given to introduce "A By-law to authorize the conveyance of part of the original allowance for road between Lot 21 in the Broken Front Concession in front of Concession 1 and Lot 21 in the Broken Front Concession next to Lake Ontario."

CARRIED

Moved by Ald.J.Thomas, Seconded by Ald.J.Troup  
THAT the By-law read a first time and being "A By-law to authorize the conveyance of part of the original allowance for road between Lot 21 in the Broken Front Concession in front of Concession 1 and Lot 21 in the Broken Front concession next to Lake Ontario," be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal the same, any rule of this Council to the contrary notwithstanding.

CARRIED

SUNDRY BUSINESS

SUBMISSION TO MINISTRY OF HOUSING CONCERNING  
EAST LINCOLN SEWAGE WORKS AREA

The Council reviewed the draft of a brief to the Minister of Housing requesting that those streets which have been deleted from the sewer project proposal in the East Lincoln Sewage Works area be re-included in the overall project. Moved by Ald.G.Huffman, Seconded by Ald.P.Matthieu  
THAT this Council approves the draft submission to the Ministry of Housing concerning the East Lincoln Sewage Works area.

CARRIED

BY-LAW NO. 78-57, RE: ACADEMY GARDENS, STAGE 3 -

Moved by Ald.G.Huffman, Seconded by Ald.P.Matthieu  
THAT WHEREAS the Council did on August 8th, 1978, enact By-law No. 78-57 which established the zoning of certain lands in Lot 17, Concession 2 of the plan of the Township of Clinton, composed of 21.5 hectares and known as Stage 3 of the Academy Gardens Plan.

AND WHEREAS all required persons and agencies were notified of the Council's action in passing the said by-law and its intention to apply to the Ontario Municipal Board for its approval.

AND WHEREAS no objections resulted from the circulation of the by-law.

NOW THEREFORE, the Council resolves that application be made to the Ontario Municipal Board for approval of By-law No. 78-57.

CARRIED

PROPOSED RABIES CLINICS

The Clerk read a letter from Dr. E.J.Boothe, District Veterinarian, stating that the Ministry of Agricultural had agreed with the Town's request that Rabies Clinics be organized in this area. A second communication on this subject from the Regional Municipality of Niagara stated that the Region would absorb the costs of advertising the Clinics. Clinics are to be held at the Beamsville Centennial Centre on Tuesday, October 31st, and at Vineland Fire Hall on Thursday, November 2nd.

SPECIAL EVENTS

Alderman A.Gretsinger informed the Council that Ceremonies to mark the Official opening of the Addition to the Beamsville Arena would be held

at the Arena at 7:00 p.m., on October 9th, in conjunction with the start of the Lincoln Minor Hockey Season. Members of Council are invited to be present on this occasion.

Mayor McKenzie advised that Bishop Fulton had invited members of Regional and local Councils to attend a Mass to be held at the St. Catharines Cathedral at 7:00 p.m., on October 4th, in commemoration of the Late Pope. Members of Council are invited to attend the Official opening of the Beamsville Fire Hall to be held at 2:00 p.m., on Sunday, October 15th.

#### 1978 MUNICIPAL ELECTIONS

His Worship Mayor F.D. McKenzie announced to the Council that he would be seeking re-election as Mayor of the Town of Lincoln for the 1979-80 term. Alderman J. Troup and P. Matthieu both announced that they would not be seeking re-election in the forthcoming term of Council.

#### ADJOURNMENT

Moved by Ald. A. Savage, Seconded by Ald. G. Huffman

THAT this Council do now adjourn to meet again Monday, October 16th, 1978, or at the call of the Mayor.

\ - /

1 / CARRIED Lincoln Chambers

October 3rd, 1978

Minutes of a special meeting of the Town of Lincoln Planning Board held in the Lincoln Chambers on Tuesday, October 3rd, 1978, at 7:15 p.m. All members of the Board were in attendance and the meeting was chaired by Alderman G. Huffman. Officials present were: F. Reiss (Town Planner) and J. Podres (Chief Building Official). Also present were: Alan Ward and Louise Sherwood of Planistics (Consultants to the Town).

#### REVIEW OF BY-LAW NO. 73-50,

#### FINAL DRAFT PROVISIONS

The Chairman of the Planning Board turned the meeting over to Mr. Alan Ward who indicated that he would like to discuss the industrial provisions and the administration provisions of this new draft By-law as well as the exceptions as they relate to the Industrial zone.

#### Section 7, Industrial Zones

It was indicated by Mr. Ward that the Industrial zone section had been amended from the previous By-law No. 73-50 by reducing the number of Industrial zones from 7 zones including Prestige Industrial and Industrial Park to four zones which included all of the uses permitted previously but reduced the number of zones in question. The zones proposed for this draft are: Light Industrial, General Industrial, Extractive Industrial and Deferred Extractive Industrial.

Mr. Ward noted that the various zones on the schedules to the By-law had been amended to upgrade the various zones from, for example, a General Industrial zone to a Light Industrial zone in order to permit greater control on certain types of uses. Mr. Ward also indicated that he hoped no changes would be made to the Extractive Industrial zone due to the fact that much work had been done previously in By-law No. 73-50 in establishing the areas for both the Extractive zone and Deferred Extractive zone. It was pointed out that there had been no objections to By-law No. 73-50 regarding this very difficult issue.

It was pointed out that the General Industrial Zone of this Draft By-law permitted most industrial types of uses and that the Light Industrial zone is more restrictive both as far as uses are concerned and as far as the storage of various types of materials are concerned.

The Board questioned whether or not lead products could be manufactured and whether they are permitted in the By-law due to the possible health hazard involved in the manufacture of lead products. Mr. Ward indicated that under the general provisions, page 6, item B at the bottom of the page restricts obnoxious uses of a hazardous nature. It was agreed that Planistics would check into this matter and determine whether or not the lead fabrication business is hazardous enough to warrant exclusion from the By-law.

The Board questioned whether or not a Contractor could establish his office in a Residential zone without being required to rezone to an Industrial use. It was indicated that the "R2" and "R3" zones permitted

Home Occupations such as a Contractors office without rezoning as long as the Home Occupation met the requirements as set out in the zone. e

The Board questioned whether or not a greater setback would be advisable from an Industrial building and a Residential zone. It was indicated that the setback between a General Industrial zone and a Residential zone was greater in the former By-law No. 73-50. Mr. Ward indicated that the By-law set out only a minimum standard which could be increased through a Site Plan Agreement under Section 35-A of the Planning Act. It was also noted that the Ministry of the Environment played a much greater role than previously in the Approvals process for an industry and that setbacks could be controlled through that Ministry as well as the exact nature of various types of uses would be controlled.

It was indicated that on page 7-11, the "Minimum Other Sideyard" should be noted as 7.4.2.3 and not 7.3.2.3. This notation refers to an item on page 7-12 dealing with sideyard requirements.

#### Section 9, Exceptions

The Board reviewed various special Industrial exceptions which were listed in this section and were reviewed with reference to the Beamsville Zoning map which had been circulated to the Board members this evening. Each

exception was outlined in detail with special reference to the exact nature of the exception in relationship to this new draft By-law.

#### Section 10, Administration Section

The Board reviewed this section and it was agreed to amend subsection 10.2.2., Application for Permits and Certificate on page 10-3, item E to read that "no excavation for any building or structure shall be commenced until a Certificate of Occupancy has been applied for and a building permit has been issued by the Chief Building Official."

#### Outstanding Items

It was indicated that there were two major outstanding items still to be reviewed by the Board.

1. the remainder of the exception section which will be reviewed at the next meeting. e
2. the maps are to be finished and circulated for the next meeting at which time the exception section will be reviewed in relationship to these maps as well.

It was agreed that the remainder of the outstanding items would be reviewed at the next Planning Board meeting of October 10th, towards the end of the regular Planning Board meeting of that evening.

#### ADJOURNMENT

Moved by Ald.J.Riediger, Seconded by Ald.P.Matthieu

THAT this special Planning Board do now adjourn to meet again at the call of the Chairman.

#### CARRIED

SECRETARY CHAIRMAN Lincoln Chambers

October 10th, 1978

i Minutes of a meeting of the Town of Lincoln Planning Board held in the Lincoln Chambers on Tuesday, October 10th, 1978, at 7:30 p.m. The meeting was chaired by Alderman G.Huffman with all members of the Board being present with the exception of Alderman J.Troup (due to illness). Officials present were: J.Podres (Chief Building Official), J.Tufford (Deputy-clerk) and F.Reiss (Town Planner).

#### DELEGATIONS

#### WEST LINCOLN & DISTRICT ASSOCIATION FOR THE MENTALLY RETARDED -

Mr. Don Robertson of Moffat, Moffat & Kinoshita, Architects, appeared on behalf of his clients, the West Lincoln & District Association for the Mentally Retarded in order to review with the Board site plans which had been prepared for a site plan agreement which Town staff had prepared and circulated to the Board members.

The Board reviewed the various clauses in the site plan agreement and agreed to amend Clause 3 to indicate that the West Lincoln & District Association would have until August 31st, 1979, to complete the landscaping plan and to strike out any reference to any Occupancy Permit in that clause.

It was agreed to completely strike out Clause 6 which referred to the provision of extra parking spaces should the need arise in the view of the Town. It was indicated by Mr. Robertson that he did not foresee this need arising in the future and, in any event, it was opinion that parking could be accommodated on Church or Nixon Streets if the need did arise.

Moved by Ald.P.Matthieu, Seconded by Ald.J.Riediger

THAT this Board recommend to Council approval of the Site Plan Agreement with the West Lincoln & District Association for the Mentally Retarded as amended which deletes clause 6 of the agreement.

CARRIED

#### WESTLAND GREENHOUSES, PROPOSED

#### MOBILE HOME HELPHOUSE

Mr. Peter Van Beurden appeared before the Board to request that it consider a 14' x 60' mobile home as a helphouse for his hired man which would be located adjacent to existing greenhouses on his property on 15th Street near the Queen Elizabeth Way.

Town staff pointed out that the request by Mr. Van Beurden was to locate the mobile home 20 feet from the southerly property line and 30 feet from the easterly property line and that these two distances would require a minor variance from the Committee of Adjustment. The usual distances would be 50 feet from these property lines.

Mr. Van Beurden was questioned by the Board as to whether he could easily move his mobile home to the required 50 feet without causing major difficulties or removing any existing trees. Mr. Van Beurden indicated that if necessary he could move the mobile home to the required distance.

Moved by Ald.R.Konkle, Seconded by Ald.J.Thomas

THAT this Planning Board recommend to Council the following:

THAT the schedule "A" to the Site Plan Agreement amendment between the Town and Westland Greenhouses (Jordan) Limited be further amended to read was a 50 foot setback from both property lines for the proposed 1, mobile home helphouse.

FURTHER THAT this be noted on the original agreement executed on the 28th day of July, 1976, subject to Health Unit approval and application for a building permit.

CARRIED

#### REPORTS

#### APPLICATIONS TO THE REGIONAL LAND DIVISION COMMITTEE

The Board reviewed the following applications which had been made in the previous two weeks. New Applications:

1. B-489178, Lloyd & Geraldine Teft 2 this property which is located east of Sann Road, being part of Lot 12, Concession 2(Clinton) was made for consent to convey 8.2 acres of land with an existing frame barn and to retain one acre of land with an existing dwelling as a retirement home for the applicants. It was indicated that Town staff did not object to this application subject to the Committee being satisfied that the applicant was a bonafide farmer and the payment of impost and park dedication fund fees.

Decisions:

1. B-478/78, B-479/78 and B-480/78, Podamer Champagne Company Limited, This application to create three industrial lots of approximately one acre each in size on part of Lot 16, Concession 1 was approved by the Land Division Committee.

Ontario Municipal Board Hearing:

1. 8-75/78, Jurisson, It was indicated to the Board that the Ontario Municipal Board had written to the Town to indicate that the Hearing which was to have been held on the Jurisson retirement lot on October 23rd, 1978, had been cancelled due to the fact that the appellant has withdrawn his application.

#### APPLICATIONS TO THE NIAGARA ESCARPMENT COMMISSION

The Board reviewed the following applications.

New Applications:

1. N/A/78/214, L.Vanco, Part Lot 19, Concessions 3 and 4, application

was made to construct a 223 square metre farm implement building. Town staff did not object to this application which met all the requirements of the former By-law No. 73-50.

2. N/R/78/217, F.Denis, Part Lot 19, Concession S(Clinton). Application was made to construct a 210 square metre single family detached dwelling with septic system and implement shed. Town staff did not object to this application which met all the requirements of the former By-law subject to the septic system being approved by the Regional Health Unit.

Decisions:

1. Part Lot 13, Concession 5(Louth). This application to change the use of an existing barn to a Publishing Company business was approved by the Commission subject to:

a) the development taking place in accordance with the sketch site plan which was submitted previously.

b) that prior to the issuance of a development permit that the applicant enter into a site plan agreement with the Town of Lincoln to control any future development of the wholesale Publishing Company. The said agreement to include, but not limited to, parking provisions.

2. N/R/78/190, F.Barlow, Part Lot 19, Concession S(Clinton). Application to construct a 139.5 square metre single family dwelling with septic system on a .19 hectare property was refused due to the fact that the Health Unit has indicated that the subject property is not suitable for the operation of a septic tank waste disposal system.

3. N/R/78/178, Komenda, Part Lot 7, Concession 4(Clinton). This application to construct a 136 square metre single family dwelling on an 18.8 acre parcel was approved subject to a detailed grading plan being submitted to the Niagara Escarpment Commission and to the Regional Municipality of Niagara prior to the issuance of a development permit. This plan would provide for the creation of a suitable driveway gradient and building area with minimal slope disturbance or vegetation removal.

#### CORRESPONDENCE

The Board reviewed the following items of correspondence.

A letter from J.Manicom, Supervisor of Conservation Services, -3-

1. N~~~~~ yenisula conservation Authority, requesting that the Town review the final reports for the ~eamsville, Bartlett and Prudhomme Creeks floodline mapping as prepared by the Consultant's to the Authority. ~h~ Planning Board agreed that the Council should review these reports with an explanation by Mr. Manicom and the Consultant s at a future date.

2. Corwin Cambray, Manager, Policy Planni "S Regional Niagara, outlining a memo 571 from the Region which ~rovides a general picture of the availability of lots for housing throughout the Region with special reference to the Town of Lincoln in the covering letter. This report was circulated for the general information of the Planning Board.

#### OTHER BUSINESS

1. The Board reviewed with Town staff a By-law to rezone the Zajac retirement lot on Cherry Avenue just south of Lake Ontario. It was agreed that this Bv-law would be amended to show only metric units as required by the ~rovinck and that the frontage minimum of 7100 feet would also be inserted.

Moved by Ald.A.Savage, Seconded by Ald.P.Matthieu

THAT this Planning Board recommend to Council the passing of the By-law establishing the zoning and regulations designating the use of a designated parcel of land within the Town of Lincoln (Zajac) subject to the use of metric and a minimum lot frontage of 100 feet or more.

#### CARRIED

#### REVIEW OF NEW COMPREHENSIVE

#### ZONING BY-LAW

Louise Sherwood of Planistics, the Consultants for the Town reviewed with the Board members and Town staff the final revisions to the new Comprehensive Zoning By-law including the Exceptions Section. Mrs. Sherwood also handed out the remaining maps for the review of the Planning Board members.

Exceptions:

The following amendments were made to the Exceptions Section.

1. It was agreed to exclude the Town's industrial property recently purchased from the Ministry of Transportation & Communications on the South Service Road just east of Ontario Street from the Exceptions Section. It was thought that any subsequent purchaser should submit plans to the Town and have these plans reviewed before any exceptions would be made for the development of this property.

2. It was agreed to exclude the Jordan Wines property on the west and east side of Main Street in Jordan from the Exceptions Section since it is only zoned as a Light Industrial (MI) category which would not detrimentally affect nearby residences.

Louise Sherwood and Town staff indicated that since it had been agreed previously to approve this By-law as amended at the following Council meeting, it was suggested that a resolution be forwarded to the Council to take this into consideration.

Moved by Ald.A.Savage, Seconded by Ald.A.Gretsinger  
THAT this Planning Board recommend to Council the acceptance of the new Comprehensive Zoning By-law, as amended.

CARRIED

#### UPCOMING ELECTIONS

Mayor McKenzie indicated that the hunting season might interfere with the Elections and that Advance Polls as set by the Province might not be adequate for various people involved in the hunting season. It was indicated that a By-law could be passed to set a new Advance Poll. The Board discussed this possibility and agreed that a new Advance Poll was not necessary.

Alderman Reidiger announced officially his intention to seek re-election in the upcoming Municipal Elections on November 13th, 1978, and indicated further that he still intends to apply for a building permit and build a house in Jordan Station.

#### ADJOURNMENT

Moved by ALd.J.Riediger, Seconded by Ald.P.Matthieu THAT this Boar6 do now adjourn to meet again on October 23rd, 1978, or at the call of the Chairman.

CARRIED

#### CHAIRMAN SECRETARY October 11, 1978

Lincoln Chambers

Minutes of a meeting of the Finance & Administration Committee in the Lincoln Chambers on October 11, 1978 at 7:30 p.m.

Present Were : J. Troup (Chairman) , F. McKenzie (Mayor), G. Huffman, A. Savage, J. Thomas.  
Officials Present Were: M. Duc (Clerk) and J. Makey (Deputy-Treasurer). Mr. J. Podres, Chief Building Official, was in attendance for part of the meeting.

#### ACCOUNTS

Moved by Mayor F. McKenk, Seconded by Ald. J. Thomas  
THAT the following General Accounts, in the amount of \$907,109.91, be approved for payment.

CARRIED

Moved by Ald. A. Savage, Seconded by Ald. J. Thomas  
THAT the following Fire Accounts, in the amount of \$1,372.04, be approved for payment.

CARRIED

#### BEAMSVILLE URBAN SERVICE AREA

The Clerk and Deputy-Treasurer submitted a report to the Committee on the subject of the Beamsville Urban Service Area and the system used by the Municipality in levying for the cost of urban services whttiin the defined area.

The report recommended that consideration now be given to reducing the size of the area in order to delete those sections which would not be serviced within the foreseeable future. In addition, it was recommended that consideration be given to a revised system of revenue raising in the area rather than to continue a flat mill rate charge against all properties within the area.

Moved by Ald. G. Huffman, Seconded by Ald. J. Thomas  
THAT the Clerk and Treasurer submit a report to recognize reductions in the Urban Service Areas, and recommend a revision in the revenue raising system of these areas. The objective of this report will be to have the situation corrected for the 1979 taxation year.

CARRIED

#### M. T. C. SURPLUS LANDS

#### INTERSECTION ONTARIO STREET & SOUTH SERVICE ROAD -

Further to a recent request made by the Committee, the Ministry of Transportation & Communications had, on a confidential basis, made available its asking price for the 6-acre parcel of land located at the intersection of Ontario Street and the South Service Road. - Prompted by the asking price, the Committee came to the conclusion that there was no advantage in the municipality acquiring this parcel for its promotion for industrial purposes.

Moved by Ald. A. Savage, Seconded by Ald. G. Huffman  
THAT this Finance Committee recommend to Council that upon receiving information as to cost of M.T.C. property on South Service Rd. west of Ontario St., ~eamsville, that no action be taken at this time.

CARRIED

#### LINCOLN BUILDING REGULATIONS

Mr. J. Podres, Chief Building Official, appeared before the Committee and submitted his recommendations with respect to a revised by-law under the Ontario Building Code. The Committee reviewed with Mr. Podres a copy of a revised by-law which he had prepared. Moved by Ald. G. Huffman, Seconded by Ald. A. Savage  
THAT the building by-law as presented by Joe Podres, Chief Building Official, is approved by this Committee. Staff is instructed to have this by-law approved by the Town Solicitor before presentation to Council for passing.

CARRIED

#### OFFER TO PURCHASE

#### SUBMITTED BY GORGE CONSTRUCTION

The Committee considered a letter written by Gorge Construction on the subject of the option agreement relating to its intended purchase of the 3-acre block of industrial land owned by the Municipality in the Lincoln Industrial Park. The letter requested that the Council give consideration to extending the option period from six months to twelve months; and further, that they be allowed to develop a building complex of 40,000 square feet or more in stages rather than in the period specified in the original agreement. The Committee considered the request made by Gorge Construction in detail and concluded that it should not approve the requests being submitted by the Company. In the opinion of the Committee, the Municipality acquired this parcel of land with the view of satisfying the need of some developer for the immediate construction of a high quality commercial - industrial complex. The parcel should, according to the Committee, be retained until such time as a buyer can be found who has an immediate need for the parcel and who is willing to develop the land to standards and conditions which will satisfy the Town's requirements and its intentions when it first acquired the parcel.

Moved by Ald. G. Huffman, Seconded by Ald. J. Thomas  
THAT this Committee recommend to Council that Gorge Construction Company Limited be notified in answer to their latest proposal dated Sept. 26, 1978, that the Town of Lincoln will not consider the recommended amendments to the former proposed agreement. In the meantime, the Staff is instructed to notify any other enquires to submit

offers on this property. And further, the property be advertised for sale if nothing materializes.

CARRIED

#### NOISE CONTROL BY-LAW -

The Committee gave consideration to a revised by-law with respect to noise control being recommended by the By-law Enforcement Officer. The original by-law regulating noise adopted by the Town controlled the making of unnecessary noise during the hours commencing one hour after sunset and ending one hour before sunrise. The intent of the new by-law is to control unnecessary noise at all times of the day. The Committee, in reviewing the by-law, stated that it had no objection to its basic intent but, requested that consideration be given to the incorporation of a clause which would permit farmers to use bird scaring devices during daylight hours to be defined without the risk of being in contravention of the by-law.

#### REPORTS

##### LINCOLN COUNTY HUMANE SOCIETY

The Committee reviewed the report of the Lincoln County Humane Society for the months of June, July and August, 1978. Moved by Ald. A. Savage, Seconded by Ald. J. Thomas THAT this Finance Committee receive the Humane Society Reports for the months of June, July and August, 1978.

CARRIED

#### BY-LAW ENFORCEMENT OFFICER

The Clerk submitted a report to the Committee recommending that Mr. John Whalen's appointment as By-law Enforcement Officer for the Town of Lincoln be confirmed by by-law of the Council.

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Moved by Mayor F. McKenzk, Seconded by Ald. A. Savage THAT the Clerk prepare the necessary by-law formally appointing John Whalen to the position of By-law Enforcement Officer and other duties specified in his original terms of employment.

CARRIED

#### REMEMBRANCE DAY HOLIDAY

The Committee was informed that since November 11th, a recognized holiday in the Town of Lincoln, fell on a Saturday, that it would be necessary to set the holiday on an alternative day. Normally, under the personnel policy manual, the following Monday would be designated as a holiday in lieu of November 11th but, this is impossible since municipal elections are being conducted on November 13. It was recommended that the preceding Friday, be set as the holiday, the decision being made by most other communities.

Moved by Mayor F. McKenzie, Seconded by Ald. J. Thomas

THAT this Committee recommend to Council that the Remembrance Day observance on Nov. 11th be observed by Town Staff and Officials on Friday, Nov. 10th, 1978, except Staff required for election purposes.

CARRIED

#### 1978 GRANTS TO LOCAL ORGANIZATIONS

The Treasurer requested the Committee's approval to the payment of grants to various organizations.

Moved by Ald. J. Thomas, Seconded by Ald. G. Huffman

THAT the following grants be paid as budgeted for:

St. Catharines Game & Fish \$150.00

1st Vineland Scouts 153.25

Branch 612 Royal Can. Legion 600.00

North Niagara Plowmen 75 .00

Big Brothers 250.00

St. John's Ambulance 200.00  
Lincoln Agricultural Society 1,500.00  
Conservation Club of West Lincoln 150.00

CARRIED

#### MUNICIPAL ELECTIONS

The Committee discussed the forthcoming municipal elections and requested that close attention be paid to adequate heating and washroom facilities in polling places.

Moved by Ald. A. Savage, Seconded by Mayor F. McKenzie

THAT the Returning Officer pay strict attention to the polling stations where voting takes place, to the cleanliness, working ablutions, and heating on election day. CARRIED The Committee entered into discussion on the subject

of the rate of remuneration paid to the members of the Council. A suggestion was made that members of the Council should, from year to year, be given the same cost of living increases as are given to municipal employees. This entire subject is referred to the Council.

#### CORRESPONDENCE

(a) Niagara Fruit & Vegetable Growers Association, requesting that the Town consider the purchase of advertising space in its 1978 convention program.

Moved by Ald. A. Savage, Seconded by Ald. G. Huffman

THAT the Town purchase one half page of advertising space in the Niagara Peninsula Fruit & Vegetable Growers Association Convention program at a cost of \$50.00 and that a suitable message be prepared for the Mayor's signature.

CARRIED

(b) The Municipal Tax Collectors Association, informing the Town that Mr. John Makey had been appointed to the Association's executive and would serve as Bulletin Editor. R. & F.

(c) Regional Niagara, concerning its 1979 budget guidelines which provide for a maximum increase of 6.2%, no new programs and no additions to Staff. R. & F.

#### ADJOURNMENT

Moved by Ald. G. Huffman, Seconded by Ald. J. Thomas

THAT this Committee do now adjourn and agree to meet again on November 14th, 1978, (if the Chairman can acquire a quorum) or at the call of the Chairman. CARRIED

CHAIRMAN Lincoln Chambers

A October 12th, 1978

"

Minutes of a meeting of the Public Works Committee held in the Lincoln Chambers at 7:30 p.m., on October 12th, 1978. Present were: Aldermen: A. Savage (Chairman) and R. Konkle and F. McKenzie (Mayor). Officials present were: M. Duc (Clerk) and J. Hodgkins (Public Works Superintendent).

#### ACCOUNTS

Moved by F. McKenzie (Mayor), Seconded by Ald. R. Konkle

THAT this Committee recommend to Council the payment of the Waterworks Department vouchers dated the 12th of October in the amount of

CARRIED

Moved by Ald. R. Konkle, Seconded by F. McKenzie (Mayor)

THAT this Public Works Committee recommend to Council this payment of the Public Works Department voucher number 10-1 in the amount of \$8,992.16.

CARRIED

#### PERSONNEL

##### MUNICIPAL TRAINING COURSES

The Superintendent recommended that Mr. Ted Coles of the Works Department be authorized to attend the Municipal Training Course organized by the Ministry of Transportation & Communications at Toronto on January 29th to February 2nd, 1979.

Moved by F.McKenzie(Mayor), Seconded by Ald.R.Konkle  
THAT Ted Coles be authorized to attend the Municipal Training Course organized by the Ministry of Transportation & Communications at Toronto on the subject of Municipal General Inspection on June 29th to February 2nd, 1979, with expenses paid.

CARRIED

#### WORKING HOURS, TOWN -PUBLIC WORKS DEPARTMENT

The Committee considered a petition signed by the majority of Works Department Hourly Rated Employees requesting that the system of hour lunch breaks be retained on a year round basis. The Committee had previously approved the 1/2 hour lunch arrangement for the summer period.

Moved by F.McKenzie(Mayor), Seconded by Ald.R.Konkle  
THAT in accordance with the petition submitted by employees of the Public Works Department, the 1/2 hour lunch break policy adopted for the summer months, be now followed on a trial basis for the winter season 1978-79.

CARRIED

#### ONTARIO TRAFFIC CONFERENCE

The Committee discussed further the subject of the Ontario Traffic Conference Parking Workshop being held in Oshawa from October 29th to 31st.

Moved by F.McKenzie(Mayor), Seconded by Ald.R.Konkle  
THAT this Committee recommend to Council that a member of staff or Council attend the Ontario Traffic Conference in Oshawa from October 29th to 31st, with expenses paid.

CARRIED

#### PARKING FACILITIES, BEMISVILLE

##### BUSINESS AREA

The Committee considered the proposal submitted by Mr. A.Dueck at the previous meeting relating to the development of a parking lot which would provide for the needs of several stores located on the south side of King Street. Moved by Ald.R.Konkle, Seconded by F.McKenzie(Mayor)  
THAT the Town not become involved in the purchase of lands for downtown parking purposes; relating to the proposal outlined by Mr. A. Dueck at the Committee's previous meeting. The property owners should be encouraged to proceed with the development of a parking lot that will satisfy the needs of their particular business.

The Town will assist in grading the site providing the work can be scheduled with other Town projects which require fill from the site. The Town will discuss participation in the development of the site, providing the lot is made freely accessible to the public under a lease arrangement with the Town along the lines applicable to the Central Avenue lot.

CARRIED

#### PARKING RESTRICTIONS-QUEEN STREET

##### BEAMSVILLE

The Committee gave further consideration to the proposal to restrict parking on Queen Street in Beamsville. Subsequent to the Committee's recommendation of September 12th, 1978, with respect to parking restrictions on the street various individuals had expressed to the Council objections to this proposal.

Moved by Ald.R.Konkle, Seconded by F.McKenzie(Mayor)  
THAT the Public Works Committee recommend to Council that: the motion of September 12th, 1978, of Public Works, be repealed regarding parking on Queen Street and that the following be instigated: THAT the parking stalls be eliminated on the easterly side of Queen Street for a distance of 100 feet+ from Highway No. 81. That the heavy truck traffic using this road be monitored.

CARRIED

#### WORKS DEPARTMENT EQUIPMENT REQUIREMENTS

The Superintendent explained to the Committee that it could now anticipate up to a one year delivery date on dump trucks being ordered by the Municipality. He advised that because of this situation the Town

should plan its equipment requirements far in advance of desired delivery dates.

**CORRESPONDENCE -**

1. Ontario Good Roads Association, advising that Larry Kline had successfully completed T.J.Mahony Road School.

Moved by F.McKenzie(Mayor), Seconded by Ald.R.Konkle  
THAT this Committee recommend to Council that a letter of congratulations be sent to Mr. Larry Kline on completion of the T.J. Mahony Road School Course and obtaining a certificate for same. That Mr. Kline be invited to attend the meeting of Council on October 16th for presentation of the certificate at 7:30 p.m.

**CARRIED**

2. C.H.Eidt, Director of Engineering, Regional Municipality of Niagara, advising that the Region had decided to extend the contract with its Metric Co-ordinator for a one year period. The letter requested that the local Municipalities endorse this proposal and continue in the cost sharing arrangement previously approved. The staff is to discuss the advantages which have accrued or may accrue to the Municipality from its participation in engaging the services of a Metric Co-ordinator and to report further to the Committee on this subject.

3. Kenneth Yu, Water Design and Construction Engineer, Regional Municipality of Niagara, concerning the Town's request that local works be incorporated in the Region's project involving the construction of a trunk watermain from Hillside Drive northerly to King Street. Mr. Yu advised that the Regional Solicitor was in the process of finalizing an agreement on this subject for execution by the Region and the local Municipality. . . \* 4. Centennial Branch 612 requesting the Town's permission to its proposal to organize a parade on November 11th, 1978 in Beamsville.

Moved by F.McKenzie(Mayor), Seconded by Ald.R.Konkle  
THAT Royal Canadian Legion, Branch 612, be authorized to hold a parade in Beamsville on November 11th, in accordance with letter dated September 30th, 1978.

**CARRIED**

Moved by Ald.R.Konkle, Seconded by F.McKenzie(Mayor)  
THAT this Public Works Committee do now adjourn to meet again on October 26th or at the call of the Chairman.

**CARRIED**

SECRETARY -, Oc-10-1971 -

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October 23rd, 1978

Minutes of a Special Meeting of the Council of the Corporation of the Town of Lincoln held in the Lincoln Chambers on October 23rd, 1978, immediately following the adjournment of a Planning Board meeting on that evening. All members of Council were in attendance and the meeting was chaired by His Worship Mayor F.D. McKenzic. Officials present were: F.D. Reiss (Town planner), J.A. Tufford (Deputy Clerk) and J. Podres (Chief Building Official). Also in attendance was I. Sherwood (Planning Consultant - Planistics Group).

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**TOWN OF LINCOLN COMPREHENSIVE ZONING BY-LAW.**

Subsequent to the Planning Board's final review of the comprehensive Zoning By-law recently completed for the Town of Lincoln Planning Area, the Council considered approval to this document.

Moved by Ald. A.F. Gretsinger, Seconded by Ald. R.A. Konkle THAT leave be given to introduce a comprehensive Zoning By-law for the Town of Lincoln Planning Area, as recommended by the Town of Lincoln Planning Board, the subject By-law to be numbered By-law No. 78-85.

**CARRIED**

Moved by Ald. J.C. Thomas, Seconded by Ald. J. Riediger THAT the comprehensive Zoning By-law for the Town of Lincoln Planning Area, being By-law No. 78-85, and as recommended for approval by the Town of Lincoln Planning Board, be now and is hereby approved, as read; and finally passed. AND FURTHER, that the Mayor and Clerk be authorized to sign and seal the same, any rule of this Council to the contrary notwithstanding.

FURTHER, this Council is of the opinion that the provisions of the By-law comply with the policies of the Town of Lincoln Official Plan, adopted by the Council of the Town of Lincoln on the 6th day of December, 1973, and which was modified and approved by the Minister of Housing on the 24th of April, 1978, with the exception of specific deferrals, and referrals to the Ontario Municipal Board.

**CARRIED**

**MUNICIPAL ELECTIONS**

It was requested that information on candidates nominated for various offices in the upcoming Municipal elections be made available and the Deputy Clerk read a list of those persons declared as candidates, and those who would be acclaimed to office.

**ADJOURNMENT**

Moved by Ald. A.M. Savage, Seconded by Ald. J. Riediger THAT this Special meeting of Council do now adjourn to meet again at the call of the Mayor.

**CARRIED**

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DEPUTY SER~ Lincoln Chambers  
October 23rd, 1978

Minutes of a meeting of the Town of Lincoln Planning Board held in the Lincoln Chambers on Monday, October 23rd, 1978, at 7:30 p.m. The meeting was chaired by Alderman G.Huffman with all members of the Board being present. Officials present were: J.Podres (Chief Building Official), J.Tufford (Deputy-Clerk), F.Reiss (Town Planner), and the Consultants for the Town: A.Ward and L.Sherwood.

**ZONING BY-LAW REVIEW**

The Chairman of the Board recognized two members of the public in the gallery and requested that they comment on their item of concern

regarding the new By-law for the Town. One of these persons-H.R.Peele indicated that it was his concern that his client's property who was also present in the room was being zoned "Light Industrial" (MI) rather than the "CI" or "C2" use which they preferred. It was indicated that a letter had been forwarded to the Town expressing interest in a commercial zoning for this property.

The Town Planner indicated that the property was previously designated "rural" in the Official Plan and zoned "Selective Rural" in By-law No. 73-50. An Official Plan amendment would be required to permit any urban sort of uses to occur. The Consulting Planner, Mr. Ward, indicated that there was sufficient commercial land available along Ontario Street which would serve the neighbouring residential areas and that too much commercial development in areas other than the Downtown Core of Beamsville would detrimentally affect this Core area. It was his opinion also that the "MI" (Light Industrial) zone did permit a variety of commercial uses including hanks and auto-body repair shops which were partially listed in the letter by Mr. Peele. It was indicated that a restaurant, however, would not be permitted and that an amendment would be required to permit this type of use.

It was agreed that since a firm proposal was not imminently forthcoming that the zoning on the property should remain as "Light Industrial".

Mr. Ward explained the process which staff and his firm had recently completed with various government agencies in defining the hazard land mapping and the clauses implementing this zone category. It was indicated that very detailed mapping had been made available by the Canada Centre for Inland Waters and that this mapping was transferred to the Zone Maps in the By-law and that a separate set of air photos with the hazard land setback from Lake Ontario would also be made available and would be part of the By-law. It was also indicated that if it was discovered that the hazard line dissected an existing residence that judgement was used to determine whether the line should fall to the north or south side of the residence thereby including or excluding the residence. Generally, houses were excluded from the hazard zone in these cases.

A question was raised by the Board regarding the provision for the parking of recreational vehicles, boats and trailers in the various residential zones of the By-law. It was pointed out by the Board members that the parking of these types of vehicles would not be permitted in the front yard or the exterior sideyard flanking a street at any time of the year. Previously, By-law No. 73-50 permitted the parking of these vehicles in the front yard from the 1st of May to the 30th of October each year. It was indicated by the Consulting Planners that the By-law presently before the Board was written to prohibit such uses in the "required" front yard for each zone but that trailers would be permitted within the setback for a particular zone in the front yard.

It was agreed that the dates previously shown in By-law No. 73-50 -would also be included in the new by-law so that these uses would be permitted from the 1st of May to the end of October every year. It was further agreed that the parking of these vehicles would be excluded at all times from the visibility triangle on corner lots.

Section 4.7 was questioned by the Board regarding the definition of a lagoon. It was agreed that since it was not clear whether a lagoon was a still body of water or whether there was out-flow from a lagoon and whether or not the walls of a lagoon were impervious that the term lagoon would be changed to a holding pond. It was pointed out that the walls of a lagoon would be required to be impervious as per the other sections of the clause. -2-

#### DELEGATIONS

**MR. JACOB PROFYT, RE:  
BODY AND PAINT SHOP**

Mr. Jacob Profyt, owner of a property adjacent to Williams Garage on William Street in Jordan Station appeared before the Board to discuss his proposal to change the use of this garage to a body and paint shop. The Board reviewed a staff report which outlined the nature of the

proposal, the various Zoning and Official Plan requirements which this proposal would require, the problems which might be encountered with local residences and the recommendations of staff to refuse this application due to the impact this proposal could have on the surrounding neighbourhood.

Mr. Profyt indicated that his proposal would probably not generate as much noise or produce as many inoperative vehicles as that of the present operation. He further indicated that very strict measures would be taken by the Ministry of the Environment and various other bodies to ensure that pollution would not occur from the paints operation and that he would be willing to enter into an agreement with the Town related to the parking of vehicles and landscaping.

Moved by Ald.A.Savage, Seconded by Ald.J.Troup

THAT this Planning Board recommend to Council that Mr. Jacob Profyt, William Street, Jordan Station, be permitted to use the Williams Garage as a body and paint shop subject to:

1. rezoning to allow new use.
2. site plan agreement, including fencing and/or proper buffer zones and control of storage of materials and hours of operation.
3. Official Plan amendment, if required.

NAYS: ALDERMAN GRETSINGER CARRIED

MR. FRANK TIMMERMANS, PROPOSED SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL DEVELOPMENT, LINCOLN AVENUE SOUTH, BEAMSVILLE

The applicant, Mr. Frank Timermans appeared before the Board to present his application to develop a 30f acre property on the west side of Lincoln Avenue and south of Regional Road 881. A staff report was reviewed which outlined the proposal which consisted of a 25 acre farm with an existing barn and proposed greenhouses and single family residence for Mr. Timmermans, four single family lots-60' x 200' in depth along Lincoln Avenue and a four acre retirement home site for Senior Citizens. The staff report also outlined the servicing problems for the site and indicated that it was likely that the Ministry of the Environment would not require further allotments of sewage quota for the retirement home site as indicated previously for other similar proposals in the Town but that allotments would be required for three of the four proposed single family residences. One of these residences could be probably hooked-up to the existing sewer system since the existing single family residence was included in the design of the Baker Road Pollution Control Plant. It was also indicated chat the Ministrv of Agriculture & - Food had set a 230 foot setback from the neighbouring intensive animal operation to the nearest lot on the property.

It was also suggested by staff that this proposal be developed through plan of subdivision in order that the Town would be able to imple- - ment its required conditions for servicing. It was pointed out that if this proposal followed the Land Division Committee procedures that possible conditions would not be applied by this Committee. It was further pointed out that an Official Plan amendment would be required for the proposed institutional retirement home but that a rezoning would not be required due to the fact'that the properties within the Niagara Escarpment Commission's development control boundary. The property is also partially within the Urban Area Boundaries of the Town to a depth of approximately 200 feet.

It was indicated by staff that if the applicant was willing to enter into a subdivider's agreement with the Town prior to an application to the Land Division Committee that this might be the most convenient and expedient way to handle this application due to the time constraints pointed out by the applicant. Moved by Ald.P.Matthieu, Seconded by Ald.A.Savage

THAT this Planning Board further review the proposal of Mr.

Timmermans on the west side of Lincoln Avenue, involving agricultural lands, four proposed residential lots, and a proposed parcel for a retirement apartment type home, subject to the following:

1. the subject of sewer capacity allotment has been investigated by the staff;

2. a plan of subdivision being drawn up, subject to payment of imposts and servicing,
3. approval of other agencies.

**CARRIED  
REPORTS --**

**APPLICATIONS TO THE REGIONAL LAND DIVISION COMMITTEE**

The following applications and decisions were reviewed by the Board.

**New Applications:**

1. B-495178, Miklos Sipos, this application was heard on October 11th, 1978 and was made for consent to convey and a partial discharge of mortgage over 1.21 acres of vacant land for residential use and to retain 26.1 acres of land with an existing dwelling, helphouse, three barns and three sheds to be retained for continued agricultural use. The property is located 728 feet south of Greenlane on the east side of Cherry Avenue, Part of Lot 4, Concession 2(Clinton). The application was made to convey a lot to the daughter of Mr. Sipos who assists in the farm operation and wishes to build a new residence on the lot.

It was indicated that staff did not object to this application subject to the Land Division Committee satisfying themselves that the daughter is a bonafide assistant in the operation, applying a condition that the applicant submit drainage plans to the Public Works Superintendent based on his comments, that the lot be rezoned to a rural residential category and that imposts and park dedication fund fees be paid.

2. B-498/78, Walter & Leokadja Mista, This application was heard on October 10th, 1978, and is part of Lot 5, Concession 2(Clinton), lying on the south side of Greenlane Road. Application was made for consent to convey one acre of land with an existing dwelling for residential use to the son and daughter-in-law of the farm owner and to retain 16.5 acres of land with an existing dwelling, barn and frame shed.

Staff indicated that there were no objections subject to the Land Division Committee satisfying themselves that the home is 110 longer needed as a helphouse since the original intention of the second home on the lot was for this purpose. It was further requested by the Town that the westerly sideyard setback of 35 feet be increased to 50 feet to meet By-law No. 73-50 requirements for the "Rul" zone.

**Decisions:**

1. B-489178, Lloyd & Geraldine Teft, this application for consent to convey 8.2 acres of land in part of Lot 12, Concession 2(Clinton), on the south side of Greenlane Road was approved by the Land Division Committee. A one acre retirement lot was created by the severance which was conditional upon the payment of impost fees, park dedication fund fees and that the applicant remove and demolish an existing barn on the property line.

**APPLICATIONS TO TBE NIAGARA ESCARPMENT COMMISSION, DEVELOPMENT CONTROL**

The following applications were reviewed by the Board.

**Decisions:**

1. N/R/78/217, Francine Denis, This application to construct a 2,260 square foot single family dwelling with septic system and implement shed on a 42% acre property on Zimmerman Road was approved by the Escarpment Commission subject to the usual requirements regarding landscaping.

2. N/A/78/21.4, B. Vanco, this application to construct a 2,400 square foot farm implement building on a 9.8 acre property in part of Lot 19,

Concessions 3 and 4(Clinton), on the south side of Lincoln Avenue was approved by the Escarpment Commission subject to the usual conditions relating to landscaping, etc.

**Hearing Officer's Report to the Minister of Housing**

1. Watson Application, File: ~~/78/110, the Ministry of Housing has withdrawn the application and closed the file on this proposed application of the Jordan Valley Flea Market since the applicant had intended to expand the operation beyond which his plans had indicated in the first instance and since these plans were only indicated during the hearing which was held in the latter part of September.

**APPLICATIONS TO THE COMMITTEE OF ADJUSTMENT**

1. A-15/78, A.G.McKee, Part of Lot 12, Concession 5(Louth), on the east

side of 13th Street between Regional Road /181 and 5th Avenue. The applicant has applied to the Committee to construct a two car garage, 16.3 feet from the frontyard property line which is 13th Street. The existing Zoning By-law would permit a frontyard setback of 25 feet for an expansion of an existing dwelling in this zone. The Hearing Date for this application is the 25th day of October, 1978.

#### CORRESPONDENCE

The Board reviewed a letter from Norman Sibbick, representing the owners of parts of Lot 17 and 18, Concession 5(Clinton), in the southwest neighbourhood of Beamsville. It was Mr. Sibbick's request that his clients be placed on the waiting list for sewage allotments or be given sewage allotments for a proposal for residential development in this area. Staff noted that the area was under appeal regarding the Urban Area Boundaries of the Town as well as the fact that no sewage allotments were presently available.

2. Correspondence from C.E.Bovaird, agent for Woodland Estates proposed plan of subdivision requesting that the Board withdraw part of a resolution that would require Block D on the draft plan to be allocated for park purposes as indicated previously by the Planning Board. The Board discussed this matter and agreed that as long as the property was kept clean and free of debris and fenced as Mr. Bovaird indicated that there were be no objection to this change.

Moved by Ald.A.Savage, Seconded by Ald.P.Matthieu

THAT this Planning Board recommend to Council that the resolution of September 25th, 1978, re: Savage and Matthieu be amended to read that the withdrawn lots be fenced and kept clean of weeds and deposits of debris by Torison Investments Ltd(Woodland Estates) or subsequent owners.

#### CARRIED

#### OTHER BUSINESS

##### BY-LAW TO REZONE THE ISAAC RETIREMENT LOT

Staff reviewed with the Board a By-law which would rezone a one acre retirement lot on Albert & Margaret Isaac at the northeast corner of Spiece Road and Yonge Street. Special provisions in the By-law were made for a drainage plan to be submitted and approved by the Public Works Superintendent of the Town.

Moved by Ald.A.Savage, Seconded by Ald.A.Gretsinger

THAT this Planning Board recommend to Council the passing of a By-law to rezone the Isaac property located at the northeast corner of Spiece Road and Yonge Street. This is a condition of consent for a retirement lot for Mr. & Mrs. Isaac.

#### CARRIED

2. The Board reviewed an update of the sewage allotment quota for the Town of Lincoln as prepared by Town staff. It was noted that there were 12 reserve allotments in the Vineland area and 13 in the Beamsville area.

3. The Board reviewed street names proposed for the Academy, Stage 3, plan of subdivision by the Developers of the Plan. It was indicated by staff that the Public Works Department had no objections to this list since no duplications were evident within the Town of Lincoln.

4. The Board reviewed a site plan agreement for the Hultink Publishing Wholesaling Business on the south side of Regional Road /181 as per a condition of the Niagara Escarpment Development Control application. It was pointed out that the intent of the agreement was to limit any future expansion of the Wholesaling Business and restrict that use to a Wholesaling use.

Moved by Ald.J.Riediger, Seconded by Ald.P.Matthieu

THAT this Board recommend to Council the acceptance of the site plan agreement as prepared for Hultink Publishing Wholesale Business with the Corporation of the Town of Lincoln.

#### CARRIED

5. The Board discussed the need for a brochure to be distributed to the general public regarding the rights of the public to object to various development proposals which might be forthcoming in the future.

Moved by Ald.A.Gretsinger, Seconded by Ald.J.Thomas  
THAT this Planning Board instruct staff to prepare a brochure for applicants to assist applicants to the Town with respect to procedures in making applications to the Planning Board. This brochure should include the various avenues of objection to decisions of any level of government and indicate what right(s) of appeal any applicant may have.

CARRIED

ADJOURNMENT

Moved by Ald.P.Matthieu, Seconded by Ald.A.Savage  
THAT this Board do now adjourn to reconvene into Council.  
That this Board do agree to meet again at the call of the Chairman.

CARRIED

SECRETARY CHAIRMAN Lincoln Chambers

October 26th, 1978

Minutes of a meeting of the Public Works Committee held in the Lincoln Chambers on Thursday, October 26th, 1978, at 7:30 p.m. Present were: Aldermen: A.Savage(Chairman), P-Matthieu, R.Konkle and J.Riediger, and F.McKenzie(Mayor). Officials present were: M.Duc(Clerk) and J.Hodgkins (Public Works Superintendent). In attendance for part of the meeting was Mr. G.Strachan, P.Eng., of Proctor & Redfern (the Town's Consulting Engineers).

TENDERS, STAGE I SEWER PROJECT, EAST

LINCOLN SEWAGE WORKS AREA-

The Clerk opened the following tenders for the construction of Stage 1 of the sewer project in the East Lincoln Sewage Works Area.

D'Amore Construction, (Windsor) Limited ...

Provincial Construction, Niagara Falls ...

Westwood Drain, Toronto ...

Roseway Construction, Downsview ...

D.L.Stephens, St. Catharines ...

Damore Brothers, Niagara Falls ...

Alden Contracting, Smithville ...

Pisa Construction, Maple, Ontario ...

King Paving, Oakville, Ontario ...

H.J.Voth Ltd, St. Catharines ...

Covello Brothers, St. Catharines ...

Cafagna Brothers, Concord, Ontario ...

Clairson Construction, Oakville, Ontario ...

Fernview Construction, Bolton ...

Pit-On Co. Ltd, Mississauga ...

Wm. Groves Ltd, Hamilton ...

Each of the tenders was accompanied by the necessary bid bond and agreement to bond. It was also confirmed that each of the tenders had been delivered to the Clerk prior to the required closing time being 4:00 p.m., local time on October 26th, 1978.

In discussions on the subject of the tenders the Consulting Engineer advised that the estimate on this stage of the project was \$517,000.00.

Moved by Ald.R.Konkle, Seconded by Ald.P.Matthieu

THAT this Committee recommend to Council that the tenders received, 16 in all, for Stage 1 of the construction of sewers in the Vineland/Jordan area be reviewed by the Town Engineers for errors and for their recommendation.

AND FURTHER THAT this recommendation be presented to Council on November 6th, 1978.

CARRIED

HILLSIDE DRIVE/HIXON STREET WATERMAIN PROJECT

The Town had recently requested that the Re-ion in the course - of installing a new watermain on Hillside Drive and Hixon Street incorpor-

ate into their tenders certain Town requirements. The Committee was advised that the requirements specified by the Town would necessitate a payment of \$15,700.00 to the Region and also the execution of an agreement with the Region for the undertaking of the works.

Moved by F.McKenzie(Mayor), Seconded by Ald.P.Matthieu

THAT this Committee recommend to Council that the Town enter into an agreement with the Region of Niagara to install local works in the new watermain to be installed by the Region from Hillside Drive down Hixon Street to Regional Road #81 at a cost of \$15,700.00.

#### CARRIED ACCOUNTS

The Committee reviewed Waterworks and Public Works Department account vouchers.

Moved by Ald.P.Matthieu, Seconded by Ald.R.Konkle

THAT this Committee recommend to Council approval of the Lincoln Waterworks account in the amount of \$277.02.

#### CARRIED

Moved by Ald.J.Riediger, Seconded by Ald.P.Matthieu

THAT this Committee recommend to Council the approval of Public Works accounts Voucher 110-2 in the amount of \$8,077.72 be approved as presented.

#### CARRIED

#### APPLICATION FOR INTERIM SUBSIDY

The Superintendent requested formal authority to make application to the Ministry of Transportation & Communications for interim subsidy on roads and streets expenditure for the period January 1st to September 30th, 1978.

Moved by F.McKenzie(Mayor), Seconded by Ald.J.Riediger

THAT Town Officers make application to the Ministry of Transportation & Communications for interim subsidy payable to the Town for the period January 1st, 1978, to September 30th, 1978.

#### CARRIED

#### REPORTS

#### WORKS DEPARTMENT COMMUNICATIONS SERVICES

The Public Works Superintendent submitted a report to the Committee recommending that key personnel be equipped with pocket pagers which would make contact possible in those situations when they cannot be reached by radio or telephone.

Moved by Ald.J.Riediger, Seconded by Ald.R.Konkle

THAT this Committee recommend to Council the acceptance of the report of the Public Works Superintendent, re: the answering service for Public Works Personnel.

THAT this Committee recommend the implementation of three(3) McLean Hunter Pocket Pagers at a cost of \$24.16 each for our key Works Employees.

#### CARRIED

#### WORKS DEPARTMENT FINANCIAL POSITION

The Works Superintendent commented to the Committee on the Works Department's financial activities for the period ending September 30th. Operations to this date indicate that the Department is operating within budget and it is anticipated that it will be within budget provisions at year end.

#### CORRESPONDENCE

1. Mr. V.Markwick, requesting that an agreement be negotiated under which the Town would provide snowplowing services to the Golden Horseshoe Court .

Moved by Ald.P.Matthieu, Seconded by Ald.R.Konkle

THAT the request from Mr. V.Markwick, re: snowplowing of Golden Horseshoe Court Trailer Park be denied on the grounds of limited road widths and speed control devices, etc.

#### CARRIED

2. Vinewood Engineering and Construction Limited, concerning the Beamsville Creek Storm Drain. The letter explained that the design work for the storm drain had been completed and plans delivered to necessary agencies. The letter inquired into the status of the Town's negotiations with respect to this project's land requirements.

Mr. Bovaird, of Vinewood Engineering & Construction Limited was present at the meeting and commented further on what was outlined in his letter. The Chairman informed Mr. Bovaird that it was the Committee's \* intention to discuss this matter "in-camera" later in the meeting and declined a request by Mr. Bovaird that he be allowed to attend the "in-camera" discussions.

3. Vinewood Engineering & Construction Limited, requesting that Lots 8 to 12 and 35 to 39 in Stage 2 of the Academy Gardens Plan be now released for development since design work for the drain had been completed. Mr. Bovaird explained that the plans had been reviewed by the Niagara Peninsula Conservation Authority and that its letter of approval was forthcoming. Mr. G.Strachan stated that the plans had been reviewed and were deemed to be in order.

Mr. Bovaird also explained that it was the developer's intention to attend to some maintenance works in the existing drain in order to lessen the possibility of flooding during the spring months. He agreed that this work would be done as a condition to the release of the stated lots for development.

The Chairman informed Mr. Bovaird that the entire matter would be further considered at a later point in the evening when the Committee had the opportunity of considering the Superintendent's report with respect to land acquisitions. Subsequently at a later stage in the meeting the following resolution was presented and acted upon after considerable discussion on this entire subject.

Moved by Ald.R.Konkle, Seconded by Ald.P.Matthieu

THAT this Committee recommend to Council that the preliminary drawings of the Beamsville Creek Storm Drain be submitted to Proctor & Redfern for their comments and a letter of approval be asked for.

THAT a letter of acceptance be reviewed from the Conservation Authority, and Natural Resources.

FURTHER THAT as soon as the creek on the westerly side of Academy Gardens, Stage 2 is cleaned out along properties of McGregor, Romaniuk and Warner to aid in the flow of Spring runoff, that the Lot Nos. 8 to 12 and 35 to 39 be released per subdivider's agreement dated May 15th, 1978, the said work to be carried out by and at the expense of the developer.

AYES: R.KONKLE LOST

4. Regional Municipality of Niagara, concerning its policies governing the extension of services to rural areas. The Regional Policy states that Municipal sewers or water supply will not be provided to developments in the rural unique or good general agricultural areas except where such services are deemed necessary to correct an existing health problem. R & F.

5. Kerry T.Howe Ltd, requesting on behalf of the developer that the two year maintenance period on secondary services in the Academy Gardens plan, Phase 1 be set to comence as of August 1st, 1978. The request was discussed with the Engineer and it was concluded that it should be held in abeyance until such time as the developer has corrected several minor deficiencies in the plan. Once these deficiencies have been corrected this application will be approved.

SUNDRY BUSINESS

BENCH LOCATED ADJACENT TO AVONDALE STORE

vq Erhardt,operator of the Avondale Store had made a request that the Town take action to remove the bench located adjacent to the business, since it was conducive to loitering. Consideration will be given to the relocation of the bench at some suitable location in the same general area.

MATERIAL PURCHASES

The Superintendent requested permission to purchase various culvert items from Fawcett Metal products.

Moved by Ald.P.Matthieu, Seconded by Ald.R.Konkle

THAT this Committee authorize the purchase of: 20 foot lengths, 12 pieces of 36" culvert; 50 pieces of 15" culvert; and 12 pieces of 8" culvert, from Fawcett Metal for Public Works projects.

CARRIED BEAMSVILLE ARENA AND LINCOLN AGRICULTURAL SOCIETY -

\*

The Superintendent explained that at a meeting of Town representatives with members of the Lincoln Agricultural Society on October 25th, Society members had commented on a drainage problem which resulted from the construction of the addition to the Beamsville Arena. As a result of

the grading of the area around the Arena addition water has a tendency to run into the washrooms located on the Fairgrounds. Mr. Hodgkins advised the Committee that this problem could be overcome by the grading of a small swale in the area between the washrooms and the arena addition. The Superintendent will take whatever minor action is required in an effort to correct this problem.

#### LAND ACQUISITIONS, BEAMSVILLE CREEK STORM DRAIN

The Committee held closed discussions concerning land acquisitions required for the purposes of the Beamsville Storm Drain and heard the Superintendent's report on this subject. The Superintendent reported to the Committee on the status of negotiations with each of the property owners involved. The Committee established guidelines which are to be followed by the Superintendent in the course of negotiating with property owners. The guidelines are intended to establish fair compensation for land to be acquired from the owners involved and also to compensate for damages where it is demonstrated that damages will be caused.

#### ADJOURNMENT

Moved by Ald. P. Matthieu, Seconded by Ald. R. Konkle  
THAT this Committee do now adjourn to meet again on November  
Pth, 1978, or at the call of the Chairman.

CARRIED

CHAIRMAN SECRETARY