

The Council of the Town of Lincoln met in regular session on Monday, October 2nd, 1989, at 7:30 p.m., in the presence of all members of Council. All members of Council were present and the meeting was chaired by Mayor R.A. Ronkle. Staff present: R. Heil (Administrator), M. Watson (Director of Public Works), A. Bolibruck (Town planner) and D. Bakker (Deputy Treasurer).

Moved by Ald. R. Kelly, Seconded by Ald. R. Reid
THAT the minutes of Council meeting of September 18th, 1989, be adopted as circulated by the Clerk. CARRIED

D. Bakker, Deputy Treasurer, was present at the meeting for the purpose of a formal presentation with respect to the certificate he had been awarded by the Association of Municipal Clerks & Treasurers of Ontario, on the occasion of his successful completion of the Association's course. At the request of the Mayor, this presentation was made by the Administrator and Clerk.

C. Wickett, Chairman, L. Sims, Read Librarian and R. Jones (Consultant) appeared before the Council and made a presentation on the status of the Lincoln Library system feasibility study. Mr. Jones summarized the study process to date and spoke about the public meeting and public input into the study process. He informed that from the perception of the public, the local Library system was well regarded but needed to plan and reorganize for the future in order to provide for the growing and changing needs of the community. The study process had established the need to consolidate services in the eastern section of the community by planning one significantly larger facility to serve the Vineland/Jordan area. The Library Board representatives responded to various questions raised by the members of Council.

M. Andrew, who has been involved with the Ministry of Culture & Communications in the process of developing the Ontario Public Libraries Strategic Plan was present at the meeting and distributed copies of a brochure relating to the Provincial project to the members of Council and others present.

Mrs. Pat Lockett appeared before the Council and discussed the flooding problems which she had experienced on two occasions at her property located at 4507 Dufferin Avenue in Beamsville. Mrs. Lockett gave the Council a detailed explanation relating to the flooding problems at her home which she also confirmed by letter dated October 2nd, 1989, distributed to the members of Council and staff.

Moved by Ald. A. Gretsinger Seconded by Ald. La Thomas
Re: Lockett's, 4507 Dufferin Avenue.

THAT the matter of the failure of the swap system in the Drab area be referred to the Public Works Department for a plan of remediation and that such plan be reported to Council as soon as possible, but no later than the second meeting of Council in November. CARRIED

Mr. R. Snoei appeared before the Council on the subject of the site plan agreement affecting the property of Ontario Wholesale Distributors on Jordan Road. As a result of the failure of the company to comply with the requirements of the site plan agreement, further to the instructions originating in Planning Committee, drew down on a bank letter of credit in order to provide for the funds required to satisfy the agreement requirements as nearly as possible. Mr. Snoei explained the difficulties that he had experienced in complying with his commitments under the agreement and requested that Council give consideration to extending the terms of the agreement and the bank letter of credit for one year in order to provide for the additional time he required in order to satisfy the Town's obligations. (Council, October 2/89) - -2-
The request was discussed by the Council and it was directed that this matter be referred to the Planning Committee.

Moved by Ald. B. Culp, Seconded by Ald. R. Reid
THAT the report of the Fire Committee, being the minutes of its meeting of September 18th, 1989, be adopted as circulated by the Committee Secretary. CARRIED

Moved by Ald. B. Culp, Seconded by Ald. R. Kelly
THAT the minutes of Public meeting, being the minutes of its meeting of September 25th, 1989, be adopted as circulated by the Committee

Secretary. CARRIED

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

THAT the report of the Planning Committee, being the minutes of its meeting of September 25th, 1989, be adopted as circulated by the Committee

Secretary. CARRIED

Moved by Ald. J. Troup, Seconded by Ald. R. Kelly

THAT the report of the Public Works Committee, being the minutes of its meeting of September 26th, 1989, be adopted as circulated by the

Committee Secretary. CARRIED

The Town Planner submitted a report to Council in summary of a subdivision agreement proposed to be formally approved by by-law on the annual agenda.

The agreement contained a provision that the developer would be allowed to make application for foundation permits for a certain number of units in order to permit the installation of footings and foundations

prior to winter months, this process representing a departure from the standard policy followed by the Town in the past requiring that no permits will be issued until primary services installed to the satisfaction of the project engineer.

A report is in the process of being initiated by staff for submission to the Finance Administration Committee, recommending that the Town approve the issue of foundation permits in certain instances and under certain conditions and the Administrator informed that a report on the subject would be submitted to the Finance & Administration Committee at its next meeting.

Moved by Ald. B. Culp, Seconded by Ald. L. Thomas

THAT the draft of the subdivision agreement affecting Heritage Village, Phase 2, proposed to be approved by by-law be redrafted in its final form to provide that no building permits be issued until primary services installed and approved and that references to issuing of foundation permits be deleted therefrom. CARRIED

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

Re: PDR #89-16, subdivision agreement, Heritage Village, Phase II THAT a by-law be considered by Council to authorize the execution of the subdivision agreement for Heritage Village Phase II plan of subdivision, CARRIED

The Council considered a staff report, requesting its formal approval to the submission of an application under the Lifelines Grant program* (Council, October 2/89) -3-

Moved by Ald. J. Troup, Seconded by Ald. R. Reid

Re: Lifelines Grant Program,

MAT staff be authorized to make application to the WE under the Lifelines Grant Program in accordance with the attached 10 year Capital Works Program for sanitary sewers and water mains. CARRIED

The Council considered a report submitted at the meeting, requesting Council's formal approval to the submission and application to the Ministry of the Environment with respect to a grant towards works at the Quarry Road Landfill site.

Moved by Ald. J. Troup, Seconded by Ald. R. Reid Re: MOE Grant, Quarry Road Landfill site

MAT this Council approve the application for MOE (Waste Management Improvement Program) grant as presented, in the total amount of \$735,000.

THAT the Mayor and Clerk be authorized to sign the application CARRIED

CONFIRMATION OF COMPLIANCE WITH REQUIREMENTS OF SECTION 34 OF THE -----

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Moved by Ald. A. Gretsinger, Seconded by Ald. D. MacGregor

THAT Council has considered the requirements of Paragraph 16 of Subsection 7 of Section 34 of The Planning Act and concludes that no further notices of public meetings are required in the matter of the following proposed amendments to Zoning By-law No. 78-85:

a) By-law No.89-92 - to amend Zoning By-law No.78-85, from ResidentialZ Development (RD) to Residential Multiple 1 with an Exception (RMI-8) (Aletha Smith). CARRIED

Moved by Ald. D. MacGregor, Seconded by Ald. A. Gretsinger

THAT leave be given to introduce the following By-laws:

a) By-law No.89-92 - to amend Zoning By-law No.78-85, fran ResidentisiL
 Developent (RD) to Residentia Multiple 1 with an Exception (RMI-8)
 (Aletha Smith).

b) By-law No.89-93 - to authorize execution of subdivision agrement with
 respect to Heritage Village, Phase 2.

0) By-law No. 89-94 - to authorize the purchase of lands in Lot "i, Concession 1 of the plan of the Township of
 Qinton, fran Joseph E.
 Seagram & Sons Limited for Municipal Aainiatration pwrposes.

d) By-law No.89-95 - to amend By-law No.89-2000 to establish the
 intersecction of Greenlane Road and Lincoln Avenue as a four way stop.

e) By-law No.89-96 - to authoroize the execution of an agrement with
 Joseph E.Seagram & Sons Limited, granting it an option to purchase
 from the Municipality, 10.089 acres described as Parts 1, 2, 3 and 4
 of Plan 30R-2599. CARRIED

NO. 89-92, AEIENDING 78-85, FROM RESIENTIAL aEVbtOPMENT TO RESIAENTIAL BJLZJfLz-1JJ2~-BB-
 N&x&22x9B--LBTBB-2~J2BZ -----N-N"r-N---N-N---N-N-N--N-N--N-N--N-N-N-
 Moved by Ald. B. Culp, Seconded by Ald. L. Thanas
 THAT By-law No.89-92 read a f first time and being "A By-law to amend
 Zoning By-law No.78-85, as amended, pursuant to Section 34 of the Planning
 Act, 1983, rezoning certain lands frao a Restdentidl Mvelopoent (RD) zone
 to a Residential' Multiple 1 with an Exception (RM1-8) zone (Aletha Smith)" be now read a second and third time
 and finally passed and that the kyor
 and Clerk sign and seal same, any rule of this Caunoil to the contrary
 notwithstanding. CARRIED

NO.89-93, TO AUTHORIZE THE EXECUTION OF A SUBDSVISION AGREEMENT WIm B~BJ2BCB-
 YJLLPPB-9J3&Lh3PPLJr?JTBDf fBB2B-21 -ZZZZZ-ZZZZZ--Z--Z---ZZ P. p.-N--p.p.p.
 Moved by Ald. B. Culp, Seconded by Ald. L. Thanas
 THAT By-law No.89-93 read a first time and being "A By-law to
 authorize the execution of a subdivision apewent with Heritae Villa@
 Vineland Limited, Phase 2, and any mortgaees which may be registered on
 title", be now read a second and third time and finally passed and that
 the Mayor and Clerk sign and seal =me, any rule of this Council to the
 contrary notwithstanding. CARRIED (Council, October 2/89) -4-

NO.89-94, TO AUTHORSZE THE PURENASE OF LANB FROM JOSEPH E-SEAGRAM & SONS -. , ~ , . . . , . .
 L-IMDBD-L-----,----- 2
 Moved by Ald. R. Kelly, Seconded by Ald. L. Thaaas
 THAT By-law No.89-94 read a first time and being "A By-law to
 authorize the pwchase of lands in Lot 14, Concession 1 of the plan of the
 Township of Qinton, fran Joseph E.Seagram & Sons Limited for Municipal
 Arbnnistration purposesn, bL" now read a second and third time and finally passed and that the hycr and Clerk sign
 and seal same, any rule of this
 Council to the contrary notwithstanding. CARRIED

NO. 89-95, AMENDING BY-LAW NO. 89-2000, REGULATING TRAFFIC AND PARKiNG IN 2BB-T-
 @YY_oPPLJBaLB ----- PP--P-PPPP -----
 A resolution proposing second and third reading of this by-law which
 would estea ish a four way stop arranement at the intersection of Green-
 lane and Lincoln Avenue was tabled.

NO, 89-96, AUTHORIZING EXECUTION OF AGREEMENT WITH JOSEPW. E. SEAGRAM & SONS
 LIMITED, GRANTING AN OPFION TO PURMASE PARTS 1, 2, J AND 4 OF PLAN 3LRz2599
 2 ----- ----- -- a

Moved by Ald. D, haregor, Seconded by Ald. A. Gratsinger
 TNAT By-law No.89-96 read a first time and being "A By-law to
 authorize the emcution of an apeaoment with Joseph E.Seagram & Sons
 Limited, granting it an option to purchase from the Municipality, 10.089
 acres desoribed as Parts 1, 2, 3 and 4 of Plan 30R-2599", be now read a
 second and third time and finally passed and that the Mayor and Clerk sign
 and seal same, any rule of this Council to the contrary notwithstanding.
 CARRIED

1. Jordan Historical Musem of the Twenty, requesting that the Town
 accommodate a temprary street closing and other matters relating to its
 Pioneer Day scheduled at Jordan on October I4th, 1989.
 Moved by Ald.B,Culp, Seconded by Ald.R.Kelly
 Re; Letter of Jordan Musem of the Twenty, dated September Iath,
 1989.

THAT this Council concur with the request of the Jordan Musew concerning Pioneer Day. CARRIED

2, BeemrrvUle & District Kinsmen Club, concerning the route proposed for its annual Santa Qaus Parade, scheduled November 25th, 1989.

Moved by Ald. R. Kelly, Seconded by Ald. R. Bilkszto

THAT the request of the Beamsville Kinsmen Club with respect to the annual Christmas Parade, as stated in its letter of September 28th, 1989, be approved. CARRIED

The Council was asked to consider the staff appointment to the Balls Falls Technical Review Committee.

Moved by Ald. R. Kelly, Seconded by Ald. L. Thomas

TWAT Bob Bolibruok be appointed as staff's representative to the Balls Falls Te&nl oal Rbview Committee. CARRIED

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The Council considered the application of the Niagara Peninsula Conservation Authority for a lottery license.

Moved by Ald. L. Thomas, Seounded by Ald. R. Kelly

TNAT the following lottery licenses submitted by:

a) the Niasra Penlnsltla Conservation Authority,

be approved. CARRIED

The Wyor requested that the Colncil adjourn to Committee of the Whole for purposes of discwslng matters related to the membership of the Linmln Hydro Electric Commission and a property related legal matter. (Council, October 2/89) -5-

Moved by Ald. B. Culp, Seconded by ALd. A. Eretsiner

THAT Council do now adjourn to bmittee of the Whole.

The Vayor informed the Council that Wank L. Laundry, a manbar of the Lincoln Hydro Electric Commission had through Mrs. Laundry, infomed that because of serious ill health, it was necessary that he resign frm the Commission. The kyor informed that it was imperative that an appointment be made as quickly as possible bemuse of the volme of work facing the Commission at this particular point when consideration is being glven to the restructuring process in the community and also the appointment of a Commission Elanager. The Committee discussed potential appointments and a decision will be made at the next meeting of the Council.

The Committee of the Whole adjourned and Council was reconvened-

The Council considered a request that had been subolitted for the Solicitor acting for the HardRock Paving Company Ltd., and its associated companies involved in the purchase of five separate parcels in the Lincoln Industrial Park fran Hugh Cole, Cole Gquipoent Rental Company and Hugh Cole Construction. One of the deeds originally given by the Town to Cola was subject to a covenant requiring, amongst other things, that the lot originally sold in 1974 was to be developed within 2 years of the conveyance. This requirement by the Town at the point title was isswd had not been complied with and the Solicitor requested that this requirement be discharged by the Town.

Moved by Ald. B. Culp, Seconded by Ald. L. Thaoas

Re: Lincoln Industrial Park, letter by Clerk, September 27th, 1989.

THAT this Council direct that the Qerk take whatever action is required to release lands in the Lincoln Industrial Park frun the requirements of the contract or mvemnt, registered on the title of Part 6 of Reference Plan 30R-753 in the Lincoln Industrial Park and similarly

on any other properties in the Industrial Park should this situation re-occur in the future. CARRIED

The Council considered the recommendations of the Committee of the Whole.

Moved by Ald. B. Culp, Seconded by Ald. L. llhmas

THAT the matters recommended in Committee of the Whole be and the =me are ratified and approved. CARRIED

The business before the Council being condl ued, the mlee)ting adj owned. Vinelartd Women" Institute Ball

TFhursday, October mLxQ, 1989 ". 5

Minutes taken during a Preliminary Public Meeting regarding Cherry Hill Gardens held in tb Vineland Women's Instltlte Ball on Thursday, October 5, 1989, at 7:30 pm. Present were: Ald. B. Culp (Chairman), Ald. R. Kelly, Ald. R. Bilkszto, and Ald. A. Gretsinger. Staff present: K. Dale (Deputy

Planner) and G. DalBianco (Planning Technician),

Also in attendance were: Dennis Landry, Tom Richardson and Jim Durban, in support of the application.

Also in attendance were J. Robertson, Bens Vandemos, John Koudys, A.3. Atter, Mary Atter, Barbara Atter, Irwin Goossen, Clara High, Jeanne A. Culp, Elaine Fretz, Walter Fretz, Stan Jones, W.R. VanDyk, Gerda VanDyk, Glen Mewhiney, Randy Mewhiney, Sue Mewhiney, Ken Sutton, Gordon S. Atter, B. Pruyssers, J. Riediger, T.A. Richardson, D. Landry, B. Wien, C. Fisker, R. Durban, A. Unruh, D.L. Rinker, Susan Reimer, Karin Schneider, F. Reimer, R.A. Bowen, B. Bowen, J. Federer, J. Federer, G.M. Auffman, Wayne R. Watson (Director of Public Works), Fred DeBeer, John Nouwens, Arthur L. Nagels, Ald. L. Thomas, Victor Baerg, Ed Reimer, Bev Fletcher, Pat Kelly, George Lofthouse.

The Deputy Planner stated that the applicants were proposing to develop the subject lands as an adult lifestyle community which proposes 223 single family homes, a multi-use complex which will contain a 100 bed retirement home, ZOO bed nursing home, a recreation centre and accessory uses, 7 park areas and a storm drainage area. She indicated that the Town of Lincoln has now received a zoning by-law amendment application from 842617 Ontario Corporation pertaining to their lands located north of Rittenhouse Road and west of Victoria Avenue.

The Deputy Planner indicated that the Town has had several meetings with the applicant and his consultant. She indicated that Town staff have responded in writing to the applicant on a preliminary basis and have expressed concerns including the following:

1. Long-term impact on services and particularly health care facilities, public transportation and recreational facilities in Vineland;

2. High density and lack of housing mix;

3. Lack of central passive park and general amenities;

4. That ownership of homes could not be restricted to seniors;

5. Narrow road width, hindering parking and traffic flow;

6. Possible traffic impact study;

7. Storm water drainage.

The Deputy Planner indicated that on April 27, 1989, the Planning Committee held a preliminary public meeting to obtain comments from the public. She stated the following concerns were expressed by the public.

high density of the development;

location of recreational vehicle storage area;

lack of storm drainage facility;

the need for a second permanent entrance to the development;

lack of details of the nursing home/retirement home;

fencing around the project;

maintenance fees;

services available to the development;

the proposed traffic from the development and the need to upgrade

Rittenhouse Road including the installation of sidewalks;

desirability of a leasehold type development;

lack of adequate parkland for the development and need for a more central park;

that the nursing home/retirement home should be located away from the existing residences;

lack of parking in the nursing home/retirement home;

lack of capital gain to owners when the units are resold;

narrow width of private roads and need for sidewalks within the

development. Pub, Mtg. Minutes (89-10-10) P. 2/6

The Deputy Planner indicated the purpose of this meeting is to receive additional comments from the public regarding the proposal.

The Deputy Planner indicated that the proposal has not changed to any extent from the proposal which was initially received. She indicated that the

recreational vehicle storage area has been replaced with a storm water drainage area, the number of single family homes has been reduced from 228 to 223 and

the nursing home/retirement home complex has been increased from 100 beds to 200 beds. - The Deputy Planner indicated that the applicants are requesting a density

of 22.5 units per hectare (9.1 units per acre). She indicated that single

family dwellings generally yield a density of 14 to 16 units per hectare (5.7 to 6.7 units per acre) where there is a 20 metre (66 foot) wide road. She stated that on a narrower, private road, an average density would yield up to 19.8 units per hectare (8 units per acre). She indicated that these densities are based on the Town's Residential 3 (R3) minimum lot size requirements. She indicated that staff are of the opinion that the proposed density is too high. She indicated that the requirements proposed should be equal to or greater than the minimum requirements in the Residential 3 (R3) zone of the Town's Zoning By-law. The Deputy Planner then reviewed the applicant's proposal in relation to the R3 zoning requirements.

The Deputy Planner stated that the retirement home/nursing home complex is to be rezoned to an Institutional (I) zone. She indicated that Town staff have concerns in regards to the applicant's request to reduce the setback between the proposed institutional complex and the surrounding residential properties. She stated that staff are of the opinion that the proposal should comply with all the Institutional zone requirements. She stated that the complex may be deficient in regards to parking since employee parking is also required for an institutional complex. The Deputy Planner then reviewed the retirement home/nursing home complex with regards to the Institutional zone requirements. The Deputy Planner also indicated that staff have concerns with the retirement home/nursing home being on a private road. The Deputy Planner indicated that Town staff question whether such a facility is needed in Vineland.

The Deputy Planner stated that the storm drainage area should be rezoned to an Open Space (OS) zone to reflect its intended use.

Mr. Landry gave a presentation on behalf of the applicants. He indicated that the proposal will provide accommodation for seniors. He indicated that the proposal would be leasehold in nature whereby the owners own their units but rent the lands from the developers. Mr. Landry indicated that Tom Richardson was in attendance on behalf of the developer to answer any questions with regards to this leasehold concept. Mr. Landry indicated that the developer proposes 223 bungalow style units consisting of seven design styles. He stated that each lot would be approximately 429 90' in size and each bungalow would be approximately 1100 to 1200 square feet in size. He also stated that each bungalow would be built of brick construction and would include an attached single car garage. He indicated that the development also proposes a multi-use block (institutional complex) consisting of a 100 bed retirement home, a 100 bed nursing home and a recreational complex. The recreational complex would be approximately 11,000 square feet in size and would include a pool, sauna and craft areas. The institutional complex will also provide accessory services such as a bank, doctor's office, hair salon and variety store. He indicated that approximately 56 parking spaces have been provided for the multi-use complex.

Mr. Landry explained that the development proposes a 24 foot wide private road that would be maintained by the developer. He stated that the Town would therefore have no responsibility to maintain this road. He stated that a traffic study was undertaken and that the 24 foot road width was found to be adequate. He explained that 24 foot road widths are commonly found in retirement communities. Dennis Landry indicated that the entire 24' roadway will be paved. He stated that standard municipal roads, although made up of 66', only 28' of the actual road is paved. He stated that the 24 foot wide road would be able to accommodate both two-way traffic while providing parking on one side. He stated that this road width would encourage slower traffic which is desirable in a retirement community. Pub, Mtg. Minutes (89-10-10) P, 3/6

Mr. Landry stated that the subject lands are designated Neighbourhood Residential in the Town's Official Plan. He stated that this designation permits a variety of residential uses ranging from single family dwellings to townhouses to multi-storey apartments. He stated that the proposed development would be compatible with the surrounding land uses in the area. He stated that the Town's Zoning By-law zones the subject Lands as Residential Development (RD) which is a holding zone intended for future residential use. At this point he stated that the development conforms with the general intent of the Town's Official Plan. He indicated that the Town's Zoning By-law has no Zoning provisions for a retirement community. He stated that the Town's R3 zoning

provisions are too restrictive and do not reflect the "uniqueness" of a retirement community. Be stated that the proposed retirement community is not a typical subdivision and that they are requesting special by-law provisions to accommodate the proposal. Mr. Landry indicated that the Town's Official Plan would permit a density of 70 apartment units per hectare and a density of 35 townhouse units per hectare.

Mrs. Huffman indicated that there would be traffic problems with the proposed development and questioned why a second vehicular access to the development was not provided. She stated that access to both Regional Road 81 and Regional Road 24 were very dangerous and that the increased traffic flow caused by the development would only add to this existing dangerous situation.

Mr. Landry stated that the principle access to the proposal would be from Rittenhouse Road and that an emergency access would be provided via Atyeo Lane. He indicated that the day-to-day traffic would use Rittenhouse Road and that the emergency access would be chained. He indicated that the traffic study found that Rittenhouse Road would provide an acceptable entrance to the development, Alderman Culp indicated that he had concerns with the quality of the traffic study and questioned whether it was acceptable to Town staff and up to Town standards.

Mrs. Huffman stated her concerns over the proposed storm drainage. She indicated that Vineland has historically had storm drainage problems. She questioned what affect a development with this concentration of houses would have on the existing drainage problem.

Mr. Landry indicated that the developer was in negotiations with the Heritage Village complex and that the developer was looking at securing a possible drainage easement to the north of the development. Mr. Landry indicated that the proposal's storm water drainage would meet Town standards.

Mrs. Huffman indicated her concerns with the proposed private roads in the development. She indicated that the private roads could potentially be a source of problems for the Town in the future. She indicated that if the developer was unable to fulfil his obligations, the Town would be left with the responsibility of maintaining the roads. She also questioned whether the Town had the amenities and services to handle a retirement proposal of this size.

Mr. R. Mewhiney stated that the proposed emergency access was to be located on a right-of-way leading to his property. He stated that, therefore, it was on private property*. He stated he was not willing to support the use of this right-of-way as an emergency access at this time. He questioned whether a right-of-way would be maintained by the Town if it was used as an emergency access. He also stated that there would be a drainage problem if the proposal was allowed to continue.

Alderman Culp indicated that the right-of-way would have to be brought up to Town standards if it were to be used as an emergency access,

Mr. Landry explained the appropriateness of the proposal and indicated that the Town's Official Plan would permit a proposal with a higher density.

Be stated that three and four-storey apartment buildings are permitted on the subject lands. Pub. Mtg. Minutes (89-10-10) P. 4/6

John Roudys indicated that the existing roads should be upgraded first before the development is allowed to continue.

Be stated that Rittenhouse Road is

being used as a shortcut to bypass the lights at Regional Road 81 and Regional Road 24. We stated that there should be more public roads providing access to the proposed development, At that point, Mr. Koudys stated that he and his neighbours felt powerless against the proposal as the developer indicated to them that the Town is just wasting his time and that the proposal would be approved at an Ontario Municipal Board hearing.

Mr. J. Durhano explained that he has attempted to satisfy the neighbours' inquiries and explained that a signed petition indicates that most people approve of the development. . .

At this point Alderman Culp explained the function of the Ontario Municipal Board and indicated that only one appeal letter was required from either the Town or any member of the public or the developer to bring this proposal to an Ontario Municipal Board hearing.

Mr. Robertson explained that most neighbours signed the petition in support of the proposal because the developer indicated that if his proposal was not supported, he would develop townhouses or apartments on the subject lands, He then questioned Mr. Durhano's development ethics. He also stated that the

increase of 100 beds should require at least 2 exits and additional parking.

Mr. Robertson then referred to recent subdivisions in the Town of Lincoln, such as Bartlett Creek Village, which has up to four entrances.

Mr. L. Bowen voiced his objection to the reduced rear yard setbacks of the institutional complex. He stated that a 4 foot setback has been proposed and that he thought the setback reduction is excessive. We stated he is an abutting landowner to the institutional complex and, in his opinion, the proposed setback reductions indicate the developer's intent to increase density to maximize profit. He suggested the present Zoning By-law standards should be maintained. He also indicated that there is an existing institutional use (group home) on Rittenhouse Road.

Mr. Landry indicated that not all the proposed setback reductions are excessive and that most proposed setbacks comply with the Town's Zoning By-law provisions.

A member of the public questioned what type of care would be provided in the nursing home. He did not support the proposed one access and one emergency access into the proposal.

Mr. Landry indicated that the nursing home would be licensed and that the retirement home would also provide care to its residents (i.e., providing meals). At that time he indicated that one principle access and one emergency access is sufficient and meets Provincial standards.

Mr. Van Den Bos indicated his concerns with the proposed access onto Rittenhouse Road due to the lack of parks in the area, the neighbouring children must play on the road. He also indicated that although he is opposed to the high density of the proposal, he is not opposed to the retirement community concept.

Mr. Landry indicated that there would be approximately 1.8 persons per unit in the retirement community. He stated that regular single family subdivisions have approximately 2.4 persons per unit. Mr. Landry indicated that the community needs additional facilities to care for its elderly population. We indicated that the Niagara Region has a greater than average elderly population. He stated that this proposal reflects planning for the elderly seniors in the Niagara Region and that the proposed density is warranted to provide affordable housing for seniors. He stated each bungalow would sell for approximately \$120,000.

Mrs. McDermott indicated she was a landscape planner and questioned who the developer's landscape architect was. She indicated that the proposed open space area was inadequate for a complex of this nature and size.

Mr. Jones questioned whether an architect is required for an institutional building. Pub. Mtg. Minutes (89-10-10) P. 516

Mr. Landry indicated institutional buildings require a professional engineer and an architect's stamp.

Mr. Nagles indicated he is not "anti-development" but does not agree with the proposal. He indicated his concerns over the high density, lack of multiple ingress and egress and lack of storm retention facilities in an area with such a hazardous water table. He also stated that a tree line (windbreak) should be maintained between this proposed development and the Beritage Village complex. He stated that the proposed continuous care of the nursing home complex would require additional staff parking.

Mrs. Snyder had concerns with the traffic on Rittenhouse Road which would be generated by the service vehicles supplying the nursing home complex.

She indicated that this increase in traffic would be in addition to the existing traffic which uses Rittenhouse Road to bypass the traffic lights at Regional Road 81 and Regional Road 24.

Mrs. Federer stated she was concerned with the increased traffic created by those seniors who drive. She indicated that the seniors would require

a car to get groceries, goods and services. She stated seniors would require cars out of necessity in order to obtain their essential services.

Alderman Culp indicated that the Town of Lincoln would have great difficulty in supplying public transit to the proposed retirement community.

Dennis Landry referred to the traffic study which was completed and indicated that Rittenhouse Road has below average usage.

Alderman Culp then questioned at what time the study was undertaken.

Mrs. McDermott indicated concern due to the absence of sidewalks for pedestrian traffic in the development. She questioned why the multiple-use block was not

located in the middle of the development.

Mr. Landry indicated that the multi-use block was located off by itself, to separate the complex away from the general noise of the development.

Mrs. McDermott then replied that the location of the institutional use will have the most negative affect on the existing neighbouring properties,

Mr. Rinlter stated that the Town's Zoning By-law" provisions should not be changed to accommodate the demographic changes in society, He elaboratd that he is not challenging the need for a seniors development but questioned the development's proposed density. He also questioned Mr, Landry's statement that seniors don't drive cars. He questioned that if seniors are required to walk to obtain essential services, why were no sidewalks provided in the development. He stressed that although the seniors are ambulatory, it is very dangerous to walk on the roads, especially in the winter when the roads may be icy.

Mr. Lanary indicated that the Town's Zoning By-law is eleven years old and daes not accommodate today's housing needs. He stated that a retirement community reflects the changing social times and this need dictates planning change, Alderman Gretsinger indicated that the majority of the Town of Lincoln population has not requested any change in the Town " rural" nature.

Mr. R. Mewhiney indicated that he has an existing farm in the area of the proposed development and questioned whether the developsnent will hinder his farm operation. He questioned whether such farming activities such -+ as spraying could pose a potential land use conflict.

Mr. Landry indicated that the Ontario Ministry of Agriculture & Food has very few documented complaints between neighbouring rural and urban land uses, He stated that more complaints are raised from new urban owners of rural residential retirement lots.

Mr. Rinker brought forward a senarlo of a toxic waste spill on Regional Road 24 and what affect it will have on the Cherry Bill Gardens proposal. Pub. Mtg. Minutes (89-10-10) P. 6/6

Alderman Culp indicated that the Town of Lincoln has no overall evacuation plan and that he will direct this question to the Town's Fire Department.

Mrs. McDermott recognized that there could be land use conflicts between the rural and urban land uses, She stated that many municipalities require the developer to provide a planting strip (buffer) on their property between rural and urban land uses.

Mr, Landry indicated that the Ontario Ministry of Agriculture & Food feels that such planting strips are not effective-since much of the spraying is done in the springtime when there are no leaves on the trees to act as a buffer.

Mr, Pruyers s" <ated that it was time for the Town to recognize the growing geriatric population and that there are no retirement places for seniors in the Lincoln area. He stressed the Town must deal with the problems now because the prices to provide such facilities (adult lifestyle community/retirement home) wiLl continually increase.

Alderman Culp indicated the Town has several facilities to meet the needs of Lincoln seniors but the Town should not be expected to satisfy the needs of Ontario seniors. Re stated Lincoln should not become the retirement community for Ontario.

Alderman Bilkszto stated that the development procedure is normally a give and take process between the Town and the developer and that he has seen little compromises on the side of the developer.

Mr, Landry stated that all concerns raised by Town staff have been addressed. Be stated that the recreational vehicle storage area had been eliminated, that 12 parking spaces have been added to the multi-use block, and that 5 bungalow units have been eliminated. He also indicated the potential benefits this development would provide the Town, i.e.,

#1 - the reduction in administrative matters for the Town, i.e., one owner versus 223 owners;

#2 - snow removal and road maintentance - developer to assume all responsibility;

#3 - the providing of an 11,000 square foot recreation complex.

Alderman Bilkszto acknowledged the above noted change but stated the proposal has increased its density by the addition of a 100 bed nursing home.

At that point Alderman Kelly inquired when the proposal was increased by 100 nursing beds.

Mr. Landry indicated that 100 beds were added to the proposal sometime in March in order to provide a complete health care package (continuous care). He stated that the nursing home will provide care to those seniors not able to care for

themselves in the retirement community.

Alderman Gretsinger stated that the public is not opposed to the development but have a high level of concern over density, drainage, reduction in setbacks, traffic and entrances to the proposal. He concluded that the developer must address these concerns and take action to alleviate these problem areas.

The Chairman then asked if there were any further questions from the public or from the applicant.

There being no further discussion, Alderman Culp thanked everyone for attending the meeting and declared the Public Meeting closed.

- SECRETARY CEAIRMAN Lincoln Fnmbers

October hth, 1989

Minutes of a meeting of the Recreation R Parks Committee held in the Lincoln Chambers on Wednesday, Ootober llth, 1989, at 7:30 p.m. Present were: Ald. L. Thmas(Chairman), Ald. R. Bilksz to, Ald, A. Gretsingcr and Ald. R. Kelly. Staff present: M. ~uo(Clerk), and B. Urquhart(Faci lities mm~c?r)

Moved by Ald. R.Bilkszto, Seconded by Ald. A. Gretsinter

TVAT invoice payments totalling \$11,1408.93 for' recreati.on services expenditures presented be approved. CARRIED

Mr. G. Barker of Miller, O%ll & Paul, Planning Consultants, involved in the update of the Lincoln Official Plan was present at the meeting in order to discuss the elements of the plan of interest to the Recreation & Parks Committee. Mr-Barker made a detailed presentation on Official Plan issues related to the Recreation 8 Parks, includixig comments from the Ministry of Natural Resaursces concerning the Town's ap~roah to the designation of open spice areas, policy statements affecting the escarpment area and the shoreline of Lake Ontario, inoluding main tributaries. The Ministry of Natural Resources is loating for off j.~iaX plan pol icy statements in support of the proteotion of fish and wildlife and in discussing this point it was felt that the official plan should stress the importance of protecting fish, wildlife and natural resources outside of the urban areas of the Municipality. On the subject of park dedications, a positive statement should be contained in the Qf'ficiel Plan that in the process of taking land dedications for parks and recreational purposes it should be a matter of policy that, only lands that can be actually developed for these purposes will be accepted.

Joy Brooks had, had the opportunity of revlming the draft of the Official Plan update which had been prepared in January of 1989, and her comments and concerns based on the f irst draft had been brought to the attention of the consultant for his consideration.

Opinions were expressed that the Town owned escarpment lands in the Kinsmen Park area should be the subject of a special statement in the Official Plan and that staff would bring to the Committee's attentinn at a future meeting the information and stuQ that was produced on Kinsmen Park about 10 years ago.

The Chairman brought various issues to the attention of the Committee, inciuding the opportunity represented in Section 4113) of the Planning Act to require additional land dedications where extremely high densities were proposed in some developnents. In addition, she drw the Committee's attention to the provisions sf Section 35 of the Planning Act in relation to the conservation of trees and natural resource features of some development sites. In addition she made comments about the desirability of future planning and polices raating to oonnecting walkways, linear parks and greenway length. She stressed the importance of critical selection of park dedication lands and not simply going along with the acceptance of patches that are residml or unnecessary from the developer's prospective.

The points and opinions expressed by the mmmitee will be further consi.dered by the consultant and will be the subject of further discussion.

G.Barker made a presentation to the Committee on the development of' the Bem~ville Northeast Neighbourhood Secondary Plan with spclcif ic reference to the location and cor8iguration of the community park serving the needs of that neighbourhood. The plan before the Couiulttee

represented sane revisions from what had been submitted at a previous meeting. The draft secondary plan for recreational open space lands in the northeast neighbourhood was the subject of a detailed report and comment by Bruce Krushelnicki of Brock University and the advice and recommendations offered in the paper had been considered by the consultant in the process of formulating his recommendations. (Recreation, October 11/89) -2-

Moved by Ald. A. Gretsinger, Seconded by Ald. R. Bilksz to

Re: Parkland and Northeast Neighbourhood Plan

THAT this Committee endorses the Beamsville Northeast Neighbourhood planning design concept, specifically as it relates to the location, general configuration and area of the open space or park area illustrated on the design concept presented by G.Barker at this meeting, CARRIED
The Committee reviewed a report from the Deputy Treasurer, recommending a procedure for the distribution of subsidized ice hour credits to the minor user groups.

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

THAT Report 89-461 on the subject of Ice User Groups grant

all motions be approved. CARRIED

LINGOLN CENTRE BOARD OF MANAGEMENT MINUTES OF SEPTEMBER 21TH MEEZJBG --- -----

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Moved by Ald. R. Bilksz to, Seconded by Ald. A. Gretsinger

THAT the minutes of the Lincoln Centre Board of Management meeting of September 27th, 1989* be approved. CARRIED

The committee considered a report from the Facilities Manager, concerning minor improvements proposed at various playgrounds and parkettes, including the Elizabeth Street park, the Village Park and J. Simpson park.

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

Re: park improvements

THAT the minor improvements proposed at Elizabeth Street and other neighbourhood parks be proceeded with notwithstanding an estimated \$400 budget over-expenditure. CARRIED

The Committee considered a report prepared by the Facilities Manager on the subject of modifications required at the Beamsville Arena to accommodate new zamboni equipment. Although the Ministry has acknowledged receipt of a completed application, the Town has no assurance at this point that the 1/3 grant will be paid by the Province and announcements with respect to these grants are not expected until the new year. In the opinion of the Facilities Manager, the present equipment used at the arena is adequate but needs to be replaced in the interests of good ice surface maintenance. The issue is the advisability of proceeding with the purchase of the equipment without assurances that a grant will be paid and the need to take on about \$1,200 in work at the arena to accommodate this new equipment. These matters will be discussed again by the Committee at its next meeting.

VINELAND SCHOOL PLAYGROUND PLAJGBQJBD -----

The Committee considered a report prepared by the Facilities Manager, concerning the proposed improvements at the Vineland School playground. Mr.M.Servos representing the neighbourhood and enhanced park and playground facilities at Vineland was present and joined in the discussions concerning the improvement of this playground.

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

Re: Vineland School playground.

THAT the Facilities Manager's report on improvements to the Vineland School playground be approved and Model TTF 400 playground structure purchased from Paris Playground at cost of \$7,999.58 delivered and installed and balance of other miscellaneous improvements implemented within budget allocation previously approved by Committee. CARRIED

1. Quai Sty Playground equipment maintenance, offering playground inspection services, with the view of ensuring compliance with accepted safety standards. The services offered by this company will be considered in the process of a complete review of our policies and procedures in ensuring playground safety. (Recreation, October 11/89) -3-

2. City of Niagara Falls, concerning its forthcoming Man-a-Mile r&ay

race. The Clerk explained that this information had been circulated to persons in the community who might be interested in participation.

The Chairman gave the Committee details on the workshop for volunteers being organized at the Beamsville Library on October 18th, 1989, and requested that the Town sponsor one representative from each of the volunteer organizations associated with the committee.

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

Re: L. 6. A. D. Workshop

THAT the Town sponsor one representative from each volunteer community organization associated with this Committee, at a cost of \$10 per registration at the Workshop session for volunteers organized by the Ministry of Tourism & Recreation and Parks & Recreation Association of Niagara - October 18th, 1989, Beamsville Library. CARRIED

At the next meeting of the Committee, the Clerk is to make arrangements for the reorganization of the Community Multi-Cultural Committee responsible for the administration and management of the Grandstand Trail. Members of the Committee are asked to give consideration to recommendations for receipt of recognition certificates by deserving people in the community and this also is to be considered at the next meeting.

The Town, in the past, entered into a general joint use of property agreement with the Lincoln County Board of Education which established the principals of the Board of Education and the Municipality, sharing property for purposes of interest to each party. Following the signing of that agreement, various specific agreements followed on individual projects on school grounds in the community. These agreements are becoming outdated and in some cases, have lapsed and there is a need to re-address this whole situation with the view of introducing new elements into the agreement which were not addressed in year's past. The Clerk was instructed to make arrangements to organize a meeting with representatives of the Lincoln County Board of Education at 9:00 a.m. , on the day of his choice during the next several weeks.

The Clerk reported to the Committee on action which had been taken to date in approaching owners of lands selected as being potential sites for a community park to serve the Beamsville area,

The business before the Committee being concluded, the Chairman declared the meeting adjourned.

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CW AIRMAN SECRETARY Lincoln Council Chambers

Tuesday, October 10, 1989

Minutes of a Planning Committee Meeting held in the Lincoln Council Chambers on Tuesday, October 10, 1989, at 7:30 pm. Present were Ald. B. Culp, (Chairman), Ald. R. Bilkszto, Ald. R. Kelly, Ald. A. Gretsinger, and Mayor Konkle. Staff present were B. Bolibruck (Town Planner) and R. Dale (Deputy Planner)

DEVELOPMENT PROPOSALS

ZONING BY-LAW AMENDMENT

ELFREIDA & BERTHOLD MERTENS

W/S TUFFORD ROAD, PART LOT 11, CONCESSION 3,

FORMER TOWNSHIP OF CLINTON

The Committee considered a staff report regarding an application from a Elfrieda & Berthold Mertens. Part 1 is to be rezoned from a Rural 1 (R1) to a Rural Residential (R2) Zone. Part 2 is to be rezoned from a Rural 1 (R1) Zone to a Rural 1 (R1) Zone to permit a minimum lot area 4.6 hectares whereas 6 hectares is required. The proposed rezoning is intended to satisfy a condition of Land Severance imposed by the Land Division Committee under File B341/89.

After considering the staff report the Committee adopted the following recommendation.

Moved by Alderman A. Gretsinger, Seconded by Mayor R. Konkle

Re: Zoning By-law Amendment, Elfrieda & Berthold Mertens

W/S Tufford Road, Pt. Lot 11, Conc. 3, Former Township of Clinton (PDR #89-471)

1. THAT the rezoning amendment application be approved for the reasons noted in this report and the by-law attached as Appendix I be adopted by

Council and processed for approval,
CARRIED OFFICIAL PLAN AMENDMENT,
OKSANA WYRCIMAGA, N/S OF KING STREET, PART OF LOT 19
CONCESSION 3, FORMER TOWNSHIP OF CLINTON
PDR#89-475

The Committee considered a staff report regarding an application to redesignate a portion of the lands owned by Oksana Wycimaga from Rural and Neighbourhood Residential to Commercial so that the applicants entire lands are designated. The application also proposes to amend the Town's Official Plan to permit general commercial uses on the subject lands. The applicants are also requesting an amendment to the Regional Policy Plan to include that portion of the lands outside of the Beamsville area, within the Beamsville Urban Area.

Dennis Landry, Jeff Brookfield, Lawrence Wycimaga and John Servediojwere in attendance in support of the proposal.

D. Weatherspoon and Eric Gilbert were also in attendance.

After considering the staff report the Committee adopted the following recommendation.

Moved by Mayor R. Konkle, Seconded by Alderman R. Bilkszto

Re: Regional Policy Plan Amendment

Oksana Wycimaga, N/S King Street and W/S Lincoln Avenue

Part of Lot 19, Conc. 3, Former Township of Clinton

(PDR #89-475)

1. TWAT the Official Plan amendment application, as amended, be approved for the reasons noted in this report and that staff be authorized to prepare the amendment to the Official Plan, provided: 2 Png. Minutes (89-10-10) P. 2/13

(a) the Official Plan amendment include policies to limit the uses in the implementing Zoning By-law to Highway Commercial type uses and commercial uses that will not likely impact on the downtown area.

2. FEAT the Region of Niagara be advised that the Town of Lincoln has no objections to the inclusion Of the subject lands within the Beamsville Urban Area.

CARRIED

PRELIMINARY PUBLIC MEETING, ZONING BY-LAW AMENDMENT,
RON KOBRICK, S/S OF JOHN STREET, PART OF LOT 15, CONCESSION 3
PO-ER TOWNSHIP OF CLINTON

PDR#89-472 --- --- ---

The Deputy Planner outlined the details of the proposed application from Ron Kobrick regarding lands located on the south side of John Street and west of Bartlett Road. The subject lands are surrounded on three sides by the Bartlett Creek Village Plan of Subdivision. Part 1 is to be rezoned from a Residential Development (RD) Zone to a Neighbourhood Commercial (C1) Zone with an Exception. A commercial plaza is proposed for Part 1. The applicants are also requesting a minimum rear yard setback of 4m for the commercial plaza, whereas 14m are required. Part 2 is to be rezoned from a Rural Residential Development (RD) Zone to a Residential Multiple 1 (RMI) Zone with an Exception. Six townhouse units are proposed for Part 2. The applicants are also requesting a minimum front yard setback of 6m for the townhouses, whereas 7.5m are required.

Ron Kobrick and Tony Easton were in attendance in support of the proposal.

Mr. Kobrick then stated that the purpose of the commercial plaza is to serve the needs of the surrounding residential area. He stated that he is proposing over two hundred units within his development and that there is a need for a variety store within the area. He stated that he wants to keep it small scale and that it will be approximately 5000 sq. ft.

In response to the inquiry from the Committee, the Town Planner stated that the subject lands are composed of approximately one acre and that it would be very difficult to locate commercial and residential uses on the property without some variance in the rear yard setback for the commercial plaza. The Town Planner stated that the the Town staff wanted to keep the commercial component small and It is staff's understanding that a plaza less than 5000 sq. ft. would not be viable.

The Committee then indicated that these types of facilities are available

on Ontario Street and they also questioned the need for all subdivisions to have a commercial component.

Mr. Kobrick then stated that he is proposing two apartment buildings in Bartlett Creek Subdivision and that he is hoping that one will be geared towards seniors. He stated that this will be a neighbourhood type store and Ontario Street is a long walk for people. He stated that it will be small and that it will not be a major facility. In response to an enquiry from the Committee, Mr. Kobrick stated that the plaza will likely contain two to three stores and that it will likely contain a variety store and that other personal service uses will be proposed.

The Chairman then asked if there were any further questions from the public or from the applicant. There being no further discussion then the Chairman then declared the public meeting closed, Png, Minutes (89-10-10)

PRELIMINARY PUBLIC MEETING,
ZONING BY-LAW AMENDMENT,
816131 ONTARIO LTD., S/S DRAKE AVE.
E/S MARGUERITE AVENUE N/S CAMERON AVE.
LOTS 44, 45, 46 & 47, REGISTERED PLAN 540,
TOWN OF BEAMSVILLE (PDR #89-467) -

The Town Planner outlined the details of the proposed zoning amendment application from 81613 Ontario Ltd. The subject lands presently contain three rental townhouse buildings and each building contains four units (total of 12 units). The buildings on the south side of Drake Avenue and the north side of Cameron Avenue are to be converted from rental units to freehold (ownership) units. The centre building which is located on the east side of Marguerite Avenue will remain as a rental building. The owner is planning 8 to upgrade the condition of the building by residing the exterior.

Landscaping is also to be added. The applicant is requesting the Town to pass a by-law to remove Part Lot Control in order to sell the townhouse units on the south side of Drake Avenue and the north side of Cameron Avenue as individual Units. The purpose of the proposed amendment is to rezone a parcel of land from a Residential Multiple 1 (RMI) Zone to a Residential Zone with an Exception to recognize the non conformities which presently exist on the lands. Since the individual lots are to be created it is necessary to recognize the non conformities which presently exist. The Town Planner stated that verbal comments have been received by the Planning Department regarding the location of parking spaces for Lots 1 to 4.

Concern was expressed that parking spaces should be separated by landscaping. Concern was also expressed that the present building design land does not lend itself to free-hold type ownership. The Town Planner stated that staff responded to the owners planning consultant on a preliminary basis in August of this year and staff has some concern regarding the conversion of 8 rental units to free-hold (ownership) as there is a lack of rental accommodation within the Town and it is staffs understanding that the vacancy rate is low. The Town Planner noted that although the loss of 8 rental units may not appear to be significant, it will have a serious impact because of the lack of availability of rental accommodation in Beamsville.

Bill Corbett, Mrs. Corbett, T.A. Richardson, Jeff Brookfield were in attendance in support of the proposal.

D. Wychopen, Tony Easton, A. & D. McCoy, Arthur & Sylvia Allingcham, Rob & Cecil Gellespie, Soan Evans, George Dykstra and Cliff Creek were also in attendance.

Mr. Brookfield then stated that presently the property contains twelve rental units. He stated that a large portion of the property is asphalted. He stated that some of the asphalted area will be replaced with interlocking brick and that additional landscaping will be provided. He stated that landscaping and privacy fencing will be added. He stated that the units will also be resided. He stated that no new structures will be erected on the subject lands however due to the separation of the units it is necessary to apply for exceptions to the Town Zoning By-law. He stated that no new non conformities will be created since all the non conformities presently exist. He stated that this will provide for affordable home ownership and that it meets with provincial policy on affordable housing. He stated that housing price as provided by the Province is \$123,000 and that these units will sell for less than \$100,000. He stated that the Municipal Housing Statement does not give any

determination of vacancy rates or a need for certain forms of housing. Be 0 stated that by converting some of the townhouse units to owner units that it will improve the area and that many of the renters are interested in purchasing the homes. He stated that the changes will also be subject to a site plan agreement. Be stated that in regards to Lots 1 to 4, that the existing parking location is the same as what is proposed.

Mr. Gillespie then stated that it is his understanding that the proposed parking area is not intended to be used as parking for the townhouse units.

Mr. Corbett then stated that he owns the parking Lot along the north side of Cameron. Staff were directed to determine the history of ownership ~f these lands. Plng. Minutes (89-10-10) P. 4/13

Mr. Gillespie then stated that if this land does belong to the townhouses why have there been other items left on the property in the past. Mr. Corbett then stated that in the past the landlord was an absentee landowner and that he did not adequately take care of the lands.

Mrs. McCoy then stated that her concern is that there will be eight cars parked along Cameron Avenue. She stated that her front yard will be facing the parking lot.

Mr. Corbett then stated that he could put up a privacy fence to provide a buffer between the townhouses and her property to the east.

Mrs. McCoy then stated that the tenants do not park there at the present time. Mr. Corbett then stated that the tenants park at the back.

Mr. Creek then stated that there is a drainage problem from the parking areas presently and that the parking areas will need to be raised. Re stated that he would also like to see a privacy fence along the eastern boundary which abuts his property. 8

Mr. Corbett then stated that they can put in a wood fence along the entire east property line subject to the location of the Bell Canada easement.

Ne stated that it is his understanding that owners will keep up there property better than tenants will.

Mr. Allingham stated that the townhouses are an eyesore and that she has not noticed any improvement since the new owner has purchased the property. She questioned whether or not the new owner will actually upgrade the units and that it would appear that the units are only going to be upgraded since the units are going to be sold. She questioned whether or not the owner would still be willing to upgrade the units if the application was refused by the Planning Committee,

Mr. Richardson then stated that in 1976 rent controls were imposed by the Province, Re stated that due to rent control, owners cannot afford to maintain the buildings. Be stated that the province also passed a Rental Bousing Protection Act which limits the conversion of rental units to condominiums. Re stated that if some of the units can be sold, money is available to upgrade the buildings.

It was indicated by the Committee that the landlord does have the option of applying to the Rent Review Board to upgrade the rents. Mr. Richardson stated that yes, they can apply to the Rent Review Board, however it is a very lengthy process. Mr. Richardson stated that affordable housing will be provided in ownership housing. Mr. Bilkszto then stated that even at the \$100,000 dollar range, it is very difficult for people to come up with a downpayment. Mr. Richardson then stated that the affordable definition is a Provincial definition. Mr. Richardson then stated that four rental units will remain.

Mrs Gillespie then suggested that the townhouses should be hidden. She questioned where the children will play in the centre block.

Mr. George Dykstra then questioned if the present owners will upgrade the units or will the new owners upgrade the units.

Mr. Dykstra stated that no maintenance has been done on the properties and that there are a lot of cars parked on the street. He stated that the landscaping proposed is not adequate. Mr. Corbett then stated that he will be upgrading the units before they are sold as individual units.

Mrs. Corbett then stated that presently there are no backyards or a children's play area. She stated that the proposal will provide a backyard for each individual unit and the children will be able to play within their own backyards. She stated that in addition, each unit will have its own parking 8

area. Png. Minutes (89-10-LO) P. 5/13

Mr. Dykstra then stated that he did not think the units are well constructed and that once the units are sold separately, there will be no control over the design, whereas with one owner there is control over the exterior design, Mrs. Corbett then stated that although there may be parking on the street at the present time, that the redevelopment of the property will provide two parking spaces for each unit and it was her understanding that, construction wise, structurally the units are very sound.

Mr. Corbett then stated there are concrete walls between the units and that the building are plaster construction. He stated that the construction of the units exceeds the building standards contained in the Ontario Building Code.

Mr. Dykstra then stated that it was his understanding that there is poor sound-proofing between the units.

Mr. Brookfield then stated that as part of the site plan agreement, that the Town will maintain a letter of credit to ensure that the landscaping and the upgrading of the property does occur. He stated that the asphalt areas will be reduced. He stated that although there are no play areas right now, that the individual units will have landscaped and fenced backyards and it will provide some area for the children to play. He stated that although the units will be sold separately, there will be no control over individual painting, etc. of the units.

Mr. Gillespie then stated he is concerned that if this is not allowed, then the property could become more of an eyesore,

Mr. Corbett then stated that this is a chance to improve the situation.

Mr. Creek then stated that there has been a lack of maintenance of the townhouses and that this is a chance to improve it. He stated that the townhouses were here before a number of the houses were built and that he would like to see it improved. He stated that it was his understanding that the same builder built these townhouses and a number of single family homes in the area.

Mr. Dykstra then questioned why we need affordable housing when affordable housing in the form of semi-detached has been provided in Village Green. The Committee then expressed some concern about the reduction in rental accommodations.

In response to inquiry, Mr. Corbett stated that the tenants have the first option to buy at a reduced price and that a reduced price would be the price less the real estate commission. He stated that when the units become vacant, they are not re-rented. He stated that by the end of November there will be four vacant units on the southerly building.

In response to inquiry from the Committee, Mr. Corbett stated that there is nothing to stop someone from buying four or five units, however, most people are not buying rental property because it is not a good investment,

In response to inquiry from the Committee, the Deputy Planner stated that the Residential Multiple 1 zone allows townhouses and apartment buildings up to three storeys in height.

The Committee then indicated that the applicants could look at some changes to meet the property owner's concerns. In response to inquiry from the Committee, Mr. Corbett stated that if approval is not given, there will only be minor changes to the upgrading which will include some renovations inside. In response to inquiry from the Committee, Mrs. Corbett stated that the units rent for approximately \$400 per month and the units are approximately 1,050 square feet. She stated that the tenants are responsible for their own utilities.

The Chairman then asked if there were any further questions from the public or from the applicant. There being no further discussion, the Chairman then declared the Public Meeting closed. Ping. Minutes (89-10-101

STAFF REPORT (PDR 889-476)

RON SNOEI - ONTARIO WHOLESALER DISTRIBUTORS

W/S JORDAN ROAD AND E/S 17TH STREET

PART LOT 17, CON. 4, FOURTH FLOOR OF LOUTH

The Town Planner then stated that Ronald and Angela Snoei entered into a site plan agreement. With the Town in August of 1987 and the agreement required the owner to build 14,000 square feet of greenhouses, 6,900 square feet of

warehousing and 1,600 square feet of office space within one year of registration of the agreement. The site plan agreement was registered on October 23, 1987 and the agreement also stated that an additional 26,000 square feet of greenhouses was to be constructed within two years of the registration of the agreement. As security for the above noted work to be completed, the Town accepted a letter of credit and the letter of credit expired on October 2, 1989 and, as directed by the Committee and Council, Town staff took steps to draw down on the letter of credit since the work has not been completed by the owners. The Town Planner stated that to date no greenhouses have been constructed and that Mr. Snoei intends to submit a building permit application for the construction of the greenhouses within the next couple of weeks. 8

The Town Planner stated that in the site plan agreement, the letter of credit can be extended for a third year in order to provide the applicants with an opportunity to complete the works and based on that, it is suggested that Mr. Snoei be given the opportunity to complete the works and a letter of credit of \$35,000 be provided to the Town as security to ensure the work is completed. The Town Planner stated that the Town has taken the steps to draw down on the previous letter of credit and the monies can be returned to Mr. Snoei, upon receipt of the new letter of credit.

Mr. Snoei was in attendance in support of the proposal.

Mr. Snoei stated that he would like to extend the letter of credit for one year in order to allow him to construct the greenhouses.

After considering the staff report, the Committee adopted the following recommendation.

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

Re: Site Plan Agreement, Ontario Wholesaler Distributors

Part of Lot 17, Concession 4, Louth, W/S Jordan Road

Town of Lincoln (PDR 189-476)

I. TBAT Mr. Snoei be requested to submit a letter of credit of \$35,000.00 for one year as security for the completion of the greenhouses and landscaping on the subject property and that the letter of credit that was recently drawn down be returned to Mr. Snoei on receipt of the new letter of credit.

CARRIED

STAFF REPORT (PDR 889-473)

PRGSDENT TRUSTCO LTD., SITE PLAN AGREEMENT
COMMERCIAL PLAZA, N/S KING STREET, LOTS 36 & 37
PART LOT 38, CP3, FORMER TOWN OF BEAMSVILLE

The Deputy Planner stated that a proposal has been received from President Trustco to construct a commercial plaza on the north side of King Street and that the plaza will contain approximately 1580.2 square metres (17,010 square feet). The subject lands are zoned General Commercial (C2) which permits a commercial plaza. On September 5, 1989, Council passed By-law 89-85, rezoning the lands to General Commercial with an Exception (C3-9) zone. The C2-9 zone amended some of the provisions of the General Commercial (C2) zone, including the rear yard setback, the width of the planting strip, the amount of parking required, the location of the parking, and the number of loading spaces. The Town of Lincoln received an appeal to the by-law and, therefore, the C2-9 zoning does not come into effect unless By-law No. 89-85 is approved by the Ontario Municipal Board. Therefore, the zoning is still General Commercial (CZ). The Deputy Planner stated that the applicants are reviewing the letter of objection with the objector and the Png. Minutes (89-10-10) P. 7/13 applicants are hopeful of having the objection resolved which, staff understands, evolves around drainage. The Deputy Planner stated that the Region of Niagara had requested a road widening and that staff had some concerns that the request for road widening will result in the loss of approximately 5 parking spaces. She stated that staff have no objections to the proposal, however, note that since By-law No. 89-85 has been appealed, the application should not be approved until the appeal is withdrawn and/or there is approval of By-law No. 89-85 by the Ontario Municipal Board.

Mr. John Rodey was in attendance in support of the proposal.

Mr. Rodey stated that their solicitor is meeting with the objector and is hoping to resolve the concerns. After considering the staff report, the Committee adopted the following recommendation.

Moved by Ald. R. Kelly, Seconded by Mayor R. Konkle

Re: Site Plan Agreement

PRESIDENT TRUSTCO LTD.

Part Lot 38, Lots 36 & 39, CPJ

N/S King Street, Former Town of Beamsville

Town of Lincoln (PDR #89-473)

I. THAT the application be tabled pending the withdrawal of the objection to By-law No. 89-85 and/or approval of By-law NO. 89-85 by the Ontario Municipal Board.

CARRIED

STAFF REPORT (PDR #89-499)

DELPLAIN VENTURES - DEVELOPMENT AGREEMENT

41-UNIT TOWNHOUSE COMPLEX, PART LOT 19, CON.2

& BLOCK 4, PLAN 30M-194, FOUR TOWNSHIP OF CLINTON

The Town Planner outlined the details of the proposal which is located on the south side of Green Lane Road and west of Ontario Street and which proposes 41 townhouse units. The zoning on the property zones the lands from Multiple Family Residential purposes. There are no objections filed on the zoning by-law amendment, however, there were concerns raised by some nearby residents and they have requested notice of the development agreement being considered by the Planning Committee and that, therefore, these residents have been notified of this meeting. The Town Planner noted that the development agreement is similar to the subdivision agreement in that it has many of the same details and assurances that the development will be carried out in an appropriate manner. For example, the development agreement incorporates the recommendation of the noise study, includes a noise attenuation fence along the south side of Green Lane Road and a clause in the agreement warning purchaser of the townhouses of the potential noise from the nearby CNR line. The drainage plans for the site have been reviewed by the Town's Engineering Department and securities have been obtained to ensure that there is proper drainage of the lands and that there will be no adverse impact on the nearby landowners. The agreement provides for the payment to the Town of fees for administration, engineering inspection and the preparation of the agreement. These fees will be collected at the time of execution of the agreement. In addition, the agreement allows for any increase in impost fees if an increase is put in prior to the issuance of building permit. The agreement also provides for any anticipated change in requiring park funds before the issuance of building permits. The Town Planner stated that staff would therefore support the approval of a by-law 0 authorizing the execution of the development agreement for the Juniper Court townhouses.

""

John Rodey was in attendance in support of the proposal.

Andy Savage was also in attendance.

It was noted by the Committee that there is some concern in locating townhouses adjacent to existing single family dwellings. Png. Minutes (89-10-10) P. 8/13

Mr. Savage stated that they have had '0 put up with a lot of problems in regards to this area being developed. He stated that they were predominately interested in the servicing of the development and it was his understanding that was okayed by the Public Works Department. He felt that the catch basins for the development are too close to their lands. He stated that he has not seen the Town inspecting any of the developments. He noted that on the weekends, they are constructing services, etc. He stated that the townhouses should not have been located adjacent to single family.

The Committee then indicated that the developer has done many developments in the Town in the past and that this developer is here for the long run. It was indicated by the Committee that the property is zoned to permit townhouses.

After considering the staff report, the Committee adopted the following recommendation.

Moved by Mayor R. Konkle, Seconded by Ald. R. Bilkszto

Re: DELPLAIN VENTURES DEVELOPMENT AGREEMENT

41-UNIT TOWNHOUSE COMPLEX

Juniper Court, Block 94, 30M-174 and Part Lot 17, Con. 2

S/S Green Lane Road, Former Township of Clinton
Town of Lincoln (PDR 889-477)

1, THAT the Town support the Development Agreement and that a by-law be prepared for Council to authorize the execution of the Development Agreement for Juniper Court Townhouses on Monday, October 16, 1989.

AYF:S: Bilkszto, Kelly & Xonkle

NAYS: Gretsinger

CARRIED

STAFF RJ3PORT (PDR 1189-484)

TONY IZZO AND GASPAR FAI, ZONE

PROPOSED SITE PLAN/MINOR VARIANCE

LOT 209 & 217, CP3, E/S RIXON STREET

SOUTH OF KING ST., FORMER TOWN OF BEAMSVILLE

The Town Planner stated that an application was submitted for a minor variance and site plan agreement to the Town in late July for the Lincoln "Post Express" property, located on the east side of Hixon Street and south of King Street.

It is the intention of the owners to redevelop the subject property for a three-storey commercial complex with 6 accessory apartments. The Town Planner stated that the minor variance application was made for relief to Section 3.11.5, dealing with the parking areas for Commercial zone. This section of the Zoning By-law states that no parking lot shall be located within 3 metres of the boundary of a Residential zone or any zone where the adjoining land is used for residential purposes. The applicants were requesting a reduction from 3 metres to .6 metres. He stated that staff recognize that a retaining wall would be necessary because of the slope of the land at the rear of the property. He stated that during staff's review, it was detected that no request was made for relief from Section 3.10.5 of the By-law which requires a 3 metre planting strip for a commercial development adjoining land that is being used for permanent human habitation. He stated that since the existing building was to be removed, therefore, technically the planting provision should apply not only to the lands along the east property limit, but also to the lands along the north property limit where the building is to be removed. In addition prior to the Committee of Adjustment hearing, Planning staff have received comments from the Town's Public Works Department and they were adverse to the proposed multiple access onto the property, and it was their recommendation that only one entrance be shown into the property. Based upon that information, Planning staff could not support the variance at that time.

The Town Planner noted that the Committee of Adjustment refused the minor variance application,

Cec Bovaird and Gaspar Falzone were in attendance in support of the proposal. Png. Minutes (89-10-;0) P. 9/13
Mr. Bovaird stated that this project will redevelop the subject lands.

He stated that presently there is an existing office, a driveway and parking area. He stated that the office building was to be removed and that 15,000 square feet of commercial would be provided in a building on the ground floor and the second and third floors would be used for residential purposes.

He stated that the development proposed 11 parking spaces. He stated that the multi-access parking was previously approved by the Town's Public Works Department. He stated that at the Committee of Adjustment meeting there were a number of objections, including those from the neighbours and from the Town. He stated that some of the concerns expressed by the neighbours at the public meeting, included parking, the balconies, overlooking their

yards, garbage storage and play area. He stated that the Town's Zoning By-law does not require that a play area be incorporated into the development,

He stated that the Planner states that a planting strip is needed and that 8 will result in the loss of use of the property which will make it less feasible to develop. He stated they could leave the building as is which presently encroaches on Rixon Street, and that they could add an addition onto the property. He stated that he felt that Section 3.11.5(-) of the Town's Zoning By-law would allow them to redevelop the property without providing the required planting strip. He stated that there have been other examples where additions have been added to buildings where no planting strips were required. He stated that, although the properties in the surrounding area are used for residential purposes, they are zoned General Commercial (CZ). He stated that since this property was zoned C2 at

the time of the passing of the Town's Zoning By-law, there is no need for a planting strip. He stated that he would like approval in principle by the Planning Committee and that he will work out details with staff.

The Committee then expressed some concern that the application had not been properly reviewed between staff and the developer. Mr. Bovaird then stated that he had met with staff on a number of occasions to review the site plan and the minor variance application.

In response to inquiry from the Committee, the Town Planner stated that apartments above a commercial use, require 1 parking space per unit. The Committee expressed some concerns about cars backing onto Hixon Street. The Committee expressed some concerns about the sewage capacity problems in the area. The Committee also indicated that the sewage capacity problems are related to the storm sewers.

The Town Planner stated that staff does not agree with the applicant's interpretation of the Town's Zoning By-law and that they have briefly reviewed the interpretation with the Town's solicitor and that he generally agrees with Planning staff. The Town Planner stated that the requirement for a planting strip in a Commercial zone where the adjacent property is used for residential purposes (although zoned Commercial) is overly restrictive, however, because it is in the By-law, it has to be applied to the development.

After considering the staff report, the Committee adopted the following recommendation.

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

Re: Tony Izzo and Gaspar Falzone

Proposed Site Plan/Minor Variance. Lot 209 & 217

CP3, E/S Hixon Street, South of King Street, Beamsville

(PDR #89-484). 8

THAT the applicant be advised to reconsider his proposal in view of the provisions contained in the Town's Zoning By-law 78-85, a* amended.

CARRIED Png. Minutes (89-10-10)

STAFF REPORT (PDR #89-480) sma ROCSIS

PROPOSED FARM STORAGE BUILDING WITHIN URBAN AREA

PART LOT 17, CONC.4, W/S MOUNTAIN STREET

FOR THE TOWN OF BEAMSVILLE

The Town Planner outlined the request from Mr. Kocsis to construct 3,200 square foot farm implement storage facility on 25 acres of land.

Previously, the Rocsis family made an application to the Niagara Escarpment Commission for development permit to permit a single family dwelling and

a storage barn in January of 1989. Staff expressed concerns on this application as a Secondary Plan for the Southwest Neighbourhood was being prepared. Staff did not want to see the proposed development have an adverse affect on the Secondary Plan preparation. Staff do not support the proposed agricultural building since the lands are designated Neighbourhood Residential in the Town's Official Plan and the agricultural building would not conform with the Neighbourhood Residential designation. The Niagara Escarpment Commission approved the development permit application for both the residential dwelling and the storage barn. The Town Planner stated that staff subsequently prepared a report recommending an appeal for the Committee's consideration. In April of 1989, the Committee did not have any objections to a the use of the land for residential, but raised concerns regarding the proposed storage barn and therefore staff proceeded to appeal the Niagara Escarpment Commission approval concerning the proposed barn. Subsequent to that, Mr. Kocsis reapplied for a development permit to the Escarpment Commission for a residential dwelling and staff had no objections to the residential dwelling and that application was approved by the Niagara Escarpment Commission. Town staff had suggested considerably smaller building for the storage of equipment. The Town Planner stated that Mr. Kocsis has stated that the size of the building being requested is the minimum size he requires and that it is recommended that the Town reaffirm its position that the proposed farm storage facility on the property not be supported,

Steve Kocsis was in attendance in support of the proposal.

Mr. Rocsis stated that they are relocating their residence from Lincoln Avenue since the property on Lincoln Avenue has been sold. He stated that because of the farm operation they need a storage area. He stated that

he would like to know what size of a storage barn is agreeable to the Town.

He stated that he is agreeable to enter into a site plan agreement that would limit the use of the storage building. He stated that he presently has a site plan agreement for the farm belphouse and that this agreement could be amended to allow a building for storage purposes only.

The Committee expressed some concern about any animal uses being established within the building.

Mr. Kocsis stated that he will agree in the site plan agreement to limit the use of the property. In response to inquiry from the Committee, the Town Planner stated that the location of any buildings can be worked into the Secondary Plan.

In response to inquiry from the Committee, Mr. Kocsis stated that the cost of the building would not prohibit its removal at a later date if the lands are to be developed for residential purposes.

After considering the staff report, the Committee adopted the following recommendation.

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

Re: Steve Rocsis, Proposed Farm Storage Building
Urban Area, Part Lot 17, Con. 4, W/S Mountain Street
Beamsville, Town of Lincoln (PDR #89-480)

That the Town take the position that the proposed farm storage facility on the property owned by Mrs. Marion Kocsis be supported, subject to site plan agreement to prohibit an intensive livestock operation. CARRIED Png. Minutes (89-10-10)
STAFF REPORT (C-89-470)

BARTLETT CREEK VILLAGE SUBDIVISION REGISTRATION
UNDER LAND TITLES ACT

S/S/ JOHN STREET, W/S BARTLETT ROAD, PART LOT 136, CP3
(FORMER VILLAGE OF BEAMSVILLE)

PART LOT 15, CON. 3, (FORMER TOWNSHIP OF CLINTON) --

The Town Planner noted that there is a problem in registering the Bartlett Creek Subdivision Agreement property under the Land Titles Act. The Town entered into a site plan agreement with the Church of Christ concerning the construction of its new church south side of John Street. Subsequently, a part of the lands affected by the Agreement were transferred to Mr. Kobrick and this parcel is to be conveyed to the Town for public road purposes.

There is a problem in that the site plan agreement still affects this parcel 8 which has been conveyed to Mr. Kobrick and that as long as the site plan agreement affects this parcel of land which is part of Bartlett Creek Village Subdivision Agreement, the lands cannot be registered under the Land Titles Act. Therefore, it is necessary to discharge the site plan agreement as it affects the lands which were conveyed to Mr. Kobrick from the Church for roads purposes. In addition, it is also going to be necessary to amend the Site plan agreement for the church due to the land exchange that took place, and it is also recommended that the site plan agreement for the Church Of Christ property be amended. It is therefore recommended by staff that a by-law be authorized to discharge the terms of site plan agreement between the Town and the Trustees of the Church as they affect this portion of the property.

Ron Kobrick and Tony Easton were in attendance in support of the proposal.

Mr. Kobrick then stated that his lawyer had not caught this item and the Land Titles people were going to register the site plan agreement and at the last minute they noticed that there was a site plan agreement regarding the the previous Church lands which affected this portion of the property and that therefore, they would not allow approval until the site plan agreement is discharged for this portion of the property.

After considering the staff report, the Committee adopted the following recommendation.

Moved by Ald. R. Bilkszto, Seconded by Ald. R. Kelly

Re: Bartlett Creek Village Subdivision
(C-89-470)

1. THAT the Clerk prepare the necessary by-law authorizing the discharge of the terms of the site plan agreement between the Town and the Trustees of the Church of Christ as they affect Part 1 of Plan 30R-5682.

2. THAT the Church of Christ be requested to amend the site plan agreement

to reflect the changes in parking location and that the fee associated with the amended agreement be waived.

CARRIED

STAFF REPORT (A-89-485)

FOUNDATION PERMITS FOR SUBDIVISION DEVELOPMENT

The Town Planner noted that there have been several requests for review of the current practice that building permits for any purpose should not be issued until such time as the primary services (water sewer, storm sewer and roads) are constructed in a subdivision. Concern expressed by several developers is that while it is possible to construct buildings in the wintertime, it is extremely and sometimes impossible to construct foundations and footings because the requirement to keep the concrete and cement from freezing. It was noted that the issue of building permits for foundations and footings do not require any primary services on the part of the Municipality. The benefits for the issuance of foundation and footing permits before the completion of primary services is more of an assistance to the developer in that they may be able to heat the winter conditions and once foundations and footings are constructed, the timing of construction of the primary services would coincide with completion of some of the foundations and footings so that they schedule is progressed, in an effort to be as productive as possible and to keep the Municipality from risk, a draft policy has been prepared for consideration by Council. The policy would permit the issuance of permits solely for foundations and footings (non-combustible) providing certain guarantees in certain cases have been carried out and completed to the satisfaction of all the Municipality Departments, and clearly in accordance with the subdivision agreement as approved by Council. The Town Planner stated that previously, Planning staff were not in support of the proposal. However, they note that the revised proposal would only allow up to 25% of the units to be constructed. He stated that Planning staff have no objections to foundation permits being issued in unique situations.

Ron Kobrick and Tony Easton were in attendance in support of the proposal. In response to the Committee Mr. Kobrick stated that when the foundation permits are issued that all the required fees are paid including impost fees. He stated that in his case he is a builder and developer and that before the contractors get paid the engineer has to approve all works including grading. He stated that an Ontario Land Surveyor cannot set building locations, grading etc. We stated that once the foundations are in the balance of the work can be completed in the winter once the primary services are installed.

After considering the staff report the Committee adopted the following recommendation.

Moved by Alderman R. Kelly, Seconded by Mayor R. Konkle
Re: Building Permit Applications for Footings and Foundations
(A-89-485)

1. THAT the policy attached hereto as Schedule "A" regarding the issuance of building permits for foundations and footings in the subdivision process be approved.

2. THAT subsequent to the installation of the foundations and footings, the apron heights and locations shall be verified in writing by the Ontario Land Surveyor and consulting Engineer for the project. CARRIED

CORRESPONDENCE

#1 Letter from Regional of Niagara Planning and Development Department - re: 1988 year end summary of Regional Subdivision Applications, R&F

P2 Letter from Regional Niagara Land Division Committee - re: Joint meeting with Land Division Committee and Regional Planning and Development Committee.

R & F

113 Letter from Mohawk College - re: Municipal Planning and Development Students,

Moved by Alderman R. Kelly, Seconded by Alderman R. Bilkszto

Re: Mohawk College - Field Internship

THAT the Planner be authorized to approach Mohawk College concerning their letter of October 1, 1989. CARRIED

84 Regional Niagara of Planning and Development - re: Report DPD 112583 Housing sites for Niagara Region as of December 1st, 1988.

R&F 8

g5 Memorandum from Town Planner - re: Urban Needs Study Review Update. It was indicated by the Committee that Planning Committee should be held to review the various requests with the public and the Planning Committee. Plng. Minutes (89-10-10) Moved by Alderman R. Bilkszto, Seconded by Alderman R. Kelly

TEAT this Planning Committee do now adjourn to meet again on Monday, October 23, 1989, at 7:00 pm. CARRIED

- -" secretary Chairman Lincoln Council Chambers

Tuesday, October 10, 1989

Memorandum of the Public Meeting pursuant to the requirements of the Planning Act, 1983, on the subject of proposed amendments to the Municipality's Official Plan and Zoning By-law No. 78-85, held in the Lincoln Council Chambers on Tuesday, October 10, 1989, at 7:00 pm. In attendance were: Ald. B. Culp (Chairman), Ald. R. Bilkszto, Ald. A. Gretsinger, Ald. R. Kelly and Mayor R. Konkle. Staff in attendance: B. Bolibruck (Town Planner) and K. Dale (Deputy Planner).

ZONING BY-LAW AMENDMENT

ELFRIEDA & BERTHOLD MERTENS

W/S TUFFORD ROAD, PART LOT 11, CON. 3

FORMER TOWNSHIP OF CLINTON

The Deputy Planner outlined details of the proposed application from Elfrieda and Berthold Mertens regarding lands located on the west side of Tufford Road. Part 1 is to be rezoned from a Rural 1 (Ru1) zone to a Rural Residential (RuR) zone. Part 2 is to be rezoned from a Rural 1 (Ru1) zone to a Rural 1 (Ru1) zone to permit a minimum lot area of 4.6 hectares (11.4 acres) whereas 6 hectares (14.8 acres) is required. The proposed rezoning is intended to satisfy a condition of land severance imposed by the Land Division Committee under File B341/89.

OFFICIAL PLAN AMENDMENT

OKSANA WYRCIMAGA

N/S KING STREET, PART LOT 19, CON. 3

FORMER TOWNSHIP OF CLINTON

The Town Planner outlined the details of the proposed Official Plan amendment, application regarding lands located on the north side of King Street and west of Lincoln Avenue. The Town of Lincoln Official Plan presently designates the subject lands as Commercial, Neighbourhood Residential and Rural. The purpose of the proposed amendment to the Town's Official Plan is to redesignate part of the property from Rural and Neighbourhood Residential to Commercial to that the applicant's entire lands are designated Commercial. The applicant also proposes to amend the Town's Official Plan to permit general commercial uses on the subject lands. The subject lands are approximately 1.2 hectares (3 acres) in size. The applicant is proposing a commercial mall on the subject lands. The applicants are also requesting an amendment to the Regional Policy Plan to include that portion of lands outside of the Beamsville Urban Area within the Beamsville Urban Area. Staff noted that although not specifically designated on the Land Use Schedule, the Town's Official Plan has three types of Commercial designations. Those designations include: the Neighbourhood Commercial category which is intended for small scale uses which provide for the immediate residential area and includes small scale retail and personal service uses; the General Commercial designation which is intended for the downtown core area or commercial core areas and includes a wide range of commercial areas; the Highway Commercial designation which is intended for areas which rely on vehicular traffic and which areas are located along major roads and on the fringe of the Town's Urban Area.

The Town Planner stated that it is staff's opinion that the subject lands may be considered more of a Highway Commercial location according to the Town's Official Plan and that the commercial used lands to the west are zoned Highway Commercial (C3) and the lands to the east are zoned Highway Commercial with an Exception (C3-71 to allow an expanded number of uses. The Town Planner stated that staff have no objections to the Residential and Rural designation portions of the lands being redesignated Commercial since the majority of the lands are

presently designated Commercial. The Town Planner stated that a portion of the lands to the east are designated Commercial and the lands to the west are designated for Commercial purposes and staff feel the development of these lands for urban purposes is of an infilling nature. The Town Planner stated that Staff have some concern in allowing general commercial uses on the subject lands since the General Commercial category is intended for the core of the Beamsville area. He noted that the Commercial designated lands around the outside of the Urban Area should be used for more Highway Commercial uses and in allowing a wide range of commercial uses could have an adverse impact on the commercial core area of Beamsville and the Town" Official Plan encourages the maintenance of the commercial core area. The Town Planner also noted that it has come to Town staff's attention that there may be insufficient capacity for the sewers in the area to handle any additional development, including the subject lands. Dennis Landry, Jeff Brookfield, Lawrence Wycimaga and John Servedio were in attendance in support of the proposal. D. Wychopen and Eric Gilbert were also in attendance.

Mr. Landry then stated that the subject lands are approximately three acres in size and that they are proposing an L-shaped type mall having an area of approximately 26,000 square feet, He stated that the building will be approximately one-storey in height and, as part of the application, that they have submitted a technical report to support the proposal. He stated that the applicant would like to be allowed C2 uses on the subject lands. He stated that the unopened road allowance separates the subject lands from the lands to the north. He stated that there is no farming activity taking place on the lands and there has not been any farming activity take place for years. He stated that due to the recent growth in residential development, that there is a need for additional commercial development in Beamsville. He stated the downtown core area is Limited for redevelopment and that this proposal will meet the needs of the additional residential development. He stated that the subject lands have no agricultural capability. He stated that he had some concerns with the Official Plan limiting the uses on the property to specific type uses. He stated that the Official Plan policies defines General Commercial as the downtown area and it also includes major shopping facilities which may not necessarily be within the downtown area. He stated that the draft Official Plan which has recently been prepared does not allow for much expansion to the commercial core area and that they feel that this site is in close proximity to the commercial core area. We stated that the draft new Official Plan refers to the central business district and general commercial uses and he noted that there are other uses designated General Commercial in the new Official Plan which are not necessarily within the commercial core area. He stated that he has some concerns as to the meaning of negative impact. He stated that although there will be competition with the downtown area, there is a definite need for additional commercial facilities.

Mr. Gilbert stated that he owns the lands to the west of the subject lands. He stated that he does not want his lands included within the Beamsville Urban Area. He stated that he is concerned about vandalism, hours of operation, drainage and lighting.

Mr. Bovaird then stated that at the present time there is insufficient sewage capacity in the sewer to allow this development to occur.

Mr. Landry then stated that his client is prepared to meet any concerns regarding drainage, lighting, etc. We stated that, hopefully, vandalism can be kept to a minimum,

The Committee then indicated that if Mr. Gilbert does not want his lands within the Town's Urban Area that he should make his comments known to the Regional Municipality of Niagara.

In response to inquiry from the Committee, Mr. Landry then outlined the comments from a previous meeting held by Conlin Engineering and Planning. The Town Planner then stated that the capacity problem regarding the sewers will have to be resolved prior to this development proceeding.

Mr. Bovaird then stated that Woodland Estates outlets through the park and along to Hartwood Avenue. We stated that other properties along King Street are to be connected through this system. He stated that the proposed 14-unit condominium development has also been added to this system. He stated that there are sewer problems with the sewer on King Street and that other areas have

been added to the system to eliminate the problem with the sewers on Ring Pub. Mtg. Minutes (89-10-10) P. 1/3 - Street. He stated that other lands, including the Kocsis lands have been added and, therefore, there is only little additional lands that can be added. He stated that once the sewer is extended further north along Lincoln Avenue and looped either through Friesen Boulevard or on Green Lane, there will be additional capacity available at that time.

In response to inquiry from the Committee, Mr. Bovaird then stated that when the sewer is extended along Lincoln Avenue and connected to either Friesen Boulevard or Green Lane or out to the Queen Elizabeth Way, that additional capacity will be available at that point.

Mr. Landry then stated that their client would like to hire an independent consultant to look at the servicing in the area.

Mr. Bovaird then stated that if Woodland Estates was not being serviced, that other areas could not be serviced at all.

The Town Planner then stated that on a preliminary basis it was noted that the parking proposed by the applicant did not meet the Town's Zoning By-law. It was noted by the Town Planner that the parking will have to be resolved as part of a later Zoning By-law amendment application. It was stated that the Town requires 1 space for 15.5 square metres of commercial floor space for a shopping mall. It was noted that previous commercial developments have used the parking criteria of 1 space for 21 square metres by zoning amendment. Mr. Landry had used the criteria of 1 space per 20 square metres but agreed that 1 space for 21 square metres would seem reasonable.

The Committee then indicated that the Town has to make a decision regarding whether or not the downtown area should be supported, The Committee also indicated that additional commercial development should be allowed and that competition is not necessarily unhealthy. It was also indicated by the Committee that if more commercial facilities were available to the residents it would keep them within the Town and assist them in preventing them from shopping in the outside areas.

The Chairman then asked if there were any further comments from the applicant or the public.

There being no further discussion, the Chairman declared the public meeting closed.

- Secretary Chairman Lincoln Chambers October 11th, 1989

Minutes of a meeting of the Town of Lincoln Public Works Committee, held in the Lincoln Chambers, on Wednesday, October 11th, 1989, at 7:30 p.m.. Present were: Ald.J.Troup (Chairman), Ald.R.Reid, Ald.D.MacGregor, Ald.B.Kelly and Mayor R.Konkle. Staff present were: W.Watson(Director of Public Works) and G.Holman(Assistant Director of Public Works).

ACCOUNTS

Moved by Ald.R.Kelly, Seconded by Ald.D.MacGregor THAT accounts in the amount of \$12,833.76 for Transportation Services Subsidized be approved and ordered paid. CARRIED

Moved by Mayor R.Konkle, Seconded by Ald.R.Kelly THAT accounts in the amount of \$117,363.92 for General Public Works Expenditures be approved and ordered paid, CARRIED

STAFF RECOMMENDATIONS AND REPORTS

The Committee reviewed the staff recommendations and reports as presented by the Director of Public Works, and passed the following motions.

PUBLIC WORKS PROJECT ACCOUNT SUMMARY

The Director of Public Works indicated that the staff had taken appropriate action to resolve the sewer problem in the Drake subdivision. (Application sent to M.O.E.)

WOODLAND ESTATES - PEDESTRIAN BRIDGES, P.W. 478-85 --

It was noted by Committee that the report should be corrected to read \$78,887.00 as the tender amount.

Moved by Ald.D.MacGregor, Seconded by Ald.R.Kelly THAT this Committee recommend to Council that:

1. The tender of Calorific Construction Limited be accepted in the amount of \$78,887.00. 2. The Town share, including engineering, in the amount of \$45,000.00 and the financing be from the sidewalk budget over the next two years. CARRIED

SERVICING OF CAMPDEN, P.M. 479-89

Committee indicated its desire to quickly resolve this longstanding issue and that staff do their utmost to initiate the study.

Moved by Ald.R.Reid, Seconded by Ald.R.Kelly THAT this Committee recommend to Council that the Region of Niagara be advised that: 1. The terms of reference for servicing of Campden be revised to incorporate both water and sewer servicing to this area with an upset limit for both. 2. The Town of Lincoln enter into a cost sharing arrangement with the Region of Niagara in accordance with their policy to facilitate a study, to determine the best means of providing a sewer system for this area. CARRIED Public Works Minutes -2-

FENCING - CEMETERIES, P.W. 481-89 - -

Moved by Ald.R.Reid, Seconded by Ald.R.Kelly THAT this Committee recommend to Council that fencing for both the West Methodist Church Cemetery and the Oaklawn Cemetery be awarded to Peninsula Landscaping at a total cost of \$6,009.90, CARRIED

1990 MTO SUPPLEMENTARY SUBSIDY, P.W. 486-89

Moved by Mayor R-Konkle, Seconded by Ald.D.MacGregor THAT this Committee recommend to Council that the Kegiori of Niagara be informed that the municipality intends to call tenders for Phase I and Phase II of the Bartlett Creek Drain in the very near future and will require their contribution as the project continues during the 1989 and 1990 construction. CARRIED

PRE-SERVICING AGREEMENT - BARTLETT CREEK MEADOWS, P.W. 487-89

Moved by Ald.D.MacGregor, Seconded by Ald.R.Reid THAT this Committee recommend to Council that staff be authorized to prepare the necessary pre-servicing agreement, in principal only, with Klaas Klaver for the pre-servicing agreement, in principal only, with Klaas Klaver for the pre-servicing of Bartlett Creek Meadows. CARRIED

DEVELOPMENT h CONSTRUCTION MINUTES OF MEETINGS

1. Drainage Superintendent's Association - September 7th 1989. R&F
2. North Niagara Public Utilities Co-ordinating Committee - September 12th, 1989. R&F
3. Public Works Officials - September 12th, 1989. R&F
4. Lincoln Culvert Programme - September 19th' 1989. R&F

CORRESPONDENCE

1. Speed letter from Baker Road Pollution Control Plant, Re: Sewage Flows for September 1989. R&F
2. Letter from Niagara Recycling, dated September 11th, 1989, Re: Recycled Glass Specifications. R&F
3. Letter from the House of Commons, dated September 15th, 1989, Re: National Liberal Task Force on Municipal infrastructure, R&F
4. Letter from the Region, dated September 15th, 1989, Re: Construction Progress ~ep0r.t. to August 31st, 1989. R&F

5. Letter from the Region, dated September 18th, 1989, Re: Regional Contribution towards the Cost of Servicing Industrial Lands. R&F Public Works

Minutes -3- Oct.11/89

6. Letter from Philips Planning & Engineering, dated September 20th, 1989, Re: Vinewood Engineering Comments. R&F
7. Letter from Mrs. Margaret Alton, dated September 27th, 1989, Re: Speed Limit on Mountainview Road South. R&F
8. Letter from Ontario Hydro, dated September 28th, 1989, Re: 1989 Street Light Program. R&F
9. Letter from Ontario Good Roads Association, dated September 29th, 1989, Re: 1990 Annual Conference.

Moved by Ald.R.Kelly, Seconded by Ald.R.Reid

THAT the following be authorized to attend the aforementioned conference:

1. Ald.Ralph Reid
2. Ald.Doug MacGregor
3. Ald.Bob Kelly
4. Wayne Watson

-usual expenses to apply. CARRIER

NOTICE OF NEW BUSINESS

JORDAN HOLLOW

Mayor Konkle brought the Committee up to date with the status of the proposed road works through the Jordan Hollow.

FOUR WAY STOP SIGN - GREENLANE & LINCOLN AVENUE -

Staff are still awaiting the report from the Region of Niagara which may be available for the next Council meeting.

ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned.

- CHAIRMAN SECRETARY October 11 th, 1989

B&fgBz-m: The Chairman and Membrs of the Financx? & A(\$ainistration Caamittee

2J: Correspondenco - Committee9 M~eting, October 1 lth, 1989

Ald. R. Reid, maiman and Committee Membrs:

'She following is a summary of the carrespndence which foms prt of Lh0 Committee's agsnda for its meeting of October 11th, 1989, with staff recommendations.

1. Ontario Society of Occupational Therapists, Niasra Branch, requesting that the week of October 23rd to October 30th, 1989, be proclaimed as National Occupational Therapy Week,
Recommendation: Receive and File?

2. AIDS Committee of Niagara, informing that AIDS awareness week in Ontario is scheduled for October 16th to October 22nd, 1989. The Committee requests that elected representatives support and learn more about the implications of AIDS in our society.
Recommendation: Receive and File,

3. Ontario World Food Day Committee, requesting that October 16th, 1989, be proclaimed as World Food Day.
Recommendation: Receive and File.

4. Minutes of the September 5th, 1989, meeting of the Jordan Bitorial Museum of the Twenty Board. Pioneer by preparations involve a lot of volunteer service in the community from various people and agencies in order to comply with the Ministry's regulations on full time Museum operations, the Museum will open April 11th, 1990, and close November 20th 1990. The Museum Board has joined the Chamber of Commerce. Board investigating improved signing arrangements to direct visitors to its facilities. Board studying its future building plans,
Recommendation: Receive and File,

5. Regional Municipality of Niagara, forwarding for the Town action, a copy of a resolution passed by the Township of Front of Yonge, recommending that the Government of the Province of Ontario impose a deposit on all forms of beverage cans, bottles and containers, currently not subject to a refundable deposit, in order to ensure the protection and enhancement of the environment in the Province of Ontario.
Municipal offices 507 1 King Street P.O. Box 1030 Beamsville, Ontario

a, -, -, -, - . - . - -2-

Recommendation: That the following resolution be adopted. *That the resolution passed by the Council of the Township of Front of Yonge, on the subject of deposits on all types of beverage cans be endorsed by this Council and the Clerk make the necessary submissions to the appropriate agencies and Ministries of the Provincial Government.

6. Ministry of the Attorney General, acknowledging that although it did approve the set fine application under our comprehensive Traffic By-law 8

that it now has reservations that the process may have had insufficient examination at the Ministry's end and that it wants the set fine procedure held in abeyance until it has made a further review (I understand that; the Ministry has now resolved its concerns about these set fine orders, but as of the date of writing this, I am unable to get confirmation from the Attorney General's office but will have an explanation on the status of this entire matter for the next meeting).

Pending receipt of additional information from the Ministry of the Attorney General, no recommendation is offered on this subject at this point.

7. Report from the Regional Municipality of Niagara, concerning the Retail Business Holidays Act, recommending that Regional Council, in cooperation with the area Municipalities adopt a plan to establish a criteria to be considered by it in determining whether a by-law should be passed under the provisions of the Act and secondly that the Council take no action with respect to enacting RCM by-laws or repealing existing by-laws until an approved plan is in place and the area Municipal Councils have been contacted for their input. A report was previously submitted to this Committee in explanation of the Act which leaves with the Regional Councils, the authority to pass by-laws regulating holiday closing. The approach recommended by the report in draft form by the Regional Solicitor, recommends a reasonable course of action and should be supported.

Recommendation: That the Clerk inform the Regional Solicitor that it is in support of the suggested approach to Regional Council action under the Retail Business Holidays Act,

8. Minutes of the Niagara Peninsula Conservation Authority, full authority meeting of August 2nd, 1989. The minutes make reference to the proposed policy statement on wetlands which was to be forwarded to watershed municipalities for their information, a Lac reference is made to the rural beaches study being undertaken by the Authority and its position in support of the development of a rural water quality program for the entire authority watershed, and the balance of the minutes deal essentially with routine matters. The minutes of the July 19th. Pull Municipal offices 5071 King Street P.O. Box 1030 Reamsville, Ontario -3- authority meeting may refer to a meeting with the Chairman and CAD of the Regional Municipality of Niagara, to discuss the capital budget and the current situation regarding the Balls Falls historical park. In addition, there is the minutes of September 6th and September 20th, which would seem to cover essentially routine items of business. Recommendation: Receive and File.

.. -----..--
I Town Clerk

Municipal offices 5071 King Street

P.O. Box 1030 Reamsville, Ontario

City of Niagara Falls, Ontario
Minutes of a meeting of the Municipal Administration Committee held in the Lincoln Chambers on Wednesday,

October 11th, 1989, at 6:30 p.m..

Present were: Ald. R. Reid (Chairman), Mayor R. Konkle, Ald. L. Thomas, Ald.

R. Kelly and Ald. J. Troup. Staff present: R. Weil (Administrator/Director

of Finance), Mi Duc (Town Clerk) and D. Bakker (Deputy Treasurer).

Moved by Ald. R. Kelly, Seconded by Ald. J. Troup

THAT accounts in the amount of \$761,203.192 for all provincial

expenditures be approved and ordered paid. CARRIED

The Administrator submitted a report to the Committee recommending

that a new telephone system be purchased from Bell Information Systems at

a cost of \$20,704.00, this seemed to be the most desirable of the

quotations received for the supply of this equipment. It is proposed

that the new equipment be installed in our existing facilities since the

existing system is deficient and needs repair, and because of its

simplicity of installation can be moved to the new facilities at very

minimal cost.

Moved by Mayor R. Konkle, Seconded by Ald. L. Thomas

Re: Telephone System

THAT Report 689-483 regarding the purchase of a new telephone

system from Bell Information Systems at a cost of \$20,704.00 be approved. CARRIED

The Committee reviewed the report of the Chief Building Officer on

September Building Department activities.

Moved by Ald. R. Kelly, Seconded by Ald. J. Troup

THAT the report of the Chief Building Officer on September Building

Department activities be received. CARRIED

D. Bakker, Deputy Treasurer, summarized a report for the Committee

which detailed the Municipality's investment as of October 1st, 1989, including the nature of the fund, the investment

institutions, principal

amounts, interest rates and maturity data.

Moved by Ald. L. Thomas, Seconded by Ald. R. Kelly

THAT the Investment Analysis submitted by the Treasurer be

received. CARRIED

The Deputy Treasurer summarized a statement of revenues and

expenditures with budget comparisons as of September 30th, 1989.

Moved by Mayor R. Konkle, Seconded by Ald. L. Thomas

THAT the statement of revenues and expenditures for September 30th,

1989, with budget comparisons be received. -. CARRIED

The Clerk submitted a report in summary of correspondence before the

Committee.

Moved by Ald. R. Kelly, Seconded by Ald. J. Troup

THAT Report C-89-474 in summary of correspondence before this

Committee be approved. CARRIED The Clerk submitted a report to the Committee in explanation of an

application which had been submitted jointly by the Lincoln Public Library Board and the Town under Section 25 of the Unemployment Insurance Act. The proposal would make available three persons who would be financed entirely by the Federal Government program for a period of 10 weeks. The persons involved would spend about 1/3 of their time on a Library Board project and 2/3 of the time in a basic reorganization of

old records at the Quarry Road depot.

Moved by Mayor R. Koehnle, Seconded by Ald. L. Thaoas

THAT the Clerk's report C-89-488 concerning Joint Participation

with the Library Board under Section 25 of the Unemployment Insurance Act be approved to provide temporary staff for record reorganization

activities. CARRIED

The Administrator requested that the Committee consider its annual

grant to the staff in lieu of a Christmas bonus to assist in the

financing of the staff annual Christmas Dinner.

Moved by Ald. L. Thanas, Seconded by Mayor R. Koehnle. Re: Staff Christmas celebration THAT this Committee recommend to Council that the sum of \$1,800

be allocated for the staff Christmas celebrations. CARRIED

The business before the Committee being concluded, the chairman

declared the meeting adjourned.

----- " * - - " -

-----am--- MAIRMAN

.. . - " - ..~ , SECRETARY Lincoln mmhr October 16th, 1989

The Council of the Town of Lincoln met in regular session on Monday,

October 16th, 1989, at 7:30 p.m., in the Lincoln Chambers, All Members

of Council were present and the meeting was chaired by Mayor R.A. Koehnle. Staff present: R. Heil (Administrator/

Director of Finance), M. Wuc (Clerk),

U. Watson (Director of Public Works) and R. Bolibruck (Town Planner 1.

Regional Representative J. Hildreth was also in attendance.

Moved by Ald. R. Kelly, Seconded by Ald. R. Bilksz to

THAT the minutes of Council's meeting of October 2nd, 1989, be

adopted as circulated by the Clerk. CARRIED

The late Vineland Scout Troop was present at the meeting accompanied

by their leaders and were welcomed by Mayor Koehnle. The Mayor explained

that prior to the meeting, the group had met with himself and other Town

representatives and had taken part in a general discussion on Municipal

Government affairs as part of the process of earning citizenship badges. Scout Leader Dave Fowler thanked the

Council for having cooperated in

organizing this meeting with the group*

J. Hildreth briefly addressed the Council on the subject of the

Regional Policy Plan and informed that this draft plan would be the subject

of hearings, the one for this area to be held in Grassy at a date to be

confirmed in the near future.

Moved by Ald. D. Maffregor, Seconded by Ald. R. Kelly

THAT the report of the Recreation & Parks Committee, including the

minutes of its meeting of October 11th, 1989, be adopted as circulated by

the Committee Secretary. CARRIED

Ald. L. Thanas informed that the L.E.A.D. Workshop proposed to be held

at the Beamsville Library had been cancelled because of insufficient

registration.

Moved by Ald. B. Culp, Seconded by Ald. L. Thanas

THAT the memorandum of Public meeting, including the minutes of its

meeting of October 5th, 1989, re: Cherry Hill Gardens, be adopted as

circulated by the Committee Secretary. CARRIED

Moved by Ald. R. Kelly, Seconded by Ald. B. Culp

THAT the memorandum of Public meeting, including the minutes of its

meeting of October 10th, 1989, be adopted as circulated by the Committee Secretary. CARRIED

g%BE&mSmB
Under this order of business, the Council give consideration to letters received from Mr. Eric Gilbert or

Ericway Tires, who was

present at the meeting, on the subject of the application initiated by

Wyrnima, for inclusion of lands on the north side of Regional Road No.

81, west of Lincoln Avenue in the urban area. Should such an application be approved, lands adjoining Mr. Gilbert's

commercial operation could be

developed for a plaza and Mr. Gilbert expressed concerns about potential flooding problems, traffic congestion and other negative results. Mr. Gilbert's observations and concerns on this subject as expressed in his communication of October 12th, and comments made before the Council were referred to the Planning Committee for consideration in the course of dealing with the proposed Official Zoning Plan amendment. (Council, October 16/89) -2-
Moved by Ald. L. Thoaas, Seconded by Ald. B. Culp

Re: Planning minutes, October 10, Foundation Permits, A-89-485, motion of Kelly-Konkle.

THAT the following amendments to this motion be approved:

1. Replace "the approval of 25% of the units with "10% of the units*.
2. Add the statement "to be issued under specific circumstances, during the months of September to December.

CARRIED

Moved by Ald. A. Gretsinger Seconded by Ald. R. Kelly

Re: PDR 89-480, re: Kocsis, Page 10 Planning minutes, October 10.

THAT the motion of Eret & Kelly be amended to delete the words "site plan*.

The resulting motion to read: subject to (an) agreement to prohibit intensive industrial operations. CARRIED

Moved by Ald. B. Culp, Seconded by Ald. R. Kelly

THAT the report of the Planning Committee as amended, being the minutes of its meeting of October 10th, 1989, be adopted as circulated by the Committee Secretary, CARRIED

Moved by Ald. R. Reid, Seconded by Ald. R. Kelly

THAT the report of the Finance & Administration Committee, being the minutes of its meeting of October 11th, 1989, be adopted as circulated by the Committee Secretary, CARRIED

Moved by Ald. J. Troup, Seconded by Ald. R. Kelly

THAT the report of the Public Works Committee, being the minutes of its meeting of October 11th, 1989, be adopted as circulated by the

Committee Secretary, CARRIED

The Town Planner submitted a report to the Council, on the subject of the proposed revision to the site plan agreement governing the above noted development project.

The Council agreed that in order to accommodate the desire of the developer to now proceed with this development as quickly as possible, it would agree to calling a special meeting of the Council immediately before the Planning Committee meeting of October 23rd, 1989, in order to consider the passing of the by-law required to formally approve the site plan agreement regulating this development.

Moved by Ald. J. Troup, Seconded by Ald. R. Reid

Re: PDR 89-469, Revised site plan agreement, John Paehersva, Lakeshore Homesites

THAT the Council repeal the previous By-law No. 88-165 approving the old site plan agreement and a new by-law be approved for the revised site plan agreement for the plaza lands, CARRIED

Moved by Ald. D. MacGregor, Seconded by Ald. A. Gretsinger

Re: 89-889, Regford Road No. 24 (Victoria Avenue), watermain construction and replacements - Phase 1 and 2 THAT having satisfied the conditions of approval for the construction

and funding of the proposed waterworks, hereby authorize the Mayor and Clerk to sign the necessary by-law to engage the services of Hugh Cole Construction Ltd, to complete the project at a total estimated cost, including engineering and contingencies of \$399,000. CARRIED

CONFIRMATION OF COMPLIANCE WITH REQUIREMENTS OF SECTION 34 OF THE

..... "..... *a-sZ,"

Moved by Ald. A. Gretsinger, Seconded by Ald. L. Thanas

THAT Council has considered the requirements of Paragraph 16 of Subsection 1 of Section 34 of The Planning Act and concludes that no further notices of public meetings are required in the matter of the following proposed amendments to Zoning By-law No. 78-85:

- a) By-law No. 89-100 - to amend Zoning By-law No. 78-85, from Rural 1 to Burel Residential and Rural 1 with an Exception (Mertens). CARRIED (Council, October 16/89) -3-

Moved by Ald. A. Gretsinger, Seconded by Ald. D. MacGregor

THAT leave be given to introduce the following By-laws:

- a) By-law No. 89-97 - to authorize acceptance of armchairs from Wildreth

Re: Raffle Lottery

"MAT application to manam and conduct a raffle lottery submitted by ITK (For the El&) Campden Public School, be approved. CARRIED
The report of the Recreation & Parks Committee had made reference to the proposal to purchase new ice resurfacing equipment for the BeamsvlZle arena and whi& had Wen the subject of an application for grant to the Prminoe under the -unity Facilities Inprovanant Program. The Prwinca had aoknowledgsd receipt of a completed apploiaton but its final decision with respect to this grant would not be made until February of 1990, and the Council discussed the merits of promeding with the purchase of this equipent prior to heving final aonfiwation of grant availability.

Moved by Aid* R,Kelly, Seconded by Ald R. Reid Re: R-89-564, Beamsville Arena, Zamboni Quipant THAT the hcllities Menager be instructed to proceed with the purchase of the above noted machine.

Furtber, that if the grant is not f orthwming f ran the Prov ince that the additioael 113 be budgeted for 1990. CARRIED

The Mayor rsquested that the Council wnsider adjourning to Committee of the Whole for the purpose of discussing potential litigation involving the wners of the Vinehaven. Plan of subdivision.

Moved by Ald. B, Clilp, Semnded by Ald. R. Reid

THAT Gocuacil ad;lourn to CBmmittee of the Whale. CARRIED (Council, October 16/89) -5- *a b it

The Cornittee considered a report fran the Administrator on the a subject of the position being taken by the developar of the Vinehaven subdivision with respect to the fulfilling of his obl igatlons to the Munioiplity and adjoining property" owners under the terms of a

subdivision aef'eant and other associated agreanents relating to the developant of the plan of subdivision.

On conalusion of discussions on this subject, the Council reconvened.

Moved by Ald. B. Culp, Seconded by Ald. R. Kelly

Re: Vinehaven Plan of subdivision, South side of Old #8 Hi&way, Vineland

TRAT the Administrator, Bob Hell, ba authorized to hire legal counsel and take action as deemed necesssry. CARRIED

The business before the Council hing ooncluded, the Mayor declared the meeting adjourned. -\ Lincoln Onimabers OoCobsr 23rd, 1989

The Comcil of the Town of Linmln met in spci6il S~SS~OR on kndiry, October 23rd, 1989, at 6:45 g.m., in the Linmln Ghmbers. Present were:

Mayor R. A. ~on~e(Chaiman), Ald. R.[elly, ALd. R.Bilkszto, Ald. R. Reid, Ald. D. Naffiregor, Ald. L. Thuuas and Aid. J. Traug. Staff present : M. Duo (Clerk), G. Holman(Assistant Diredor of Publ ic Works), R, Bol ibruck(Twn Planner) and K. &le(Assistant Planner).

Tbe Council rwiewed the draft of a site plan agreanent with Paohereva and Lakeshore Huuesi tes governing a proporrred cmmerciaZ developnant at the intersection of RegiomL Rwd Na.81 and Lincoln Avenue.

Moved by Rld.R.Kelly, Semnded by Ald.J.Troup

THAT the draft of the site plan agreanent sverning the developant of the Wycrimsga - Pacherwa proprty be emended to illustrate the required location of garbage bins at the rear of the proposed bulldine western area - to be shown on Schedule "Ern, CARRIED

Moved by Ald. R. Reid, Seaonded by Lid, J.Troup

THAT leave be given to introduce the following by-labws:

a) By-law No.89-103 - to authorize the execution of a. site plan agreanent between the Corporation of the Town of Lincoln, Jan Michael hcherava Lakeshore Huaesites (St.Cetharines) Liatited, togsther with any and all mortgagees that may be on title *t the point of registration of the agreanent.

b) By-law No.89-104 - to authorize the exabution of a pre-servicing agreanent with Mwer & Sons Ccnstruction Ltd, with respect to the proposed Bartlett Creek Meadows subdivision. CARRIED

BY-LAW N0.89-103, SITE PLAN AGREEMENT WIW BAQIERmA AND LAICESEORE Hwma "-. . . " " "

.....

Moved by Ald. R. Reid, Seconded by Ald. R. Kelly

THAT By-law No.89-103 read a first time and being "A By-law to authorize the execution of a site plan agreement between the Corporation of the Town of Lincoln, John Mlohael mchersva, Lakeshore Hmesites (St.Catharines) Limited, together with arU. and all mortgggses that saly be on title at the point of registration of the agreaentn, ba now read a second and third time and finally psewd and that the Mayor and Clerk sign and seal same, any rule of this Ccuncil to the contrary notwithstanding. CBRRXER

BY-LAW NO.89-104, PRE-SEINXBNO AGREEMENT W ITW Kt AVER & SONS CONSTRUCEION

Moved by Ald.R.Kelly, Semnded by Ald.l),W®or THAT By-law No.89-104 read a first the and being 'A By-law to

authorize the execution of a pre-servioing agreement with Klwer & Sons Construction Ltd, with respect to the propDrred Bartlett Creek Meadows subdivisioonn, ba now read a second and third time and finally passed and that the Mayor and Clerk sign and seal =me, any rule of this Camoil notwithstanding. aRRSED

The Council considered a staff recoremendation that agplimticn be made to the Ontario Muncipl Board for rwiw of the Equalization hotor and Equalized Assessment applimb;le to the Town of Lincoln as publi&ed in the July 15th, 1989, issue of the Ontario Gazstte.

Moved by Ald.L. Thanas, Seaonded by Ald, A. Grednpr

Pursuant to the provisions of Section 55, Subsection 4 of the Asmss- ment Act, the Council of the Carporcation of tha Town of LinfaZn hereby

authorizes the submission of an splanmition to the Ontario Munioi~l Board for a review of its equalized asseaanent and aqualbation faotor, in the matter of the equalized assessment and factor publilshsd July 15th, 1989, in the Ontario Gazette, in accoranm with the requiranents of the said Section 55 in 1989 and the Clerk is hereby required to give the nceesery notices as required by the said Section, CARRIED

t 'nize business before the spcial meeting of Council baing conclbde, the byor' declared the mssting adjourned. Monday, October 23, 1989 Lincoln Council Chambers Minutes of the Planning Committee meeting held in the Lincoln Council Chambers on Monday, Ochober 23, 1989, at 7:30 pm. Present were: Ald. R. Bilkszto (Chairman), Ald. R. Kelly, Ald. A. Gretsinger, Ald. D. MacGregor (sitting in for Ald. B. Culp) and Mayor R. Konkle. Staff present: B. Bolibruck (Town Planner), X. Dale (Deputy Planner) and G. Holman (Assistant Director of Public Works). Also in attendance: G. Barker (Miller, O'Dell Planning Consultants).

DEVELOPMENT PROPOSALS

STAFF REPORT - (PDR #89-493)

- ZONfNG BY-LAW AMENDMENT -a

RON ROBRICK

S/S JOEN STREET, PT. LOT 15, CON. 3

FORMER TOWNSHIP OF' CLINTON

The Committee considered a staff report regarding an application from Ron Robrick regarding lands located on the south side of John Street, west of Bartlett Road. The purpose of the application is to rezone the northerl.y portion of the property from a Residential Development (RD) zone to a Neighbourhood Commercial (C1) zone with an Exception and to rezone the southerly portion of the property from a Residential Development (RDI) zone to a Residential Multiple 1 (RM1) zone with an Exception.

Ron Kobrick and Jennine Sharp were in attendance in support of the proposal. After considering the staff report, the Committee adopted the fol.lowing recommendation.

Moved by Mayor R. Konkle, Seconded by Ald. R, Kelly

Re: Zoning By-law Amendment - Ron Kobrick

S/S John Street, Pt. Lot 15, Con. 3

Former Township of Clinton - PDR 889-493)

I. THAT the zoning by-law amendment, as amended, be approved for the reasons noted in this report and the by-law attached as Appendix IV be presented for adoption by Council.

CARRII.2

STAFF REPORT - (PDR #89-494)

ZONING BY-LAW AMENDMENT

8161.31 ONTARIO LTD.

S/S DRAKE AVE., E/S MARGUERITTE AVE. & N/S CAMERON AVE.
LOTS 44, 45, 46 & 47, RP 540, FORMER TOWN OF BEAMSVILLE

The Committee considered a staff report from 816231 Ontario Ltd. The subject lands contain 3 rental townhouse buildings and each building contains 4 units (total of 12 units). The purpose of the application is to rezone the parcel of land from a Residential Multiple 1 (RMI) zone to a Residential Multiple I zone with an Exception to recognize a number of non-conforming zoning bylaw requirements that presently exist and which will be created as a result of the creation of separate parcels of land.

Bill Corbett, Joan Corbett, T. A. Richardson, Jeff Brookfield and Dennis Landry were in attendance in support of the proposal, -

George and Donna Dykstra, Sylvia and Arthur Allingham, Salvadore Leva, Brian Cooke, C. Chayka, Ron Hewitt, Lesa Balabak, Bob Serina and Cliff Cooke were also in attendance.

After considering the staff report, the Committee adopted the following recommendation. Plng. Comm. Minutes (1989 LO 23) P. 2/7

Moved by Ald. D. MacGregor, Seconded by Ald. A. Gretsinger

Re: Zoning By-law Rmendment - 816131 Ontario Ltd.

S/S Drake Avenue, E/S Margueritte Avenue &
N/S Cameron Avenue, Lots 44, 45, 46, 47, RP 540
Former Town of Beamsville - (PDR #89-494)

1. THAT the zoning by-law application be approved and the proposed zoning by-law attached as Appendix 111 be finalized for Council's consideration

on November 6, 1989.

2. THAT the owners be requested to enter into a site plan agreement prior to the formal creation of the lots.

3. THAT the concerns of parking be looked into before entering into site plan agreement,

4. THAT the middle apartment also be included into the site plan agreement and that all necessary repairs to the apartment building be part of the site plan agreement.

CARRIED

STAFF REPORT - (PDR 189-495)

ZONING BY-LAW AMENDMENT APPLICATION

PAUL AZFONS, FURST VON METTERNICH-WINNEBURG & ELIZABETH NOVAK

1, 215 LINCOLN AVENUE - FORMER TOWNSHIP OF CLINTON

The Committee considered a staff report regarding lands located on the east side of Lincoln Avenue, north of the CNR railway. The zoning amendment application is to rezone 3 parcels of land from a Rural 1 (Rul) zone to a Rural 1 zone with an Exception to recognize their undersized lot areas.

Joan Larocque was in attendance in support of the proposal.

Klaas Klaver was also in attendance.

After considering the staff report, the Committee adopted the following recommendation,

Moved by Mayor R. Konkle, Seconded by Ald. R. Kelly

RE: Zoning By-law Amendment Application

Paul. Alfons, Furst Von Metternich-Winneburg &

Elizabeth Novak

Pt. Lot 18, Conc. 1, E/S Lincoln Avenue

Former Township of Clinton - (PDR 189-495)

1. THAT the zoning amendment application be approved for the reasons noted in this report and the by-law attached as Appendix TI be presented to Council for: approval.

CARRIED

STAFF REPORT - (PDR 209-496)

OKSAMA WYRCIMAGA

OFFICIAL PLAN AMENDMENT NO. 17

N/S KING STREET, PT. LOT 19, CON. 3

FORMER TOWNSHIP OF CLINTON

The Town Planner stated that on September 25, 1989, and October 10, 1989, the Planning Committee held public meetings and reviewed a staff report and as a result, the Committee recommended to Council that the amendment

be approved and staff be authorized to prepare the amendment. He stated that the Planning Committee's recommendation also recommended that the amendment include policies to limit the uses in the implementing by-law to highway commercial type uses and uses that will not impact on the downtown area. He stated that the Planning Committee resolution was approved by Council on October 16, 1989. He stated that staff have prepared the draft amendment which is to be adopted by by-law by Council and forwarded to the Ministry of Municipal Affairs for approval. The Town Planner stated that 't is staff's opinion that the official plan amendment should only change Land use designation and that upon review of the implementing zoning by-law amendment, the uses could be restricted at that time. He stated that the draft Official Plan designates the portion of the lands within the Urban Area as General Commercial which allows for a wide range of uses, including Plng. Comm. Minutes (1989 LO 23) P. 3/7

retail, personal service uses, restaurants, entertainment, recreational facilities, automotive uses, institutional uses and government uses. He stated that in addition to the approvals required for the Regional Policy Plan Amendment and amendment to the Town's Official Plan, the applicant is required to submit an application for a zoning amendment and a site plan agreement. He stated that, although the zoning amendment and site plan agreement can be processed by staff, the approval of the zoning by-law amendment would not be in effect until the Regional Policy Plan Amendment and the Town's Official Plan Amendment are approved by the Ministry of Municipal Affairs. In addition, the site plan agreement cannot be finalized until the sewer capacity problem is resolved. He stated that drainage concerns will also have to be addressed as part of the site plan agreement. He stated that it may be a few years before the owner is able to develop the lands as a commercial mall.

Dennis Landry, Jeff Brookfield and John Servedio were in attendance in support of the proposal. Mr. Gilbert was also in attendance. Mr. Landry then stated that the application also requested General Commercial uses on the property. He stated that at the last public meeting there was general discussion by the Committee to allow more flexibility and that they had assumed that they had support. However, when the resolution was passed, the resolution limited the uses to Highway Commercial uses and uses which would not impact on the downtown area. He stated that the owners will be reviewing the Sanitary sewer capacity problem. He stated that he wanted to review the list of uses with staff and was not able to do so. He stated that the proposed amendment is too brief and that he would like to see some changes that would give direction as to the type of uses that would be permitted. He stated he would therefore like to see the application tabled in order to allow for them to meet with staff to review the proposed uses.

The Chairman then read the previous recommendation which stated as follows:

1. That the Official Plan Amendment application, as amended, be approved for the reasons noted in this report and that staff be authorized to prepare the amendment to the Official Plan, provided:

(a) The Official Plan Amendment include policies to limit the uses in the implementing zoning by-law to Highway Commercial type uses and uses that will not likely impact on the downtown area.

2. That the Region of Niagara be advised that the Town of Lincoln has no objections to the inclusion of the subject lands within the Beamsville Urban Area.

Mr. Landry then stated that he was left with the impression that there should have been another policy added to the amendment.

The Committee then indicated that, yes, there was reference made to the possibility of being less restrictive with the uses on the property, however, Planning Committee and Council do speak by resolution.

Mr. Servedio stated that he is very confused by the report and it was his impression that at the previous Planning Committee meeting, there was support for additional commercial uses.

The Committee then indicated that the resolution is very clear and that the resolution has been approved by Planning Committee and Council.

In response to inquiry from the Committee, the Town Planner stated that the application can be tabled. The Town Planner stated that staff had some

difficulty with the motion versus the discussion that had occurred. He stated that staff feel that the zoning by-law deals with the uses. He stated that in regards to the adjacent property to the east, that property had been rezoned to Highway Commercial with an Exception to allow an extended list of uses and that the same type of uses could be applicable to the subject lands. Png. Comm. Minutes (1989 10 23) P. 4/7

Mr. Landry then stated that in regards to the Planning Committee's previous resolution, that an additional policy should have been put in the amendment. He stated that he would like the application to be tabled so that a list of uses could be reviewed by the applicant and Town staff.

After considering the staff report, the Committee adopted the following recommendation.

Moved by Mayor R. Konkle, Seconded by Ald. R. Kelly

Re: Official Plan Amendment 817

THAT this Committee recommend to Council the tabling of Report #PDR 1189-496 on Amendment Q17.

FURTHER, THAT this matter be tabled to the next Planning meeting of November 13, 1989.

CARRIED a - STAFF REPORT - PDR #89-500

SECONDARY PLAN, NORTHEAST NEIGHBOURHOOD - BEAMSVILLE

Mr. Barker then outlined the details of the Northeast Neighbourhood Secondary Plan. He stated that if the draft Secondary Plan is generally acceptable to the Planning Committee, that direction should be given to staff to proceed with the public meeting. He stated that there have been some minor changes made to the draft Secondary Plan and that those changes include a road connection to Bartlett Road which is needed for servicing purposes, some realignment of streets and some changes in the park configuration. He stated that the park configuration has been reviewed by the Town's Parks & Recreation Committee and that they have supported the location of the park in principle.

He stated that additional residential policies have been added and that they include a policy regarding residential development in close proximity to the CNR. He stated that in accepting park dedication, that walkways and open space areas will not be included as part of the 5% park dedication. He stated that a 30 metre wide open space strip has been provided along Bartlett Creek. He stated that the proposed park is approximately 10 acres in size and that there is an additional area of 4 acres which make up the 30 metre strip along Dartlett Creek. He stated that there are additional park and open space lands included along south of John Street. He stated that the neighbourhood would provide for a population of approximately 4,500 to 5,000 people and that the proposed densities are in accordance with the Town's Zoning By-law. He stated that one of the areas that has been a major concern from the Committee is the existing industrial area along the west side of Bartlett Road. He has shown this area as prestige industrial. He stated that the outcome of the final designation of these lands may depend on comments from the Ministry of the Environment, who do not want to see any sort of residential development to occur in that area.

In response to inquiry from the Committee, Mr. Barker stated that there could be some minor changes in the road pattern at the time of submission of a plan of subdivision by an individual applicant. In response to inquiry from the Committee, Mr. Barker stated that the reason the minor collector has a curvature in its road design is to reduce speed and provide for a varied streetscape. He stated that Bartlett Road has limited access because of the existing industrial traffic. He stated that an additional access to Dartlett Road was put in because of the need to provide servicing and also to provide an additional access to the park.

The Committee then expressed some concern about expanding the industrial area further, and it was indicated by the Committee that it could create future problems. The Committee indicated that this may not be the best area for further industrial development and that it should be located within the Town's Industrial Park. The Committee also indicated that the prestige industrial area may help in cleaning up the area.

Mr. Barker then stated that this area shown as Prestige Industrial was shown in order to obtain discussion from the Committee. Png. Comm. Minutes (1989 10 23) P, 5/7

Mr. Thane Munn stated that his client has purchased the "old Corrado plan

of subdivision" which has draft plan approval. He stated they have revised the draft plan and that this plan conforms with the draft Secondary Plan and that they would like to proceed as soon as possible. The Town Planner stated that the Town would prefer that no plans proceed until after adoption by Council of the Secondary Plan. He stated, however, in the case of Corrado Estates, they already have draft plan approval.

Mr. Barker then stated that applications can be made to the Region of Niagara once the Secondary Plan has been approved by Council.

The Committee tentatively set December 5, 1989, (at 7:30 pm at the Lincoln Centre) as a public meeting date for the draft Secondary Plan for the Beamsville Northeast Neighbourhood.

After considering the staff report, the Committee adopted the following recommendation.

Moved by Mayor R. Konkle, Seconded by Ald. R. Kelly

Re: Northeast Neighbourhood Secondary Plan

Town of Lincoln

THAT Town staff be authorized to take steps to hold a public meeting for the Northeast Neighbourhood Secondary Plan.

CARRIED

STAFF REPORT - (PDR #89-497)

HYGIENE-TECHNIK CANADA LIMITED

PROPOSED AMENDMENT TO THE SITE PLAN AGREEMENT

E/S CHRISTIE DRIVE, PARTS 20 & 21, PLAN 30R-333

The Town Planner outlined the details of the request from Hygiene-Technik Canada Limited for a change to a site plan agreement. The proposed change is to enlarge a landscaped area and it is intended primarily for aesthetic reasons. The proposed change has been discussed with staff of the Public Works Department and the entranceway will be 10 metres wide and will conform with the minimum standards of the Town. The Town's Public Works Department have no adverse changes to the proposal and the Town's Planning Department has no adverse comments on the proposed change as it is basically a cosmetic type change. He stated that the proposed change can be viewed as minor and there can be some argument as to whether or not the existing agreement needs to be amended. In order to have an agreement on title that clearly reflects the site plan development is suggested that an amendment be made to the site plan agreement for Hygiene-Technik.

After considering the staff report, the Committee adopted the following recommendation.

Moved by Ald. R. Kelly, Seconded by Mayor R. Rynkle

Re: Proposed Change to Site Plan Agreement

Hygiene-Technik Canada Limited

E/S Christie Drive, Parts 20 & 21, Plan 30R-333

(PDR #89-497)

1. THAT the Town support the proposed change to the site plan agreement as proposed by Hygiene-Technik and that an amendment be processed.

CARRIED

STAFF REPORT - (PDR #89-498)

WORK PROGRAM

IMPLEMENTATION OF THE PROVINCIAL POLICY STATEMENT-
LAND USE PLANNING FOR HOUSING (AFFORDABLE HOUSING)

The Deputy Planner stated that the Provincial Policy Statement has been approved by the Province and took effect August 1st, 1989, and that the Region of: Niagara is one of the priority areas in the Policy Statement. She stated that the Policy Statement requires the Town of Lincoln to carry out a number of items in order to implement the Policy Statement, She stated that one of the items that has to be done by November 1st, 1989, is the approval of a work program to implement the intent of the Policy Statement. She stated that the work program P/ing, Comm. Minutes (1989 10 23)

P. 6/7

is intended to be a list of actions the Town is intending to undertake to achieve the implementation of the Policy and that the implementation of the Policy will occur through the incorporation of policies in the Town's Official Plan, the preparation of a Municipal Housing Policy Statement, the preparation of the Town's new zoning by-law and review of urban land needs as part of the Urban Needs Study.

After considering the staff report, the Committee adopted the following recommendation.

Moved by Ald. R. Kelly, Seconded by Ald. D. MacGregor

Re: Work Program

Implementation of the Provincial Policy Statement -
Land Use Planning for Rousing (Affordable Bousing)
(PDR 689-498)

1. THAT the Work Program attached as Appendix I be adopted by Council.

2. THAT the Ministry of Municipal Affairs and Ministry of Bousing be provided with a copy of the Town's Work Program.

CARRIED

STAFF REPORT - (PDR #89-499)

DEVELOPMENT STATUS REPORT - TOWN OF LINCOLN

The Town Planner stated that for the Committee's information, the Planning Department and the Public Works Department have prepared a Development Status Report which outlines the various stages of development throughout the Town, including residential, commercial and industrial development.

CORRESPOND- -

ti1 - Memorandum from the Town Planner - re: Conditions of development approval, CNR.

The Town Planner stated that staff had contacted Mr. Walsh of the CMX who has advised staff that they utilize a proposed Provincial Policy on the environmental protection of new residential development adjacent to railways. The Policy was prepared in 1983 and is an approved Canadian Pacific and Canadian National Railway document. The guidelines deal with specific noise standards and minimum berm and setback standards. The Town Planner noted that the CMR has been very successful at the Ontario Municipal Board in applying these conditions to development applications.

The Committee had some concern regarding the insertion of clauses into offers of purchase or into deeds as it would appear that this is not something that can legally be done. It was indicated by staff that in the past that the clause was put in the subdivision agreement which required the developers to notify perspective purchasers.

82 - Memorandum from Town Planner - re: Official Plan Update procedures.

The Town Planner stated that staff had asked for an extension for the adoption of the Official Plan from the Province. Therefore, staff have provided a tentative schedule for the adoption of the Official Plan for the Committee's consideration. Some discussion then occurred as to the amount of public input that will occur at the December 18, 1989, Council meeting, since there are a number of other items scheduled for that night's Council meeting. It was generally agreed that the Town Clerk and the Town Planner will work out a particular date for a Council meeting and the adoption of the Town's Official Plan.

83 - Correspondence from the Ministry of BoUSing - re: Provincial Housing Policy.

R & P

#4 - Memorandum from Town Planner - re: Urban Boundaries Issue, future meeting. R&F P1.ng. Comm. Minutes (1989 10 23) P. 717

NOTICE OF NEW BUSINESS

0 It was indicated by the Committee that there are several meetings occurring on October 30, 1989, and they include the Public Meeting for Cherry Hill Gardens, the meeting with the Ministry of Agriculture & Food and a meeting for the Waste Management Committee,

o The Town Planner then stated that in regards to Cherry Hill Gardens, that the applicants have not made any changes. The Town Planner also stated that in regards to the Town's Amendment to the Zoning By-law, that would have eliminated the request for rezonings for retirement lots, that the OMB has denied the appeal as proposed by Mr. Groot and that the by-law will come into effect upon the issuance of an Order by the OMB.

ACCOUNTS

Moved by Ald. D. MacGregor, Seconded by Ald. A. Gretsinger

TIA invoice payments totaling \$681,01 for Planning & Development services presented/issued be approved.

CARRIED

ADJOURNMENT

Moved by Mayor R. Konkle, Seconded by Ald. D. MacGregor
THAT this Planning Committee do now adjourn to meet again at the call
of the chair.

CARRIED

- SECRETARY CHAIRMAN Monda October 23, 1989 Lincoln Council Chambers
Memorandum of Public Meeting pursuant to requirements of the Planning Act,
1983, on the subject of proposed amendments to the Municipality's Zoning
By-law No. 76-85, held in the Lincoln Council Chambers on Monday, October
23, 1989, at 7:00 pm. In attendance were: Ald. R. Bilkszto (Chairman),
Ald. A. Gretsinger, Ald. R. Kelly, Ald. D. MacGregor (sitting in for Ald.
B. Culp) and Mayor R. Konkle. Staff in attendance: B. Rolibruck (Town
Planner), K. Dale (Deputy Planner) and G. Holman (Assistant Director of Public
Works).

ZONING BY-LAW AMENDMENT

RON KOBRICK

S/S JOHN STREET, PT. LOT 15, CON. 3

FORMER TCIWNSHIP OF CLINTON

The Deputy Planner outlined the details of the proposed application by Ron
Kobrick regarding lands located on the south side of John Street and west
of Bartlett Road. The northerly portion of the property is to be rezoned
from a Residential Development (RD) zone to a Neighbourhood Commercial (CI) zone with an Exception. A
commercial plaza having an area of approximately

469 square metres (5,048 square feet) is proposed. The applicants are also
requesting a minimum rear yard setback of 4 metres for the commercial plaza,
whereas 14 metres are required. The southerly part of the property is to be
rezoned from a Residential Development (RD) zone to a Residential Multiple 1
(RM1) zone with an Exception. Six townhouse units are proposed for the
southerly half of the property. The applicants are also requesting a minimum
front yard setback of 6 metres for the townhouses. The Deputy Planner stated
that the subject lands are designated Neighbourhood Residential and the
Neighbourhood Residential designation allows a variety of residential uses and
that it also allows neighbourhood commercial type uses. She stated that the
neighbourhood commercial uses include those which provide for the daily shopping
needs of the immediate surrounding residential area. She stated that staff are
of the opinion that the use of part of the lands for a commercial plaza would
comply with the Town's Official Plan. She stated that the Neighbourhood
Commercial category in the Official Plan allows up to 743.2 square metres
(8,000 square feet) for a commercial plaza, and the applicant's proposal
involves 469 square metres (5,048 square feet) and will contain approximately 3
stores. She stated that the location of the commercial plaza along John Street
is fairly central to the Northeast Neighbourhood and the establishment of a
neighbourhood commercial plaza should preferably be located adjacent to
medium intensity rather than low density where it will serve a greater number of
people.

The Deputy Planner advised that the draft Secondary Plan for the Northeast
Neighbourhood proposes predominately low density development north of John
Street and therefore the subject lands are more appropriate for the development
of the neighbourhood commercial plaza for the Northeast Neighbourhood. She
stated that since neighbourhood commercial uses are intended to be zoned
Neighbourhood Commercial (CI) the uses in the plaza will be limited to those
which serve the surrounding residential area. She stated that as more
development proceeds in this neighbourhood, there will be an increased demand
for this type of commercial use and that, therefore, staff have no objections
to a portion of the lands being rezoned to Neighbourhood Commercial (CI).
She stated that the use of the balance of the balance of the property for
6 townhouse units would fit in with the overall development of Bartlett
Creek. The Bartlett Creek Village plan of subdivision proposes 136 townhouse
units and 76 apartment units. She stated staff feel that the use of the
property for residential purposes will keep the commercial component smaller and
therefore staff have no objections to the portion of the lands being rezoned to
Residential Multiple I (RM1) zone. She stated that the application requests a
minimum rear yard setback of 4 metres for the commercial plaza and a minimum
front yard setback for the townhouse units. She stated that in order to provide

sufficient area for building, parking, the parking aisle, walkway in front of the building and landscaping strips, there is insufficient depth to meet both the front yard and rear yard setbacks for the commercial use, particularly since staff have suggested that part of the lands be used for residential purposes to

keep the commercial uses small. She stated that staff felt it would be more desirable to provide the required front yard setback which would ensure that the parking area is more visible and more accessible. She stated that the application shows a rear yard setback of 4.8 metres and that the by-law should be amended to include the largest setback as possible. She stated that the reduction in front yard setback to 6 townhouse units was similar to that that was approved in the Bartlett Creek Village plan of subdivision. Therefore, staff have no objections to the reduction in the requested setbacks, Memorandum Pub. Mtg.(1989 10 23) P, 2/4 Ron Kobrick and Jerrine Sharp were in attendance in Support of the proposal, Ron Wervitt and Jim Durbano were also in attendance.

ZONING BY-LAW AMENDMENT

816133 ONTARIO LIMITED

S/S DRAKE AVENUE, E/S MARGUERITTE AVENUE &
N/S/ CAMERON AVENUE, LOTS 44, 45, 46 h 47, PLAN 540
FORMER TOWN OF BEMM&LE -- ---

The Town Planner outlined the details of the proposed zoning amendment application from 816131 Ontario Limited regarding lands located on the south side of Drake Avenue, the east side of Margueritte Avenue, and the north side of Cameron Avenue. The Town Planner stated that the subject lands presently contain 3 rental townhouse buildings and each building contains 4 units (total of 12 units), and the buildings on the south side of Drake Avenue and the north side of Cameron Avenue are to be Converted from rental units to freehold units, He stated that the center building which is located on the east side of Hargueritte Avenue will be remain as a rental unit. He stated that the owner is planning to upgrade the condition of the building by residing the exterior and the owner is also intending to landscape the property by removing some pavement and adding interlocking brick and a wooden privacy fence. He stated that the purpose of the proposed amendment is to rezone the parcel of land from a Residential Multiple 1 (RM1) zone to a Residential Multiple 1 with an Exception to recognize a number of non-conforming zoning requirements. He stated that the zoning exceptions recognize the non-conforming setbacks currently existing on the lands and also the non-conformance that will be created as a result of the creation of the separate parcel of land. The Town Planner stated that at the preliminary public meeting, a number of property owners in the area attended, and expressed concerns which included parking along the street, drainage, appearance of the townhouses, lack of maintenance carried out on the property and the quality of bulldrng construction. He stated that staff were also requested to determine the history of ownership of the land along the north side of Cameron Avenue. He stated that the subject lands are designated as Neighbourhood Residential and are zoned Residential Multiple L (ML) which permits uses such as townhouses and apartments. He stated that there is legislation under the Rental Housing Protection Act that assists in protecting rental units from being converted into condominium ownership. Staff have reviewed this legislation with the Ministry of Housing and have learned that the legislation does not affect the conversion of rental accommodation to freehold lots and therefore the Rental Housing Protection Act cannot be applied in this case. He stated that the Regional Municipality of Niagara Planning Department had indicated verbally that they have some serious concerns regarding loss of rental accommodation in Beamsville. He stated that the Town's Public Works Department wishes to be assured that there will be separate sewer and water hookup for each of the proposed freehold townhouses. He stated that the ownership along the northern section of Cameron Avenue has been defined as the result of a recent survey and it appears that in the Town" paving program, the Town has asphalted some private property. The Planner advised that Town staff have some concern regarding the loss of rental accommodation within the Village of Beamsville, as the vacancy rate is quite low. He stated that there are some advantages of the conversion of rental units to freehold units with the primary benefit being to improve the appearance of the units. He stated that the townhouses will also provide a form of residential ownership that will be reasonably priced. He stated that Town staff

were somewhat surprised at the lack of representation of the present tenants of the buildings at the previous public meeting and that Town staff have learned that most of the southerly townhouse building will be vacant in the next month or so, while the center building will continue to be used for rental accommodation. This means that only four families from the most northerly building will lose their rental accommodation and, with the lack of representation of these tenants, one will conclude that there is little hardship to these people with the proposed change. He advised that the owner should offer the four remaining families the first option to purchase and not force them to vacate the rental townhouses in the near future. Memorandum Pub. Mtg.(1989 10 23) P. 3/4 Bill Corbett, Joan Corbett, Tom Richardson, Jeff Brookfield and Dennis Landry were in attendance in support of the proposal.

Donna and George Dykstra, Sylvia and Arthur Allingham, Salvadore Leva, Brian Cooke, C. Jacob, Ron Bewitt, Lesa Balahak, Bob Serina and Cliff Creek were also in attendance.

Mr. Brookfield stated that no new buildings will be constructed on the site and the existing buildings will be upgraded. He stated that a privacy fence is proposed to provide amenity spaces for the units. He stated that the units will sell for around \$90,000. He stated that the parking area along Cameron Avenue is owned by the applicants. He stated that new siding, privacy fencing, interlocking brick and landscaping will be added. He stated that in addition, privacy fencing will be constructed along the east property line. He stated the only real change is the ownership of the outside buildings.

Mr. Leva stated that he is concerned about the large amount of parking located along Drake Avenue and that he feels it is unsafe for children walking along the street due to cars backing out of their driveways onto the road.

Mr. Cooke stated that he lives in one of the units and that he would not buy a unit for \$90,000 because they need \$15,000 to \$20,000 worth of repairs. He stated that they need new siding and they need new windows. He stated that for many of the tenants in the building, this accommodation, is all they can afford. He stated that he is concerned as to where the other tenants were going to be relocated.

A member of the public stated that she's concerned about the parking location and that she is concerned that improvements have not occurred on the property in the past and it appears that the owners are only going to make improvements if the zoning amendment is approved by the Town.

Mrs. Dykstra stated that she objects to the parking lot on Drake Avenue. She stated that there are a number of children in the area and that the parking lot could be dangerous to those children. She stated that the buildings have not been maintained in the past and it is unfortunate that the owner is not willing to upgrade the buildings unless the conversion from rental to freehold can take place.

Mr. Brookfield stated that the units are to be upgraded, however, if the conversion can take place, the upgrading will occur sooner. He stated that, if necessary, the parking on Drake Avenue can be relocated to the back of the property.

Mr. Dykstra stated that he is concerned about the northerly and southerly parking lots.

Mr. Richardson stated that the Town of Lincoln has previously been exempted from the Rental Housing Protection Act. He stated that by the end of November there will be 4 units vacant. He stated that the parking areas will be the parking for the individual units. He stated that all other property owners in the area also back their cars from their driveway out onto the street. He stated that he has some concerns about the comments regarding the conversion from rental accommodation to freehold, He stated that it is his understanding that owners will take better care of the property rather than renters.

The Committee indicated that the owners will probably have to look at the parking onto Drake Avenue in relation to the slope of the property. The Committee indicated that many of the concerns expressed were neighbourly concerns and that it would appear that owners would be more inclined to take care of the properties rather than renters. The Committee indicated that if the property owners in the area are concerned with the maintenance

Of the property, that maybe the best thing to do is to let the owner sell the units.

In response from inquiry from the Committee, Mr. Corbett stated that the two end buildings will require separate municipal services for each unit. Memorandum Pub. Mtg.(1989 10 23) P. 4/4

The Chairman then asked if there were any further comments from the applicant or from the public.

The Chairman then declared the public meeting closed.

ZONING BY-LAW AMENDMENT

PAUL ALPONS, FVRST VON METTEmICK-WINNEBURG & ELIZABETH NWAK
E/S LINCOLN AVE., PT. LOT 3.8, CON. I, FORMER TOWNSHIP OF CLINTON
FORHZR TOWNSHIP OF CLINTON

The Town Planner stated that the Town has received a zoning amendment application to rezone 3 parcels of land which are located on the east side of Lincoln Avenue and north of the CNR. The purpose of the zoning amendment application is to rezone 3 parcels of land from a Rural 1 (Rul) zone to a Rural L zone with an Exception to recognize their undersized lot area. He stated that

the smaller parcels were created as a result of the severances that were recently approved by the Regional Land Division Committee. The severances involve the amalgamation of: lands within the Urban Area Boundaries and that the remaining lands are located outside the Urban Area. Staff note that the proposed rezoning will implement a condition of consent as imposed by the Land Division Committ.ee under Pile Nos. B521/89, B522/89 and B523/89.

Joan Larocque was in attendance in support of the proposal.

Klaas Klaver was also in attendance.

The Chairman then asked if there were any further comments from the applicant or from the public,

The Chairman then declared the public meeting closed.

SECRETARY -

CHAIRMAN Lincoln Chambers October 24th, 1989

Minutes of a meeting of the Town of Lincoln Public Works Committee, held in the Lincoln Chambers, on Tuesday, October 24th, 1989, at 7:30 p.m., Present were: Ald.S.Traup (Chairman), Ald.R.Reid, Ald.D,MacGregor, Ald.B.Kelly and Mayor R.Konkle. Staff present were: W.Watson(Director of Public Works) and G.Holman(Assistant Director of Public Works).

ACCOUNTS

Moved by Mayor R.Konkle, Seconded by Ald.D.MacGregor THAT accounts in the amount of \$97,243.84 for Transportation Services Subsidized be approved and ordered paid. CARRIED

Moved by Ald.D.MacGregor, Seconded by Ald.R.Kelly THAT accounts in the amount of \$71,792.86 for General Public Works Expenditures be approved and ordered paid. CARRIED

STAFF RECOMMENDATIONS AND REPORTS

The Committee reviewed the staff recommendations and reports as presented by the Director of Public Works, and passed the following motions.

PUBLIC WORKS PROJECT ACCOUNT SUMMARY

The Director of Public Works explained diversion of funds concerning Lincoln Avenue sewers and the tentative scheduling of outstanding capital works,

Moved by Ald.R.Reid, Seconded by Ald.R.Kelly IT is hereby recommended to Council that the following diversion of funds be made as recommended by the Director of Public Works. 1. Additional \$20,000.00 from C311-466 Bartlett to C311-418. 2. Additional \$5,000.00 from C311-466 to C311-422. This in effect transfers \$25,000,00 from C311-466 to C311-418 \$20,000.00 and to C311-422 \$5,000.00 respectively. CARRIED

SANITARY SEWER PROBLEM, 4398 CENTRAL AVENUE, BEAMSVILLE, P.W. 490-89

The Committee expressed concern that new development could cause additional strain on the sanitary sewer system in Beamsville and that staff should investisate unreported incidents of flooding to identify the magnitude oi the problems in thi.s and other areas.

Moved by Ald.R.Kelly, Seconded by Ald.R.Reid - THAT this Committ:ee recommend to Council that Public Works staff be directed to continue to monitor the sewage flows in this area, noting any changes as a result of the proposed storm and sanitary sewer const.ruct:i.an in the Bartlett Creek area. FURTHER THAT the homeowner be informed of these works and that any sewer work on private property must be done at the owner's expense. CARRIED Public Works Minutes -2- Oct.24/89

SCRAP METAL SALVAGE RIGIITS - QUARRY ROAD LANDFILL SITE, P.W. 491-89 - -

Mr. LeBlanc was present to explain the extent of his operation and purpose of his request to 0btai.n sole and exclusive salvage rights. The Committee added that appropri-ate signs should be posted warning that scavenging is prohi.bited on the Quarry Road site.

Moved by Ald.R.Kelly, Seconded by Mayor R.Konkle THAT this Committee recommend to Council that the Mayor and Clerk be authorized to sign the appropriate by-law granting Mr, LeBlanc sole and exclusive rights for the

removal of scrap metals from the Quarry Road Landfill Site. CARRIED

MINISTRY OF TRANSPORTATION COURSES - MUNICIPAL MAINTENANCE ROADSIDE VEGETATION COURSE - FEBRUARY 19-21, 1990, P.W. 492-89

Moved by Mayor R. Konkle, Seconded by Ald. D. MacGregor THAT this Committee recommend to Council that Mr. Chris Shelton and Mr. Larry Aston be authorized to attend the Municipal Maintenance Roadside Vegetation Course to be held at the Holiday Inn, Toronto, with normal expenses to apply, CARRIED

RECYCLING WEEK ACTIVITIES - NOVEMBER 20TH-26TH, 1989, P.W. 501-89 -

The Committee expressed concerns with the market for recyclable materials and cautioned staff to investigate all aspects of the proposed programs including consideration of long term commitments.

Moved by Ald. D. MacGregor, Seconded by Mayor R. Konkle THAT this Committee recommend to Council that:

1. Staff be authorized to proceed with the proposed activities planned for Recycling Week as detailed in the report.
2. Staff be authorized to investigate all alternative solutions to the landfill process for possible inclusion in the 1990 capital budget, CARRIED

DEVELOPMENT & CONSTRUCTION MINUTES OF MEETINGS

The Director of Public Works briefly discussed the highlights and major changes in the projects currently underway.

1. Bartlett Creek Village - September 11th' 1989. R&F
2. Niagara Road #8% Vineland to Jordan - September 27th, 1989. R&F
3. Village Green Subdivision - September 28th, 1989. R&F
4. MTO - QEW from Stoney Creek to St. Catharines - October 5th 1989- R&F Public Works Minutes -
5. Juniper Court Townhouses - October 6th, 1989. R&F
6. North Niagara Public Utilities Co-ordinating Committee - October 10th, 1989. R&F
7. Juniper Court. Townhouses - October 13th' 1989. R&F

CORRESPONDENCE

1. Letter from the Ministry of Transportation, dated September 28th, 1989, Re: Submissions of Road Needs Appraisal Data. R&F

2. Letter from the Region, dated October 2nd" 1989, Re:

Water and Sewage - flows for July and August, 1989. R&F

3. Board of Management/Steering Committee Minutes, dated October 4th' 1989.

Moved by Ald. R. Reid, Seconded by Ald. R. Kelly

THIS Committee recommend to Council that the minutes of the above mentioned Committee be approved, CARRIED

4. Letter from the Region, dated October 6th, 1989, Re: Traffic Conditions - Ontario Street at Friesen Blvd.

The Committee expressed concern about the criteria used to make the traffic assessment and requested staff to follow up the matter.

5. Letter from Ontario Grape Growers' Marketing Board, dated October 11th, 1989, Re: Collection and Disposal of Removed Grape Wire. R&F

6. Letter from the Region, dated October 11th, 1989, Re: Construction Progress Report to September 30th, 1989. R&F

7. Letter from Vinewood Engineering, dated October 16th, 1989, Re: Proposed Storm Outlet - Kingsway Plaza, R&F

8. Letter from the Ministry of the Environment, dated October 16th, 1989, Re: Woodland Estates, Hillview Crescent Sanitary Sewer Diversion & Lincoln Avenue Extension. R&F 0

9. Letter from the Region, dated October 20th, 1989, Re: 4 Way Stop Sign, Greenlane Road & Lincoln Avenue.

The Committee suggested that the residents should be contacted and consulted as to their opinion of this matter and noted that the correspondence be forwarded directly to Council for further action.

ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned.

-- CHAIRMAN -- SECRETARY Lincoln Centre October 25th, 1989

Minutes of a meeting of the Lincoln Centre Board of Management had at the Lincoln Centre on Wednesday, October 25th, 1989, at 9:00 a.m.

Present were: Ald. A. Gretsinger (Chairman, for Ald. L. Thomas), F. Barnfield, K. McIntyre, J. Romano, J. Kelly and B. Ugart Facilities Manager.

Moved by J. Kelly, Seconded by J. Romano

THAT invoice payments totalling \$1,331.311 for Lincoln Centre expenditures presented/issued be approved. CARRIED

Moved by F. Barnfield, Seconded by K. McIntyre

THAT the Facilities Manager write a letter of regret to Triple "CW" informing that the Hall is booked for Monday and this cannot be altered. CARRIED

Moved by J. Kelly, Seconded by F. Barnfield

Re: Day Long Rental Rate

THAT a fee of \$20 per hour be charged for hall rental during event

hours between 6:00 a.m. and 5:00 p.m. After 5:00 p.m. , that the normal hall rental rate would apply. CARRIED

Moved by J.Kelly, Seconded by J. Rmagnoli

Re: Janitorial/Supervision rates

THAT the recommended increase of \$24 per month for janitorial services and an increase of 24 mnts per bow for supervision be approved for the year 1990. CARRIED

With the difficulty of securing adequate contractors to perform the work, it was suggested that this project be done inhouse,

La3QL3--a&TmJ3Y-w2-@2

It was resolved that Keith McIntyre will assist the Facilities Manager in doing the inventory to be completed on Thursday, October 26th, 1989.

Moved by K.McIntyre, Seconded by J. Rcatawo i

THAT the Town of Lincoln assume the responsibility of maintaining the pounds including the flower gardens and ornamental beds. CARRIED

Moved by K.McIntyre, Seconded by F.Barnfield

THAT lobby chairs be purchased, approximate price - \$155 per chair for three chairs plus tax, CARRIED

Moved by J.Kelly, Seconded by J, Rccaaaol i

Re: Kitchen Door

THAT the Facilities Manager enter into discussion with the Fire Chief on a solution to the screen door desired for the kitchen. CARRIED - Addition to Lincoln Centre: Keith McIntyre to investigate.

- Dishwasher: Facilities Manager will investigate suitability cost, and

design for this alteration to the kitchen. - Piano: Ald. A.Gretsinger to investigate price and bring back to the

next meeting. (Lincoln Centre, Oct.25/89) - Lobby telephone: Facilities Manager will investigate a phone for the

lobby -- with a look out for long distance calls. - Key card system: Facilities Manager to investigate suitability -

pricing - renewing and installation of this system for next meeting.

The Facilities Manager provided information regarding the Bemille

High School Carpenter program offering two programs, one during the day

from 10:20 - 12:00 - September to January, and a night program - 7:30 -

9:00 Tuesday evenings September to May.

That the person responsible for the bar service, supervision is an independent function,

That the Facilities Manager post the capacity for the auditorium.

The business are the Committee being concluded, the Chairman

declared the meeting adjourned, CARRIED

..... " : , " 124 AIRMAN SECRETARY Lincoln Centre October 26th, 1989

MEMORANDUM of a Public Meeting pursuant to the requirements of the Planning Act, 1983, on the subject of the proposed new Official Plan for the Town of Lincoln, held at the Lincoln Centre on Thursday, October 26th, 1989, at 7:30 p.m.. In attendance were: Ald.B.Culp(Chairman), Ald.R.Bilkszto, Ald.A.Gretsinger, Ald.R.Kelly,

Ald.L.Thomas, Ald.J.Troup and Mayor R.Konkle. Staff in attendance: B.Bolibruck(Town Planner) and K.Dale

(Deputy Planner). Also in attendance: G.Barker and B.O'Dell (Miller, O'Dell Planning Consultants).

Ald.B.Culp then welcomed everyone to the meeting and stated that the purpose of the meeting is to present the final

draft of the Official Plan for the Town of Lincoln, He stated that the consultants have asked that all comments on

the final draft Official Plan be sent in to the Town by November 17th, 1989. He stated that on November 27th, 1989

the Planning Committee will be reviewing all the responses and that hopefully on December 4th, 1989, Council will be in a position to adopt the Official Plan,

Mr. O'Dell stated that the purpose of this public meeting is to obtain input from the public regarding the Official Plan.

The Town Planner then stated that additional copies of the Official Plan are available at the Town office for review.

He stated that comments for the Official Plan are to be in by November 17th, for presentation at the Town's Planning Committee on November 27th.

Mr. Barker then stated that an Official Plan is composed of the written text and various schedules. He stated that the

text contains various policies which relate to the various schedules. He stated that the Official Plan is composed of a

number of sections including the Introduction, the Land Use Policy sections, the Neighbourhood Plan section, the

Economic Strategy section, the Natural Resources and Environment section, the Transportation and Servicing

section, the Community Design Guideline section and the Administration section. He stated that the main section on

the Official Plan is the land use policies. This section includes policies on each various land use designations and the

permitted uses within those various designations. He stated that within the agricultural designation, there are two

types of agricultural designations and they include the Good General and Unique Agricultural designation. He

stated that the Good General Agricultural lands are considered prime agricultural lands, whereas the Unique

Agricultural lands are suitable for specialty crops. He

stated that areas designated Residential include lands within the various urban area boundaries and the Residential

designation includes policies on mixture of housing and density. He stated that the plan outlines Estate Residential

policies and criteria for reviewing Estate Residential proposals. He stated that as an example, the portion of the area along the lakeshore between the City of St. Catharines and Prudhommes, is generally designated as Estate Residential which recognizes the existing development in that area. He stated that in regards to the Hamlet policies they are generally shown, and in order to determine the detail boundary of the Hamlet, that a settlement capability study will have to be done. He stated that within the Hamlet. areas that all lots will be serviced by individual wells and septic systems. Official Plan Public Meeting

He stated that. within the Commercial policies, there are policies relating to the central business district, general commercial uses, local commercial uses and recreational commercial uses. He stated that in regards to the Industrial designation, that there are industrial areas within the Town's industrial parks and also the areas that are designated as Extractive Industrial. Mr. Barker stated that the Escarpment Natural Area designation is based on the Niagara Escarpment Plan,

Mr. Barker then stated that there have been policies put into the Official Plan which set out special policy areas. He stated that one of the special policy areas relates to the desirability for Estate Residential development along the Escarpment areas. He stated it would be necessary to apply for a site specific amendment and that a review of the proposal would be determined based on the merits of the development application, He stated that in regards to the second special policy area, it recognizes the area north of Beamsville as potential for lakefront residential, industrial and/or commercial development. He stated that before any development can occur within the area, that more detailed studies will have to be done. He stated that another special policy area has been outlined within the Jordan area. He stated that this area contains the former Jordan winery building and is presently industrial. It is suggested that the industrial be phased out in the long term and be replaced with compatible commercial uses.

Mr. Barker then stated that there have been some changes made since the previous draft and those include, rewriting the Agricultural policies to make them more clear, redesignating some of the bench areas from Rural or Good General to Unique, that all the watercourses are now designated as Environmental Conservation and that environmentally sensitive area policies have been added.

The Chairman then opened up the meeting to public comments. As a result, the following comments were expressed by a number of members of the public.

Mr. Bob Groot stated that the Town should recognize small farms as viable. Mr. Barker then stated that the Official Plan is flexible, and it encourages the preservation of agricultural uses and viability will depend on the type of use on the property. Mr. Groot then questioned that if Beamsville is to expand, will the expansion occur above the escarpment. Mr. Barker then stated that the Town has received some 45 requests for urban boundary expansion and the Town is doing a separate study to look at urban boundary expansion. He stated that in reviewing any urban area boundary expansions, the Town will have to review servicing and the agricultural use of the property.

Mr. Ed Snyder then questioned whether or not there will be further restrictions for retirement lot severances. Mr. Barker then stated that the retirement lot severance policy 8

is from the Regional Municipality of Niagara Official Plan. He stated that the Region of Niagara is presently reviewing their plan. Official Plan Public Meeting

Mr. Ed Vanderkooi questioned whether or not the Official Plan looks at the economics of agriculture, He stated that the Town's urban area boundaries should be extended and that additional development should be considered. Mr. Barker stated that under the framework of the Planning Act, that economics of agriculture cannot be considered. He stated that if the Town is considering expanding any urban area boundaries, the Town does have to look at the servicing issues, He stated that the Official Plan does not respond to the economics of agriculture and that this has to occur at senior levels of government. He stated that the Official Plan has general objectives and they include monitoring the impact of Free Trade, the promotion of economic opportunities, the promotion of employment opportunities and the promotion of tourist and recreation opportunities.

The Committee then indicated that the Town has recently set up an Economic Development Committee. The Committee also indicated that the Town will be looking at urban area boundary expansion later on. The Committee indicated that the urban boundary study also has to look at additional growth for commercial, industrial and residential.

Regional Councillor Sill Hildreth then stated that the Region of Niagara is holding a series of public meetings throughout the Region to consider changes to the Regional Policy Plan. She stated that on November 13th, at approximately 8:00 p.m., at the Senior's Building in Grimsby, there will be a special meeting by the Region to consider comments regarding the update of the Regional Policy Plan.

Mr. John Yardley then stated that neither the Town's Official Plan or the Town's Recreation Master Plan includes linear parkway policies. He stated that the policies should be in the Official Plan because the Official Plan has more legal status. He stated that the Plan does have open space and parks policies, but it does not include lands outside the urban area and that therefore, policies should be added to include linear parkways to encourage development of linear parks.

The Committee then indicated that there are references to linear parks, but there is not a separate policy on linear parks and that it may be a good idea to add additional policies regarding linear parks. The Committee indicated that there are policies to encourage park facilities along the lakeshore.

Mr. Barker then stated that the environmental conservation open space and recreation policies do permit linear parks and additional policies could be added.

In response to an inquiry from the Committee, Mr. Barker then stated that the Town's Official Plan has to generally conform with the Regional Plan. Mr. Barker stated that in addition, the Town's Official Plan must also conform to the

Niagara Escarpment Plan and a number of provincial policy statements.

Mr. Fern Cousineau then questioned how the public gets informed regarding the Town updating the Official Plan.

Mr. Barker then stated that when the Town is updating an Official Plan, notices are inserted in the newspaper.

Official Plan Public Meeting

Mr. Barker then stated that the Town had held a previous public meeting which outlined a draft Official Plan and that there had been changes made to that Official Plan. He stated that there could be changes made after this public meeting to the Official Plan. He stated that in regards to the urban area boundaries as set up in the Official Plan, that those urban area boundaries were established by the Ontario Municipal Board. He stated that the proposed urban designation are areas where the Town has applied to amend the Regional Policy Plan to include those lands within an urban area. He stated that in doing an urban area boundary expansion study, that a list of criteria will have to be made in order to determine which areas are suitable. He stated that the terms of reference for updating the Official Plan does not deal with studying the urban area boundary expansion issue. In response to an inquiry from Mr. Cousineau, Mr. Barker stated that in the agricultural area, the minimum distance separation requirement is used to separate residential uses from agricultural uses.

The Committee also indicated that when severances do occur in the agricultural area, there are more complaints created as a result of non-farm residences being located out in the agricultural area, than there are complaints from residential uses in an urban area. The Committee indicated that Estate Residential policies have been established in the Official Plan and that the designating of individual properties for Estate Residential purposes will be done by separate application and will be based on the merits of the application. Mr. Barker then stated that the Official Plan sets out criteria for reviewing Estate Residential development. and the Region has suggested some additional criteria.

Mr. Gunther Bartsch stated that in the past they had made a request for their lands to be designated as Estate Residential and that they would like consideration for their property to be included. The Committee then indicated that the Estate Residential section in the Official Plan sets up policies and the Town will have to review each application based on its own merits. They stated that it was not the intent of this policy to pre-designate any lands for Estate Residential purposes.

Mr. Michael Maund stated that he has an existing lot which is presently 8 hectares and he questioned that if he wanted to increase the size of his lot, would he be able to do so. In response, the Committee indicated that usually you can expand a lot as long as the next lot does not become undersized,

Mr. Bob Groot stated that many of these unique agricultural lands are unique to Ontario. He stated that he is concerned in regards to expansion of the urban area boundary beyond the Q.E.W.. He stated that any expansion is premature at this time and consideration should be given to retaining those lands for agricultural purposes.

Mr. Barker then stated that the special policy area provides only consideration and it will require more detailed review, including public notice and the review by an Official Plan amendment. He stated that in addition, servicing has to be considered and that it would be more desirable to provide additional development in a planned Official Plan Public Meeting -

development rather than strip development. He stated that: the only areas proposed as urban are the four quadrants at Ontario Street and the Q.E.W. which have been approved for urban purposes by the Regional Municipality of Niagara and which require approval by the Province. He stated that there is another area in Vineland proposed to be designated as Urban which is presently under application to the Regional Municipality of Niagara and which will recognize existing development.

Mr. John Smith then stated that there is presently less market for agricultural products and he feels that the Town has not addressed the economics of agriculture. Mr. Smith stated that he feels that the Town has ignored the economic problems. He stated that it would appear that no development has been allowed in the agricultural areas. The Committee then indicated that it may take some time for the agricultural community to adjust to the changes, however, the entire Town cannot be serviced for development.

The Committee then indicated that it is a very difficult economic situation for the farmers in the area. The Committee indicated that the policies of the Provincial and Federal governments have to change and that there will be an impact because of Free Trade.

Regional Councillor Jill Hildreth then stated that other people in the area have to support the farmers to help them preserve their lands. She stated that if some of the people do have concerns, they should be attending the Regional meetings to review the Regional Plan.

The Committee then questioned how economics of agriculture can be dealt with in the Official Plan.

Mr. Fern Cousineau then stated that in some of those areas the Town could consider allowing alternative uses to be developed on the lands.

The Committee then indicated that the consultants were directed to get input from as many agricultural groups as possible and that a number of marketing boards were invited to an earlier meeting and there were some boards that did not have any representation. The Committee also indicated that if people do have concerns regarding the Official Plan, they should send written letters into the Town,

Mr. Len Troup then stated there is no money in peach growing. He expressed concern as to how the Town could save all the agricultural lands if all the farmers can't afford to farm. He stated that he can sell his land to a speculator for twice the value of the land as agricultural land. He stated they need the Town to support the farmers at other levels of government.

Mrs. Elorton stated that there are many other uses that their lands could be used for, however, the new policies do not allow them to use their property for other uses. She stated that as an example, they should be able to sell a portion of their farm, say 15 acres, for someone to raise horses. She stated that it appears the Town is ready to develop along the Q.E.W.. Official Plan Public Meeting

Mr. Ted Liszak stated that in Grimsby, the land between the Q.E.W. and the C.N.R* is designated as Industrial and the lands within the Town of Lincoln between the railway and the C.N.R. should also be designated as Industrial. He stated that there is need for additional industrial land because there is very little industrial land available within the municipality. He stated that there has been very little change from the last public meeting. The Committee then indicated that in regards to urban area boundaries, a study will be done separately.

The Committee then indicated they appear to be getting two types of comments, and they include some comments to save the agricultural Lands and other comments to allow additional development. The Committee indicated that the last time the Town reviewed the urban area boundaries, it was a long drawn out process, and in the end, many areas were not included.

Mr. Michael Maund stated that the Town should explain the problems of economics of agriculture to other levels of government. He also questioned that when the urban boundaries expand, is it also necessary to expand the roads. The Committee indicated that when the Town considers urban area boundary expansion, they will have to look at servicing, upgrading of roads, etc.. The Committee indicated that at the present time, Bartlett Road is undergoing reconstruction and some widening has occurred in one location, because Bartlett Road had a curve in the road and therefore the Town had to buy additional lands in order to straighten the road and put in a bridge.

Regional Councillor Jill Wildreth stated that in order to encourage change at the upper levels of government, the Town of Lincoln should outline the problems in their Official Plan. She stated that some additional policies should be put in the Official Plan. The Committee then indicated the problem with general statements in the Official Plan, is they do not carry any weight. The Committee indicated they have provided for some alternative uses and they include, bed and breakfast uses, home occupations, estate residential development.

In response to an inquiry from the Committee, Mr. O'Dell stated that the policy to preserve and promote a viable agricultural industry comes from the Provincial directive, Be stated that over time, markets will change and Farms have to be able to change to adapting markets.

Mr. Barker then stated that the Province attended some earlier meetings and they did not provide the Town with any guidelines to deal with the economics of the agricultural area. He stated that the Province does not consider economics of agriculture when considering land use proposals. 8

Mrs. Joanne Scarpetta stated that the government did not support the farmers in the grape industry. Mr. Barker then stated there was a similar problem in the Haldimand Norfolk area where the market for tobacco products have declined and that over time the farmers have been changing the type of crops grown on their lands. He stated that it takes time to adapt to changing markets. Official Plan Public Meeting

Mr. Lynn Jacklin stated that they have to change to recognize the economics of agriculture, He stated that non-viable portions of a farm could be used for estate residential purposes.

Mr. dell stated that an Official Plan is general and cannot look at individual properties, however, it does set: up policies to review site specific proposals. He stated that as well, the Foodland Guidelines have criteria to consider alternative uses on agricultural lands.

A member of the public then questioned why some areas were designated as Good General versus other areas being designated as Unique, particularly along the bench area. Mr. Barker then stated that the Good General versus the Unique designation is based on soil capability and existing land use. He stated it was also based on input from previous meetings, including meetings with the Regional Municipality of Niagara.

Mr. O'Dell stated the information is based on soil capability mapping and the institute of pedology mapping and that an Official Plan is not an agricultural assessment of all individual properties within a municipality.

The Committee then indicated that if there is to be any growth, it has to occur in a planned manner to provide services. He stated that the Official Plan does contain some detailed policies and the Official Plan should not only be judged by the agricultural policies. The Committee indicated that possibly the terms of reference should have also included looking at urban boundaries at the same time as the Official Plan update. The Committee also indicated that an additional section under Section 41 of the Planning Act, in order to allow the Town to obtain additional money for parkland should be added. The Committee also indicated that some changes in the Regional Plan have to occur before the Town's Official Plan can be changed to any great extent. The Committee indicated that the objectives should be more specific and more detailed, and the Official Plan should be easier to understand by the average person.

The Chairman then asked if there were any further comments from the public. The Chairman then thanked everyone for attending the meeting and requested that anyone who had an interest in the matter, should come into the Town Hall and look at the Official Plan, and they should send in written comments by November 17th. The Chairman then declared the public meeting closed. 8 CHAIRMAN - SECRETARY Monday, October 30, 1989 Vineland Women's Institute Hall

Memorandum of Public Meeting pursuant to the requirements of the Planning Act, 1983, on the subject of a proposed amendment to the Municipality's Zoning By-law No. 78-85, held in the Vineland Women's Institute Hall On Monday, October 30, 1989, at 7:30 pm. In attendance were: Ald. B. Culp (Chairman), Ald. A. Gretsinger, Ald. R. Bilkszto and Mayor R. Konkle. Staff

in attendance: B. ~olibruck (Town Planner), K. Dale (Deputy Planner), W.R. Watson (Director of Public Works) and C. Rouse (Fire Chief).

ZONISG BY-LAW AMENDMENT

842617 ONTARIO CORPORATION - CHEW BILL GARDMS

LOT 221 h PT. LOTS 210 AND 227, PLAN M-2

NORTB OF RITTENHOUSE ROAD, FORMER TOWNSHIP OF CLINTON, VINELMD .- a

The Town Planner stated that the Town has received a zoning amendment application from 842617 Ontario Corporation regarding lands located north of Rittenhouse Road and west of Victoria Avenue. He stated that the applicants are proposing to develop the subject lands as an adult lifestyle community which proposes 223 single family homes, a multi-use complex which will contain a 100 bed retirement home and a 100 bed nursing home, a recreation centre and accessory uses, 7 parkette areas and a storm drainage area. The Town Planner indicated that the proposal was first received by the Town of Lincoln in December of 1988 and that the original proposal was for 228 single family dwellings, a 100 bed retirement home, a recreational complex, a recreational vehicle storage area and a number of small garden plots. He stated that there has been a number of meetings as well as correspondence between the developer and the Town,

The Town Planner stated that the subject Lands are within the Urban Area of Vineland and that the Town's Official Plan designates the subject lands as Neighbourhood Residential which permits a range of residential uses including institutional and small scale local commercial uses. He stated that the Town's Official Plan provides a need for a variety of housing types but also encourages the use of discretion with respect to the location of multiple family dwellings in predominately single family areas. He stated that the Official Plan encourages that multi-family dwellings be located well-served by major roads, parks, commercial facilities and other community facilities. He stated that the Town's Zoning By-law zones the lands as Residential Development and therefore a zoning amendment is required to reflect the intended use. He stated that the Town's Zoning By-law does not permit a development along a private road and therefore a site specific zoning is required to accommodate this particular type of development.

The Town Planner stated that the Town's Municipal Housing Policy Statement encourages a mix of housing types and that the proposal should be revised to reflect the intent of the Municipal Housing Policy. The Town Planner then indicated that the subject lands to the north contain Phase I of Heritage Village which is also a retirement community containing single family homes, condominium townhouses and apartments. He indicated that to the east are agricultural lands and existing single family residences fronting on Victoria Avenue. He indicated that to the south there are a number of single family homes and a group home, and that to the west, beyond the Urban Area are agricultural lands.

The Town Planner then stated that the zoning amendment application requested a number of exceptions for the residential and institutional component of the proposal. The Town Planner then outlined the details of the applicant's request regarding the single family homes and the institutional site. The Town Planner stated that for comparison purposes, Town staff have compared the single family homes proposed by the developer to that in the Residential 3 (R3) category. He stated that generally a single family density using R3 provisions would yield a density of 14 to 16 units per hectare (5.7 to 6.7 units per acre) with a 20 metre (66') wide road allowance. He stated that with the narrow road such as in a private development, an average density could possibly yield up to 19.8 units per hectare (8 units per acre). The Town Planner indicated that the single family homes should be developed in compliance with the Residential 3 (R3) requirements. The Town Planner also indicated that the institutional block should be developed in accordance with the Town's Institutional zoning, the Town Planner also indicated that in comparing the parking required in the current Zoning By-law and that which is proposed by the applicant, that the applicants have provided insufficient parking. The Town Planner also indicated that the storm water management area is to remain zoned as Residential

Development (RD). The Town Planner also stated that the application includes specific definitions related to a leasehold type development.

The Town Planner indicated that the application had been circulated to a number of agencies and no objections were received from the Ministry of

the Environment, the Ministry of Natural Resources, the Ministry of Agriculture & Food and the Niagara Peninsula Conservation Authority and the Regional Wealth Unit. He stated that the Niagara Regional Planning Department have raised a number of concerns relating to the proposal, including, its impact on the community of Vineland, the design of the development and the ownership of the dwellings and lot*. The Town Planner stated that the Town's Public Works Department have submitted a response to the proposal and they have no objections to the intent of the project from a municipal servicing point of view and note that the details relating to drainage, site access and pedestrian traffic will have to be resolved as the development proceeds. The Town Planner stated that the Town's Fire Chief has expressed serious concerns with the narrow road system and the lack of emergency access to the retirement housing complex and that the Fire Chief has indicated that he would accept a proposed road width of 24' if there was no parking on either side of the internal road. He stated that the Fire Chief has indicated that a wider road of 28' would allow for parking on one side of the road,

The Town Planner stated that in reviewing the proposal Town staff recognize the benefits of providing continuum care in a retirement community and acknowledge the security aspect of the project and the design and the construction of the homes. The Town Planner indicated that there are many aspects of the proposal that both staff and members of the public have expressed a great deal of concern and, that although the developer's consultant has attempted to address many of the concerns raised by Town staff and the public, they have not been addressed to staff's satisfaction.

The Town Planner then stated that staff have concerns regarding the impact of the development on Vineland. The Town Planner stated that information available on the 1988 population for Vineland was that it was approximately 1,204 people and that the number of people over the age of 55 was 374. Therefore, the percentage of senior population in Vineland in 1988 was 31% and that this percentage was higher than the 1986 averages of 26% in Ontario, 24.3% for Niagara and 24.59% in Lincoln. He stated that Heritage Village will have a population of about 1,000 seniors. It is anticipated that if Cherry Hill Gardens is approved there will be an additional 600 seniors.

The Planner stated that based upon the above and assuming other developments occurring in Vineland are not occupied by seniors, the percentage of seniors population in a couple of years would be greater than 63%. The Town Planner stated that a large influx of seniors accommodation will have a significant impact on the community and there may be a deficiency in health care and emergency facilities, library services, parks and recreational services and transportation services. The Town Planner stated that Cherry Hill Gardens proposal does not adequately address the needs of these services.

The Town Planner indicated that research done by staff indicates that the recreational activities center in a seniors development should be located in a different location than the nursing home. He stated that active seniors tend to prefer contact in carrying out activities with other active seniors and that the recreational center provides a focal point for activity and should be in the central portion of the development. The Town Planner then also indicated that the recreational center should be constructed after approximately 25% of the homes are constructed so that the facilities will be available to the occupants who may have an expectation of the facility being available as they will be contributing to its cost. The Town Planner stated that a large central park would likely be more desirable for the development rather than a number of small parkettes throughout the development. The Town Planner stated that in addition, there are presently no sidewalks in the development and that Town staff would support a sidewalk system that could provide a pedestrian linkage with Victoria Avenue and Rittenhouse Road. He indicated that the developer

should also look at whether there is any possibility of linkages up with Heritage Village area since Heritage Village is proposing a number of small retail shops that could be of interest to the occupants of Cherry Hill Gardens. The Town Planner stated that the single family homes would be sold individually and that the lands on which the homes will be located will be leased for a 20 year term. He stated that there have been many concerns raised with respect to this type of tenure and that staff acknowledges that

this type of tenure has occurred in other parts of the Province but would question why the developer does not propose the development by way of plan of condominium or plan of subdivision. He stated that in staffs research, they have found that most seniors wish to own the land as well as the residential unit and that this form of security would allow people to build up equity on their property. He stated that in addition, staff have some concerns that with the leasehold development there is potential for increases to rent and maintenance fees and that this could be a problem with seniors who are on fixed incomes. This point was the number one concern by seniors in the Wilmot Creek Retirement Village and has not been addressed by the developer of Cherry Hill Gardens.

The Town Planner also stated that Town staff have some concerns that at some point in the future, the Town may have to assume control of the development, should something happen to the owner where he is unable to maintain the property. He stated that although the developer's consultant has indicated that they are prepared to provide the financial guarantee that would assist the Town for such an event, it is because of this fear that Town staff has placed an emphasis on the development meeting the development standards of the municipality. The Town Planner stated that Town staff had previously requested a market feasibility study he undertaken to determine the demand for this type of development and that a feasibility study would be useful in providing background for determining the sector of the market that the proposal would be appealing to. He stated that it was not uncommon for a feasibility study to be required for a retirement community proposal. The Town Planner stated that retirement communities must be carefully designed to satisfy the particulars of the site and the surrounding community.

The Town Planner stated that the proposed density of the single family component is 9.1 units per acre, whereas the normal density for a Residential 3 (R3) zone in the Town's Zoning By-law is in the order of 5.7 to 6.7 units per acre and that Town staff acknowledges that if the Town was to accept a private road with a narrow road width, the density could be slightly increased. He stated that it is Town staff's opinion that the developer should revise the proposal to be more in keeping with the current Zoning By-law and that there should be a mix of housing such as some semi-detached and possibly a small townhouse component. He also stated that staff would recommend a variation in lot sizes which would allow for various types of homes to be built including those with double garages. The Town Planner stated that the developer has raised the issue of high density found in Heritage Village as support for the high density of the single family dwellings in this development. He stated that it is staff's opinion that Heritage Village cannot be compared to Cherry Hill Gardens since Heritage Village is catering to the luxury market and consists primarily of townhouses and apartments where higher densities are predominant. He also stated that the single family component in Heritage Village includes large lot singles in the range of 50' frontage and 125' lot depth. He stated that in addition, Heritage Village contains a 20 metre wide road allowance and a covered walkway - system.

The Town Planner stated that a traffic study was prepared in July of 1989 and that the study reinforces the design details of the proposal as previously prepared. He stated that Planning staff were asked by IMC to review the work program prior to the study being prepared. Town staff suggested that there be consideration for a wider internal road and sidewalks. They were also requested to consider the need to upgrade Rittenhouse Road as a result of the proposal, and that the traffic should be analyzed based upon the fact that the development could be occupied by all age groups and not necessarily seniors only. The Town Planner stated that the traffic study suggested 54 parking spaces for the retirement home and nursing home, We noted that the proposed plan shows 56 spaces. This indicates a shortage of parking because there has been no accommodation for the users of the recreation facilities or the commercial component. The Planner suggested that the reason why there was little parking along the roads in Wilmot Creek was because there were double driveways. He stated that the Traffic Study concluded that narrow roads would slow traffic and that pedestrian and vehicular traffic could mix, it was staff's opinion that it is safer to have sidewalks for seniors and a wider road would provide for safer traffic flow. The Town Planner stated that it is staff's opinion that due to

the size of the development that a second and possibly a third permanent access is desirable for the development and that they would encourage the developer to negotiate with private landowners to obtain a permanent access via Atyeo Lane on Victoria Avenue and that they would also encourage the owner to seek a second permanent access onto Rittenhouse Road.

The Town Planner stated that in regards to the retirement home and nursing home complex, there has been considerable concern expressed with the location of the complex which is proposed a short distance from the rear yards of the existing single family homes. He stated that it is preferable from a planning perspective to minimize the impacts on the existing residences and that staff would suggest that the complex be located away from the existing residences to minimize the potential of land use impacts. He stated that the retirement home should meet the setbacks contained in the Town's Zoning By-law. We stated that there has been concerns raised regarding the denials for retirement home/nursing home since the nursing home will be a component to Heritage Village. He stated that it is his understanding that the Province is encouraging certain seniors to remain in their home rather than being institutionalized. He stated that in addition, the parking spaces proposed for this complex is deficient in comparison to the requirements of the Town's Zoning By-law and that steps should be carried out to meet the parking requirements.

The Town Planner stated that in conclusion, a number of concerns remain with respect to the development proposal, and that there has a reluctance on behalf of the developer to revise the proposal to satisfy the concerns that have been raised. He stated that although the subject lands are designated Neighbourhood Residential in the Town's Official Plan and intended for urban development in the long-term, site details must be revised to reflect appropriate development in the community of Vineland. He stated that without some major revisions being made to the proposal, it is staff's recommendation that the zoning amendment application for Cherry Hill Gardens be denied.

Jim Durbano, Dennis Landry, Jeff Brookfield, Barbara Wiens, Josef Ger, John Press, Bill Grubb and Anne Goulden were in attendance in support of the proposal.

Ron Petit, Christian Fisker, D.L. Rinker, Elaine Fretz, Jeanne A. Culp, Mary Atter, E. Tellison, B. Fletcher, Ed Reimer, A.J. Atter, John Mestek, S. Ledwon, 8. Pruyzers, R.J. Middleton, Erwin Goossen, Glen Mewhiney, Randy Mewhiney, Sue Mewhiney, Morgan Franklin, Stan Jones, Eleanor Jones, 3. Robertson, Dave Whish, Pat mish, Arthur Nagey, L.G. Bowen, A. Unruh, John G. Rall, Cobie Van Zon, Jack Van Zon, Margaret de Beer, Fred De Beer, Peter Mourik, Wens Vandenbos, A. Armstrong were also in attendance in regards to the proposal.

Mr. Durbano stated that he had faxed additional information, regarding transferring the right-of-way to the Town, to the Town Planner at approximately 12:00 pm today. He stated that leasehold tenure has been around for approximately 20 years. He stated that in regards to the resale of the homes, that the owners will get 95% of the new fair market value and therefore the owners can take advantage of the increase in the value of the home. He stated that in the past, the Regional Planning Department have been provided with details of the plan and that they had indicated that they have no objections to the proposal and that he is concerned that they are now objecting to the proposal. He stated that he questioned why 8 Town staff are comparing the development to a Residential 3 (R3) category when they are not requesting Residential 3 (R3) zoning for the property. Mr. Landry then stated that the courtyards in the institutional block and

the parkettes do meet the 5% as required under the Planning Act. He stated that the details of landscaping have been submitted to Town staff. He stated that there have been a number of other reports submitted to the Planning Department and that they have not been attached to the Planning Department's report. He stated as well there is no mention of the tour of Wilmot Creek or any minutes that were taken of that meeting. He stated that they have carried out research in the past and that this research has not been presented to the Committee or Council. He stated in October 4, 1989, that they submitted a site plan application for the institutional block and that they had requested that the site plan be dealt with as part of the zoning by-law

amendment and that there is no mention in the Tmn Planner's report of the site plan application. He stated that the site plan application, including details regarding building coverage and floor area and parking. Mr. Landry then stated that the Regional Official Plan is very general and allows urban type development. He stated that the Region is commenting on local issues and that their comments should not be considered since this development is a local matter. He stated that the Town's Official Plan allows a variety of residential uses and that they are providing a mix and they are providing affordable housing. He stated that the Town's Zoning By-law is out-of-date and that there are no provisions for this type of development and that therefore the Residential 3 (R3) requirements are not appropriate for this type of development. He stated that at the 1.ast public meeting that the Town Planner had attended a seminar on retirement communities and that a couple of those speakers are here and that they do not agree with the Town Planner's report.. Mr. Landry then proceeded to outline to the Committee a summary regacding seniors housing developments. Mr. Landry then stated that not all the lots in the development are small and that that the average is approximately 42' x 90'. He stated that the Public Works Department have no objections to the road width or the traffic study and that he questioned why some concerns were expressed in the Town Planner's report. He stated that the Fire Department has expressed some concerns regarding impact of services and that it is his understanding that the Tarn of Lincoln is undergoing tremendous growth and the Fire Deparaent probably has concerns in regards to various other developments. He stated that., for example, the Bartlett Creek Village development is attracting many seniors and that the applicants feel that this development is being dealt with differently than many other proposals. Re stated that this development is catering to the affordable housing category and that if the development goes ahead, there will not be that many demands created an the services. Ee stated that this is a private development and the developer will be maintaining these lands as per an agreement that will be registered on title. He stated that the proposal has one main access and one emergency access and that the Public Works Department have no concerns. He stated there have been many other proposals in the past that have been approved by the Town that only have one permanent entrance. We also questioned why the report was not signed by all the Department Beads. He stated that the developer sent a letter with 300 names on a petilton listing people who had no objections to the proposal. Re stated that. of that petition, approximately 76% were located in Vineland in close proximity to the development and approximately 12% of the people who signed were Located in the Beamsville area. Re also questioned why the report previously prepared by Charlyn Atyeo was not attached to this report. Be stated that they have agreed to increase the road access to the intended institutional use from 24-0 28' and that there will be internal walkways at the rear of the leasehold sites which will provide access to the various parkettes.

Mr. Grubb then stated that he had prepared the traffic study. He stated that they had looked at the traffic in Wilmot Creek which has approximately 535 homes and that on a per unit basis, there are 40% less trips in the Wilmot Creek development than there would be in a single family proposal. He stated that the proposal, as suggested by the Planning Deparbent, would generate more vehicles than this development. He stated that the findings of their traffic study are justified and he questioned why the Planning Department didn't request us to discuss the details of the report. Itie stated that the road widths are workable. He stated that the average current ownership in Wilmot Creek is 1.3 people per unit and that this development provides parking within the garage and the driveway and therefore 2 cars can be accommodated and that there will not be that much parking on the road. Ae stated that a narrow road width will act as a deterrent to speeding. tie stated that the parking for the retirement home is adequate in their opinion. Mr. Josef Eer then stated that retirement communities have been around in the USA for approximately 20 years and that many areas have a large number of retirement communities. We stated that in Ontario, retirement communities have been around for 10 years. Be stated that a land lease type of tenure i.s very common and that there are many seniors interested in finding suitable accomolPation and that many seniors don't care about the increase in land value. Be stated that seniors need affordability and that by buying only

the house, it leaves money left over to buy other items. He stated that because of marketing that this type of development will not attract people other than seniors. He stated that the seniors are interested in all kinds of development and that there is a greater demand for single family dwellings.

We stated that seniors in this area don't need a variety of accommodation since there are other forms of accommodation available in the community in other developments. He stated that this development will allow seniors to age in place. He stated that townhouses are not suitable due to stairs. He stated that the benefits of this development is that there is a continuation of care and that there is an overall trend to accommodate people over their entire lives. He stated that he has looked at the proposal and, as he can see it, as one of the finest projects in the area for the price range and that the dwellings are well planned. He stated that the proposal will also attract visitors and tourism in the municipality, as relatives would visit and stay overnight at local hotels and eat at local restaurants.

MI. John Press stated that the Province encourages developers to provide seniors accommodation which will allow seniors to age in place. He stated that the care will vary and that it is not necessarily confined to a particular age group. We stated that the Province is looking at subsidizing care in the home rather than in nursing homes and that this development will provide three levels in care, including single family dwellings, a retirement home and a nursing home. We stated that the community centre proposed by the developer will provide services to the community and that this development is compatible with the Province's directive.

The Chairman then opened up the meeting to public comments and as a result, the following comments were expressed.

Mr. Peter Mourik stated that he was concerned about a dwelling located within the Merry Hill Gardens development being located only 3' from his property.

The Town Planner then stated that the first house off Glenview shows a very small rear yard and that according to this Town's Zoning By-law, the rear yard should be 9 metres or almost 30 feet.

Mr. Vandenberg stated that the request by the applicant is a setback of .97 metres from all property boundaries and that according to the Residential 3 (R3) zoning requirements, the setback for a rear yard should be 9 metres.

He stated if the houses were going to be that close, they would need a higher fence for a buffer. We stated that their lots are somewhat wider than the lots proposed in Merry Hill Gardens and therefore there will be 2 lots or 10 lots backing onto their one back yard. He then questioned whether or not the walkways provided by the developer will take away from the lot sizes. He stated that the proposal was reduced by approximately 50 homes, that wider lots could be provided. He stated that they were not opposed to a seniors development, however, they would like to see two accesses to the property and lower density. We stated that the proposal could even include some townhouses in the area adjacent to Heritage Village.

Mrs. Elaine Armstrong then stated that seniors do want to make money on their homes. Mr. Jack Van Zon then questioned as to whether or not there is a requirement for the walkway which is shown between Heritage Village and the proposed development, whether or not there is a setback for a walkway.

The Town Planner then indicated that there is no setback requirements for a walkway. Mr. Jack Van Zon then stated that the applicant should have researched the Town's Zoning By-law and that he felt that the Town's proposal was more reasonable. Mr. Landry then stated that the site specific provisions are appropriate for the development and that the Town's Zoning By-law has no zoning provisions for this type of development. He then reiterated his concern that the Town's Zoning By-law is out-of-date. The Chairman then stated that the Town's Zoning By-law is only eleven years old and that it is not really that out-of-date.

Mr. Lionel Bowen stated that he is concerned regarding the location of the institutional use. He stated that the institutional use will be adjacent to his backyard and that he is concerned that the developer is now not only asking for a reduction in building setback, but also a reduction in the parking location and the reduction in the planting strip. We stated that it will impact on the aesthetics of his property. Mr. Landry then stated that this area is the most appropriate location for the institutional use. Mr. Bowen then stated that

the developer should provide a list of the people who have agreed to the development in the Vineland area and that it is his opinion that many of the people along Rittenhouse Road and right adjacent to the development did not sign the petition. The Chairman then indicated that the petition list is available from the Town's Planning Department.

Mr. Fred DeBeer then questioned whether or not the public got to vote on the proposal or do they just express their opinion. The Chairman then indicated that as part of the Public Meeting, that the public should express their concerns and that as elected representatives, the Planning Committee will make a recommendation to Council on the proposal and that the Planning Committee's recommendation has to be ratified by Council.

Mr. Dan Rinker then questioned what a site specific zoning application is. The Town Planner stated that the development proposed by the applicant does not conform to the Town's Zoning By-law and therefore there is a need for special consideration for the development. He stated that if there were no changes to the Zoning By-law provisions that the applicant could just rezone the lands to a zoning category in the Town's Zoning By-law.

Mr. Dan Rinker then stated that there are a number of exceptions to the Town's Zoning By-law and it appears that as the development proceeds, the list of exceptions seems to get longer. The Town Planner then stated that Town staff had used the R3 zoning for comparison purposes.

Mr. Landry then stated that the request is for site specific requirements and that the Residential, 3 (R3) zoning requirements are not applicable. He stated that there have been many other exceptions for subdivisions in the Town and that Heritage Village is an example of one development where there have been exceptions made to the zoning requirements. Mr. Landry stated that he was the Town Planner at the time Heritage Village was being developed and that Heritage Village was a first class development and has very little impact on the community. In that case there were many exceptions made to the Zoning By-law.

Mrs. Linda Armstrong stated that it is her impression that the development proposed by Town staff would be acceptable to her,

Mr. Arthur Nagels then stated that he is very disappointed that there has been very little change to the development as a result of the concerns expressed by Town staff and the residents. He stated that the density is too high and that one access into the site was not enough. He stated that there have been problems with the storm water drainage and he questioned where this storm water drainage will go to. He stated that he understands the concerns of the Fire Department and agrees with the concerns expressed regarding the narrow roads. He stated that the parkettes are too small and questioned where the 300 people who signed the petition came from. He stated that there has been over-emphasis put on Wilmot Creek and that he has been there and that he would not want to live in Wilmot Creek. He stated that the new proposed walkways will encroach on Heritage Village and that he objects to the location of that particular walkway. Mr. Landry then stated that Doug Ingram, who is an engineer for their firm, has addressed the drainage issue. Mr. Landry then presented copies of a letter that was dated October 30, 1989, to the Town's Director of Public Works stating the proposed drainage area was appropriate. Mr. Landry then stated that the design has provided 7 different house types that

and all the lots will be fully landscaped and that they have hired a landscape architect. He stated that Heritage Village has a density of approximately 12 units per acre and that many of the residents in Heritage Village are pleased with that facility. He stated that the density of this development is 9.1 units per acre. He stated that the system of walkways is flexible. He stated that Wilmot Creek is a modular development and on a scale of 1 to 10, that this development would be considered a 9, whereas, quality wise, Wilmot Creek is considered much lower. He stated that the homes being proposed to be built in this development are very similar to other homes being constructed in the Town.

Mr. Jack Van Zon questioned whether the applicants intended to landscape all the lands. Mr. Landry stated that all the lands will be landscaped. Mr. Landry then proceeded to outline to the members of the public and the Committee the various landscape plans.

Mr. Jack Van Zon then stated he questioned whether or not a house that would have a purchase price of \$120,000 to \$124,000 plus maintenance fees would

be all that affordable.

Mr. Durbano then stated that the maintenance fees will be approximately \$350 plus taxes. He went on to explain that there would be one tax bill for the property and everyone would pay their share. He said that this amount will be much less than if each unit was a condominium.

Mr. Vandenbos then questioned why there would be more cars in a normal development at a lower density than a development of this type of which is at a higher density. He stated that there will be more traffic because of the service vehicles for the institutional use.

Mr. Ger then stated that the comparison is only based on single family in this development and single family in a retirement community. He stated that the traffic study also includes service vehicles. In response to an inquiry from Mr. Vandenbos, Mr. Ger stated that this development will create approximately 300 trips per day. Mr. Vandenbos then stated that if there is an accident in the location of the one entrance, that the owners will not be able to get in and out of the development. Mr. Grubb stated that the volumes of traffic during the peak hour will be approximately only one car per 41 seconds and that generally local roads can carry approximately 3,000 vehicles per day.

Mr. Morgan Franklin stated that if there is a security entrance and there is one car per 41 seconds, there could be a delay of traffic flow and there could be a backup onto Rittenhouse Road. Mr. Ger then stated that there will not be that much impact because the residents will be able to get in and out without much difficulty. Mr. Grubb stated that gates on parking facilities allow a greater number of people to get in and out of the facility.

Mr. Jim Robertson stated that no one is against a seniors development and that he has some concerns regarding the so called 'opinion of the experts'. He stated that he was against this particular development. He stated that he realizes that development is needed for seniors, however, this development does not provide adequate parkland.

Mr. Ger then stated that this development proposes the right lot size for seniors and that seniors don't want large lots because of the maintenance aspect. He stated that seniors also like single storey dwellings because they are more suitable due to their lack of stairs. He stated that walkways will be provided in lieu of sidewalks.

Mr. Hall then stated that it is his understanding that regardless of the lot size that seniors in this development won't have to cut their own grass because that will be included in the maintenance fee. Mr. Durbano then stated that the maintenance fee will include all the services to get the development going, including the cost of engineering and the other professions he has had to hire. He stated that the maintenance fee is very low and it will be affordable. 8

Mrs. Jean Culp expressed her concern that the developer is really catering to the Toronto/Brampton/London market and that development in this area should be for the Vineland residents. Mr. Durbano stated that he has approximately 15 reservations and 50 other people who are interested in the development. He stated that many of the surrounding residents are interested in buying into the development and that they don't want to see the delay because of the 1991 federal sales tax which will add another 10% - 12% onto the cost of the homes.

Mr. Ed Reimer then questioned whether or not there will be a sidewalk put in along Rittenhouse Road. The Town Planner then stated that the applicant's traffic study has indicated that no upgrading on Rittenhouse Road will be

required as a result of the development, however, staff feel that Rittenhouse Road may need to be upgraded with curbs and gutters and sidewalks. Mr. Reimer then questioned whether or not the traffic study looked at existing volumes.

Mr. Grubb then stated that presently there is approximately 400 to 485 vehicles per day over a 24 hour period and that peak times there is approximately 50 vehicles per hour on Rittenhouse Road. Mr. Nagels then questioned whether or not the traffic study had looked at the OWMC traffic which could impact on any development in Vineland. Mr. Grubb then stated that he had not considered it and that this was not within their mandate and that since Victoria Avenue is a Regional road, that is the responsibility of the Region of Niagara. The Chairman then indicated that because of the OWMC traffic, Victoria Avenue could carry up to 14,000 vehicles per day.

Mr. Brian Pruyssers stated that he is a proposed purchaser and that the details

of the development are the proposed purchaser's concern. He stated that they are from the area and they are concerned about the affordability issue. He stated that he is concerned that as the project is delayed further and further, that the cost will increase.

The Committee then indicated that the Planning Committee did not originally support the over-all concept at the beginning because it had to go through the Public participation process. The Committee indicated that Heritage Village had changed their plans in the second phase due to concerns expressed by the Committee. The Committee indicated that the setbacks for the nursing home are too low and that as an example, in the Village Green subdivision, the Planning Committee had asked that the proposed setbacks be moved so that single family would be provided adjacent to existing single family. It was the Committee's concern that the by-law standards should be maintained. The Committee indicated that the purpose of the meeting was to discuss the details of the proposal and that the Committee is in favour of one central park. The Committee indicated that the only change they have seen is the widening of one section of road. The Committee indicated that the developer has the right to develop the lands as long as the developer can satisfy the concerns of the Planning Committee and Council and that the concerns expressed by the neighbouring property owners should have been considered. The Committee indicated that there has been no consideration for changes for additional access or increasing the setbacks, etc. The Committee indicated that, yes, the Zoning By-law may be out-of-date, however, the Committee intends to maintain the intent of their Zoning By-law due to the rural character of the Town. The Committee indicated in the last three to four months that the Planning Committee has encouraged Planning staff to request the developers to reduce the number of exceptions for their developments. The Committee indicated that you need space between the units and that the Town needs clarification regarding any right-of-way and the transfer of that right-of-way to the Town for access onto Victoria Avenue. The Committee indicated they have no objections to the type of development but they do have some concerns regarding the details of the development.

Mr. Durbano then stated that many of the details expressed are very technical and that they originally had a plan that had approximately 300 units that included single family, townhouses and apartments. He stated that this is a good development because it provides a continuation of care. He stated that this is a "top of the line" development and that they will still be here in 20 years. He stated that he would like the Committee to consider approval of this development and that if they were refused, they will appeal the application to the Ontario Municipal Board. He stated that they could go back to the drawing board to address their concerns and he questioned whether or not the Planning Committee could consider delaying their decision for approximately one month. Mr. Vandembos then stated that from the start the public has expressed a number of concerns and it would appear that the developer has not addressed any of those concerns.

Mr. Landry then questioned whether or not the Town staff would support a proposal using the residential R3 category and a narrower private road.

The Town Planner then stated that such a revised proposal has some merit, however they have had approximately one year to make changes and no changes have been made,

The Chairman then asked if there were any further comments from the applicant or from the public.

The Chairman then declared the Public Meeting closed.

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SECRETARY CHAJW Monday, October 30, 1989

Vineland Women's Institute Hall

Minutes of the Planning Committee meeting held in Vineland Women's Institute Hall, Vineland, on Monday, October 30, 1989, at 10:30 p.m. Present were:

Ald. R. Culp (Chairman), Ald. R. Bilkszto, Ald. A. Gretsinger and Mayor R. Konkle. Staff present: B. Bolibruck (Town Planner), K. Dale (Deputy Planner), W.R. Watson (Director of Public Works) and C. Rouse (Fire Chief). Jim Durbano, Dennis Landry, Jeff Brookfield, Barbara Wiens, Josef Ger, John Press, Bill Grubb and Anne Goulden were in attendance in support of the proposal.

Ron Petit, Christian Flsker, D.L. Rinker, Elaine Fretz, Jeanne A. Culp, Mary

Atter, G. Tellison, B. Fletcher, Ed Reimer, A.J. Atter, John Mestek, S. Ledwon, B. Pruyssers, R.J. Middleton, Erwin Goossen, Glen Mewhiney, Randy Mewhiney, Sue Mewhiney, Morgan Franklin, Stan Jones, Eleanor Jones, J. Robertson, Dave Whish, Pat Whish, Arthur Nagels, L.G. Bowen, A. Wnruh, John E. Hall, Cobie Van Zon, Jack Van Zon, Margaret de Beer, Fred De Beer, Peter Mourik, Ilens Vandenboe, A, Armstrong were also in attendance in regards to the proposal.

ZONING BY-LAW AMENDMENT

842617 ONTARIO CORPORATION, CHERRY RTLI. GARDENS

LOT 211 & PART LOTS 210 & 227, PLAN M-2

NORTH OF RITTENHOUSE ROAD, FORMER TOWNSHIP OF CLINTON (PDR

Regarding an application from 842617 Ontario Corporation also known as Cherry Rill Gardens which proposes to develop the subject lands as an adult lifestyle community which proposes 223 single family homes, a multi-use complex which will contain a 100 bed retirement home, a 100 bed nursing home, a recreational centre and accessory uses and 7 parkette areas and a storm drainage area, After considering the staff report, the Committee adopted the following recommendation.

Moved by Ald. R. Bilkszto, Seconded by ALd. A, Gretsinger

Re: Zoning By-law Amendment

842617 Ontario Corporation - Cherry Rill Gardens

North of Rittenhouse Road, Lot 211 & Part Lots 210 & 227

Plan M-2, Vineland - Town of Lincoln (PDR \$89-506)

TRAT the Town not support the approval of the zoning amendment application as filed by 842617 Ontario Corporation.

CmRIED

The Committeethen indicated to the applicants that there have been many concerns expressed by Planning staff, the Planning Committee and the public and that no changes have been made and therefore the Cammlttee has recommended that the application be refused. The Committee indicated that prior to Council making a final recommendation on the proposal, that the applicant can appear as a delegation before the Council meeting on November 6th.

The Committee also indicated that any member of the public is also welcome to attend the Novembel: 6, 1989, Council meeting.

The Chairman then adjourned the meeting.

-. - - - - SECRETARY CHAIRMAN