

Lincoln Chambers

February 7th, 1995

Minutes of a meeting of the Economic Development Subcommittee held Tuesday, February 7th, 1995, at 6:30 p.m., in the Vineland Room.

Present were: Ald.R.Bilkszto, Ald.R.Kelly, Ald.H.Bald (representing Beamsville BIA) and Mr.C.Bovaird (representing the Lincoln Chamber of Commerce). Staff present: K.Kruger (Clerk), A.Buist (Chief Administrative Officer) and B.Radix (Chief Building Official).

ELECTION OF CHAIRMAN

Ald.Kelly was duly elected as Chairman of the Subcommittee, and assumed the Chair.

It was generally agreed that meetings would be scheduled the first Tuesday of each month at 6:30 p.m., unless otherwise noted.

STRUCTURE OF COMMITTEE & MANDATE

Those present reviewed the proposed structure of the committee, noting that the last recommendation was 3 members of Council, 1 representative

from the Lincoln Chamber of Commerce, 1 representative from the Beamsville BIA, and 3 additional members from the commercial/ industrial sector. It was noted that an advertisement was run in the local paper, resulting in two applications only. Those present discussed the need for permanent laymembers or whether it would be preferable to call upon specialized individuals for specific projects from the involved sector. Opinion was expressed that it is important to have members of the business community at least equal to the number of members of Council on the committee. General agreement was also expressed for the idea of specific persons serving on the committee to undertake specific projects. There was discussion of the appropriate number of voting members and suggestion that 9 may be the most appropriate, including 3 members of Council, 1 from the Chamber of Commerce, 1 from the Beamsville BIA, and 4 additional members from the community.

Those present generally discussed the Beamsville BIA and the involvement of its membership. Those present further discussed recruiting of new members by way of a project basis. It was agreed that all members would submit a list of suggested persons for membership on the committee and submit them to the Clerk by Monday, February 13th, 1995.

Those present reviewed Report A-95-41, respecting ideas on the mandate and role of the subcommittee. The CAO reviewed his report and highlighted initiatives which could be undertaken. Committee members generally discussed the role of the committee and possible suggestions for promotion and increasing awareness of the committee and for promoting active economic development. Suggestions included a set-up similar to that in the Region of Hamilton/Wentworth where the Regional Economic Development Officer spends a certain number of days in each municipality in order to be familiar with that area. There was also discussion of promotion of such items as new industries located in the Town and better use of the media through press releases and so on.

Those present also discussed the issue of budgeting. The CAO suggested that he would be recommending some increase in the budget to provide for some funds for the economic development function however goals should be for the low or no cost promotion items.

Those present then attempted to establish projects to focus on over the next 12 months. Suggestions included:

- up to date inventory of vacant industrial buildings and land
- promotion of bed and breakfast industry
- tourism map of Town of Lincoln
- Town information brochure
- wine and craft show
- participation in existing events to promote the Town
- promotion works through the press
- promotion of the agri-tourism industry
- 4 - farmers market (Council, Feb.6/95) -2-

He suggested that the MOE has indirectly addressed this in the East Lincoln Sewer Area with respect to Jordan Frozen Foods when they expressed concern that the additional connection there will affect the existing East Lincoln Sewer Area. Mr.Bovaird further discussed some specifics regarding servicing in the sewer area. He concluded by suggesting that the Town rescind the : existing Official Plan amendment. TOM RICHARDSON. RE: ZONING AND DRAFT PLAN OF SUBDIVISION, 891146 ONTARIO m.

Mr. Richardson was present representing the proponent of the subdivision and suggested that the issues respecting the Official Plan Amendment have already been addressed and adopted by Council in its secondary plan. He suggested that since then Council has proceeded to implement that decision through passage of the Official Plan Amendment, requesting the Regional Policy Plan Amendment, providing its approval of a severance of a parcel for the church, and passing the required zoning by-law for the church. He stated that this step is next and will allow for several aspects of the secondary plan to be completed, including the parkland and servicing to allow the expansion of the United Mennonite Home. Mr. Richardson noted the substantial community benefits from this development, and asked that Council proceed.

WARD STAFF. RE: ASSUMPTION. REGIONAL ROAD NO. 669.

Mr. Staff was present to address Council respecting his concerns with the Town possibility assuming Regional Road No. 669. Mr. Staff reviewed the history of the road in question and suggested that the Region has recognized the need for repairs on this road for the past five years but not done for financial reasons. Mr. Staff then outlined a number of deficiencies existing on the road that the Town would be assuming if and when it takes it over. In response to questions from members of Council, the Director of Public Works advised that the Town by resolution, has removed this section of road from those portions which the Town would be assuming in April. He advised that staff is still discussing this matter with the Region but that it is currently the staff position to not accept the road in its current condition. Members of Council discussed the abilities of the Region to delegate authority over roadways and that this may not be something that the Town can avoid. It was suggested that staff undertake further discussions with staff at the Region of Niagara regarding this issue.

PLAN OF SUBDIVISION. 8911.46

ONTARIO INC.

Mr. Paul Siemens was present, speaking on behalf of the United Mennonite Home, expressing support for the proposed development. He advised that they are anxious to see this plan approved so that the Home may proceed with its upgrading and extension as has been planned for a number of years. He reviewed the studies and work done in order to facilitate this expansion.

He further noted that the Home currently employs 60 persons and that the future employment may be up to 80 or 90. Members of Council questioned why the extension of the Home is dependent on this plan of subdivision.

Mr. Siemens advised that the servicing for their expansion can be facilitated by this development, however should it not proceed, there would be difficulties in obtaining the services.

DICK CATTERALL, RE: ZONING AND DRAFT PLAN OF SUBDIVISION. 891146 ONTARIO m.

Mr. Catterall was present and questioned members of Council regarding a meeting held January 23rd, 1995. Mr. Catterall discussed the United Mennonite Home and the portion of their property within the Urban Boundary.

Mr. Catterall referred to the report before Council at this meeting and discussed the issue of sewers as contained in that report. Mr. Catterall disputed the findings and noted concerns he has over the additional connections. Mr. Catterall further reviewed statements made and various reports respecting servicing for the proposed development. Mr. Catterall also detailed responses from the Ministry of Agriculture & Food and opposition of this proposed development suggesting that they have found inadequate justification for the church and park in this location and have therefore opposed this development. Those present generally discussed all of these possible projects and established as its priorities for 1995, a wine and craft show establishment and establishment of the industrial land inventory. Also suggested as a priority would be the Town information brochure and map for the Town of Lincoln, however these are budgetary items which will need further consideration.

The next meeting is scheduled for Tuesday, March 7th, 1995, at 6:30 p.m.

CHAIRMAN SECRETARY Lincoln Chambers

February 6th, 1995

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

February 6th, 1995, at 7:30 p.m., in the Lincoln Chambers. All members of Council were present, and the meeting was chaired by Mayor R.Konkle. Staff present: A.Buist (Chief Administrative Officer), K.Kruger (Town Clerk), C.Held (Director of Planning), G.Holman (Director of Public Works) and D.Wainman (Director of Recreation).

ADOPTION OF MINUTES

Moved by ALd.R.Kelly, Seconded by Ald.B.Culp
THAT the minutes of Council's regular meeting of January 16th, 1995, be adopted as circulated. CARRIED

Moved by Ald.A.Danyluck, Seconded by Ald.R.Bilkszto
That the minutes of Council's special meeting of January 30th, 1995, be adopted as circulated. CARRIED

BUSINESS ARISING FROM MINUTES

Moved by Ald.R.Bilkszto, Seconded by Ald.H.Bald

Re: East Lincoln Sewer Area

That the East Lincoln Sewer Area meeting be scheduled for the second Public Works meeting in April (26th).

Further that the agenda include:

1. History of the East Lincoln Sewer Area
2. How the sewer surcharge is determined
3. Capacity of the system
4. How new users outside the East Lincoln Sewer Area are charged to connect
5. Challenges facing the system

CARRIED

DELEGATIONS

WOLN PUBLIC LIBRARY BOARD, RE: FUNDRAISING COM, KWZU

Sharon McMillan was present, representing the Lincoln Public Library Board, to update members of Council on the progress of the new East Lincoln Library facility and advised that the name "Moses F.Rittenhousen Branch has been adopted. Ms.McMillan noted the committee of volunteers established, named "Lincoln Public Library F.A.N.S. (fundraising advocates for new services)". Ms.McMillan then introduced the Chairman of the Committee, Mary Wiley. Ms.Wiley advised that the mandate of the committee is to raise \$100,000 through four project areas, being special events, a canvass of the business sector, canvass of the public and through youth programs. The delegation then distributed F.A.N.S. T-shirts to members of Council and distributed their first information bulletin.

Members of Council thanked the delegation for their presentation and assistance in promoting library services.

CEC BOVAIRD. RE: ZONING AND DRAFT PLAN OF SUBDIVISION. 891146 QNTARIQ IKL

Mr.Bovaird was present to express opposition to this proposed development. Mr.Bovaird discussed the permanency of the urban boundaries and suggested that even if they can be altered, the OMB has made statements that there must be sufficient justification.

Mr.Bovaird noted the number of similarities to a situation in Beamsville where the urban boundary was expanded in order to preserve a woodlot, suggested that there is room for both the church and the neighbourhood park in the existing urban area boundaries, discussed the agricultural quality of the lands in question, noting that they are identified as being unique, and noted Bill 163 which includes policies that settlements cannot be expanded into speciality agricultural areas.

Mr.Bovaird also discussed servicing for the proposed development, citing that the MOE does not get involved in internal matters until there is a problem. (Council, Feb.6/95) -3-

REGIONAL COUNCILLOR JILL HILDRETH

Councillor Hildreth was present and updated members of Council on the following issues at the Region of Niagara.

1. - Councillor Hildreth advised that the Region has struck its budget which results in a 2.78% increase from 1994.
2. 1\$ asement prOaram - Councillor Hildreth advised of the news release at Niagara-on-the-Lake by the Minister of Agriculture & Food, announcing the Tender Fruitland Program.

3. welfare - Councillor Hildreth advised of the fraud investigations unit recovery of \$85,000 in funds from cases in 1993. She further noted that additional cases are pending for 1994.

4. s@U,C - Councillor Hildreth noted that there will be a public announcement with respect to the OWMC on February 7th, at 10:30 am in the Town of Lincoln.

ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION,
891146 ONTARIO INC.

Members of Council questioned the cost of parkland mentioned in the report and how that figure was arrived at. The CAO advised of negotiations held with the proponent and valuations of land done in the area. Members of Council further questioned whether this was an open ended price or whether it was fixed. The CAO further advised that this would be fixed cost provided the other conditions as mentioned in the report are met. Concerns were raised by some members of Council with respect to the impact on the East Lincoln Sewer Area. Members of Council also questioned the grading and seeding of the park and who would be responsible for this work. The Director of Recreation advised that this would be done at the subdivision agreement stage and would be agreed between the Town and Developer at that time.

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

1. That the Town agree to the parkland acquisition costs and conditions thereto as outlined in Report PDR-95-28.

2. That the recommendations contained in PDR-95-1 regarding applications 10-10/94 and 38-94/92, be adopted with the following changes :

(a) That a 0.3 metre (1 foot) reserve be added by way of red line revision, at the east end of Block 43 indicated on the red line plan attached to PDR-95-1.

(b) That Attachment No.5 to PDR-95-1 be amended as follows: - Condition 4 to have the word "road changed to "municipal" - Condition 23 to be amended to read "Blocks 42, 46 and 47 will be dedicated to the Town as 'one foot reserves'".

CARRIED m: Ald.Bald, Ald.Bilkszto, Ald.Danyluck, Ald.Good, Ald.Gretsinger, Ald.Kelly, Mayor KonkLe.

NAYS: Ald.Culp, Ald.MacMillan.

A- - 9543. USE ASSANDASSIGNMENT-S

The CAO reviewed his report and the background information. Members of Council questioned whether the employees do receive personal benefit from these vehicles. The CAO suggested that they do however this is offset by the requirement to be on-call, 24 hours per day. Concerns were expressed with reimbursing employees for these taxable benefits.

There was discussion of the difficulties in getting consistent interpretations from Revenue Canada regarding whether this was in fact a personal benefit. There was discussion of the purpose of the vehicles to attend on call-outs and difficulties which would result if employees were required to come to the Town Hall to pick up vehicles and then proceed to the various calls. It was further suggested that the municipality contact AM0 or the FCM and so on, to lobby with respect to these items. e (Council, Feb.6/95) -4-

Moved by Ald.W.Mac~illan, Seconded by Ald.B.Culp
(A-95-43)

That the Town reimburse employees for the estimated tax liability resulting from the application of a taxable benefit for the use of municipal vehicles, and,

Appropriate changes be made to the Fire Chief's vehicle and the on call procedures and practices can be modified as necessary, to comply with a Revenue Canada Taxation ruling.

CARRIED

WASTE MANAGEMENT TASK FORCE

Moved by Ald.H.Bald, Seconded by Ald.R.Bilkszto

That the Waste Management Task Force minutes of January 5th, 1995, be adopted as circulated.

CARRIED

BEAMSVILLE BIA

Moved by Ald.H.Bald, Seconded by Ald.A.Danyluck

That the Beamsville BIA minutes of January 17th, 1995, be received.

CARRIED

FINANCE h: ADMINISTRATION COMMITTEE

With respect to insurance, members of Council noted that there is no insurance available should a member be found in contravention of the Conflict of Interest Act even if found to be bonafide error in judgement and so on. It was confirmed that there is currently no insurance which an individual may purchase regarding this.

Members of Council then further discussed the 1995 budget and the direction respecting a 0% increase. It was suggested that there may be a number of items which Council would like to see done but have been removed from the draft budget by staff before Council consideration in order to obtain the 0% level. It was suggested that instead staff provide a budget reflecting all required works and that Council review and make the necessary cuts. Other opinion was expressed that staff need targets to work towards and that 0% is realistic. It was suggested that if a draft budget was brought forward with additional items listed separately which should be considered by Council, it could be reviewed. Concerns were also expressed with maintaining a 0% tax increase as a goal resulting in more cost in the long run.

Moved by Ald.H.Bald, Seconded by Ald.D.Good

Re: 1995 Budget

That staff be directed to bring forward to respective committees, detailed budgets highlighting all necessary works that, in their opinion, should be undertaken. a

Once these works have been reviewed by committees and Council, a goal then be set regarding the increase/decrease in the Town's portion of the general mill rate. mm

: Ald.Bald, Ald.Good, Ald.Gretsinger, Mayor Konkle u: Ald.Bilkszto, Ald.Culp, Ald.Danyluck, Ald.Kelly, Ald.MacMillan

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

That the Finance & Administration Committee minutes of January 17th, 1995, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

PUBLIC WORKS COMMITTEE

Members of Council entered into discussions regarding the High Road Bridge and opinion was expressed that Council must finally decide if it intends to proceed with the repairs before proceeding with engineering works. Other opinion was expressed that if the engineering is completed, the project could proceed if and when funding becomes available. Members of Council raised further questions regarding what steps would be taken regarding access to the Bridge until such time as it is repaired as scheduled in 1999. (Council, Feb.6/95) -5-

Members of Council generally discussed the capital forecast and capital budget with respect to the priorities which must be set. Opinion was expressed that it is important to proceed with repairing this bridge as it is necessary to avoid farm equipment on Victoria Avenue and other roads in the area. Other opinion was expressed that the Bridge serves only a small segment of the population and is not a preferred public route and therefore is not of the highest priority.

Moved by Ald.R.Bilkszto, Seconded by Ald.H.Bald

Re: High Road bridge

That any engineering works regarding High Road Bridge be deferred until Council has the opportunity to review its long term capital forecast. LQa

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

That the Public Works Committee minutes of January 25th, 1995, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

CONFIRMATION OF COMPLIANCE WITH SECTION 34 OF THE PLANNING ACT

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

That Council has considered the requirements of Paragraph 17 of Section 34 of the Planning Act, R.S.O.1990, and concludes that no

further notice of public meeting is required in the matter of the following proposed amendments to Zoning By-law Nos.78-85 and 93-14-2 1:

(a) No.95-17, to amend Zoning By-law No.78-85, as amended, of the Town of Lincoln (Vineland Park Estates).

(b) No.95-18-Z 90, to amend Zoning By-law No.78-85, as amended, of the Town of Lincoln (Vineland Park Estates).

(c) No.95-20, to amend Zoning By-law No.78-85, as amended, of the Town of Lincoln (Blair).

(d) No.95-21-2 91, to amend Zoning By-law No.93-14-Z 1, as amended, of the Town of Lincoln (Blair).

CARRIED

BY-LAWS

Moved by Ald.R.Bilkszto, Seconded by Ald.H.Bald

That leave be given to introduce the following by-laws:

(a) No.95-17, to amend Zoning By-law No.78-85, as amended, of the Town of Lincoln (Vineland Park Estates).

(b) No.95-18-2 90, to amend Zoning By-law No.93-14-Z 1, as amended, of the Town of Lincoln (Vineland Park Estates).

(c) No.95-19, to adopt Amendment No.6 to the Official Plan for the town of Lincoln (Blair).

(d) No.95-20, to amend Zoning By-law No.78-85, as amended, of the Town of Lincoln (Blair).

(e) No.95-21-2 91, to amend Zoning By-law No.93-14-2 1, as amended, of the Town of Lincoln (Blair).

(f) No.95-22, to appoint Fence Viewers for the Town of Lincoln.

CARRIED

Moved by Ald.R.Bilkszto, Seconded by Ald.H.Bald

That By-law Nos.95-17, 95-18-2 90, 95-19, 95-20, 95-21-2 91 and 95-22, read a first time, be now read a second and third time and finally passed, and that the Mayor and Clerk sign and seal the said by-laws.

CARRIED

21EELXATIQN FOR LOT~LICEN~S

Moved by Ald.B.Culp, Seconded by Ald.W.MacMillan

That the following lottery licence applications be approved:

(a) Lincoln Minor Soccer Association (Nevada), total value of prizes: \$19,200.

(b) Grey Gables School (Nevada), total value of prizes: \$9,600.

(c) Lincoln Public Library (Raffle), total value of prizes: \$55.

And that the Knights of Columbus be allowed to sell raffle tickets in the Town of Lincoln under Provincial Lottery Licence #P9439;5.

CARRIED (Council, Feb. 6/95) -6-

CORRESPONDENCE

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

That Robert Heil be authorized to represent the Town of Lincoln in the 1995 World Town ~riers~~om~etition.

CARRIED

Moved by Ald.B.Culp, Seconded by Ald.A.Danyluck

That the Council of the Town of Lincoln proceed with the necessary steps to increase the Lincoln Hydro Electric Commission's membership by two persons, and further that the Town of Lincoln appoint Ms.M.Reghelini and Mr.B.Butler.

CARRIED

Moved by Ald.W.MacMillan, Seconded by Ald.B.Culp

That the Council declare the month of April, 1995, as "Safe Schools Month" in the Town of Lincoln.

CARRIED

TOWN ASSUMPTION, REGIONAL ROAD N0.664

Moved by Ald.A.Gretsinger, Seconded by Ald.B.Culp

That Town staff be instructed to negotiate with the Regional staff with respect to the turning over of Regional Road No.669 to the Town, seeking the following position:

- that Lincoln is not interested in assuming this road in its present condition. - that should we be required to take over this road (Regional Road

No.669), the Region be asked to correct the deficiencies in accordance with their own policies before handing Regional Road No.669 over to the Town.

CARRIED

INAUGURAL,/APPRECIATION GATHERINGS

Moved by Ald.R.Kelly, Seconded by Ald.H.Bald

Re: Municipal Policy Development, inaugural/appreciation gatherings

That the CAO be instructed to develop a policy for Council review.

Further, that the report be presented to the Finance & Administration

Committee meeting on March 15th, 1995.

CARRIED

CLOSED SESSION

On a motion moved by Ald.A.Danyluck, and seconded by Ald.R.Kelly,

Council adjourned to closed session to consider a land issue. After discussions in closed session, Council reconvened.

There being no further business to discuss, the Mayor declared the meeting adjourned.

(Dictation Date: Feb.8/95) a

QEW DESIGN / BUILD PROJECT

CASABLANCA BLVD. TO VICTORIA AVE.

PRESENTATION TO

PUBLIC WORKS COMMITTEE

TOWN OF LINCOLN

FEBRUARY 8, 1995 PROPOSED IMPROVEMENTS

- 0 The proposed improvements consist of the following:

b widening of the QEW from four to six lanes (with a provision for future widening to eight lanes)

t installation of a concrete barrier and a storm sewer system in the median

- drainage improvements

b structure replacement at Forty Mile Creek

t structure widening at Bartlett Avenue

b ramp modification and traffic signal installation at the

eastbound exit ramp to Ontario Street (Lincoln)

b noise wall installation at two locations

t upgrading of illumination and signage as required

b additional landscaping > 2 -4 n 0 o> mr- -

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VICTORIA AVE. RECONSTRUCTION

OF THE

Brochure No. 1

February 1995

QUEEN ELIZABETH WAY " " "

From Casablanca Boulevard to Victoria Avenue

Regional Municipality of Niagara

Introduction

This brochure is the first in a series that will inform the public about the design and construction program of the reconstruction of the Queen Elizabeth Way (QEW) from east of Casablanca Boulevard in the Town of Grimsby to west of Victoria Avenue in the Town of Lincoln, Regional Municipality of Niagara.

Following a formal tender in the fall of 1994, the Ministry of Transportation (MTO) has awarded the contract to Total Roadway Engineering Corporation (TREC), a consortium of leading Ontario-based companies, for the widening of the QEW from 4 lanes to 6 lanes. The Ministry of Transportation anticipates that the project will create some 1,100 jobs.

t

Study Schedule

Detailed design is currently underway and construction is scheduled to begin in the spring of 1995. By using the total management approach and consolidating design with construction, the completion of the project is being accelerated to December, 1997.

Project Status

On behalf of the Ministry of Transportation, TREC is carrying out a detail design study for the project.

In addition to the widening of QEW to 6 lanes, the project includes: minor alterations to the interchange ramps at the "Grimsby Diamond", Bartlett Avenue, and Ontario Street; structure replacement at Forty Mile Creek; widening of structures at Bartlett Avenue; installation of a concrete traffic barrier in the median; and improvements to drainage and landscaping.

The Process

The study follows a Class Environmental Assessment process, approved for highway projects of this type. Upon completion of the study, an Environmental Study Report will be available for public review and comment. Another notice will be published at that time. i

There is an opportunity at any time during the Class Environmental Assessment process for public input. If you feel, after consulting with MTO and TREC staff, that serious environmental concerns remain unresolved, it is your right to request that the project be subject to the formal Environmental Assessment review and approval process. The decision rests with the Minister of Environment and Energy.

TREG

TOTAL ROADWAY ENGINEERING CORPORATION L

BOT CONSTRUCTION DUFFERIN CONSTRUCTION DELCAN . McCORMICK RANKIN Information Centres

You are invited to attend Public Information Centres which wiU present the proposed improvements.

Ministry and TREC staff wiU be present to answer questions and discuss the project. Each Public Information Centre will be open from 4:00 p.m. to 9:00 p.m. as follows:

Monday, February 20, 1995

Lincoln Centre

4361 Central Avenue

Beamsville, Ontario

Wednesday, February 22, 1995

Grimsby Community Centre

162 Livingston Avenue

Grimsby, Ontario

We are interested in hearing any comments or concerns that you may have with this project. All names and addresses will be kept confidential.

Mr. Ray McCormick, P. Eng.

Design Manager TREC

C/O McCormick Rankin

2655 North Sheridan Way

Mississauga, Ontario L5K 2P8

Phone: (905) 823-8500 Fax: (905) 823-8503

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7REC BOT CONSTRUCTION . DUFFERIN CONSTRUCTION DELCAN . MCCORMICK RANKIN P.O. Box 202

Beamsville, ON LOR 1 BO

February 7, 1995 m Mr. Geoff Holman

Director of Public Works

TOWN OF LINCOLN

4800 South Service Road

Lincoln, ON LOR 1 BO

Dear Mr. Holman:

Is jt possible to review the local street sanding operations?

We frequently see sanding trucks dispersing sand on dry roads. When wet snow or icy conditions exist, a very large amount of sand and salt is laid down.

Numerous municipalities and states have saved money, had less roadside or property damage from salt and sand, and experienced no erosion of safety. This h?s been accomplished by cutting back on the excessive use of sand. Examples of this are:

:

Pelham, which normally sands intersections only

New York State uses very little sand

Buffalo, a snow belt area, is very tough on motorists operating with poor tires

o Guelph and Oakville are other enlightened communities that are currently using very little sand

In addition, excessive use of salt and sand tends to increase contamination of lawns and flowerbeds, farm trees, crops and sewers. Coupling this with the cost of applying and p~cking up the excessive sand, the expense is tremendous. Past seasons of heavy usage of salting and sanding have undoubtedly increased the overtime which is extremely costly to the taxpayer.

As concerned citizens, we suggest that motorists be more responsible under adverse

driving conditions. We believe that improvements are possible and should be implemented without further delay. The following people request an attendance at your next committee meeting. Please call as soon as possible.

Jack Easton 562-5709 Fax: 562-4841

Fred Kendall 563-5258

Jim Williams 563-7717

Yours truly,

/

Jim Williams council Chambers

February 8th, 1995

Minutes of a meeting of the Town of Lincoln Public Works Committee, I held in the Council Chambers, on Wednesday, February 8th, 1995, at 7:00 p.m.. Present were: Ald.B.Culp(Chairman), Ald.H.Bald (Vice-Chairman), Ald.D.Good(sitting in for Ald.A.Danyluck), Ald.R.Xelly and Mayor R.Konkle. Staff present: G.Holman(Director of Public Works).

ACCOUNTS

The Committee requested clarification on cheques #015284 and #015299 Moved by Ald.R.Kelly, Seconded by Ald.H.Bald

THAT Department payments in the amount of \$85,037.49 incurred in accordance with Council policy A-94-218 having now been audited by Committee be ratified by Council.

CARRIED

The Committee requested clarification on cheque #015314.

Moved by Mayor R.Konkle, Seconded by Ald.D.Good

THAT Department payments in the amount of \$256,719.77 incurred in accordance with Council policy A-94-218 having now been audited by Committee be ratified by Council.

CARRIED

PRESENTATION

Mr. Ray McCormick was in attendance to introduce the scope of the project on behalf of the consortium TREC, which is composed of four major stakeholders (BOT Construction, Dufferin Construction, McCormick-Rankin Engineering and DelCan Engineering).

Mr. Steve Bot and Mr. Kevin Latham were in attendance representing BOT Construction.

Mr. Norris Bot and Mr. Peter Kinnear were in attendance representing the Ministry of Transportation.

Mr. McCormick explained the process and construction schedule outlined in the attached brief. He noted that the entire project must be completed by December of 1997. The staging has been designed to maintain four lanes (two each way) of traffic continuously.

The Committee inquired about the impacts the Town may have to absorb. Specifically, the Committee requested consideration for the following issues:

- emergency access - construction detours - traffic in Beamsville downtown core - dust and noise - access to Lake for agricultural/irrigation operations.

Mr. Kinnear responded concerning the irrigation matter, and suggested that the concerns be placed in writing.

The Committee inquired about the future of Bartlett Avenue (Grimsby), I and was advised by MTO staff that the extension of Regional roadways should be a local initiative. -

i The Committee noted Lincoln's identity crisis and requested information concerning signage. The Committee inquired about changes

at the Tufford Road overpass, and were informed by the consultant that nothing was planned. a

It was noted that there is a considerable amount set aside in the contract for landscaping, and that the Town should try to take advantage of this.

It was further noted that a close liaison with Town staff was necessary to co-ordinate construction, emergency and scheduling matters. The consultant confirmed that regular construction meetings will be held, and that the Town staff was invited to attend.

The Committee noted that the use of wildflowers may be an attractive

and cost effective solution. It was further noted that low maintenance landscaping would be in everyone's interest. Moved by Mayor R.Konkle, Seconded by Ald.R.Kelly THAT the presentation by TREC be received and that the issues raised by the Committee be forwarded to the MTO for a consideration in this contract.

REPORTS CARRIED

LAURIE AVENUE SANITARY SEWAGE PUMPING STATION, CLASS EA SUMMARY REPORT AN P ACTION PLAN P

The Director of Public Works introduced the issues in the report and reviewed the recommendations.

The Committee inquired as to the future of the Laurie Avenue pumping station, and what the ultimate servicing needs are for the area. They discussed the dilemma of requiring major capital contributions now, or awaiting a development proposal and assessing the "last one in".

In the interest of ensuring that the projects commence without delay, the Committee supported the current approach but requested more detail on a long term servicing scheme for this area.

Moved by Ald.R.Kelly, Seconded by Ald.H.Bald \$ THAT the Public Works Committee recommend to Council that R.V. Anderson Associates Ltd. be engaged to undertake the necessary modifications to the Laurie Avenue Pumping Station as outlined in the Class EA Summary Report, at an upset limit not exceeding \$15,000.

FURTHER THAT the owners of the Victoria Shores subdivision, Beacon Motor Inn and Plain & Fancy Restaurant be advised of the \$5,000 connection fee associated with this project. CARRIED

Moved by Mayor R.Konkle, Seconded by Ald.D.Good THAT this Committee recommend to Council that the Director of Public Works investigate all the avenues open to the Town to facilitate a proper gravity sewer crossing while the QEW is under construction in the area of Victoria Avenue. CARRIED

I

REDUCTION OF LETTER OF CREDIT, BARTLETT CREEK VILLAGE SUBDIVISION, PWDR #95-36

The Committee expressed their concerns about reducing the credit to \$53,000, recognizing the new construction completed on the east side of the creek.

They questioned staff on whether provisions were made for the top coat of asphalt and linear walkway along the creek.

Staff agreed to provide additional details at Council

Moved by Ald.H.Bald, Seconded by Ald.R.Kelly

THAT the Public Works Committee recommend to Council that the letter of credit for the Bartlett Creek Village subdivision be reduced to an amount not less than \$53,188 as outlined in this report. CARRIED

YEAS: Ald.D.Good, Mayor R.Konkle, Ald.B.Cu1p

NAYS: Ald.H.Bald, Ald.R.Kelly

REDUCTION OF LETTER OF CREDIT, MEADOWOOD ESTATES SUBDIVISION, PWDR 295-30

The Committee expressed their concerns about the dirt, dust and debris in this subdivision, and directed staff to advise the developer of their concerns.

Moved by Ald.R.Kelly, Seconded by Ald.H.Bald

THAT the Public Works Committee recommend to Council that the letter of credit for the Meadowood Estates subdivision be reduced to \$225,925.

LOST

REDUCTION OF LETTER OF CREDIT, CORRADO ESTATES SUBDIVISION, PWDR 395-38

The Committee expressed their concerns about construction practices, and directed staff to examine the subdivision agreement and suggest improvements that would provide better controls during construction.

Moved by Mayor R.Konkle, Seconded by Ald.D.Good

THAT the Public Works Committee recommend to Council that the letters of credit for the Corrado Estates subdivision be reduced

to an amount not less than \$23,932, in accordance with the subdivision agreement subject to full payment of the legal fees incurred by the municipality for this project to date.

CARRIED

Moved by Mayor R.Konkle, Seconded by Ald.D.Good

WHEREAS during the construction phase of this subdivision - ie. Corrado Estates this municipality entertained various concerns, complaints and problems, with stop work orders, non compliance to various minor variance requirements, etc..

AND WHEREAS we have had problems voiced by the public during construction on street cleaning, ice, snow, mud, poor preparation of land before sodding, etc..

AND WHEREAS sump pump connections ie. two for four dwellings meets the intent of the Building Code but does not fulfill the spirit of good construction.

THEREFORE be it resolved that senior staff meet with Mr. Dave Gowans and come to an understanding on or through the subdivider's agreement, or plan of subdivision on any other works he or his company may be doing in this municipality to resolve all of these or other issues known to the Town before the signing of any other agreements.

CARRIED

INDUSTRIAL PARK WATERMAIN LOOP CONSTRUCTION, FRETZ DRIVE EXTENSION,

The Committee was advised by staff of the need to proceed with this project, due to the timing and co-ordination with the Cosella-Doerksen Products development on Fretz Drive South. -

Moved by Mayor R.Konkle, Seconded by Ald.D.Good i THAT the Public Works Committee recommend to Council that

staff be authorized to proceed with the watermain looping portion of the Fretz Drive extension project, according to the contract tender submitted by Hugh Cole Construction Limited, subject to the owners of Cosella Products Limited meeting the financial obligations and requirements of the development agreement previously approved by Council.

FURTHER THAT Vinewood Engineering and Construction Limited be engaged to undertake the contract administration, inspection and certification required for this project.

FURTHER THAT the costs of this construction be accommodated in the 1995 capital budget.

CARRIED

AUTO PROPANE TRIAL PROJECT. PUBLIC WORKS VEHICLES, PWDR #95-32

Moved by Mayor R.Konkle, Seconded by Ald.D.Good

THAT the Public Works Committee recommend to Council that Public Works staff be authorized to proceed with the proposed auto , propane trial program offered by Superior Propane.

I I FURTHER THAT staff be directed to provide a detailed analysis of this trial program at the end of the six month period.

CARRIED

HIXON STREET SANITARY SEWER REPLACEMENT AND ROAD RECONSTRUCTION PROJECT. PWDR #95-34

Moved by Ald.D.Good, Seconded by Mayor R.Konkle

THAT the Public Works Committee recommend to Council that R. V. Anderson Associates Ltd. be engaged and instructed to proceed with the Hixon Street sanitary sewer replacement and road I reconstruction project as outlined in the proposal in this report.

FURTHER THAT the Hixon Street sanitary sewer replacement contract be awarded to Derose Bros. Construction Ltd. at their tendered price of \$264,853.74.

FURTHER THAT staff be directed to prepare a report outlining the financing scheme and construction schedule for the reconstruction of Hixon Street.

FURTHER THAT the financing for this project outlined in this report be included in the 1995 capital budget.

1. CARRIED

VICTORIA SHORES SUBDIVISION AGREEMENT, PWDR #95-37

The Committee inquired about the need to upgrade the watermain on Victoria Avenue North, and whether or not this should be the developer's responsibility.

Staff explained that there was some history to the negotiations on this issue, and that an overview would be provided prior to Council.

Moved by Ald.D.Good, Seconded by Mayor R.Konkle

THAT the Public Works Committee recommend to Council that the subdivision agreement for the Victoria Shores development be approved and that staff be directed to prepare the appropriate by-laws for the consideration of Council.

FURTHER THAT staff be directed to include the related capital works in the 1997 capital forecast. CARRIED

REVIEW OF WINTER MAINTENANCE POLICY

The Committee discussed the staff's compliance with the policy, and noted the inconsistency in the discretion used by the drivers. The Committee pointed out that the major problems appear to be in the subdivisions.

The Director of Public Works distributed a letter from Messieurs Easton, Kendall and Williams, requesting an opportunity to discuss this matter at the next meeting.

Moved by Ald.H.Bald, Seconded by Ald.R.Kelly

THAT the Public Works Director instruct his foremen to check various subdivisions where complaints regarding salting/sanding practices are originating, to ensure that his drivers are adhering to the Town's winter maintenance policy.

THAT this check should be done during the next major snowfall and the results reported back to Public Works Committee.

CARRIED

MINUTES OF MEETINGS

1. Public Meeting - Preliminary Drainage Reports - January 25th, 1995.

R&F

CORRESPONDENCE

1. Region of Niagara - Niagara Regional Projects, Construction Progress Report.

R & F

2. Transportation Association of Canada - Transportation User Pay Symposium.

R&F

3. 1994 Petition for MTO Subsidy.

R & F

NOTICE OF NEW BUSINESS

ONTARIO STREET UPGRADING

The Committee inquired as to the status of negotiations with Regional Public Works, and were informed by the Mayor and staff that there has been one meeting and we are awaiting a formal response.

UNSCHEDULED DELEGATIONS

None.

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

CHAIRMAN SECRETARY

(dictation date: February 9th. 1995) February 13, 1995 File: RE.am-97

BACKGROUND INFORMATION

Proposed Regional Policy Plan Amendment 97 To Permit the Severance of Two Surplus Farm Dwellings John and Judy Hollick Property Town of Lincoln

An application to amend the Regional Policy Plan was received from Hynde, Paul Associates on behalf of John and Judy Hollick. An application to amend the Town of Lincoln's Official Plan and Zoning By-law was also made.

The amendment involves two properties owned separately Mr. and Mrs. Hollick and located on Lakeside Drive, west of Merritt Road in the Town of Lincoln. The Amendment, if approved, would permit the severance of two existing dwellings which the Hollick's considered, surplus to their needs. The Hollicks indicate that they wish to sell the lots and use the majority of the money received to cover the cost of planting grapes on another abutting property to the west.

The Regional Policy Plan shows the lands in the area as "Good Grape Area" while the Town of Lincoln Official Plan designates the area "Unique Agricultural". Both the Town's and the Region's Official Plans allow severances of

surplus farm dwellings subject to compliance with certain conditions which in the case of this application do not appear to have been met.

A location map and an existing land use map are attached for information.

A History of the A~lication

This amendment application was the subject of earlier severance applications by the Hollicks (B769-90, B771-90 and B773-90) which were denied by the Land Division Committee on February 1, 1994 and subsequently appealed to the Ontario Municipal board.

In January 1989, during the preparation of the Town of Lincoln's Official Plan, the applicants had requested that the area be designated for Estate Residential Development. (They also requested that another portion of their property along the North Service Road of the QEW be designated for industrial and commercial uses). The applicants requested that the Minister refer the matter to the O.M.B. The applicants also objected to the Town's Comprehensive Zoning By-law No. 93-14-21. The applicants objections were heard by an O.M.B. panel at a hearing held November 14 to 17, 1994. At that hearing, it was agreed by the parties that the applicants would submit applications to amend the Regional Policy Plan and the Town's Official Plan.

The O.M.B. has scheduled a pre-hearing on February 21, 1995 to review the status of the amendment review. Also, an O.M.B. hearing has been scheduled for June 1995 to hear the referrals. The O.M. B. is anxious to obtain public input regarding the referrals before considering the matter.

On November 24, the application to amend the Regional Policy Plan to permit two severances was submitted to the Regional Planning and Development Department.

On January 9, 1995, the applicants notified the Region and the Town that they did not intend to proceed with an earlier application for commercial and industrial uses along the North Service Road of the QEW.

Plannina Review Process

All comments received from the public at the public meeting will be reported to the full Council of the Regional Municipality of Niagara and considered when a final report on this matter is being prepared.

If anyone wishes to be notified when the Regional Planning Services Committee considers this application please leave your name, address and phone number on the attendance sheet provided.

Prepared by

Drew Semple Senior Planner 3

Regional Niagara Policy Plan and

Town of Lincoln Official Plan Amendments

0 John and Judy Hollick Property

Town of Lincoln February 13, 1995

Associates

Incorporated

PlanninQ and

Development

Consultants

179 King Street

St. Catharines

Ontario L2R 3J5

Telephone

9051641-2300

Facsimile

9051641-2382

nee-\, Y,CJ Chairman Robert Kelly and Committee Members pi, F-&L, 13 ICIF-5 Planning and Development Committee

Town of Lincoln &TX&-

4800 South Service Road

Beamsville, Ontario LOR 1B0

Dear Mr. Chairman and Committee Members

Re: Town of Lincoln Official Plan and Zoning By-law Amendments

Regional Policy Plan Amendment

John and Judith Hollick

Our File: 93-322

The purpose of the requested amendments is to recognize the unique farming practices of Mr. & Mrs. Hollick to permit the severance of two surplus dwellings from two farm properties.

Since acquiring these farm lands in 1988, the Hollicks' have made significant investments into the land and the farming operation, i.e. underdrainage, planting vinefra grapes and purchase of additional agricultural lands. These investments required substantial financial commitment. As a result the Hollicks are not in the farming business for short term gain (there is none) rather they are in the agricultural business for the long term rewards of owning a viable and productive farming operation. They do not want to

continue to invest time, money and energy into the two surplus dwellings. Rather they want to invest their time, money and energy into the farming operation. The proceeds of the sale of the two surplus dwellings will go towards completing their replanting programme started on the former CHUM radio tower lands. Due to the costs associated with the replanting and underdrainage works, the Hollicks' are unable to purchase the much needed vines to complete their replanting programme without the income from the sale to these two surplus dwellings.

It is important to note that all the dwellings along this portion of Lakeside Drive are non-farm residential. The severance of the two surplus dwellings by Mr. & Mrs. Hollick would be consistent with this established land use along the lake front.

The Town staff report suggests that because the lands are not merged in title, staff are unable to support the requested amendments that would permit the severance of two surplus dwellings. Staff have taken this position even though the Official Plan provides an alternative to merging in title, namely the APO zoning of the remnant farm parcel, which we do not object to. This position Chairman Robert Kelly and Committee Members

February 13, 1995

Page 2

Town staff have taken does not offer the agricultural community of the town with a sense of reasonableness, fairness or flexibility required to ensure a viable agricultural community. The objectives of the agricultural designation include encouraging the preservation of agricultural lands for agricultural purposes, the promotion of a viable agricultural industry for the production of food and promotion of the preservation of agricultural lands with the highest priority on lands suitable for tender fruit and grape production. The severance of the two surplus dwellings does not undermine these objectives. Both the Regional and the Town Official Plans recognize that farmers do not want to be landlords and as such the agricultural community is provided flexibility to allow the severance of surplus dwellings subject to specific criteria. Where these criteria cannot be complied with, amendments are required to the Regional and local Official Plans. The Town of Lincoln Official Plan is deemed to conform with the Regional Policy Plan with respect to its policies concerning severances of surplus farm dwellings. The specific criteria by which the surplus farm dwellings can be severed are detailed on the bottom of page 3 and top of page 4 in the Town staff report.

The Hollicks meet the spirit and intent of these policies and criteria that allow for the severance of surplus farm dwellings. However, there are two areas they may not comply with the specific components of the criteria to permit the severance of surplus dwellings and these relate to criteria (A) and (F).

Criteria (A) states that the farms be merged in title or alternatively the remnant farm parcel be rezoned to preclude residential development. While the Hollicks' are unable to merge their lands in title they do not object to rezoning the remnant farm parcels to preclude residential development. An application to rezone the remnant farm parcels to the APO (Agricultural Purposes Only) zone is also being considered.

Criteria (F) requires that the applicant(s) be a full-time bonafide farmer.

Mrs. Hollick is considered to be a full-time farm administrator and earns more than do 7. Her income from the farm. Mr. Hollick is the owner of a solar energy manufacturing business and earns income both from the farm and from his solar manufacturing business. However, both Mr. & Mrs.

Hollick are actively involved on a daily basis in the farming operation and equally take part in business decisions affecting the farming operation and farm management. Together, Mr. & Mrs. Hollick farm approximately 120

acres of land as one farming operation known as Hollick Farms. Chairman Robert Kelly and Committee Members
February 13, 1995

Page 3

The requested amendments to the local and Regional planning documents are reasonable, fair and provide the flexibility the Hollick's need in order to continue their farming operation, complete their replanting programme, preserve their lands for agricultural use and production.

Yours very truly,

HYNDE, PAUL ASSOCIATES INCORPORATED

Barbara Wiens
Planner Council Chambers
Town Hall
February 13, 1995

Minutes of a meeting of the Planning & Development Committee held in the Council Chambers on Monday February 13, 1995, at approximately 8:00 pm. Committee members in attendance were: Ald. R. Kelly (Chairman), Ald. R. Bilkszto, Ald. A. Danyluck, Ald. W. MacMillan and Mayor 2. Konkle. Town staff in attendance: C. Held (Director of Planning & Development) and K. Dale, (Deputy Director of Planning and Development).

ACCOUNTS

Moved by Ald. R. Bilkszto, seconded by Ald. A. Danyluck
THAT Department payments in the amount of \$26,569.76 incurred in accordance with Council Policy A-94-21 8 having now been audited by Committee be ratified by Council. **CARRIED**

2. SCHEDULED DELEGATIONS

There were none.

3. REPORTS

(A) PDR 95-39 - FILES 9-02/94 & 10-13194 - OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT APPLICATIONS - JOHN AND JUDITH HOLLICK SIS OF LAKESIDE DRIVE AND THE WIS OF MERRITT ROAD, PART OF LOT 9, BROKEN FRONT CONCESSION (CLINTON)

After considering PDR 95-39, the Committee adopted the following recommendation.

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

Re: Official Plan Amendment and Zoning By-law Amendment Applications

Applicant: John and Judith Hollick

Agent: Barbara Wiens

"For the reasons outlined in PDR 95-39, regarding applications by John and Judith Hollick, it is hereby recommended that Official Plan Amendment Application 9-02/94 and Zoning by-law Amendment Application 10-13194 to the Town of Lincoln BE REFUSED and that the Region be advised that the Town does not support the related proposed amendment to the Regional Policy Plan."

CARRIED

(O) PDR 95-48 - FILE 36-11(7) - REGIONAL OBJECTIONS TO ZONING BY-LAW NO. 93-14-21 PROPOSED AMENDMENTS a

After considering PDR 95-48, the Committee adopted the following recommendation:

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

Re: Regional Objections to Zoning By-law 93-14-21 - Proposed Amendments

PDR 95-48

"For the reasons outlined in this report, it is hereby recommended that the proposed by-laws (Appendix 1 and 2) be presented to Council for approval and subsequently the Ontario Municipal Board."

CARRIED

(C) PDR 95-46 - FILE 10-19194 - ZONING BY-LAW AMENDMENT APPLICATION - DONALD STEWART, SOUTHWEST CORNER OF INTERSECTION OF GREENLANE AND MOUNTAINVIEW ROAD. PART OF LOT 21. CONCESSION 2 (CLINTON)

After considering PDR 95-46, the Committee adopted the following recommendation:

Moved by Aid. R. Bilszio, Seconded by Ald. A. Danyluck

Re: Zoning By-law Amendment Application

Owner: Donald Stewart

Applicant: Gary Cook & Associates

"THAT, for the reasons outlined in PDR 95-46, it is hereby recommended that the Zoning By-law Amendment Application 10-19194, in the name of Donald Stewart, BE APPROVED."

CARRIED Planning Comm. Mtg. (95 01 09)

I.

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(D) PDR 95-4 - FILE 9-01194 - OFFICIAL PLAN AMENDMENT APPLICATION - 776139 ONTARIO LIMITED, PT LT 166. PLAN M-2, WIS TWENTY-THIRD STREET ROAD ALLOWANCE, TO THE EAST OF VICTORIA AVENUE AND TO THE SOUTH OF NR 81

The Committee was advised that the application under File 9-01/94 was withdrawn by the applicants. The Director advised that if the applicants do decide to proceed at a later date, a new application and a fee would be required because this file has been closed.

(E) PDR 95-40 - FILE 38-64(2) - REMOVAL OF PART-LOT CONTROL - B D S DEVELOPMENT INC., W/S OF ALEXANDRA AVENUE, IN THE CORRADO ESTATES PLAN OF SUBDIVISION IN BEAMSVILLE. BLOCK 41.30M-21

After considering PDR 95-40, the Committee adopted the following recommendation:

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

Re: File - 38-64(2)

Applicant: B D S Development Inc.

"THAT, for the reasons outlined in PDR 95-40, it is hereby recommended that:

1. That a by-law be prepared to exempt Block 41, 30M-212, within the Corrado Estates Plan of Subdivision from Part-Lot Control;
2. That following the sale and merging in title of the three parts of Block 41, 30M-212 with the three parcels recently severed, that Part Lot Control be reinstated.

CARRIED 8

(F) PDR 95-35 - STATUS OF ALL ACTIVE DEVELOPMENT APPLICATIONS UP TO AND INCLUDING JANUARY 31, 1995

After considering PDR 95-35, the Committee adopted the following recommendation:

Moved by Mayor R. Konkle, Seconded by Ald. W. MacMillan

Re: File - 1-21

Re: Status of All Active Development Applications , .

"THAT PDR 95-35, Status Sheets relating to all Active Official Plan Amendment Applications, Zoning BY-law Amendment Applications, Site Plan Approval Applications, Plan of Subdivision and Plan of Condominium Applications in the Town of Lincoln, up to and including January 31, 1995, BE RECEIVED as information."

CARRIED

(G) PDR 95-44 - STATUS OF ACTIVE LAND DIVISION COMMITTEE AND COMMITTEE OF ADJUSTMENT APPLICATIONS. UP TO AND INCLUDING FEBRUARY 1, 1995 a

After considering PDR 95-44, the Committee adopted the following recommendation:

Moved by Ald. W. MacMillan, Seconded by Mayor R. Konkle

Re: File - 1-21

Status of Active Land Division Committee and Committee of Adjustment

Applications I "THAT PDR 95-44. beina the Status of Active Land Division Committee and Committee of ~~~~~ Adjustment Applications ;p to February 1, 1995, BE RECEIVED as information." CARRIED

(H) PDR 95-45 - FILE 1-21 - STATUS OF MAJOR SITE PLAN AND SUBDIVISION DEVELOPMENTS TO THE END OF DECEMBER 1994

After considering PDR 95-45, the Committee adopted the following recommendation:

Moved by Mayor R. Konkle, Seconded by Ald. W. MacMillan

Re: File - 1-21

Status of Major Site Plan and Subdivision Developments

"THAT, PDR 95-45, BE RECEIVED as information." CARRIED Planning Comm. Mtg. (95 01 09)

4. CORRESPONDENCE

1. Letter from Ontario Property and Environmental Rights Alliance (OPERA) - re Bill 163. @ 5. UNSCHEDULED DELEGATIONS

Page 313

R&F

There were None

6. NOTICE OF NEW BUSINESS

1. The Director stated that they have received a letter from Rob Murre whose lands are within the Environmental Conservation Zoning, and that those lands have been zoned Environmental Conservation by mistake. He stated that as well as correcting the situation on the lands owned by Mr. Murre, staff would also like to look at other properties in the area to ensure that they have not been improperly zoned, and that this will require a review with the agencies.

After considering the requests by Rob Murre, the Committee adopted the following recommendation:

Moved by Mayor R. Konkle, Seconded by Ald. W. MacMillan

Re: Environmental Conservation Zoning WIS Twenty-First Street, South of Culp Road m

"THAT Planning Staff be authorized to begin the process of amending the Zoning By-law as it affects the Environmental conservation Zone on the west side of Twenty-First Street, south of Culp Road."

CARRIED

2. The Director advised that costs of various studies that are submitted related to a development application must be reviewed by Town staff. He stated that in some cases, staff do not have the expertise to review these studies, and it be necessary to hire an outside consultant. He stated that in the case of these studies, the cost of the review should be borne by the applicant, not the general taxpayers. He stated that there maybe other studies that may be required in the future with applications due to the consequences of Bill 163.

After considering the request of the Director, the Committee adopted the following recommendation:

Moved by Ald. A. Danyluck, Seconded by Mayor R. Konkle
Re: Policy with Respect to Additional Costs Relative to Land Development Applications

"It is hereby recommended that the following requirements be adopted:

o The Town of Lincoln requires that, where deemed necessary, all studies/reports required by applicants during an application process be completed by and paid for by said applicants.

o Applicants are required to pay, in advance, the costs incurred by the Town of Lincoln in reviewing/analyzing for accuracy and completeness, any study/report required by the applicant during the process of reviewing any land development proposal.

o Failure of any applicant to comply with the above requirements will result in the Town ceasing to consider the subject application any further.

o The Town of Lincoln's land use development applications are to be amended to reflect the above noted policies."

CARRIED

7. ADJOURNMENT

The Chairman then declared the meeting adjourned.

SECRETARY CHAIRMAN

Prepared by: K. Dale, Deputy Director of Planning and Development

Dictation Date: 95 02 14

Circulation Date: 9402 15 Council Chambers

Town Hall

February 13, 1995

Memorandum of Public Meeting regarding proposed amendments to the Regional Policy Plan, the Town's Official Plan and the Town's Zoning By-law, held in the Council Chambers on Monday February 13, 1995, at 6:30 p.m. Committee members in attendance were: Ald. R. Kelly (Chairman), Ald. R. Bilkszto, Ald. A. Danyluck, Ald. W. MacMillan and Mayor R. Konkle. Regional Councillors in attendance: J. Hildreth, S. Brickell and P. Partington. Town staff in attendance: C. Held (Director of Planning & Development) and K. Dale, (Deputy Director of Planning and Development). Regional staff in attendance: D. Semple, T. Whitelaw and I. Forgeron.

PUBLIC MEETINGS

1. FILES 9-02/94 & 10-13194 - JOINT PUBLIC MEETING WITH REGION OF NIAGARA REGIONAL POLICY PLAN AMENDMENT AND TOWN OF LINCOLN OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATION - JOHN & JUDITH HOLLICK, S/S LAKESIDE DR. & W/S MERRITT RD.. PART LOT 9. BF CON. FORMER TOWNSHIP OF CLINTON

John and Judith Hollick, Barb Wiens and Ron Kantor were in attendance in support of the application. Also in attendance were R. Rezel and S. Baron.

Drew Semple outlined the details a background information report dated February 13, 1995 (this report is attached to the end of the Public Meeting minutes).

L

Barb Wiens submitted a letter dated February 13, 1995, to the Planning and Development Committee and to Regional Councillors in attendance and then proceeded to outline the details of that letter (this letter is attached to the end of the Public Meeting minutes). They have two houses on four separate abutting farm parcels and rent each house out. They live in Maple, Ontario.

Ron Kantor stated that this is an application to amend the Regional Policy Plan and the Town of Lincoln Official Plan and therefore the Town must consider the spirit of the Plan. He stated that although the Hollicks do not meet all of the criteria, they meet the spirit of the Regional Policy Plan and the Town's Official Plan. He stated that their situation is unique and those unique circumstances should be considered. He stated that the approval of the applications will allow additional lands to be replanted. He stated that there are a number of non-farm surplus dwellings in this area and he does not believe that there is a lot of opposition to this proposal. He stated that approval of this application will benefit the agricultural community. He stated that the Hollicks operate the lands as one farm, but because of their personal situation, they cannot merge the lands in title. He stated that, if this application is approved, there will be more lands put into agricultural production and therefore they request approval. -e

Sylvia Baron stated that she and her daughter own land in the area and therefore have no objection to the application and support the agricultural purposes zoning.

In response to an inquiry from a Regional Councillor, Mr. Hollick stated that 18 acres were pulled out as part of the Grape Pull Out Program.

In response to an inquiry from a Regional Councillor, Mr. Hollick stated that they purchased the lands from someone else, who lived a long way away from the property, and that they are able to run the farm even though they do not live in the municipality. Judith Hollick stated that they hire people to do various jobs.

In response to an inquiry from a Regional Councillor, John Hollick stated that 18 acres is to be

replanted.

In response to an inquiry from a Regional Councillor, Ron Kantor stated that the sale of the houses will provide capital to allow the Hollicks to replant their acreage.

In response to an inquiry from a Regional Councillor, Ron Kantor stated that since the Hollicks have owned the property, they have rented out the houses. He stated that farmers do not want to be landlords. Ron Kantor then listed the types of grapes that would be planted on the property.

In response to an inquiry from a Committee member, Barb Wiens stated that the Hollicks own approximately 120 acres and that that acreage is among four different parcels.

In response to an inquiry from a Committee member, Barb Wiens stated that in order to replant the former CHUM lands, the owners require the funds from the sale of the surplus farm dwellings. Public Mtg. Minutes (95 02 13) Page 213

In response to an inquiry from a Committee member, Judith Hollick, stated that she has been the farm administrator since they purchased their lands.

In response to an inquiry from a Committee member, Judith Hollick stated that she is the farm administrator for all the lands that she owns.

In response to an inquiry from a Committee member, the Director stated that yes, at a later date, there could be a request for infill lots. In response, Ron Kantor stated that any infill severance request would require a new application.

A Committee member stated that, at some point in time, it may be necessary for the owner to reside on the property. A Committee member indicated that if there is a problem such as pending frost, hail damage, mildew, etc., the farmer has to be in the immediate area to address those problems when they occur.

Ron Kantor stated that the lands can be farmed even though the owners live in the Toronto area. He stated that it is not necessary to live on the farm to be a farmer and that if the severances are approved, it will improve the agricultural capability of the lands. He stated that because of the unique circumstances, the amendments to the Regional Policy Plan and the Town's Official Plan should be approved.

A Committee member stated that, eventually, someone (either present or future owners) will want to live on the lands and request that the by-law(s) be amended to permit a new dwelling(s).

A Committee member stated that the marriage agreement should be changed in order to allow the lands to be merged. In response Ron Kantor stated that he is not a family lawyer. A Committee member stated that it cannot be that difficult to amend a marriage agreement. In response, Ron Kantor stated that it is his understanding that for family reasons a merger is not possible.

Judith Hollick stated that because of the terms of her father's will the lands cannot be merged.

Sylvia Baron stated that there is a parcel of land on Merritt Road which is an eyesore and that those owners do live on the land, whereas the Hollicks live elsewhere, and have improved the property. She stated that the Hollicks lands are well kept.

In response to an inquiry from a Committee member, John Hollick stated that the farm manager lives in St. Catharines.

In a response to a Committee member, the Director stated that any future landowner should know that when they are purchasing the lands that they are zoned for agricultural purposes only, however they could apply to have the APO removed. . . .

A Committee member stated that the APO zoning is a Planning sham and that consulting outside planners need to take some responsibility for what happens in this municipality. He stated that people are concerned about the number of severances that have been approved in the past.

Barb Wiens stated that since they have filed this application Regional Policy Plan Amendment No. 60 has been approved by the Ministry of Municipal Affairs, and therefore the subject lands will carry on under agricultural use for a long time. She stated that the Hollicks have shown their commitment to the agricultural use of the property.

In response to an inquiry from a Regional Councillor, John Hollick stated that they have 70 acres planted in grapes.

John Hollick stated that when they purchased the lands the houses were rented,

Ron Kantor stated that if this application is approved it will improve the agricultural yield of the property.

The Chairman then asked if there were any further comments or questions from the Public. There being no further comments or questions from the Public, the Chairman declared the Public meeting closed.

2. FILE 36-1 117) REGIONAL OBJECTIONS TO ZONING BY-LAW NO. 93-14-21

Glen Barker outlined the details of PDR 95-48. He stated that he has been in contact with Mr. Holmes in regards to his letter relating to the Rittenhouse Trust Lands. He stated that Mr. Holmes does not have any objections to the 15m rear yard for principle structures as long as

accessory buildings and parking can be put within the 15m rear yard setback. He stated that the Public Mtg. Minutes (95 02 13) Page 313

15m rear yard setback is intended to apply to principle structures. He stated that the Rittenhouse

Trust have no concerns one way or the other as to whether or not an ambulance service is or is not permitted on the subject lands.

Ken Forgeron stated that the request to increase the rear yard setback was because of the land use incompatibility between the chicken barn and the subject lands. He stated that the ambulance service is a concern because of the potential land use incompatibility with surrounding residential uses.

A Committee member stated that it is not necessary to provide a 45m frontage for a lot just to provide for a septic system. A Committee member stated that a septic system can be designed to accommodate a lot. In response, Ken Forgeron stated that the Health Services are of the opinion that larger frontages are required.

Tom Whitelaw stated that the Health Services also want a spare area for a second septic system if it is required in the future, and that when you take the existing septic system, plus a spare area, plus the setbacks from the property lines, you need a much wider lot.

Glen Barker stated that the reason the Health Services are requiring the larger frontages is because a lot of new homes that are being built are now much larger. He stated that there have been problems in areas with heavy clay.

In response to an inquiry from a Committee member, Tom Whitelaw stated that if someone cannot meet the 45m frontage requirement that they could apply to the Committee of Adjustment.

In response to an inquiry from a Committee member, the Director stated that by-laws have to be specific and that they can be lowered through a variance application, provided that you are compensating by increasing the lot area.

A Committee member expressed some concern that the chicken barn was expanded on a long weekend back in 1977 and that when the Town did take the landowner to court, they were fined \$2,200.

In response to an inquiry from a Committee member, Ken Forgeron stated that he was not aware of the situation of the illegal addition, however, the situation exists and there should be some sort of buffer between the two uses.

In response to an inquiry from a Committee member, Glen Barker stated that for institutional uses that are serviced by municipal water and sewers, the maximum lot coverage is 50%, whereas the proposed change from 20% to 15% is only for UnSe-iced areas.

The Chairman then asked if there were any further comments or questions from the Public. There being no further comments or questions from the Public, the Chairman declared the Public meeting closed.

3. FILE 10-19194 - ZONING BY-LAW AMENDMENT APPLICATION - DONALD STEWART, PT LOT 21. CON. 2. FORMER TOWNSHIP OF CLINTON

The Deputy Director outlined the details of PDR 95-46.

Gary Cook was in attendance in support of the application. Also in attendance was L. Vincic.

In response to an inquiry from a Committee member, Gary Cook stated that the lands are to be continued to be farmed as a mixed fruit farm. He stated that Mr. Stewart also owns the lands on the east side of Lincoln Avenue and that is where his house is located. He stated that he purchased the lands from his father. He stated that the APO is not something the owner likes but he realizes he has to live with it. He stated that for new applications, the APO is no longer an option. He stated that although the removal of the APO can be considered at a later date, there is no guarantee that approval will be granted.

The Chairman then asked if there were any further comments or questions from the Public. There being no further comments or questions from the Public, the Chairman declared the Public meeting closed.

SECRETARY CHAIRMAN

Prepared by: K. Dale, Deputy Director of Planning and Development

Dictation Date: 95 02 14

Circulation Date: 95 02 16

... .. , , Tuesday Feb. 14, 1995 COUNCIL CHAMBERS 7:30p.m.

Minutes of the Recreation & Parks Committee meeting held in the Council Chambers at Town hall on Tuesday, February 14, 1995 at 7:30 p.m. Present: Ald. H. Bald (Chairman), Mavnr R.A. Konkte. Ald. AGretsinger. Ald. D. Good, Ald. W. McMillan. Staff present were: , -- ---- ~.~ainman (Director of ~ecreation & Parks), and B. Urquhart (Facilities Manager).

DELEGATION

1. Maple Grove Public School

Lori Holditch and George Dykstra acted as spokespersons for the Parent Advisory Committee and handed out copies of a financial summary of the cost and proposed funding of the playground equipment for Maple Grove School. Also included in the

handout was correspondence from the Lincoln County Board of Education advising the Parent Committee that the Board of Education does not provide funds for playground equipment. Ms. Holditch then questioned Committee on the status of the motion that indicated that the Tom would finance 1/3 (one-third) funding in partnership with the

Lincoln County Board of Education and the Parent Advisory Committee.

Ms. Holditch also indicated that the Parent Advisory Committee feels that the Maple Grove Public School is not being treated in the same manner as other schools by the Town in regards to playground funding. She indicated that the Town in the past has not restricted funding for playground equipment at Vineland Public School, Jacob Beam Public School, and Senator Gibson Public School and that even though the Maple Grove Public School is smaller it should receive full funding like the other larger populated schools. George Dykstra advised Committee that the children have waited almost a year and that they should not have to wait much longer for financial support. Committee then took the opportunity to ask questions and also suggested that this funding issue should be brought by the Parent Advisory Committee to a meeting of the Lincoln County Board of Education Trustees for discussion. It was also suggested by Committee that the Board of Education should be taking some of the financial responsibility for the playground equipment as a part of their curriculum includes play and physical activities both inside gymnasiums and outside on the playfields and playground equipment. The Mayor also indicated that he would attend the Trustees meeting with the Parent Advisory Committee. He also provided some historical information on the playground installation at the Vineland Public School and also suggested ways that may reduce the cost involved. There was also discussion in regards to having a formula for a playground equipment funding developed. Mr. Wainman advised the group of some of the reasons why the Town funded other schools in the past, noting such items as: lack of parksites at the time and the heavy after hours community usage of the school sites chosen.

Moved by Ald. W. Macmillan. Seconded by Ald. D. Good THAT the Council of the Town of Lincoln approve the expenditure of a maximum of \$10,000. for installation of playground equipment at Maple Grove School; FURTHER THAT Town staff work in conjunction with the Maple Grove parents in arranging for cost saving measures for the Town's portion.

CARRIED

2. Victoria Tennis Club

The delegation was introduced and Ald. Gretsinger declared a possible conflict of interest and removed himself from the chambers. MaryLynn Scott and Eric Nauman were in attendance to speak on behalf of Victoria Tennis Club. Ms. Scott gave a brief overview of the club and outlined to committee some of the financial issues facing the club in order

for the club to continue its operation. The purpose of their appearance before committee was to ask the Town for financial support. They indicated that they would like to hire a tennis pro for a period this summer to develop some new programs and initiatives to create more interest and membership in the club. Mr. Wainman advised both the committee and delegation that the funding request should go through the grants process and invited the delegation to meet with him in the near future to discuss an application.

Committee members also discussed briefly the Rittenhouse trust and how it applied to the Tennis Club. (Redpark Min FebN5) -2-

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ACCOUNTS

A discussion in regards to annual budget statements being included in the committee agendas on a quarterly basis was suggested. Mr. Wainman advised that he would up on this issue.

Moved by Ald. A. Gretsinger. Seconded by Mayor RA. Konkle THAT department payments in the amount of \$34,466.25 incurred in accordance with Council Policy A-94-2 18 having been audited by Council.

CARRIED

REPORTS

1. W95-55 - Managing Municipal Alcohol Liability

Mr. Wainman advised committee that after reviewing information received by our insurance company that he felt the Town should take some immediate action in developing an alcohol management policy for the municipality. The committee discussed the issue and the information provided in the report and suggested that possibly the Association of Municipalities of Ontario should be dealing with this issue as well.

Moved by Ald. D. Good. Seconded by Ald. W. McMillan THAT the Recreation and Parks Committee recommend to Council that a meeting

be arranged with Frank Cowan Insurance to discuss the risk involved in the serving of alcohol and further that a staff committee chaired by the Director of Recreation and Parks and appropriate staff as directed by the Administrator develop a policy for management for the Town.

CARRIED

CORRESPONDENCE

1. Lung Association

Committee received a request from the Lung Association for the use of Charles Daley Park and Committee directed staff to obtain further information on this request.

2. Great Lakes Christian College

Request in regards to the use of the Beamsville arena.

Moved by Ald. A. Gretsinger, Seconded by Mayor RA. Konkle THAT the Recreation and Parks Committee

recommend to Council that the Great Lakes be allowed the use of the Beamsville arena at a rate of \$30.00 per hour for a tournament on Feb.8. 1995. -

CARRIED a

3. Jordan Lions Minor Hockey

Letter received complimenting the staff of the Jordan arena for the excellent service provided to the association during their annual Hoy Boy Tournament.

4. Kulawic Construction

Request for the use of washrooms and change rooms at the Beamsville arena to host a charity event for a resident with multiple sclerosis.

Moved by Ald. D.Good, Seconded by Ald. W.McMillan THAT the Recreation and Parks Committee recommend to Council that Kulawic

Construction be given the free use of the Beamsville arena washrooms and change rooms for their charity baseball tournament for the weekend of May 6th. 1995. CARRIED

OTHER BUSINESS

1. Kidney Foundation)1 The Chairman indicated that she has received a request from the Kidney Foundation LO allow them to hand out tags for a donation at the Jordan and Beamsville arenas during March break. (Redpark Min Feb195) - 3 -

Moved by Ald. AGretsinger. Seconded by Mayor RA. Konkte THAT the Recreation and Parks Committee recommend to Council that the Kidney

~undation be allowed to raise funds at the arenas during March tournaments.

CARRIED

2. Heart and Stroke Foundation

The Chainnan received idormation from the Heart and Stroke Foundation and asked staff to have the correspondence placed on the next Council agenda.

3. 1995 Budget Discussions

Mr. Wainman presented a list of some possible additions to the 1995 budget. He explained that the items were things that committee and st& had suggested they be included in budget discussions during the past year. He also noted that the inclusion of these items would result in the budget exceeding a zero percent increase. Committee noted that by staff presenting such a list that it allows committee to make decisions on what should or shouldn't be included in the budget presentation to the Council Budget

Committee. The committee then reviewed the list and asked staff to include the items for the March Recreation and Parks Committee budget review.

ADJOURNMENT

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

Chairman

(dictated 95-02-1 5)

Secretary Wednesday Feb. 15. 1995 BEAMSVILLE ROOM

6:30p.m.

Minutes of the Fire and Public Safety Committee meeting held in the Beamsville Room at Town hall on Wednesday. February 15, 1995 at 6:30 p.m. Present: Ald. W.McMillan

(Chairman), Mayor RAKonkle, Ald. A.Gretsinger, Ald. D.Good, Ald. ADanyluck,

Ald. R.Bilkszto. Staff present were: A.Buist (Chief Administrative Officer), and C.Rouse

(Fire Chief).

Captain T.Tallman and crew from Station #3 were present with the newest pumper in the fleet Unit F19 which was for committee's viewing on the way into the meeting. The

pumper was brought to the Town Hall for display purposes for committee members.

ACCOUNTS

Moved by Ray A.Konkle, Seconded by Ald. D.Good THAT department payments in the amount of \$21,297.65 incurred in accordance with Council Policy A-94-218 having been audited be ratified by Council. CmED

REPORTS

The Fire Chief gave a verbal report on upcoming issues of concern in the fire department. The issues the Chief brought forward at this meeting will result in future reports to committee. Topics were: future location for repeater tower, new hiring procedure policies for compliance with new legislation, defibrillators for medical assistance calls, future

compliance with zero percent budgeting, future direction of purchasing of equipment, continuing computerization of the fire department management. and new changes in the highway traMc act regarding green lights and identification stickers.

The Chief advised the committee members that the general overview of the department operations given at the Council orientation may not have been adequately served for questions and the Chief advised the members that if they had any questions or concerns

that he is always open and willing to address them.

FOR YOUR INFORMATION

1. Article Re: False Alarms

Circulated with the agenda was an article on false alarms from the M.F.P.A. Journal Jan/Feb 1995 issue. The article deals with concerns the fire service has on the growing amount of false alarms and it also addresses how some municipalities in North America are dealing with the growing number of false alarms. The Chief advised the committee that in past years Lincoln has had concerns regarding the unusual number of false alarms and the Lincoln Fire Department dealt with the issue through Maintenance Section of the Ontario Fire Code which has reduced the numbers in the Town of Lincoln.

2. Article Re: Litigation

The Fire Department circulated the article from the Ontario Association of Fire Chiefs. This article outlines the details of a lawsuit that occurred in the Province of British Columbia which involved Bell Canada and the Fire Department. The point of interest to the department and committee was the relationship between this article and past discussions that the committee has had regarding street

numbering, addressing and mapping. dl!

NEW BUSINESS

1. Firefighters Appreciation Night

Chairman W. McMullan gave a brief update of the Appreciation Night at Committee's recent meeting and circulated to the members a copy of those minutes and also advised that 8 each member of Council would be receiving personal invitations for this night.

2. Station #4 Re: Lincoln Library

Chairman McMullan requested the status of the Lincoln Library occupancy of Lincoln Station #4 and expressed his concerns regarding the future use of that space. It was noted at the meeting that the Lincoln Station #4 Firefighters Association had a request in writing to committee and Council for the future use of that space when unoccupied. (Fire Min. FeM95) -2- m 3, FYre Chief Re: Vehicle - Committee members also requested an update on the Fire Chief's usage of a municipal vehicle. The Chief advised the committee members that it was back to status quo with minor alternations to the vehicle.

4. Letter of Appreciation Re: Station #3

The Chairman and members of committee requested the Fire Chief send the appropriate letter of appreciation and thanks to the members of Lincoln Station #3 for attending with the new pumper for Council's viewing. There being no further business the Fire Committee adjourned approximately 7:30 p.m.

Secretary

(dictated 95-02-17) C-95- 61

February 15th, 1995

REPORT TO: The Chairman and Members of the Finance & Administration Committee

Kyle S. Kruger, Town Clerk

Correspondence, Committee's Meeting of February 15th, 1995

Ald. R. Bilkszto, Chairman and Committee Members:

The following is a summary of the correspondence for the Committee's meeting of February 15th, 1995, with staff recommendations.

1. Region of Niagara, highlights of Council meeting, January 5th, 1995. Reference to 1995 current budget overview and schedule to provide for consideration of the final budget at Regional Council, February 2nd, 1995. Reference to appointments to the Niagara Peninsula Conservation Authority. Reference to revised corporate purchasing policy developed as a result of a request by the Regional Auditors, the authority of various senior staff to incur expenditures on behalf of the Region was expanded to reduce the time lag in approving contracts and reduce administrative processes and paperwork. Reference to the Regional open house to be held Sunday, February 5th, 1995.

RECOMMENDATION: Receive and File

2. Jordan Historical Museum, Board Meeting, October 25th, 1994.

Reference to the need for volunteers in the gift shop. Reference to discussion of possible participation fees at Pioneer Day. Reference to interest in the position of bookkeeping and concerns expressed with the high cost of the required hours. Reference to the Christmas in Jordan program for next December and that this will be a joint project with the Merchants Association and Balls Falls. Reference to discussion on prices charged for students on class visits and final resolution that the rate for class group tours be set at \$1 per head. Reference to repaying the \$7,500 loan to the Town from the gift shop and needed discussions with Town staff on how to handle this account. Update on

Board talks with the Conservation Authority regarding the sharing of a Curator.

RECOMMENDATION: Receive and File

3. Jordan Historical Museum Board Meeting, September 28th, 1994.

Reference to update to Board members on meeting held with Town staff.

Reference to the Harvest Barbecue held and profits likely to exceed \$1,500. Reference to the Finance Committee and note that as at September 30th, the Town will no longer process Museum cheques.

Reference to \$18,380 in payroll outstanding with the Town and how it will be paid down. Indication of this will be caught up by April, 1995.

RECOMMENDATION: Receive and File - 4. Jordan Historical Museum Board Meeting, November 29th, 1994.

Reference to difficulties with furnace. Reference to long discussion on the state of the Museum's finances and discussion of the Museum's autonomy versus being a Department of the Town. Reference to indications from the Ministry which has indicated that sharing a Curator was not acceptable to them and reference to further follow-up on this matter. Further reference to the general financial situation of the Museum and note that a meeting will be set up with the Town as soon as possible.

RECOMMENDATION: Receive and File

5. Lincoln Public Library Board, meeting January 24th, 1995.

Reference to the Building Committee and next stage to complete the contract with the architect and begin the design phase for the new Branch. Reference to update from F.A.N.S., their progress, note that a logo has been designed and that a Corporate donations campaign has been launched with the local greenhouse growers. The campaign launch is scheduled for Monday, February 6th, at the Town Council meeting.

Reference to motion naming the new Branch of the Lincoln Public Library - "Moses F. Rittenhouse Branch". Further reference to fundraising and

identification that the fundraising will be for actual furniture and equipment in the new Branch. Further discussion of how donors will be recognized. Reference to the 1995 budget and Council's position on establishing a 0% budget increase. Reference to election of officers for the Board for 1995 including election of Sharon McMillan as Chairman.

RECO-U: Receive and File

6. Ministry of Municipal Affairs, release providing information regarding licencing and regulatory by-laws for adult entertainment parlours. The release notes that the Provincial Ministry of Consumer & Commercial Relations will be introducing new regulation under the Liquor Licence Act, prohibiting strippers under the age of 18, and Further the Ministry of the Attorney General will urge the Federal Minister of Justice to amend their Criminal Code of Canada to ban the employment of anyone under the age of 18 as a stripper. The release further asks for municipalities to assist in eliminating this activity.

It suggests that municipalities have the authority to pass by-laws to regulate adult entertainment facilities which can, among other things, prohibit anyone under the age of 18 from entering the premises. The release provides a model by-law and guidelines as an example of what can be done. However, it further suggests legal advice should be sought before deciding to proceed. The guidelines provided also do point out that municipalities must be cautious not to exceed their authority in the provisions included in any such by-laws.

RECOMMENDATION: "That the suggested licencing by-law for adult entertainment parlours as submitted by the Ministry of Municipal Affairs be further reviewed by staff in conjunction with other Niagara Region Area Municipalities and that upon such detailed review, a

further report be submitted for consideration".

* 3 7. Town of Fort Erie, letter October 25th' 1994, respecting licencing and regulation of exotic dancers and adult entertainment parlours. The letter advises of motion of Council of the Town of Fort Erie urging the Province of Ontario to legislate province wide for licencing and regulation of exotic dancers, owners and operators of adult

entertainment parlours. Also included is Council's support of a Regional approach to the licencing and regulating of this type of business with other area municipalities and the Police Services Board with a view of contracting the licencing, regulating and enforcement services to the Police Services Board.

RECOMMENDATION: "That the Town of Lincoln support the resolution of the Town of Fort Erie respecting licencing and regulation of exotic dancers and further that the Clerk participate in discussions with other area municipalities to establish a uniform by-law with administration and enforcement to be contracted to the Police Services Board".

8. Region of Niagara, letter of January 6th, 1995, advising of appointments to the NPCA for the 1994 to 1997 term. Note that Margaret Reed has been appointed as the Town's representative.

-: Receive and File

9. Federation of Canadian Municipalities, notice of 1995 FCM annual conference to be held in Toronto, June 9th - 12th, 1995.

RECOMMENDATION: Receive and File

10. City of Orillia, notice of Ontario Small Urban Municipalities Conference, May 3rd to 5th, 1995.

-: Receive and File

11. Ministry of Municipal Affairs, letter December 5th, 1994, advising of press release respecting Municipal unconditional grants for 1995.

The Press Release indicates that the Minister of Finance announced that major transfer payments for 1995/96 including unconditional grants to municipalities will be maintained at the same level as the previous year.

RECOMMENDATION: Receive and File

12. Province Of Ontario, Rental Housing Protection Program, letter December 30th, 1994, advising of two recent laws passed affecting certain types of residential accommodation. The notice advises that Bills 21 and 120 came into force proteking mobile home park, land lease community, and care home accomodations under the Rental Housing Protection Act. The explanation indicates that the Rental Housing Protection Act prohibits removal of rental accomodation from the rental market, unless it has been approved by a Municipal Council, under a process set out under the Act. The process includes applications to the Town through the Clerk, public meetings, and a final decision by Council which in turn can be appealed to the OMB. Once the application has been approved and conditions met, the Clerk is

responsible to issue a Certificate of Approval, which is required prior to any construction or demolition permits, minor variances, consents, etc., on the real property. Secondly, Bill 21, The Land Lease Statute Law Amendment Act, extends the protection of the Rental Housing Protection Act to mobile home parks and land lease communities. It is now necessary for the landlord of a mobile home park with five rental sites or more, to obtain approval from a Municipal Council before any rental sites or homes, parks services, structures, or infrastructure can be removed. The Bill also introduces changes to the Landlord and Tenant Act, dealing with community rules and tenants rights to sell their mobile hornelland lease community home or sublet their sites.

RECOMMENDATION: "That Council receive the information respecting the Rental Housing Protection Act and the Land Lease Statute Law Amendment Act, and that the Clerk co-ordinate any necessary policies and procedures with the CBO and Director of Planning".

13. Association of Municipalities of Ontario, update of AMO achievements in 1994 and workplan for 1995. The release reviews notable successes of AMO in 1994 including the development of the Tripartite Infrastructure program, enriched general welfare assistance to certain municipalities, two year extension in funding for the municipal Blue Box programs, ensurance that unconditional transfers for the upcoming year will not be further reduced, convincing MTO not to proceed with major reductions in Municipal road grants, substantial changes to Bill 163 most notably amendments including limitations on

Provincial Authority to intervene in Planning decisions and completion of AMO's paper for a proposed Bill of Rights for Local Government. The release also notes AMO's policy workplan for 1995 to (a) advance a Municipal Reform agenda to create a legislative base that secures Municipal Government the autonomy and independence to be more responsive and flexible to deal with modern changes; (b) examine workplace management and administration in Municipal Sector to promote Municipal interests and rights issues including reform of collective bargaining and interest arbitration in the Municipal Sector, amendments to the Police Services Act, Social Contract implementation and transition and Fire Services Act review; (c) put forward Municipal options for health and social services; and, (d) establish partnerships to achieve planning and environmental objectives.

RECOMMENDATION: Receive and File

14. Camp Dorset, campaign office, letter January 10th, 1995, regarding its Variety Extravaganza 95. The letter indicates that Camp Dorset will be hosting their first annual event, February 19th, at Sir Winston Churchill School, and notes that the proceeds from the variety show go towards the maintenance and operation of Camp Dorset a camp for kidney dialysis patients. The letter asks that Council consider placing an advertisement in the souvenir program handed out free of charge to all of those attending the variety show. Costs range from \$50 to \$300.

RECOMMENDATION: Receive and File - 5 15. Regional Municipality of Niagara, highlights of its meeting,

February 2nd, 1995. Reference to Council approval of the 1995 Current budget with an increase in the tax levy of 2.78%. Also reference to direction to Regional staff to prepare necessary reports regarding implementation of a corporate records management system, communications strategy, alternatives for the provision of child care spaces in centres and homes, the purchase of services, review of the permissive grant policy and costs and benefits of developing and implementing an economic strategy for the Region. Reference to roadway improvements and approval of Phases 1 and 2 of the Class Environmental Assessment for roadway improvements in the area of Regional Road ~0.81 and Regional No.18 and Queen Street in the Town of Lincoln. Further note that the 1992 Transportation Study carried out for the Town of Lincoln identified a number of deficiencies in the area with respect to the intersection geometry and operation. Note that the purpose of the Environmental Assessment is to develop alternatives for consideration before concluding a design and construction strategy.

RECOMMENDATION: Receive and File

16. Ministry of Citizenship, letter, January 11th, 1995, inviting nominations for the 1995 Volunteer Awards offered annually for contributions in the field of volunteerism. Nominations must be submitted by non-profit organizations and must be postmarked no later than March 1st, 1995.

-N: "That the information regarding the 1995 volunteer awards be placed in the Council Library for review of members of Council and potential nominations".

17. Consumers Gas letter, January 20th, 1994, providing a copy of their 1994 annual report.

RECOMMENDATION: Receive and File

18. Consumers Gas, notice to all municipalities providing notice of its application to the Ontario Energy Board respecting rates for 1997.

RECOMMENDATION: Receive and File

19. Region of Niagara, Council highlights of its meeting, January 19th, 1995. Reference to National Non-smoking week and slogan for this year to "stop industry from selling cigarettes to kids". Reference to new 100 bed long term care facility in Welland. Reference to the tender fruitland program and information from a delegation from Niagara which had met with Ministers Buchanan and Philip to discuss the program. Reference to the Niagara Strategic Plan and the summary - document for the Niagara Management System inviting employee feedback on the strategic plan.

RECOMMENDATION: Receive and File 20. Lincoln LACAC, minutes of its meeting of December 1st, 1994. Reference to three designations proceeding and advertised in the local newspaper. Reference to the Beamsville & District Lions community park Master Plan and the inclusion of the historic barn on that site. Note that a delegation will attend a upcoming Parks & Recreation committee meeting regarding the issue.

RECOMMENDATION: Receive and File

21. Lincoln LACAC, minutes of meeting, December 15th, 1994. Reference to further information on the Grobb Barn at the Beamsville & District Lions Sports Park. Reference to possible establishment of large Town map indicating homes, farms, schools, churches, etc., and for highlighting especially designated buildings and locating such a map perhaps somewhere in the Town Hall.

RECOMMENDATION: Receive and File

22. Association of Municipalities of Ontario, membership renewal notice for 1995. The notice highlights that for the third consecutive year, there will be no increase in AMO's fees. Accompanying the notice is the 1993/94 AMO annual report.

RECOMMENDATION: "That the issue of membership fees in the Association of Municipalities of Ontario, be included in the draft 1995 budget for Council's consideration, and further that the 1993/94 AMO annual report be placed in the Council Library for information.

23. Ministry of Health, notice January 23rd, 1995, providing a copy of its draft policy document titled "Wellness and Long Term Care, a Draft Framework". The Province has released the document to obtain comments and reaction from District Health Councils, placement Co-ordination Services Agencies, homecare programs, long term care facilities, Regional Public Health units and other local agencies and organizations interested in responding.

RECOMMENDATION: "That the draft framework "Wellness and Long Term Care" be placed in the Council Library for information".

Reviewed by.

Chief Administrative Officer -

Prepared on Feb. 1995

Respected by Littered, Lincoln Chambers

February 15th, 1995

Minutes of a meeting of the Finance & Administration Committee held in the Lincoln Chambers on Wednesday, February 15th, 1995, at 7:30 p.m.

Present were: Ald.R.Bilkszto (Chairman), Mayor R.Konkle, Ald.D.Good, Ald.A.Gretsinger and Ald.W.MacMillan. Also present: Ald.A.Danyluck. m Staff present: A.Buist (Chief Administrative Officer), K.Kruger (Town Clerk) and D.Bakker (Treasurer) .

&COUNTS

Moved by Ald.D.Good, Seconded by Ald.W.MacMillan

THAT Department payments in the amount of \$220,936.77 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council. **CARRIED**

REPORTS

FIN-95-49, STATEMENT OF REMUNERATION AND EXPENSES PAID TO COUNCIL, 1994

Committee members discussed the report and the types of payments included in the summary. There was note of the items included in the reimbursement section of the statement.

Moved by Ald.A.Gretsinger, Seconded by Mayor R.Konkle (FIN-95-49)

That the itemized statement of the remuneration and expenses paid to each member of Council for 1994, prepared by the Treasurer in order to satisfy the requirements of the Municipal Act, be received for the information of Council.

CARRIED

FIN-95-50, 1995 REIMBURSABLE MILEAGE RATE

Moved by Ald.D.Good, Seconded by Ald.W.MacMillan (FIN-95-50)

1. That the 1994 Town of Lincoln Mileage report be received for the information of Council.

2. That the reimbursement rate to Lincoln employees who use their personal automobiles on Town business be established at 27 cents per kilometre effective January, 1995.

CARRIED

FIN-95-51, YEAR END TRANSFERS TO SUPPORT FINANCIAL STATEMENTS, DECEMBER 31ST, 1994

The Treasurer highlighted the report, noting the financing for the various drainage works. Committee members reviewed the information and the options available. Questions were raised regarding fees for supplementary assessments billed by the Provincial Assessment Office.

The Treasurer advised of the accounting received in support of such fees and the checks carried out by the Town.

Moved by Mayor R.Konkle, Seconded by Ald.A.Gretsinger (FIN-95-51)

1. That the 1994 report on year end transfers be received for information.

2. That the transfers as noted in this report be approved by Council and be appropriately recorded in the 1994 financial statements.

CARRIED

BDR-95-29. JANUARY BUILDING REPORT

Moved by Ald.A.Gretsinger, Seconded by Mayor R.Konkle (BDR-95-29)

That the January Building report as submitted by the Chief Building Official, be received for the Committee's information.

CARRIED 0

2. FARM PRACTICES EDUCATION COMMITTEE

Committee members discussed whether interviews should be held with all applicants prior to making appointments to this committee. There was discussion and concern over the lack of applications from non-farm residents. 4 (Finance, Feb. 15/95) -2-

Moved by Ald.W.MacMillan, Seconded by Ald.D.Good

Re: Farm Practices Education Committee

Council delay appointment of farm residents to Farm Practices Education Committee until applications from non-farm residents are received from an additional Post Express advertisement. When names are received, farm and non-farm residents will be interviewed by a committee of Council.

CARRIED

Moved by Ald.W.MacMillan, Seconded by Ald.D.Good (C-95-59)

That staff obtain at least three written quotations for janitorial services for the Town Hall and the three Library Branches based on the 1 current specifications and scope of work and proceed with the lowest quotation received.

CARRIED

Committee members entered into discussions regarding Bill 163 and the required processes and procedural by-laws under that Act. Concerns were expressed that any procedural by-law finally adopted should not unduly restrict Council. Members of Council also raised questions regarding Bill 104, respecting vital services and what municipal responsibilities would be under this Act. Committee members further discussed the Conflict of Interest provisions in Bill 163 and expressed concerns that the new rules would restrict the abilities of Council members to act on behalf of their constituents.

Moved by Ald.D.Good, Seconded by Ald.W.MacMillan (C-95-56)

1. That this report be received for information,

2. That the portion of Bill 163 respecting the Local Government Disclosure of Interest Act be circulated to all members of Council.

3. That the Clerk be directed to prepare a draft municipal procedural by-law for the committee's consideration in accordance with Section 51 of Bill 163.

4. That the Clerk be directed to prepare a draft procedural by-law respecting the disposal of municipal property in accordance with

Section 55 of Bill 163.

CARRIED

ELECTRONIC FILING SYSTEM

The CAO reviewed the report highlighting the advantages of the proposed system, particularly that of administration efficiency and data security. There was discussion of the research which has been carried out in the municipality for a number of years and the new level of technology and reduced prices. Committee members inquired as to what the projected implementation time would be. The CAO suggested that a minimum of 6 months would be required before the system would be substantially in place. Committee members discussed the various possible uses and spin-offs of such a system. Committee members raised questions regarding whether this purchase should proceed now or whether it should await final approval of the capital budget. The Treasurer noted that the draft capital budget as presented to Council in October of 1994 included licence fees respecting the existing accounting computer system which have now eliminated. Therefore this acquisition would not affect the expenditure level already approved.

Moved by Ald.A.Gretsinger, Seconded by Mayor R.Konkle
(A-95-53)

That funds in the amount of \$20,000 be included in the 1995 capital budget account number C-121-0000-3118, and

That approval be given to proceed immediately with the acquisition of * L - the proposed electronic filing system.

CARRIED

Committee members generally discussed advantages and disadvantages of both elections by ward or at large. 4 (Finance, Feb. 15/95) -3-

There was further discussion of the need for public input on items including the preferred system and number of aldermen prior to any decision to maintain the current structure. It was generally agreed that a reorganization of the ward boundaries at least needs to occur but that public input should be obtained prior to any final decisions.

Moved by Ald.W.MacMillan, Seconded by Ald.D.Good

Re: Ward Boundaries

That Council consider the organization of the Town Council. The Town Council to convene a public meeting for input on this issue - items to be discussed: wards - how many?, "ward" or "at large", ward boundaries to reflect population numbers, number of aldermen, title to be confirmed on Town Council member. **CARRIED**

ENTRANCE

Committee members raised questions regarding options reviewed and also raised questions regarding budgeting.

Moved by Mayor R.Konkle, Seconded by Ald.A.Gretsinger
(A-95-58)

That the Finance & Administration Committee recommend to Council that \$15,000 be included in the 1995 capital budget for the construction and installation of a vestibule to be located at the Council Chambers entrance to Town Hall, and further that the vestibule on the front (north) doors be repaired.

CARRIED

COUNCIL LIBRARY

Committee members discussed the amount of use of the Council Library and the extent of any renovations required. There was discussion of some specific changes required and also a suggestion that the area be made more of an information resources centre for Council. .,

Moved by Ald.D.Good, Seconded by Ald.W.MacMillan
(A-95-60)

That the Finance & Administration Committee recommend to Council that \$3,000 be included in the 1995 Council operating budget for the refurbishing of the Council Library.

CARRIED

SUMMARY OF CORRESPONDENCE

Moved by Ald.W.MacMillan, Seconded by Ald.D.Good
(C-35-61)

That the summary of correspondence report as submitted by the

Clerk, be adopted, and the recommendations contained therein be approved and acted upon.

CARRIED

Committee members reviewed a proposed list of 1335 administrative goals as submitted by the CAO. The CAO asked for any input for different or additional goals which should be added to the list.

1395 STATUTORY HOLIDAYS

The CAO submitted a list of the 1335 statutory holidays noting that Remembrance Day, 1335, falls on a Saturday, and it is therefore suggested that in order to keep the offices open that a "floater" day be used instead. *

(Finance, Feb.15/95) -4-

NOTICE OF NEW BUSINESS

POST EXPRESS. 100 YEAR ANNIVERSARY ISSUE

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

Re: Post Express, 100 Year anniversary

That this Committee recommend to Council that the Council of the Town of Lincoln participate in this anniversary issue by:

1. Each Alderman contributing \$30 towards the cost of having their picture and small write-up being put in this issue.
2. The Town purchase the balance of the page and a suitable picture(s) write-up for this 100 year issue.

CARRIED

ADJOURNMENT

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

I CHAIRMAN

(Dictation Date: Feb.16/95)

SECRETARY (Council, Feb.20/95) -2-

Moved by Ald.R.Bilkszt0, Seconded by Ald.A.Danyluck

Re: letter of credit/Meadowood

That the Council of the Town of Lincoln support the Director of Public Works' recommendation regarding the letters of credit for Meadowood subdivision.

CARRIED

JOHN HOLLICK

Mr.Hollick was present regarding Report PDR-95-39, as contained in the Planning & Development Committee minutes of February 13th, 1995. Mr.Hollick expressed opinion that there were a number of errors in the staff report and the Committee made its decision on incorrect information. Mr.Hollick emphasized that they are full time farmers and further that their application would comply with the surplus dwelling provisions allowed. Mr.Hollick further suggested that they have been discriminated against by the Town and asked that Council either overturn the recommendation of the Planning & Development Committee or refer it back for further information.

YASTE UASAGEMENT TASK FORCZ

Moved by Ald.D.Good. Seconded by Ald.H.Bald - - That the Waste Management Task Force minutes of February 2nd, 1995, be adopted.

CARRIED

PUBLIC WO

Moved by Ald.H.Bald, Seconded by Ald.D.Good

That the Public Works Committee minutes of February 8th, 1995, as amended, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

PUBLIC MEETING

In response to questions from members of Council, the Director of Planning & Development expressed opinion that the Hollick application as considered does not comply with the Town or Region's Official Plan policies or their intent with respect to the surplus dwellings and agricultural purposes only designations.

Moved by Ald.A.Gretsinger, Seconded by Ald.W.MacMillan

That the Public Meeting minutes of February 13th, 1995, be adopted.

CARRIED

PLANNING CO-E

Members of Council were made aware of the letter dated February 20th, 1995, and received the same day from Mr. Ronald Kanter, Solicitor for Mr. & Mrs. Hellick.

Moved by Ald. A. Gretsinger, Seconded by Ald. W. MacMillan

That the Planning Committee minutes of February 13th, 1995, be adopted, and the recommendations contained therein be approved and acted upon, further that the letter received February 20th' 1995, from Ronald Kanter on behalf of the Hollicks be received. CARRIED

Ald. A. Gretsinger declared an interest relating to the issue of the Victoria Tennis Club, as contained in these minutes. Ald. Gretsinger subsequently left the Chambers, and did not participate in any discussion or vote on any resolution concerning this matter.

Committee members entered into discussion regarding playground equipment at Maple Grove School. Concerns were expressed with setting a precedent. It was suggested that equipment was installed on other school properties where there was a joint use agreement, in recognition of use of the grounds after hours by the public. Lincoln Chambers

February 20th, 1995

The Council of the Town of Lincoln met in regular session on Monday, February 20th, 1995, at 7:30 p.m., in the Lincoln Chambers. All members of Council were present, except Ald. B. Culp and Ald. R. Kelly, and the meeting was chaired by Mayor R. Konkle. Staff present: A. Bui (Chief Administrative Officer), K. Kruger (Town Clerk), D. Bakker (Treasurer), C. Held (Director of Planning), and D. Wainman (Director of Recreation).

ADOPTION OF MTWJTES

Moved by Ald. A. Gretsinger, Seconded by Ald. W. MacMillan

THAT the minutes of Council's regular meeting of February 6th, 1995, be adopted as circulated. CARRIED

DELEGATIONS

Ms. Holditch was present regarding a request for funding for playground equipment at the Maple Grove School grounds. Ms. Holditch discussed the steps taken by the involved parents to date and noted that funding is not available through the School Board except through borrowing from funds already budgeted for other items at the School. She also noted the fundraising efforts undertaken to date and reactions from local Service Groups. Ms. Holditch asked that the Town review its previous resolution whereby it would match the School Board contribution since the Board has indicated it will not provide assistance. She further noted that they had requested a grant of \$10,000 with no stipulations at the recent Recreation & Parks Committee meeting.

NIAGARA COUNCIL ON SMOKING AND HEALTH

Ms. Linda Rix and Ms. Robin Schroeder were present representing the Niagara Council on Smoking and Health regarding the local Tobacco Control Act. The delegation distributed a handbook entitled "Local Tobacco Control, the Facts and Issues", and reviewed the information contained including background on the issue, health effects of second hand smoke, liability, tobacco control by-laws and effects on business. Members of Council discussed tobacco control and opinion was expressed that the Town should take the step to be smoke free however it was suggested that industry will accommodate the wishes of the public on its own.

Moved by Ald. R. Bilkszto, Seconded by Ald. H. Bald . Re: Tobacco Control

That the Town of Lincoln declare Town Hall a smoke free building.

Further, that the Clerk prepare a report for the April Finance & Administration Committee with recommendations, re: local tobacco control

CARRIED

EZS GONYOU. MEADOWOOD ESTATES SUBDIVISION

Mr. Gonyou was present, representing Meadowood Estates subdivision with regard to a report considered by the Public Works Committee regarding reduction in their letters of credit. He noted that according to the Public Works Committee minutes, there was concern about dust and debris in the subdivision. Mr. Gonyou distributed photos taken of the subdivision and suggested that committee members were thinking of a neighbouring development

to the south which has had some difficulties. He stressed that this is a separate development out of the control of Landcorp. He asked that Council not ratify the decision of the Public Works Committee and instead, implement the staff recommendation. Members of Council discussed the difficulties with the area in question. In response to questions from members of Council, Mr.Gonyou confirmed that all primary services were installed in the Meadowood Estates subdivision.

Moved by Ald.H.Bald, Seconded by Ald.R.Bilkszto

That Report PWD-95-30, be lifted from the Public Works Committee meeting minutes of February Bth, 1995, for consideration at this time
CARRIED (Council, Feb.20/95) -3-

.n response to questions from members of Council, the Director of Recreation 10 Parks outlined the reciprocal agreements with some schools. Further concerns were expressed by members of Council that the degree of usage after school hours is a consideration. It was also suggested that the School Board must also take some responsibility for the provision of playground equipment. Other opinion was expressed that in any presentation to the School Board as is being suggested, the group will need the backing of the Town. It was also suggested that there must be a policy in place regarding these type of applications. Other opinion was expressed that substantial funds have been raised by the Maple Grove School parents and it was questioned what amount of input was received from the other schools who received equipment. It was generally agreed that the Town does want to give some support however there needs to be a policy in place prior to any commitment of funds.

Moved by Ald.H.Bald, Seconded by Ald.R.Bilkszto

Re: Town grants policy

That the motion of MacMillan and Good be deferred.

That Mayor Konkle attend the March 28th Board of Education meeting, as a delegation and support the Maple Grove parents in their endeavours to solicit funding for playground equipment.

That the Administrator, Parks & Recreation Director and Chairman prepare a letter to be sent to the Board of Education for the March 28th meeting, outlining the Council's concerns regarding their position on playground funding and explaining the Town's dilemma regarding being requested to fund equipment on non-Town owned properties.

That, based on information received following the March 28th meeting, and response to the above mentioned letter, the Director of Recreation & Parks be directed to prepare an amendment to the Town's grants policy to include a section regarding playground equipment funding on non-Town owned properties.

CARRIED

Moved by ALd.D.Good, Seconded by Ald.H.Bald

That the Recreation & Parks Committee minutes of February 14th, 1995, as amended, be adopted, and the recommendations contained therein be approved and acted upon.

CARRIED

Moved by Ald.W.MacMillan, Seconded by Ald.A.Gretsinger

That the Fire Committee minutes of February 15th, 1995, be adopted and the recommendations contained therein be approved and acted upon. a

CARRIED

-STRATION COMMITTEE

Members of Council discussed the need for renovations in the Council Library and the extent required.

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

That the amount budgeted for the Council Library be reduced to \$1,000.

Further, that no filing cabinets be installed.

CARRIED

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

That the Finance Committee minutes of February 15th, 1995, as amended, be adopted, and the recommendations contained therein be approved and acted upon.

CARRIED

BD- -2 -a

A Moved by Ald.W.MacMillan, Seconded by Ald.A.Gretsinger (BDR-95-42)

That the street name "Poplar Drive" for the proposed Hillview Estates and Highland Estates subdivision be changed to "Stadelbauer Drive".
That the proposed new street to be constructed in the industrial park, be named "Delta Way".

CARRIED (Council, Feb. 20/95) -4-

CONFIRMATION OF COMPLIANCE WITH ZONING ACT

Moved by Ald. W. MacMillan, Seconded by Ald. A. Gretsinger

That Council has considered the requirements of Paragraph 17 of Section 34 of the Planning Act, R.S.O. 1990, and concludes that no further notice of public meeting is required in the matter of the following proposed amendments to Zoning By-law Nos. 78-85 and 93-14-2 1:

(a) No. 95-23-Z 92, to amend Zoning By-law No. 93-14-Z 1, as amended of the Town of Lincoln (General Housekeeping).

(b) No. 95-24-2 93, to amend Zoning By-law No. 93-14-2 1, as amended of the Town of Lincoln (Rittenhouse Trust lands).

(c) No. 95-25, to amend Zoning By-law No. 78-85, as amended of the Town of Lincoln (Stewart).

(d) No. 95-26-2 94, to amend Zoning By-law No. 93-14-2 1, as amended of the Town of Lincoln (Stewart).

CARRIED

I

BY-LAWS

INTRODUCTION OF BY-LAWS

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

That leave be given to introduce the following by-laws:

(a) No. 95-23-Z 92, to amend Zoning By-law No. 93-14-Z 1, as amended of the Town of Lincoln (General Housekeeping).

(b) No. 95-24-2 93, to amend Zoning By-law No. 93-14-Z 1, as amended of the Town of Lincoln (Rittenhouse Trust lands).

(c) No. 95-25, to amend Zoning By-law No. 78-85, as amended of the Town of Lincoln (Stewart).

(d) No. 95-26-2 94, to amend Zoning By-law No. 93-14-Z 1, as amended of the Town of Lincoln (Stewart).

(e) No. 95-27, to exempt certain lands in Registered Plan 30M-212 from Part Lot Control pursuant to Section 50 of the Planning Act.

(f) No. 95-28, to authorize acceptance of an easement agreement from the Niagara North Condominium Corporation No. 61.

(g) No. 95-29, to amend By-law No. 79-86, being a by-law to establish the composition and remuneration of the Lincoln Hydro Electric Commission.

(h) No. 95-30, to authorize execution of a pipe crossing agreement with the Canadian National Railway Company.

CARRIED

Moved by Ald. A. Gretsinger, Seconded by Ald. W. MacMillan

That By-law NOS. 95-23-2 92, 95-24-2 93, 94-25, 95-26-2 94, 95-27, 95-28, 95-29 and 95-30, read a first time, be now read a second and third time and finally passed, and that the Mayor and Clerk sign and seal the said by-laws.

CARRIED

APPLICATION FOR LOTTERY LICENCES

Moved by Ald. W. MacMillan, Seconded by Ald. A. Gretsinger

That the following lottery licence applications be approved:

(a) St. Catharines General Hospital Foundation (Nevada), total value of prizes: \$19,200.

(b) Optimist Club of Jordan/Vineland (Nevada), total value of prizes: \$6,400.

CARRIED

1. Heart & Stroke Foundation, re: Ride for Stroke. R&F

SPORTS PARK

Concerns were expressed regarding the minutes of the Beamsville & District Lions Club, respecting the Sports Park. It was suggested that it must be made clear that Council has approved a concept plan and that some of the items being discussed are not yet approved and will need Council approval. It was suggested that items such as irrigation, showers and so on should be reviewed by Council. *

(Council, Feb.20/95) -5-

Concerns were expressed regarding having available secured mailboxes for members of Council for confidential items. There was discussion of the budgeted amount and the requirements for the room.

LANDLORD TENANT ACT

Members of Council were reminded of an information session being held at the Town Hall, February 28th, 1995, regarding tenant rights and landlord obligations.

Moved by Ald.A.Danyluk, Seconded by Ald.H.Bald

That Council adjourn to closed session to consider legal issues.

CARRIED

Following discussion in closed session, Council reconvened

Moved by Ald.A.Gretsinger, Seconded by Ald.W.MacMillan

That Council authorize the Town Solicitor, Stuart Ellis, to retain

Gardiner, Roberts, Barristers & Solicitors, for the u~comina Ontario 2 *
Municipal Board Hearing, respecting the Lincoln Hydro Electric Commission,
boundary adjustment.

CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned.

(Dictation Date: Feb.21/95) GENCOR CONTRACTING (NIAGARA) LTD.

2129 Portage Road, Niagara Falls, Ontario, UE 654

Phone (905) 374-7788 Fax (905) 354-7654

February 20, 1995

Mr. Geoff Holman, Director of Public Works

Town of Lincoln

4800 South Service Road

Beamsville, Ontario .

LOR 180

Re: Reconstruction of West Avenue and Park Avenue

Contract 94-0519

Dear Sir:

We received today via fax, a copy of your report to the Public Works Committee for the tender results on the above project.

We strongly object to your recommendation to award the contract to the next lowest tender. .

We, Gencor Contracting, responded to your advertised Public Tender and qualified in every aspect. The Contract Documents did not specify that prior work experience within the municipality was a prerequisite of the tender.

Gencor Contracting has successfully completed larger and more complex projects in other municipalities within the Region of Niagara.

The minimal difference in the two lowest tender prices does not provide just cause for your recommendation.

We provided a bona fide tender, on this basis and the above explanations we urge you reconsider your report to the Public Works Committee, and recommend that the contract be awarded to Gencor Contracting.

Yours very sincerely

A

Ross Di Paolo, President

c.c. Lord Mayor Ray Konkle, Mr. Brian Culp, Mrs. Hillary Bald, Mr. Bob Kelly, Mr.

Alvin Danyluk, (Public Works Committee) McKAY, HEATH, MARSHALL & GAJER

Barristers and Solicitors

ELSON A. MCKAY, Q.C. PAUL R. HEATH

MARSHALL JAMES W. CAJER

BEV J. HODGSON

4673 ONTARIO AVENUE

DOWNTOWN EAST PO BOX 23001

NIAGARA FALLS, CANADA

L2E 714

February 21, 1995.

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DELIVERED

LORD MAYOR RAY KONKLE and

MEMBERS OF COUNCIL
TOWN OF LINCOLN
4800 SOUTH SERVICE RD
BEAMSVILLE ON LOR 1BO

Dear Sirs:

Re: Contract 94-0519

Reconstruction of West Avenue & Park Avenue

We represent the firm of Gencor Contracting (Niagara) Ltd. A public tender dated February 1st, 1995 was advertised by the Town of Lincoln for open bids covering proposed construction work on Contract PWDIE #95-64. On review of the tender request from the Town of Lincoln, there was no limitation set as to who may/may not tender. In particular, there was no mention that tenderers had to have previous contract experience with the Town before a tenderer will be approved.

Our client has been advised that it submitted the lowest bid when tenders were opened on February 13th, 1995. Now our client has been told by Mr. Geoff Holman that, although the town's professional engineers have approved Gencor's professional qualification to perform the work, the Town is requested to discriminate against Gencor on the sole point that the Town has not previously directly worked with Gencor on any Town projects.

Such blatant discrimination will not be tolerated by Gencor. It offends the right to openly compete in the market place on grounds that are specious and offensive to fair commerce.

On behalf of Gencor Contracting (Niagara) Ltd., we demand that Council give fair acceptance to Gencor's fair bid, and to exercise its public mandate for fairness in municipal administration by ignoring the biased request to show preference in the suggested manner.

In the event that Council proceeds to award this contract by adopting the policy of a "hidden" restriction to award on the basis of limiting it to those bidders who have already received contracts in past, Gencor shall seek equity and relief by litigation.

We sincerely request that Council reconsider the matter and award only based on the tender criteria which were met by Gencor.

Yours faithfully,

McKAY, HEATH, MARSHALL & GAJER

LB.

C.

cc: GENCOR CONTRACTING (NIAGARA) LTD.

Attention: Mr. Ross DiPaolo, President. February 21, 1995

NIAGARA CONSTRUCTION
ASSOCIATION

%A rs3 34 Scott Street St. Catharines, Ontario UR W TEL 682-6661
IC? FAX 68&5029

Mr. Geoff Holman, C.E.T.

Director of Public Works

The Corporation of the Town of Lincoln

4800 South Service Road

Beamsville, Ont.

LOR 101

Dear Mr. Holman:

Re: Project PWDR #95-64 West Avenue/Park Avenue Municipal Services Replacement
Gencor Contracting (Niagara) Ltd., who is a member of Niagara Construction Association, has contacted us regarding your proposed recommendation to your Council that the above contract be awarded to Niagara Excavating Limited, who was the second lowest bidder, based upon the fact that Niagara Excavating Limited has previously completed projects for the Town of Lincoln.

It is our understanding that the tender documents did not specify that preference would be given to a contractor who had previously completed projects for the Town of Lincoln. We have noted that Ashenhurst Nouwens Limited reviewed the tender submissions and it was their opinion that Gencor Contracting (Niagara) Ltd. was qualified to perform this contract.

Considerable time and expense is spent in preparing a tender which Gencor Contracting (Niagara) Ltd. submitted in good faith.

We are requesting that you reconsider your report to the Public Works Committee

and recommend that the contract be awarded to the lowest qualified bidder, which is the standard practise of the construction industry. We would like to refer you to Document CCDC 23 "A Guide to calling bids and awarding contracts", a copy of which is attached.

DENNIS R. KOWALCHUK
PRESIDENT

c.c. Lord Mayor Ray Konkle, Mr. Brian Culp, Ms. Hillary Bald, Mr. Bob Kelly, Mr. Alvin Danyluk February 22, 1995

Mayor Konkle, Chairman Culp and Members of the Public Works Committee a

I am here to object to the positioning of the eastern extension of Glenbrook Dr. as shown on Schedule B of Mr. Holman's report. If the road is built as shown it will result in the destruction of a line of trees and landscaping on the south side of the existing roadway.

First I would like to tell you the history of our property and the trees in question. . When we bought the lot in 1958 it was an orphan, because it

had road allowance on three sides. The west side faced the sub-division, the north side faced a farm, and the east side faced bushland.

In order to place our proposed house properly on the site, I asked permission from Louth Twp. Council to build close to the

east lot line. They said they would never contemplate building a road down that decline, so go ahead and build close to the line and make use of the road allowance for anything but building. I did that and placed the corner of my porch about 5 ft. from the line.

On the north side of the property (i.e. the proposed Glenbrook Drive side) there was a line of trees and scrub, a ditch carrying storm water from the east side of the subdivision, a roadway, then a farm house.

I liberated the existing trees beside the ditch, cleaned up the brambles and rotted fencing, removed the broken glass, rusty

tin cans and other goodies from what had been an old dump-site.

Since then I have removed dead trees and planted new ones along with hundreds of bulbs, and built a dry-stone wall. I have

cleaned up and made repairs after construction crews went through.

I have mowed the grass along the ditch and both sides of the road and generally tried to keep the area respectable.

Because the old road lay in the north half of the road allowance, all this work was done on Township property. The ditch has

been partially filled in to reverse the flow and the farmhouse is gone but otherwise things are as they have been for the last 35 years.

I propose it be left that way. Follow the old roadway and build your new road between the trees and the Bell duct bank. There is room. I have been singing this song for almost four years in hope that someone will listen. The

Ceedback I get is that you cannot lay concrete over the Bell trench. I am not asking that be done, although one Bell engineer I spoke to said it was not a cause for great concern on their part as 'it

happens fre-

quently. Bell's plans slow the duct bank to be centred one metre from the property line. My own observations at the time of con-

struction concur with this. Somehow there is the impression out there that the Bell line is well out into the road allowance.

As for the difficulty of creating an acceptable intersection, the best advice I can give is to drive in and out on what is presently there. Apart from the bump, the transition seems easy and natural. Maybe the hardest decision is where to locate the stop signs.

My own selfish reasons for keeping the trees is that I have invested a lot of work in them and derive much pleasure from them. On a wider front, other people enjoy them also and they are an asset to the community. I do not believe the Town of Lincoln should be in the business of destroying valuable trees and local amenities. The white pine may be a common tree but it is rare to find a grove of 35 year old specimens in a subdivision. Once they are gone, they are gone forever.

I previously mentioned the position of our house in relation to the rear lot line. This becomes important when you weigh the

impact of the proposed turning circle shown on Schedule B. The privacy, enjoyment, and monetary value of the property would be seriously diminished. In fact Schedule B poses a large expropriation of our property

that would bring to within 14 feet of our screened porch where we practically live for five months of the year. To add insult to injury, the expropriation on our property is far greater than the combined expropriations on the two other affected properties, even though nothing is built on them.

I consider this to be a grave situation and I would like to personally show you the extent of the damage that would ensue should this proposal pass. I am available any time at your convenience.

I also request that you make no decision until my wife can present her impact statement. We picked up the report on Monday and when I showed her the implications she was pretty shaken up. I ask you allow her time to prepare a statement.

1 ..

...I Peter Wright

Vineland Beamsville Room

February 22nd, 1995

Minutes of a meeting of the Town of Lincoln Public Works Committee, held in the Beamsville Room, on Wednesday, February 22nd, 1995, at

7:30 p.m.. Present were: Ald. B. Culp (Chairman), Ald. H. Bald

(Vice-chairman), Ald. A. Danyluck, Ald. D. Good (sitting in for

Ald. R. Kelly) and Mayor R. Konkle. Staff present: G. Holman (Director of Public Works).

ACCOUNTS

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

THAT Department payments in the amount of \$22,148.59 incurred

in accordance with Council policy A-94-218 having now been audited by Committee be ratified by Council.

CARRIED

Moved by Ald. D. Good, Seconded by Mayor R. Konkle

THAT Department payments in the amount of \$40,822.69 incurred

in accordance with Council policy A-94-218 having now been audited by Committee be ratified by Council.

CARRIED

DELEGATIONS

JACK EASTON AND FRED KENDALL - SANDING/SALTING PROCEDURES

Mr. Easton and Mr. Kendall discussed their concerns about the excessive use of sand and salt on Lincoln roads.

Mr. Easton questioned the need to apply winter sand inside the subdivisions (such as Heritage Village).

Mr. Kendall questioned whether the policy was being complied with, and staff advised the delegation that steps had been put in place to check compliance.

The Committee discussed the evolution of the policies, and the need for residents to recognize their own responsibility to drive according to the weather conditions.

Mr. Kendall felt that fear of being sued has resulted in expenditures far in excess of any personal damage claim. While intersections and hills are likely candidates, staff should stop sanding and salting inside subdivisions.

REPORTS

EXTENSION OF EXISTING GARBAGE COLLECTION CONTRACT, J.W.SHELDRIK SANITATION LIMITED, PWDR #95-62

The Director of Public Works explained the need to continue a contractual relationship with the existing contractor until the long range plans are better defined concerning Regional jurisdiction.

Moved by Ald. H. Bald, Seconded by Mayor R. Konkle

THAT the Public Works Committee recommend to Council that the garbage collection contract with J.W. Sheldrick Sanitation Limited be extended until April 1st, 1997.

FURTHER THAT the costs outlined in their proposal be included in the 1995 operating budget.

CARRIED Public Works

Committee

REPLACEMENT OF GAS FIRED UNIT HEATER, PUBLIC WORKS OPERATIONS AREA, PWDR #95-63

Moved by Ald. H. Bald, Seconded by Mayor R. Konkle

THAT the Public Works Committee recommend to Council that Black & McDonald Limited be hired to supply and install one gas fired

unit heater in the Public Works area in accordance with their quoted price dated January 31st, 1995.

FURTHER THAT funds in the amount of \$2,460 be included in the 1995 capital budget.

CARRIED

WEST AVENUE/PARK AVENUE MUNICIPAL SERVICES REPLACEMENT PROJECT, TENDER RESULTS. PWDR #95-

The Director referred the Committee to three letters distributed at the meeting, which outlined Gencor Contracting's concerns and threatened litigation if the Committee adopted the staff recommendation.

Mr. Ross DiPaolo was in attendance on behalf of Gencor Contracting to answer any questions the Committee had on the three letters of correspondence.

The Committee discussed the tendering policy, and the Town's right to reject any or all tenders as they see fit.

Mr. DiPaolo felt that this approach was discriminatory and unfair to bidders.

Moved by Ald.D.Good, Seconded by Mayor R.Konkle

THAT the Public Works Committee recommend to Council that the contract for the West Avenue/Park Avenue Municipal Services Improvement Project be awarded to Niagara Excavating Limited at their tendered price of \$360,678.38.

FURTHER THAT staff be directed to include appropriate funding in the 1995 capital budget for this project.

CARRIED

VINEWOOD PARK EXTENSION I1 SEVERANCES - CONDITION OF APPROVAL AND DEVELOPMENT AGREEMENT (LOUTH INVESTMENTS INCORPORATED). PWDR #95-

Mr. Wright presented a letter which outlined his objection to construct the road in the standard line location, thus destroying the mature trees.

Mrs. Wright elaborated on the history of their involvement with their property and their concerns.

Staff explained that the trees would be situated within the visibility triangle of the intersection, and could jeopardize the safety of motorists and pedestrians.

Mr. Rudy Thiessen explained his perspective of the matter, and noted that the Vinewood Park Extension I1 subdivision was designed in the unusual configuration to accommodate the Region's and the Town's planned roadway extension.

Dr. Paul Wright approached the Committee and asked that the proposed development recognize the existing features of the area. He presented the Committee with a copy of a petition (originally circulated four years ago) . Public Works Committee -3- Feb.22/95

Mr. Cecil Bovaird spoke regarding the Bell Canada toll line and its location, and noted that the trees were situated 17'-20' inside the road allowance.

Staff explained that the drawings showed a bulb to accommodate road construction that would encroach on the Wright's property, but that this is not correct. The roadway would be a standard 90 degree bend and situated within the existing road allowance.

Moved by Ald.A.Danyluck, Seconded by Ald.D.Good

THAT the Public Works Committee recommend to Council that staff be authorized to incorporate the recommendations contained in this report into a development agreement which is required to satisfy conditions of approval for consent application B450/94 to B460/94.

FURTHER THAT the appropriate by-laws be presented to Council to effect the necessary property transfers and cost-sharing agreements outlined in this report.

AND FURTHER THAT Committee recommend the removal of the northeast bulb.

CARRIED

MINUTES OF MEETINGS

1. Board of Management/Steering Committee - February 1st, 1995.
Moved by Ald.A.Danyluck, Seconded by Ald.D.Good
THAT the Public Works Committee recommend to Council that the
Board of Management/Steering Committee minutes of February 1st. 1995
be accepted as presented.

CARRIED

2. QEW Design Build, Casablanca Blvd. to Victoria Avenue - February
1st. 1995.

R&F

CORRESPONDENCE

1. TREC - Reconstruction of the Queen Elizabeth Way from Casablanca
Boulevard to Victoria Avenue.

R & F

2. J.W. Sheldrick Sanitation Limited - 1995 Spring Clean-up Schedule.

R&F

NOTICE OF NEW BUSINESS

The Committee inquired about the status of NR669 (Eighth Avenue),
Ontario Street resurfacing, and stop lights at Ontario Street and the
South Service Road.

UNSCHEDULED DELEGATIONS

None

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

CHAIRMAN SECRETARY

(dictation date: February 23rd, 1995) Public Mtg. Minutes (95 02 23) Page 116

Council Chambers

Town Hall

February 23,1995

of Public Meeting regarding a proposed amendment to the Town's Official Plan
regarding the Southeast Neighbourhood Secondary Plan, held in the Council Chambers on at 7:00 p.m. Committee
members in attendance were:

Ald. H. Bald (sitting in for Aid. R. Kelly), Ald. W. MacMillan (sitting in
for Ald. B. Culp) and Mayor R. Konkle. Also in attendance, Aid. D. Good. Town staff in
attendance: C. Held (Director of Planning & Development), K. Dale (Deputy Director of Planning & Development),
G. Holman(Director of Public Works) and D.Wainman (Director of Recreation &
Parks) also in attendance: Glen Barker of Miller O'Dell Planning Consultants and Ron
Scheckenberger of Phillips Planning and Engineering.

PUBLIC MEETINGS

In attendance for this Public Meeting were:

Rudy Schindel, Vicki Schindel, Mark Basciano, Andrew Orr, Val Csets, Ed Kotrus, A.H.Edward, W. Van
Sydenborgh, Thomas Madonich, Peter Pruyssers, Mr. Leyenhorst, Ted Austin, B.Rabenda,
B.Russ, J.Russ, Monty Vandeyar, Robert Petsche, Ruth Farwell, M.Traszik, J.W.Vinnai, Dennis
Landry, Rick Borger, Andrew Jorritsma, Carol Austin, Steve Kocsis, Margaret Romagnoli, John
Hildebrandt, Henry Hultink, Eugene Chajka, Stephanie Jakymiwi, Joe Plutino, W.Van Sydenborgh,
Eugene Perry.

Chairman welcomed everyone to the meeting and advised that the purpose of the meeting was
public input in regards to the Secondary Plan for the Southeast Neighbourhood.

Glen Barker stated that one of the main issues in the development of the secondary plan was the
need to obtain Ministry of Natural Resources and Niagara Peninsula Conservation Authority
comments relating to stormwater principles.

Ron Scheckenberger stated that previously planning and engineering documents were done
separately and now come in order to have proper engineering and planning documents, it is
important to consider both aspects at the same time. He stated that since the 1989 Stormwater
Master Plan was initially adopted by Council, a number of issues have been raised such as: cost of
implementation, public perception and the impact on fisheries. He stated that the fisheries aspect
must now be considered in regards to stormwater drainage. He stated that in reviewing stormwater
drainage they must now look at not only quantity of water, but also quality. He stated that in March -a
1994, the Public Works Committee approved a recommendation by the Director of Public Works
which recommended that the Stormwater Drainage Plan be reviewed for the Southeast
Neighbourhood.

Ron Scheckenberger stated that the preferred methods for stormwater management have been
identified and in the Secondary Plan, they are encouraging alternative development standards
which are more sensitive to the natural environment. He stated that October 24, 1994, an open
house was held to obtain public input and that those comments and comments of the various

agencies have been reviewed. He stated that one of the objectives of the plan was to minimize the number of stormwater management facilities because of the long term costs, and also to optimize the existing infrastructure which is in place. He stated that it is intended that lands not suitable for development will be utilized for stormwater purposes. He stated that in addition they have to address concerns of a number of agencies such as: The Ministry of Natural Resources, Niagara Peninsula Conservation Authority, Ministry of the Environment, the Region of Niagara, etc. Ron Scheckenberger stated that they also have to make provisions in the plan for staging. He stated that the criteria that has to be looked at are flooding, which has to be designed to a one hundred year flood standard, water quality which has to be designed to The Ministry of Natural Resources standards, erosion control which has to be put in place so that stable slopes are maintained, and that they also have to address fish habitat. He stated that therefore they did an Public Mtg. Minutes (95 02 23) Page 216

inventory of the various watercourses and those studies were presented to the Ministry of Natural Resources. He stated that the end result of that study was that it would be better to create one better stream than a number of smaller inadequate streams. He said that some of the drainage will go to a new channel and that the proposed park would also be used for storm detention purposes. He stated that this neighbourhood is proposing an alternative development standards such as semi urban roads along the east west roads which would allow small quantities of water to be treated within the open ditches in front of the houses. He stated that small wetlands are proposed as a type of treatment to occur within the detention areas.

Ron Scheckenberger stated that in regards to quantity control, there are currently some restrictions in place. He stated that they looked at three different options for stormwater management with option one being that nothing would be stored on site and that this would require a lot of water to be stored downstream, and it would require the need to upgrade the existing infrastructure, and therefore that option is not suitable. He stated that option two involved storing everything and that that takes up a lot of land, and as a result there would be a need to expand the park and other systems and therefore that option is not suitable. He stated that option three is a combination of options one and two and that it optimizes the use of land and the existing infrastructure. He stated that some storm detention is proposed on the Jakymiw lands and within the proposed park.

Ron Scheckenberger stated that the system on Cherry Heights Blvd. will have to be replaced a development proceeds, however there will still be a need to provide for some detention upstream and that that is currently being proposed on the lands formerly owned by Great Lakes Christian College. He stated that the final size of that detention facility has not been determined. He stated that option three is the preferred option. He stated that they would like to receive comments from the public regarding the Stormwater Management Plan, and they will also be meeting with various government agencies.

Glen Barker stated that the issue of water quality and quantity is one of the major driving forces of the secondary plan. He stated that the Secondary Plan provides a neighbourhood collector which goes in a north south direction, and that the plan minimizes additional traffic on Hixon Street because along the east side of Hixon Street no new roads are proposed. He stated that the plan relies on connections to existing stub streets. He stated that the Town's transportation policies require upgrading at the intersection of Cherry Heights Blvd. and King Street and that that upgrading will be at the cost of the developers who develop in this area. He stated that the local roads which primarily run east west will be designed with alternative development standards. He stated that there will be one connection onto Hixon Street on the west side of Hixon Street on the lands known as the Kimberley lands. He stated that the plan provides for a linear walkway system all the way from Hillside to King Street and that the walkway connection at King Street can then proceed northerly through the northeast neighbourhood and that the walkway will also proceed southerly up to the escarpment area.

Glen Barker stated that the park is approximately six acres and is generally central to the neighbourhood. He stated that additional walkways may be required through subdivision design. He stated that the areas designated as environmental conservation follow the Niagara Peninsula Conservation Authorities top of bank lines. He stated that this neighbourhood has a potential for approximately 600 new units. He stated that 80% of the development will be of low density nature with 10% medium density and 10% high density. He stated that no new high density lands were designated because there are sufficient lands pre-zoned for apartment use along Hixon Street. He stated that of the single detached development 80% of the lot frontages will be 50 feet or greater and the remaining 20% can be either lot frontages of 40 to 50 feet or semi-detached lots. Public Mtg. Minutes (95 02 23) Page 316

He stated that the remaining 20% of the smaller lot singles or the semi-detached units will be distributed throughout the neighbourhood, and not in one particular plan of subdivision. He stated that the policies require a streetscape plan to be prepared and that the streetscape plan will look at the front yard setback so that a monotonous streetscape is not created. He stated that for example, you would not want a two storey dwelling next to a one storey dwelling, whereas there should be a

gradual change in building height from say two stories to one and one half to one storey. He stated that in addition the Town does not want a neighbourhood development that all you see is the garages, and that the proposed streetscape plan is a new policy for the Town which is being proposed within this neighbourhood. He stated that the plan has policies regarding in-filling lots which requires lots to have similar lot sizes adjacent to existing lots. He stated that development should proceed in phase however there are policies to allow out of phase development.

In response to an enquiry from Rudy Schindel Glen Barker stated that the additional streetscape policies are intended for single detached development because single detached development is not normally subject to site plan control.

In response to an enquiry from Dennis Landry, Glen Barker stated that they would like to have a council adopt the Secondary Plan before the proclamation of Bill 163, which is intended to be proclaimed by the end of March, 1995. This is to ensure that the plan will be reviewed by the Ministry of Municipal Affairs.

John Hildebrand then questioned why there was even one road onto Hixon Street off the Kimberley lands. In response Glen Barker stated that the one connection onto Hixon Street is needed in that area to address drainage concerns. John Hildebrand then questioned why there is a need for any medium density development within the neighbourhood, and in response Glen Barker stated that because of Provincial Policy you have to provide some medium density, and that therefore those medium density areas are proposed within the extremities of the subdivision, so that any new resident buying in the area will know the proposed unit types. Glen Barker also stated that the medium density is to be distributed throughout the neighbourhood, and that it would not be appropriate to be located all in one area.

In response to an enquiry from John Hildebrand, Glen Barker stated that the medium density has been provided because of Provincial Policy and that the Province and the Region may express a concern that the Town is not providing enough medium density housing.

Wayne Van Sydenborough questioned the possibility of a developer making a change in the future, and in response Glen Barker stated that anyone can make a request for a change, however it would require an Official Plan Amendment and a further public meeting. Wayne Van Sydenborough asked what will happen to the western creek system, and in response Ron Scheckenberger stated that those flows would be diverted to the south side of Hixon Street, and then any external drainage will be taken through the subdivision area to a suitable outlet. I

Ted Austin asked what the elevations would be. In response Ron Scheckenberger stated that drainage will have to meet up with the existing grades and that the channel in the environmental

conservation strip will be approximately six feet deep.

Eugene Perry questioned what will happen with Petty's Lane, and in response Glen Barker stated that no connections are proposed to Petty's Lane.

Robert Petsche expressed a concern about the narrowness of Hixon Street and the problems with traffic particularly because of the Comisso's development. In response Geoff Holman stated that Public Mtg. Minutes (95 02 23) Page 416

the Town has a consultant looking at the reconstruction of Hixon Street and they are trying to utilize the road width as much as possible. He stated that new development will be directed to Cherry Heights Boulevard. He stated that, in addition, other traffic controls on Hixon Street may be proposed such as stop signs. He stated that there also may be at some point in the future lights at King Street, and Cherry Heights Boulevard.

Eugene Chajka questioned what will happen if the pond in the northeast neighbourhood does not materialize. Ron Scheckenberger stated that the area that they have identified within the former Great Lakes Christian College property may be cost prohibited to develop, and that they also have two alternative sites in the northeast neighbourhood identified.

Robert Petsche then questioned whether or not sanitary sewers and water from Hixon Street will be hooked into the new development. In response Geoff Holman stated that any existing capacity will be utilized and that some flows may have to be diverted. He stated that this will be dealt with on an application by application bases.

In response to an enquiry from Robert Petsche, Geoff Holman stated that once we know the densities of the various developments, the Town can determine what upgrades are required, and that any upgrades will be at a cost to the development community. He stated that the area does require a booster pump for water. 8

Rudy Schindel expressed a concern about the medium density in the northwest area of the development. He stated that there are already problems within Bartlett Creek Village. In response Glen Barker stated that medium density needs to be located closer to minor collector roads and that one of the options that could be looked at, would be increased front yard setbacks or increased lot widths so that two car garages could be provided, and that those details will be worked out at the subdivision or site plan process.

Carol Austin stated that in her opinion the urban boundary line is shown incorrectly and should be

much further south. In response Glen Barker stated that the Urban Boundary shown in the Secondary Plan is the Urban Boundary line according to the Region of Niagara. He stated that when the Niagara Escarpment Plan had prepared their plan, the boundary of the NEC was intended to follow the Urban Boundary, but in the end the Niagara Escarpment Boundary was located farther south. @

Steve Kocsis questioned how the storm water management would be paid for, and in response Geoff Holman stated that the Bartlett Creek Drain Steering Committee has indicated that within a development area, any works to be done will be paid by developers. Geoff Holman stated that within the rural area the cost determination has not been made to date, however it is expected that it will be likely under the Drainage Act.

Vicki Schindel questioned why medium density in the northwest area would be located adjacent to an environmental conservation area and wondered why that area should not instead be low density. She then asked about the number of units proposed within the medium density area. She also asked what the wetlands would look like and whether they would be like a swamp. I

Glen Barker stated that medium density is usually located next to a park and open space areas and in this case, the northwest area is also close to the Central Business District area. He stated that a medium density is at a density of eight to fourteen units per acre and therefore that area would yield from nineteen to thirty-three units. In response to an inquiry from Vicki Schindel, Glen Barker stated that no changes are proposed to the environmental conservation areas. Public Mtg. Minutes (95 02 23) Page 516

Ron Scheckenberger stated that there are several forms of storm detention ponds. He stated that there is the urban form which is a grassed area and that there are natural systems which are similar to a swamp area. He stated that natural systems are proposed where possible because they are more compatible with environmental conservation lands. In response to an inquiry from Vicki Schindel, Ron Scheckenberger stated that the embankment proposed in this storm detention area is to hold water in the event of a major storm flow. Richard Van Sydenborgh then questioned whether or not the existing ponds within the neighbourhood would be filled in. In response Ron Scheckenberger stated that yes, those ponds that are located on the Mountainview lands will be filled in, however they will be located to the new channel.

Joe Plutino questioned how large the detention facility on their lands would be and advised that they should be notified of any future meetings. He further stated that the area shown for storm detention on their lands is currently zoned as Residential, and that they have a plan to develop those lands.

Glen Barker stated that in regards to developing Mr. Plutino's lands there was also concern on those lands regarding the existing industrial uses and that the MOEE has guidelines for locating residential development adjacent to industrial areas, and that the separation distance is anywhere from 60 metres to 300 metres. Joe Plutino then stated that they have the Ministry of the Environment comments which will allow development adjacent to the industrial area.

Andrew Orr stated that he acts on behalf of Delplain Ventures who own 34 acres in the neighbourhood. He stated that the staff and the consultants have done a good job in finalizing the Secondary Plan. He stated that this draft of the Secondary Plan is somewhat different than the previous and that it is as a result of compromises that have been made. He stated that his clients are satisfied with the plan, and that further studies will be required as part of the development process. He stated that Bill 163 is to be proclaimed on March 28, 1995 and no one knows what the ramifications will be, and therefore it is necessary for the Town to adopt the Secondary Plan prior to March 28, so that it follows the old process.

A member of the public stated that Bill 163 or not, Council has to consider all of the issues, in particular, problems with traffic, water and sewer. He stated that those issues must be corrected. In response to an enquiry from Dennis Landry, Geoff Holman stated that the open channels needed for storm detention purposes will likely be maintained by the Town.

Pete Pruyers stated that the Calvary Gospel Church is not interested in developing their lands and that they would like their lands designated as Institutional. Glen Barker then questioned Mr. Pruyers as to the extent of the area he wanted designated as Institutional. He stated that the area around the church is Institutional and the balance is Residential, Open Space and Environmental Conservation. He stated that under the Official Plan Policy you could expand the church through a Zoning By-law Amendment. Mr. Pruyers stated that they would like all of their lands to the west of the proposed north-south collector road to be designated as Institutional.

Thomas Madronich stated that they are in favor of the general principals and that this issue has been ongoing for a long time.

Rudy Schindel questioned the diversion of the creek and at what depth the retention pond would be. In response Ron Scheckenberger stated that the existing top of bank within the valley system would be maintained, however there will be a small drainage channel through it. Brian Bishop stated that Public Mtg. Minutes (95 02 23) Page 616

the height of the berm at the end of the retention pond would be approximately 3 to 4 metres high and that it would be landscaped.

The Chairman asked if there were any comments or questions from the public. There being no

further comments or questions from the public, the Chairman declared the public meeting closed. 0

SECRETARY

Prepared by: K. Dale, Deputy Director of Planning and Development

Dictation Date: 95 02 27

Circulation Date: 95 03 03

CHAIRMAN JORDAN MARSH ECOSYSTEM FEB 27 1995 -

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Ecosystem Definition 1

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The ecosystem described here contains the entire watershed (table land, valleys and watercourses) of the Twenty Mile Creek within the townships of Glanbrook, West Lincoln and Lincoln to Lake Ontario. This ecosystem is an important part of the Lake Ontario ecosystem and can influence the water quality and therefore the productivity of the local aquatic community².

*: Factors Inhibiting Ecosystem Health

The main factor influencing the health of this ecosystem today is poor water quality caused by high soil erosion and nutrient loading from the watershed. Other factors which may play a lesser role are herbicide and pesticide persistence in the water column and excessive erosion forces within the marshes (human and non human influenced).

It is the intent of the Ministry of Natural Resources to define and treat the major factors creating poor water quality as we assume the biggest gain (and most cost effective gain) in water quality is through the reversal of the major causative factors.

Restoration Goal for this Ecosystem

To reduce the runoff peak of suspended sediments and nutrients and to moderate the timing of inputs of these sediments into this ecosystem.

Scope of Watershed Issues

This issue is not different from many other watersheds found within the peninsula, or within Southern Ontario, or from around the Great Lakes. In the Great Lakes Basin there are 42 areas of concern (AOC's) designated for Remedial Action Plans (RAP). Locally we have the Hamilton Harbour and Niagara and Welland River AOC's, these areas have funding programs related to rural issues (soil conservation, manure storage, septic systems).

We also have 5 other Great Lakes areas of concern which are currently not listed as a RAP but are on a special list of priority areas for federal funding programs. These areas are all of the Great Lakes coastal wetlands, i.e. Martindale Pond, Catharines, Dunnville Marshes (Grand River, Dunnville), Jordan Marsh (Lincoln), 15, 16 and 17 Mile Creek estuaries (Lincoln and St. Catharines).

~ntierent capacity of an area to support organisms

all animal and plant material located within or nearby ponds, creeks, wetlands. Primary and Secondary factors

Affecting the Health of Jordan Marshes

SECONDARY PRIMARY

FACTORS

biological:

organism,

population of

certain species,

and rebound and

aquatic habitat

sediment

budget

," How the Marsh was Formed

Jordan Marsh was formed behind a barrier beach after the last glacial recession (approx. 6,000 years ago). This process also formed Cootes Paradise near Hamilton.

Isostatic rebound created by the glacial recession is causing water levels to rise in the west end of Lake Ontario by 1.8 to 3 mm per year. Climatic factors moderate this effect in the short term, but the long term trend is the drowning of these marshes.

Estuary Marshes are maintained by accumulations of organic and inorganic material (coarse nature) from watershed inputs

and through the accumulation of biomass from within the marsh itself. Normally healthy marshes generate enough biomass through organic accumulations and therefore do not need to depend solely on watershed sources to sustain themselves. Watershed inputs; Generation of biomass Output, erosional

organic and inorganic from within the marsh forces remove,

organic biomass sediments (fine and inorganic coarse material), meet sediments (fine and assimilative capacity of coarse material) marsh

L 4

INPUT = I OUTPUT = 0

Y Sediment Output = (I + G) - Storage Y
equilibrium between deposition and erosion
within marsh

Conceptual Model of Sediment Budget for Jordan Marsh

Generation of biomass within the Watershed inputs of marsh inhibited by suspended clay

fine colloidal clays particles, Output caused

dominate as the by erosional
sediment source input forces from
and exceed assimilative capacity of the marsh I

V 1

within the
harbour

G = marked reduction in

organic accumulations I >> capacity I-

ll Sediment Output NE (I + G) - Storage

high turbidity limits G, which causes disequilibrium between deposition

and erosion dynamics of marsh Historical Land use Changes as they Effect Downstream Water

Quality and Marsh Development

Watershed clearing, deforestation increased the organic inputs to the marsh for some time
period. The marshes response would have been to expand itself at this time.

Soil Erosion by Landscape Type (Wolman, 1967)~

Uncontrolled Urban

Once the organic layer of soil disappeared, the underlying clay soils were now exposed to
the elements and began to weather (erode). Once these particles are entrained by the
water running off exposed fields they are carried into the water course downstream into the
marshes. When this input changed to inorganic clay soils the turbidity increased and the
marshes ability to generate its own biomass gradually disappeared and they became
impaired.

Wolman, M G . 1967 A Cycle of sedimentation and erosion in urban river channels Geografiska Annaler.

V 49A, p 385-395 Change of Soil Type Dominance as the Landscape Changed

within the Watershed

The soils in the Haldimand Clay plain are composed of a high percentage of fine clay
particles < 0.002 um (microns) in size. These clay particles are colloidal by nature,
staying in suspension in the water column. They require over 72 hours to fall out of
suspension and very little activity to resuspend back into the water column. These turbid
water conditions do not allow sunlight to penetrate to the marsh floor. Thus seeds do not
germinate and asexual (vegetative) reproduction is favoured. This creates monoculture
expanses of cattail marsh, low vegetative diversity, low habitat diversity which favours a
simplified aquatic community.

Specific Water Quality Issues

Long-term water quality monitoring has been completed by the Ministry of the Environment
and Environment Canada. We have summarized the data in the following graphs. The
general trend is high suspended solids and high phosphorous inputs during storm event
runoffs.

Matter at Hand (15 Meter Setback from Watercourses)

The overall goal is to reduce the quantity of suspended sediment inputs and to change the
timing of how and when sediment gets transported into the marsh.

The legislative basis for this request pertains to the Fisheries Act of Canada which
prohibits the input of deleterious substances into waters frequented by fish. Sediment in
itself is considered to be deleterious to fish and fish habitat.

Reductions in sediment loading is best controlled at the source of erosion within the
watershed. This location also allows you to change the timing of sediment transport from
huge quantities under runoff conditions to moderating the influx of these watershed Twenty Mile Creek

Historical Water Quality Data

1985 - 1990

I

I 1986 1988 1987 1

Data Items

I Twenty Mile Creek

Historical Water Quality Data

1985 - 1990

were not requested because they would not solve the instability problems. (It would be like trying to put a Band-Aid on a gushing wound). Instead these watercourses will require a major physical manipulation (i.e. channel lengthening, creation of floodplain zones) to stabilize it. Once it is stabilized a buffer zone would than be requested under the Planning Act. (i.e. Gavora Ditch).

Any other watercourse exceptions were due to the close proximity to other buffers along larger water courses that could serve for filtering of sediments as well as their original intended function. Funding Opportunities for Areas of Concern

Federal funding programs from the Great Lakes Clean up Fund are available until the year 2000. They are looking for joint partnership funding with other government agencies, individuals and groups to share in the cost of cleaning up these priority areas. Locally there are groups going after this opportunity. The Niagara Peninsula Conservation Authority has expanded their rural water quality program from Binbrook to include the Welland River watershed. This includes the support of Ontario Ministry of Agriculture and Rural Affairs (OMAFRA), Ontario Federation of Agriculture (OFA) and Niagara South Chapters of the OFA. In Fort Erie, The Friends of Fort Erie's Creeks have been putting together a watershed based restoration plan for Frenchman's Creek. They have been generating over \$50,000 per year (since 1991) from BINGO revenues to hire students to repair the stream and have received money from the GLCUF, MNR, local businesses and landowners and individuals have donated their time and expertise.

The MNR and NPCA are studying a flooding issue on agricultural land in Willoughby township to determine whether a nearby wetland could handle the excess runoff and therefore relieve the need to increase agriculture drainage works around this wetland. This is also funded by the GLCUF and within the Niagara River RAP. AOC.

The Town of Lincoln can play an important leadership role within this ecosystem by rallying support for a cleaner Jordan Harbour with the upstream and adjacent municipalities. The biggest gain in overall health of this ecosystem will be manifested within the marshes itself. Therefore the community of the Town of Lincoln has the most to gain economically from a healthier ecosystem (i. e. reduced drain maintenance costs, reducing long term loss of soil and nutrients from agriculture fields, improved aquatic habitat, viewing, nature appreciation, use of the resources). In Summary

The Planning Act binds the municipality into protecting important environments such as Twenty Mile Creek and Jordan Marshes. The Ministry of Natural Resources is attempting to provide the Town of Lincoln with the direction and knowledge to protect and restore ecological functions within the Jordan Marshes and other important ecosystems under their control. We have done this by providing a goal or direction they should take to meet this goal. Since we have tied functions of these watercourses with the goal, the municipality can effectively do their part in meeting their requirements under The Planning Act. By setting aside areas geographically on a map for no development, the municipality has the tools to hold up their legislated commitment to protecting these important areas.

This is by no means going to regulate people into creating grassed waterways or filter strips on these watercourses. This has yet to be negotiated with the landowner by soil conservation experts in OMAFRA and the NPCA. This only removes the construction of permanent structures within 15 meters of the watercourse so that we will still have the best areas open for creation of the grassed water ways. These headwater grassed waterways will reduce the overall quantity of fine colloidal sediment entering the marsh and alter the timing of sediment transport to the marsh. The marsh will adjust to these improvements by regaining organic biomass over time. CLY, L CJL ;;;, T JL \AIYYINL. r I)<~,:~C, i~b1~1TII:f - - CONCERNED LANDOWNERS PRESENTATION t 1: !.?, 27, 1 \$5-

Presentation to Planning and Development Committee of the Town of Lincoln, RE: Proposed Rezoning of Watercourses on Agricultural Lands. 2; iCl~INb ~Y-U~W (VL. ~1.3.. IF - 21

Mr. Chairman, Members of Committee, Town Staff, Members of the Press, and Visitors in the Gallery. My name is Fred High, and I am here this evening representing a number of farm-land- holders whose holdings either owned, or operated/had have

been targeted as having water drainage ditches as designated by M.N.R. crossing their lands. Allow me to give a brief personal @background at this time. I am the third generation member of a farming family who operate 220 acres owned, and some 60

additional acres of rented && custom operated lands of a diversified nature, namely grapes, corn, soybeans, hay and beef cattle. The area I represent this evening has its boundaries in Staff Ave, to east, the southern boundary of the Town of Lincoln where it abuts Town of Pelham and Township of West Lincoln, to the west Campden Rd., and the North of Bethesda Rd., and Seventh Ave., with some additional areas to the further West and Northwest. I would like to point out at this time that our group has had discussions with many individuals and groups outside these boundaries who indicate special interest in this issue, and are here this evening to either address the issue, or are present e

on an observer basis. A number of farms targeted represent 3-4 generations of active farming families. We believe that we are responsible stewards of the land by virtue of proper and ethical methods of our farm operation. We recognize that some issues of erosion, residues, and other areas of concern to the ecosystem exist, however we are working on, and actively practice many conservation techniques promoted and supported by O.M.A.F.R.A. eg: sodded surface ditches, minimum zero tillage practices, crop rotation, overwinter crop residues left on surface, responsible and conservative use of herbicides and pesticides and involvement in government formulated conservation programs. We feel that as owners and managers we are competent and responsible enough in our daily operation and management of the land and its resources to carry on without a government agency having control of parts of our lands and looking over our shoulders. As stewards of the land, it is in our best interest to care for the land to the best of our ability, using all the technology and land oriented care that we can, because our forefathers created these family business's passed them on to us and we hope a pass them on to our sons and daughters in as good, or better condition than we received them. The Province, and through them the Regional and Municipal Plans have indeed desire to preserve farmland. We feel the profession and a lifestyle chosen by us to power-preserve that farmland because as I drive through the countryside where the

1. sold out, farmland is of little or no value, without the farmer who draws on generations of expertise and love of the land to effectively farm and preserve it. Much of the targeted land was or is planted to grapes as well as many acres of open land producing various field crops as both cash crops or supporting livestock operations. There are concerns of economic viability of large equipment operating on these targeted areas in the future event that once the rezoning is in place, given over zealous M.N.R. employee may decide to truly incorporate these areas into a Watershed Plan, thereby effectively stopping us from working these lands. Another area of interest and concern is the fact that the Twenty Valley Golf Course has not been targeted in this sub-watershed outline. The topography of that land is very similar to that of surrounding properties that were identified. Statistical information points to the fact that 7 times the herbicides and pesticides are used on golf course land as is used on comparable acreage of farmland. Added to this is my personal observation over the last 30 years that the Twenty Mile Creek which flows through my families property, in average rainfall years, dries up completely during the summer months due to excessive water pumping by the Golf Course for irrigation purposes. This fact also attacks the credibility of the statement made to the recent O.M.B. hearing on this rezoning issue that larger watershed's, eg: Twenty Mile Creek "Have sustained flows and/or flow year round." It is our contention that in the event of watershed mapping and rezoning, that these types of properties should be treated and identified no differently than agricultural properties. An

additional area of concern and thought focuses in the direction of the inaccuracy of the mapping of the proposed rezoned water ditches. In the letter received by the landowners, it would appear that the M.N.R. is concerned regarding the construction of buildings near these ditches, when in fact, in a number of cases and specifically on my own farm, the very ditches near buildings were not included on the map of proposed rezoned areas. These inaccuracies of mapping lead to many questions that could and should be answered by M.N.R. Related to the aforementioned point is the fact that landowners on a house and lot, but not having these water courses running through their property, however, being within the proposed 15m limitation would be adversely affected by the building restrictions, but were not notified by the municipality of the public meeting. These points leave serious doubts in our minds about the credibility and therefore and future viability of M.N.R.'s Watershed Management goal. We as the farm landowners wish to emphatically state at this time that we are very concerned, deeply dismayed, and greatly

disgusted by the heavy handed approach that this Ministry in general, and the Fonthill office and its personnel in particular have taken on this issue. I personally, after reading the Interim Document of Water Management on a Watershed Basis:

Implementing an Ecosystem Approach, which was prepared as a directive to this agency's field offices I am personally offended, because in that document, it states that Steering 2. Committee's, Public Meetings, consultation, etc. with all groups concerned should be undertaken so as to devise, develop, and implement a plan that will be appreciated and supported by all concerned parties. I and I am sure my fellow agriculturalists, taxpayers, and landowners are insulted that we were not even given an opportunity of input or consultation on such an important issue with such far-reaching ramifications especially when a document from the ministries of M.O.E.E. and M.N.R. strongly suggest that format take place. We may be a fiercely independent group of business people, but we are not adverse to consultation and negotiation if conducted in a spirit of good faith. We strongly urge this Ministry at this time to figuratively speaking; pull in its horns a little, sit down with all concerned parties, and explain their plans and objectives thoroughly and with sincerity regarding now and the future, and may we further suggest that as an act of good faith this Ministry start that procedure by dropping the request of rezoning of farmland ditches which would indicate their belief in our competence and integrity with regards to the issues of water and soil management and conservation, preferably before an O.M.B. hearing resumes, so that this issue is resolved to everyone's satisfaction, and before all of Ontario's farmlands and their people ultimately become involved. TOWN OF LINCOLN

PLANNING DEPARTMENT /

(FILE: % -II(IZ> 1

Feb 27, 1995,

To: Planning and Development Committee,

Town of Lincoln

1 1 1

From: Niagara North Soil ?(Crop Improvement Association
:/I, Eugene Dinga, President;

R. F. #1,

St. Ann's, Ontario

LOR 1Yi)

Re: Appeal by Ministry of Natural Resources -

Proposed changes as a result of Ontario Municipal

Hoard Hearing - Zoning By-law No. 93-14-21

The North Niagara Soil Improvement Association
wishes to express their extreme concern about the proposed
Re-Zoning changes affecting some land owners in North
Niagara. . .

Having been stewards of the land for many generations in
North Niagara, we have always been concerned about our land
and our farming practices. The North Niagara Soil ?(Crop
Improvement Association (NNSCIA) is an affiliate of the
Ontario Soil & Crop Improvement Association (OSCIA) which
is in its 56th year whose Mission Statement is to

maintain and/or enhance productivity in an environmentally
responsible manner. This demonstrates the long time
commitment of the Association to continually improve soil
management and water quality. . .

The OSCIA has demonstrated and clearly . . . in the
past years demonstrated and clearly . . .

responsibility regarding water quality and erosion control

among farmers. Niagara North farmers have participated and
continue to participate in these programs with great
enthusiasm. Programs such as Land Stewardship Programs,

High Crop Residue, National Soil Conservation, Groundwater
Survey, etc have all been implemented in North Niagara with
farmers contributing between 50 Percent of the cost
from their own funds towards the projects. If these
programs were successful in that budget, were spent and
farmers left on waiting lists for grant assistance.

New programs, such as Environmental Farm Plans, Well
Water, and Wetlands, etc, are being implemented in North
Niagara with farmers contributing between 50 Percent of the cost

from their own funds towards the projects. If these
programs were successful in that budget, were spent and
farmers left on waiting lists for grant assistance.

Through their past and continuing achievements, we believe
that North Niagara farmers have more than demonstrated
their willingness and ability to improve soil and water
quality both on their own farms and for the benefit of
others. Farmers have made these conservation achievements
including correcting mistakes of the past, while increasing
their productivity and maintaining an abundant supply of
economical food for the consumer.

The NNSCIA believes that the spirit of this proposal is
correct in that we are all concerned about water quality
and want to reduce and eliminate pollutants to our water
but, we also believe the process of this proposal is wrong.
We believe that the control of the land needs to be left in
agricultural hands so that problems such as weed control,
drainage and access can be resolved both in an agriculturally
accepted and environmentally responsible manner. As an

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example, naturally vegetated buffer strips would cause increased weed, disease and insect pressure; adjacent cropland contributing to increased need for pesticides use. Fnod Systems Z10 is a 15 year OMAFF program designed to encourage pesticide reduction by 51% by the year 2000. To date, a reduction of over 30% has been achieved and with continuing support the target will be met. Pesticide usage is expected to decrease for farmers and reduction in environmental contamination.

The NNSC believes that through co-operation and not legislative means the same goals can be achieved. For any questions or any further assistance, please do not hesitate to contact the above or Allan Yungblut, OSII:IA Region 8

Director at E.E.#1, Vineland, Ont, LOR 2C0, 563-7171. Land Stewardship Program I (LSP I)

Land Stewardship Program II (LSP II)

National Soil Conservation Program (NSC)

Permanent Cover Program

High Crop Residue Program

NOTE: These are some participation statistics of programs delivered since 1987. In most cases, individual farmers contribute to the matching or co-funding funds. In many cases, improvements have been made by individual farmers on their own expense and there are no records documenting these undertakings. Council Chambers Town Hall February 27, 1995

Minutes of a meeting of the Planning & Development Committee held in the Council Chambers on Monday February 27, 1995, at approximately 1130 pm. Committee members in attendance were: Ald. A. Danyluck (Chairman), Ald. H. Bald (sitting in for Ald. R. Kelly), Ald. B. Culp, Ald. R. Bilkszto Mayor R. Konwe. Also in attendance, Ald. D. Good. Town staff in attendance:

C. Held (Director of Planning & Development), K. Dale (Deputy Director of Planning & Development), also in attendance Glen Barker of Miller O'Dell Planning Consultants.

1. ACCOUNTS

Moved by Ald. R. Bilkszto, Seconded by Ald. H. Bald

THAT Department payments in the amount of \$571.46 incurred in accordance with Council Policy A-94-218 having now been audited by Committee be ratified by Council. CARRIED

2. SCHEDULED DELEGATIONS

There were none.

3. REPORTS

(A) PDR 95-54 - FILE 10-01/95

Zonina By-law Amendment (Temporary Use; Golf Driving Range) - LEO MARTIN - PT LT 2, CON I, (in) ion)

N/S QEW North Service Road. E/S Martin R Pad North

After considering PDR 95-54, the Committee adopted the following recommendation.

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

RE: Zoning By-law Amendment Application (Temporary Use By-law)

APPLICANT: Martin Farms Ltd., c/o Leo R. Martin

"THAT, for the reasons outlined in PDR 95-54, it is hereby recommended that Zoning By-law Amendment Application 10-01/95 in the name of Martin Farms Limited, BE APPROVED."

CARRIED

(8) PDR 95-69 - FILE 36-11(7) - PROPOSED AMENDMENTS TO ZONING BY-LAW

NO. 93-14-24 as a Result of Ontario Municipal Board Hearing - a

After considering PDR 95-69, the Committee adopted the following recommendation.

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

RE: Town Initiated Amendment

Concrete Batching and Asphalt Plants

PDR95-69 - FILE 36-11(7)

For the reasons outlined in PDR 95-69, it is hereby recommended that:

1. The draft by-laws appended thereto be presented to Council for approval and subsequently the Ontario Municipal Board.

2. The zoning and site plan principles respecting Hard Rock be supported.

CARRIED

(C) PDR 95-70 - FILE 846195

Possible Appeal of Consent to Sever Application

by GRIMSBY CLASSIC HOMES - Commercial Site

ry Avenue in Beam&

After considering PDR 95-70, the Committee adopted the following recommendation.

Moved by Ald. H. Bald, Seconded by Ald. R. Bilkszto

Re: Possible Severance Appeal

Applicant: Grimsby Classic Homes

"THAT, for the reasons outlined in PDR 95-70, it is hereby recommended that the Town lodge an appeal to the Ontario Municipal Board against the decision of the Regional Municipality of Niagara Land Division Committee to approve Application B46/95, in the name of Grimsby Classic Homes."

CARRIED Planning Development Minutes (95 02 27) Page 212

(D) PDR 95-65 - FILE 5-3

RFGIONAI NIAGARA SUMMARY OF DFVFI OPMFNT APPLICATW

After considering PDR 95-65, the Committee adopted the following recommendation.

Moved by Ald. R. Bilkszto, Seconded by Ald. H. Bald

Re: FILE 5-3 - Regional Niagara summary of Subdivisions and Other Development Applications - 1994

"THAT PDR 95-65 be received as information:"

CARRIED

CORRESPONDENCE

There were no items of correspondence.

UNSCHEDULED DELEGATIONS

There were no unscheduled delegations.

NOTICE OF NEW BUSINESS

1. FILE 36-11(7) - Proposal by Ministry of Natural Resources (MNR) - Special Setbacks from Streams

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

Re: Ministrv of Natural Resources Watershed Proposal

~~~eaito Ontario Municipal Board (OMB)

"THAT the senior staff of the Town of Lincoln recommend to Council the possible stand of the Town of Lincoln."

CARRIED

ADJOURNMENT

The Chairman then declared the meeting adjourned.

SECRETARY CHAIRMAN

Prepared by: K. Dale. Deputy Director of Planning and Development

Dictation Date: 95 03 01

Circulation Date: 94 03 03

Attachs. Council Chambers Town Hall

February 27,1995

-0

Memorandum of Public Meeting regarding proposed amendments to the Town's Zoning By-laws, held in the Council Chambers on Monday February 27, 1995, at 7:00 p.m. Committee members in attendance were: Ald. A. Danyluck (Chairman), Ald. H. Bald (sitting in for Ald. R. Kelly), Ald. B. Culp, Ald. R. Bilkszto and Mayor R. Konkle. Also in attendance was Ald. D. Good. Town staff in attendance: C. Held (Director of Planning & Development), K. Dale (Deputy Director of Planning & Development). Also in attendance Glen Barker of Miller O'Dell Planning Consultants.

PUBLIC MEETINGS

A. FILE 10-01195 - Zoning By-law Amendment (Temporary use Golf Driving Range) -

LEO MARTIN, PT LT 2, CON 1 ,(Clinton) NIS QEW North Service Road, EIS

Martin Road North

The Director stated that the purpose of the application is to extend the temporary use of lands, that being a golf driving range, for an additional three years.

Leo Martin was in attendance in support of the application.

The Chairman asked if there were any comments or questions from the public. There being no - comments from the public the Chairman declared the public meeting closed.

B. FILE 36-11(7) - PROPOSED AMENDMENTS TO ZONING BY-LAW NO. 93-14-21 as a

(i) DEFINITION OF MANUFACTURING & CONCRETUASPHALT PLANT

(ii) CONCRETUASPHALT RECYCLING LOCATION

(iii) EXTRACTIVE INDUSTRIAL ZONE USES

(iv) HARDROCK PAVING SITE

In attendance for this public meeting were: Brian Lambie, D.M. Macfarlane, F.X. Sheehan, Mike Watt, Mike Sipo and Jim Sellan.

Glen Barker stated that the purpose of the proposed changes are to finalize the outstanding matters

before the Ontario Municipal Board, prior to the June, 1995 Ontario Municipal Board hearing. He stated that the purpose of the change to the definition of manufacturing is that the Town does not want concrete batching or asphalt plants in the industrial zones, as it was never intended that they be located in those areas. He stated that therefore, the definition of manufacturing is being changed to preclude concretelasphalt plants. He stated that in addition, the definition of concretelasphalt plant also needs to be fixed up, so that that definition also includes products made from concrete or asphalt, so that for example a use involving manufactured concrete pipe does not locate within the Town's industrial park areas, without the review by Zoning By-law Amendment. He stated that the existing concrete/asphalt plants are site specifically recognized. He stated that the concrete plant on Bartlett Road is currently recognized and it is proposed that the lands owned by Hardrock be recognized.

Glen Barker stated that staff have also looked at where is the appropriate zone to permit concrete/asphalt plants and recycling. He stated that in staff's opinion, the extractive industrial lands are the ideal place to locate these uses, and that any changes to the extractive industrial zone to permit concretelasphalt plants would only effect the existing quarries which are located west of Mountain Street. He stated that the asphalt plant within Vineland Quarries is within the Niagara Escarpment area, and that on the land owned by Vineland Quarries in Lot 4, is intended that that use not permitted, and as a result a by-law had been presented to the Ontario Municipal Board for approval.

Glen Barker stated that recycling of used concretelasphalt would be permitted as a temporary use as part of a public undertaking. He stated that for example there is a site within the Queen Elizabeth Way road allowance in Stoney Creek that is used for crushing purposes. He stated that in addition there is an existing site in St. Catharines that is being used for a concrete plant that used to be an old gas station. He stated that where recycling is to be permitted, staff are of the opinion that it should only be located in the Extractive Industrial Zone, and that this change would only affect those quarries west of Mountain Street. He stated that currently recycled products are being blended with raw materials and that most quarries have existing asphalt plants. He stated that quarries are the appropriate place for recycled materials because quarries are appropriately regulated and because quarries must monitor their ground water quality on an ongoing basis, where as this is not required in an industrial park, and in addition, quarries must meet Ministry of the Environment standards. He stated that this recycling use will not be permitted on the lands where Vineland Quarries is located on Lot 4, south of Fly Road as outlined in the by-law presented to the Ontario Municipal Board. Public Mtg. Minutes (95 02 27) Page 219

be an old gas station. He stated that where recycling is to be permitted, staff are of the opinion that it should only be located in the Extractive Industrial Zone, and that this change would only affect those quarries west of Mountain Street. He stated that currently recycled products are being blended with raw materials and that most quarries have existing asphalt plants. He stated that quarries are the appropriate place for recycled materials because quarries are appropriately regulated and because quarries must monitor their ground water quality on an ongoing basis, where as this is not required in an industrial park, and in addition, quarries must meet Ministry of the Environment standards. He stated that this recycling use will not be permitted on the lands where Vineland Quarries is located on Lot 4, south of Fly Road as outlined in the by-law presented to the Ontario Municipal Board.

In response to an inquiry from a member of the public, Glen Barker stated that if a plant is to be located within Lincoln Quarries it can only be located within the licensed area. He stated that in addition, any additional uses which are currently not on the existing site plan, such as an asphalt plant requires an amendment to the site plan that was approved by the Ministry of Natural Resources. He stated that any proposed changes to a site plan must be circulated to agencies including the Town, and that the Town has the option of holding a public meeting, prior to the Town submitting comments to the Ministry of Natural Resources. He stated that the current licence of Lincoln quarries does not permit concretelasphalt plants.

In response to an inquiry from a member of the public Mike Watt stated that there is no road allowance between Nelson Quarries and Vineland Quarries. He stated that the berm between the two parcels may be removed to permit extraction.

Mike Sipo stated that he owns a two acre property across the street from Hardrock Paving and that he would like to know when they will close down their operation. He stated that at one time he wanted to put in a poultry processing plant, but he was turned down, and then the Town at a later date permitted an asphalt plant.

Mike Watt stated that there originally was a road allowance between Vineland Quarries and Nelson Aggregate lands, however that has since been closed.

Glen Barker stated that Hardrock Paving objected to the TowdsZoning By-law because they were concerned that the new Zoning By-law would make some of the uses legal non-conforming, in particular the outside storage on the lands and the use of recycled material on the property. He stated that staff are proposing that an asphalt plant be named as a permitted use because of the I changes being proposed to the definition of manufacturing. He stated that outside storage should be accessory to the asphalt plant, and therefore if the plant ceases operation, outside storage would not be permitted. He stated that staff are also recommending that the maximum height of the outside storage be 7.5 metres, and that there be a 3.0 metre landscaped strip across the three parcels on the east side of Union Drive. He stated that staff are recommending that the recycling of concrete and/or asphalt only be permitted as an accessory use. He stated that prior to any by-law being approved by Council, the site plan must first be approved, to ensure that the landscaping is installed.

Brian Lambie stated that he has a concern with the proposed wording in Section 6.40(a) in that it

should also make mention that recycling will also be permitted where there is a site specific amendment. He stated that he is in general agreement with the report, however the language of the proposed by-law for Hard Rock needs to be worked out so that all five parcels are treated as one. He stated that he has no objections to the outside storage and the recycling being an accessory use. He stated that his client also wants the option of putting in a concrete plant although it is not there now. He stated that his clients are currently working on the site plan for the Town's review.

Glen Barker stated that the draft by-law will have to be prepared and reviewed by Hard Rock. He stated that in regard to the concrete batching as a permitted use, that issue will have to be reviewed further. Public Mtg. Minutes (95 02 27) Page 319

Mike Sipos stated that if Hard Rock stays within the Town it will cause further pollution. He stated that that use should never have been allowed, and that it makes his land across the road useless.

The Chairman asked if there were any further comments or questions from the public. There being no further comments or questions from the public, the Chairman declared the Public Meeting closed.

(C) FILE 36-11(7) - PROPOSAL BY THE MINISTRY OF NATURAL RESOURCES  
SPECIAL SETBACKS FROM STREAMS TO BE IMPLEMENTED  
IN ZONING BY-LAW 93-14-21

Public member in attendance (who signed the Attendance Sheet) were Ed Bohonos, Ivan Zuzer, Paul Hatorp, Ken Dobrenski, John Kosuto, R. North, B. Honey, C. Kalybaba, Marlene Laidman, Walter Ivanchuk, John Hildebrand, R. Grebe, A. Hendriks, Wm. Staff, John Colyn, Margaret Romagnoli, Carol Austin, Shirley Martin, Jill Hildreth, Percy McKay, Len Blezard, Rob Murre, Val Csets, G. Harrington, N Casson, Fred High, Alfred Acres, Wm. Acres, W. Griffiths, Ivan Zuzek, R.D. Troup, R. Rezel, L. Hipple, D. Lenko, E. Dinga, L. Dyck, J. Vandenwerff, P. Kouk, S. Keith, Mary Lamon, Doug Funk, Randy Funk, Judy Coward, David Honey, Arden and Bill Vaughn, N. Vancuik, G. Dickie, Norman Vaughan, Cathy Mous (NNFA), Ken Durham (NNFA), Fred Oosterhoff, Don Martindale, Alois Sampl, Chris Shelton, Steve Jakymiw.

Felix Barbetti, Kim Frohlich, Anne Yagi, Linda Barbetti and Kathy Richardson were in attendance on behalf of the Ministry of Natural Resources (MNR).

Glen Barker stated that on February 15, 1993, the Town of Lincoln passed Zoning By-law No. 93-14-Z1 and that as part of the approval process, the public and various agencies were notified of its passing. He stated that the Ministry of Natural Resources (MNR) filed an appeal to the Town's Zoning By-law because not all of their concerns were addressed, in particular, the requirement for a 15 metre vegetative buffer. He stated that the purpose of this 15 metre vegetative buffer is to control land use, in particular the location of building and structures. He stated that the other purpose is to control water quality. He stated that in regard to this issue, no changes were made by the Town as a result of the MNR appeal, and therefore the Ministry appeared before the Ontario Municipal Board (OMB). The OMB considered the comments of the MNR and the OMB felt that because the changes to the By-law were major, that the public should therefore be notified and public input should be obtained prior to the OMB considering the matter. He stated that the OMB approved the new Zoning By-law and that on these lands, the old Zoning By-law applies. He stated that this meeting is being held so that staff and the public can obtain further information, and because of this there is no recommendation from staff on this issue. He stated that this issue is to be considered the week of June 19th by the OMB.

Felix Barbetti stated that he is the Area Supervisor of the Niagara District of the MNR. He stated that also in attendance was Kim Frohlich, Anne Yagi, Linda Barbetti and Kathy Richardson. He stated that the MNR is concerned about water quality. He stated that they would like to streamline controls of structures in these areas. He stated that it is not intended that lands are to be taken out of agricultural production, and that these proposed changes will not eliminate agricultural practices. He stated that the intent is to preclude structures that would affect water quality in headwater areas. He stated that the Zoning By-law is an important opportunity to address their concerns. He stated that new Zoning By-laws are only prepared every five to ten years. He stated that they would like to propose that a working group be formed to address solutions and that the working group could include the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Conservation Authority and that they would like to have this working group set up and work on the issue in the .. . next eight weeks prior to the commencement of the OMB Hearing.

Anne Yagi stated that she is the Area Biologist for the MNR. Anne Yagi then gave a presentation on the reasons why the MNR wanted changes to the Town's Zoning by-law. (Ms. Yagi's presentation is attached to the end of the Planning and Development Committee minutes)

Kim Frohlich stated that it is important to recognize these vegetative buffers. She stated that it encourages a sustainable development. She stated that one of their concerns is water quality and Public Mtg. Minutes (95 02 27) Page 419

therefore they want any buildings or structures to be located outside of the 15 metre vegetative . buffer. She stated that the headwater streams have now been recognized and therefore they

appeared at the OMB Hearing. The OMB Hearing supported the position that a Public Meeting should be held. She stated that the Town's Official Plan provides a framework for the implementation of the vegetative buffers. She stated that Schedule 'A' in the Town's Official Plan recognizes the Twenty Mile Creek and designates a number of watercourses as Environmental Conservation. She stated that in addition, Schedule 'C' in the Town's Official Plan also outlines the fisheries resources within the Town. She stated that the Official Plan notes that natural resources are susceptible to development. She stated that the Official Plan policies state that in addition to those lands designated as Environmental Conservation, the Town recognizes the contribution that many small watercourses and tributaries of the small creeks make to the character of the Town and it states that the municipality, in their review of development applications and in the preparation of the new Zoning By-law shall endeavour to preserve and protect the amenity of these watercourses. She said that the MNR has determined that these critical areas need to be recognized. She stated that the existing Agricultural (A) Zone setbacks do not protect the buffer. She stated that the change of the zoning will not affect farm practices, only the location of buildings or structures. She stated that agricultural uses can change and that existing buildings will not be affected. She stated that new buildings or structures are to be located outside of these areas. She stated that zoning of the lands to Environmental Conservation does not limit the crossing of these creeks. She stated that they are encouraging good farm practices. She stated that by having these areas recognized in the Comprehensive Zoning By-law, there is no need for site specific changes. She stated it reduces the agencies involvement and provides the information to someone upfront. She stated they're open to other means of implementing, to ensure that the Ministry's objectives are met, and that one of those options is a change to the Town's Zoning By-law. She stated that changes to reduce the buffer can be done through the amendment process. She stated that the changes to the Zoning By-law implements the Official Plan because it protects the fisheries resource. She stated that the Ministry wants to encourage sustainable development and that they are open to setting up a working group.

Fred High stated that he represented a number of the landowners in the area who are affected. Fred High had a number of concerns with the proposed changes of the MNR. (Fred High's presentation is attached to the end of the Planning and Development Committee minutes)

In response to inquiry from Fred High, Anne Yagi stated that the MNR is concerned with the headwater areas and that a number of the other areas may have been missed because they were fairly close to an Environmental Conservation Area, and because of that it was not necessary to identify those areas.

Fred High then questioned whether or not the Ministry would be mapping additional areas. Felix Barbetti stated that the Ministry's common goal is to improve water quality. Fred High questioned where the MNR was coming from. He then again asked if these were the only areas to be affected. In response Felix Barbetti said it was difficult to answer that question because the mapping that they have right now is sufficient, based on the data they have available.

Fred High then asked whether or not the 15 metre vegetative buffer was taken from the ditch edge, the low or high water mark. In response, Felix Barbetti stated that the 15 metre vegetative buffer would be taken from the centre line, and it is flexible. Fred High stated that the Ministry has indicated that natural vegetation is preferred and that they also said that agricultural crops are acceptable, however you mention that trees are not suitable. He questioned about whether a plowed field would be appropriate. In response, Anne Yagi stated that the intent of the proposed changes is to preclude structures and manure storage facilities. She stated that the long-term intent is to implement soil conservation, and that the Ministry strongly suggests that the areas be left as grassed watercourses.

Fred High questioned what if changes are made in the future in regard to farm practices. Anne Yagi a

stated that they would like to have these areas as grassed waterways, however, they can't regulate it. Public Mtg. Minutes (95 02 27) Page 519

Fred High stated that he does not see a need for this zoning and that they are capable of managing I their own lands. He stated that farmers are willing to work with the MNR. He stated that farmers are very flexible because they have to adapt to changes. He then questioned what permits would a be required, such as permits for culverts, locating driveways, plowing the areas, etc. In response, Anne Yagi stated that no permits would be required.

Tom Neufeld stated that he is in attendance on behalf of the Niagara North Soil and Crop Improvement Association. Tom Neufeld expressed his concerns with the proposed changes by the MNR (Tom Neufeld's presentation is attached to the end of the Planning and Development Committee minutes)

Peter Doris stated that he is in attendance on behalf of the Cattlemens Association. He stated that he works out of the Guelph area. He stated he is concerned about the changes proposed by the MNR because of the precedent it could set. He stated that not all landowners affected have been involved in the process. He stated they are concerned in regards to the width of the buffer. He

stated that many documents are under review, and that planning is designed to control human development. He stated that these areas may be better protected through a co-operative approach, rather than control. He stated that this issue must start with the private landowners and that any decision on this matter may impact on property values. He stated that currently, permits are required at the municipal level for drainage works. He stated that the landowners should be invited to attend a working session.

Henry Swierenga stated that he is here on behalf of the Ontario Federation of Agriculture. He questioned whether or not this policy is proposed under the Wetlands Policy Statement. In response, Anne Yagi stated that if water quality is improved as a result, that therefore this changes implements the Wetlands Policy Statement.

John Murre then asked if there will be rebates to the landowners affected. In response, Felix Barbetti stated that they will not be buying, nor will the Ministry be taking land. He stated that they are encouraging good stewardship. He stated that the by-law approach is one approach. John Murre stated that the proposal by the MNR is not needed.

Chris Shelton stated that although the buffer strips are proposed for filter purposes, the farm drainage systems that are in these farms drain directly into these areas. Chris Shelton questioned whether or not the water level of Lake Ontario affected Jordan Harbour. He also questioned about the effect by the Seaway Authority in regards to the Lake Ontario level. He stated that Lake Ontario level has more impact on the Jordan Marsh than sedimentation flow from other creeks. In response, Anne Yagi stated that water quality is also a concern.

Don Campbell stated that there hasn't been any change in the water levels of Jordan Harbour in the last little while, even though over the years there have been periods of high rainfall and drought. He stated that there's not been much change in 50 years. He stated he is concerned about the 50 foot setback, and that as far as he is concerned, because of the controls, they may as well own the property.

Glen Harrington stated that he represents the Conservation Council who started up 15 years ago. He stated that they are concerned about water quality in the Great Lakes and that you can't rehabilitate the Great Lakes systems unless you control sedimentation into the Great Lakes. He stated that therefore you need watershed planning, otherwise you can't manage the Great Lakes. He stated that everyone is part of the eco-system and that the MNR changes may not go far enough. He stated that the controls are needed because of poor management and that those changes provides for a healthy environment. He stated that this important issue needs to be resolved.

A member of the Public stated that there should be less bureaucracy. A member of the public stated that the reduction of phosphorus may have had an impact on the fish habitat as well, and that this could be the case in Jordan Harbour. He expressed a concern that the assumptions made by the MNR were based on 1972 phosphorus levels. Public Mtg. Minutes (95 02 27) Page 619

Anne Yagi stated that zebra mussels have also been a problem. She stated that because of the zebra mussels, you end up with clean water in the centre and dirty water at the edges of the Lake.

A member of the public stated that nature should find its own balance. In response, Anne Yagi - stated that sedimentation creates an imbalance in the eco-system.

In response to inquiry from Dan Lenko, Anne Yagi stated that the flows in the Jordan Harbour will rise in the next 100 years.

Dan Lenko then questioned what percentage the problem of high water levels in Jordan Harbour is due to sedimentation.

A member of the Public stated that the spawning beds for pike in the Twenty Mile Creek are not native and that they were introduced into the Twenty Mile Creek. He stated that when he was young there was a variety of fish in the Twenty Mile Creek, but no pike. He suggested that Twenty Mile Creek should be re-stocked with native species. He stated that 100 years ago there were rapids in the Twenty Mile Creek and because of the quarrying that has occurred in the creek in the last 100 years, the water level has affected water levels.

Allan Yungblut stated that the MNR should use current data regarding farm practices because their practices have changed since 1972. He stated that currently most farmers are doing less tilling of the soil next to these watercourses.

Anne Yagi stated that the quality of the water in the Jordan Marsh has not improved in the last five years.

Linda Barbetti stated that the Zoning By-law is new legislation and that they would like to work with the Town to achieve its goals. She stated that by dealing with the matter in a comprehensive basis, it reduces their involvement, such as what would be required to comment on a severance application. She stated that this is the beginning of the public consultation process.

Alfred Acres stated that a rezoning of the lands sounds much different than improved farm practices and guidance from the Ministry. He stated that the easement programme prevents development, and farmers are already trying to prevent erosion. He stated that with farming there's just one piece of legislation after another, and it goes on and on. He stated that although willow trees are good for

erosion purposes they do not prevent sedimentation.

Brian Staff stated that he has 100 acres and that this zoning separates the land into 9 pieces. He questioned how can you farm around these grassed waterways. He stated that on his farm, he would lose 9 acres to the Environmental Conservation areas. He questioned how he would cross those areas and that in his opinion, the Ministry is taking his land.

Kim Frohlich stated that the Ministry is not fixed on any one method of implementation, however, the zoning is the most clear approach. She stated that their objective is to encourage water quality and quantity and to prevent any buildings or structure from being located in these areas. She stated that the lands can still be cropped, tilled and trees can be planted.

Brian Staff stated that although he owns these lands, he wouldn't be able to farm it. In response Anne Yagi stated that the Ministry is only concerned with the location of buildings or structures.

John Colyn stated that 15 years ago, farmers started good stewardship programmes to conserve the soil. He stated that they are responsible people and in his opinion, these map changes make it look like it is a land grab. He stated that they already have utilities cutting up their landscape. He stated he is concerned about crossing these areas and that passing of this by-law could open the door to future changes by the MNR. He stated that they can't have any more encumbrances on their lands and that this is just a start.

Mary Lamon stated that we should think of ourselves as a global society, and that they can't live without water and air. Mary Lamon stated that they need education and need cooperation. She Public Mtg. Minutes (95 02 27) Page 719

stated that in the last 7 years since they've lived along the lakeshore, they've lost 20 feet and that 30 years ago there was an orchard adjacent to the lakeshore. m

Steve Jakymiw then questioned why the MNR appealed the Zoning By-law. In response, Glen Barker stated that the MNR requested that the Town address the issue of vegetative buffer guidelines in the Zoning By-law, and one of those options was the Environmental Conservation zoning. The other option was a general provision in the Zoning By-law. He stated that the Town did not act on the request of the MNR, and therefore the MNR appealed the Zoning By-law. He stated that the OMB directed that a public meeting be held, because the public had not been notified. He stated that it is the MNR that wants the zoning changes.

Steve Jakymiw questioned whether or not the EC zoning would be different in the rural versus the urban area. In response, Glen Barker stated that Environmental Conservation zoning, whether in the rural area or urban area does not permit any buildings or structures to be located on those lands. He stated that the Ministry would like to see a grassed buffer for sedimentation.

Don Martindale stated that this by-law will control a third of his one-acre lot and that it uses up his entire backyard. I

A member of the public suggested that the Ministry should look at the impact of septic systems.

Anne Yagi stated that water quality is what's in the end source.

A member of the public stated it's not fair to blame the farmers and questioned about the impact of cleaning out roadside ditches. In response, Anne Yagi stated that the Ministry of Transportation sets the standards for cleaning out roadside ditches and that they are trying to work with the Ministry of Transportation to address this issue. A member of the public stated that the cleaning of the roadside ditches causes more sedimentation problems than farming the lands. Anne Yagi stated that they need to update the Ministry of Transportation standards for roadside ditch cleanouts.

Lyle Shelton asked what about wind erosion? In response Anne Yagi stated that, yes, that is a concern and that trees should be put up as windbreaks.

Norm Johnson stated that the degradation of the Jordan March is a serious problem and it will take a long time to rectify the situation. He stated that farmers have been practicing a no till or minimum till approaches next to these watercourses, and therefore the zone change is not necessary.

Henry Swierenga then questioned if these proposed changes were as a result of Bill 163. In response Anne Yagi stated that the sedimentation concerns are outlined in the Fisheries Act, which is a Federal policy. Henry Swierenga stated that as far as wetlands go, agricultural use is not subject to the wetland policies.

Fred High questioned what criteria are outlined by the Department of Fisheries and Oceans, and whether they cover watersheds and subwatersheds. In response, Anne Yagi stated that the Fisheries policies are from the Department of Fisheries and Oceans and it states that no one shall deposit sedimentation into a watercourse, because it could affect the fish habitat downstream.

Fred High then questioned whether the Department of Fisheries and Ocean policies affects farmland sedimentation. In response Anne Yagi stated that, yes, because all sedimentation ends up in the ditch.

In response to inquiry from a Committee member, Anne Yagi stated that she had prepared her handout for tonight's meeting.

In response to inquiry from a Committee member, Kim Frohlich stated that the definition of structure is based on what's in the Town Zoning By-law. Public Mtg. Minutes (95 02 27) Page 819

A Committee member expressed a concern that many people left Europe because of all their regulations and that there are various controls which are of concern, such as the 120 metre setback of the MNR and the Niagara Escarpment Plan.

A Committee member suggested that these additional controls are a lot of expense to the landowners and if they take the brunt of the legislation, what would society give in return. 8 Felix Barbetti stated that if they follow through with these changes, stewardship objectives would be met. He stated that for example, the Niagara Peninsula Conservation Authority will on March 1st, 1995, take over the erosion control works along the lakeshore. He stated that the MNR is striving for clean air and water although there is no directed pay back for that.

A member of the Committee questioned whether or not that if the Town were to implement these changes, would the MNR provide assistance with stewardship. In response Anne Yagi stated that there are experts that would provide guidance in this matter.

A Committee member noted that the zoning change only prevents buildings or structures and that the rest is on their honour system.

Another Committee member noted that as a society, we have to ensure that the land is left to our children in good hands and that the zoning solution may not be appropriate and therefore a working group may be a good idea.

Felix Barbetti stated that the issues of quality of life, air, water are much related to other issues.

Anne Yagi stated that the main concern of the Ministry is water quality.

A Committee member stated that most of these water courses are nothing more than indents in the soil, they're not watercourses. He stated that there are underdrainage culverts in these areas. In response Anne Yagi stated that these areas are headwater creeks and that they don't want any buildings or structures in these areas.

A Committee member questioned about the watercourses that were missed. He stated that the MNR states that grassed waterways won't be imposed, however, on page 8 of Ms. Yagi's presentation she talked about the need for grassed waterways. He then questioned what the Ministry wants.

Kim Frohlich stated that the purpose of the zone change is to affect the location of buildings and structures. She stated that the Environmental Conservation Zone permits agricultural uses because it is indicated so in the Zoning By-law.

In response to inquiry from a Committee member, Linda Barbetti stated that the reason this issue is before the OMB is because the Town did not address this issue at the beginning and it had to be raised at the OMB Hearing. A Committee member stated that there was no public meeting by the MNR until the OMB directed that a public meeting be held.

Linda Barbetti stated that the Ministry is trying to work with the Town.

In response to inquiry from a Committee member, Kim Frohlich stated that under the Fisheries Act, the Ministry has the power to act if sedimentation has occurred.

A Committee member stated that the farmers should be given a chance and that they're tired of bureaucracy and are concerned with the changes proposed. He stated he does not think the changes are appropriate.

In response to inquiry from a Committee member, Glen Barker stated that although the OMB . \* Hearing has been scheduled for June 19th, the actual time has not been set. A Committee member stated that if this issue is not resolved, it will go before the OMB. Public Mtg. Minutes (95 02 27) Page 919

A member of the Public stated that you probably can't build in these low areas anyway and therefore these changes are not needed.

Fred High stated that they have a strong desire to meet with the Ministry of Natural Resources to \* resolve this issue. He stated that it is necessary to do a walking tour of these areas and that the process needs to be simplified. He then questioned whether the Ministry would drop their request for a zone change. Fred High stated that he would like to be part of the working group.

Felix Barbetti stated that anything that gets the Ministry to the same objective would be acceptable.

Chris Shelton stated that the farmers goals are the same as the MNR, and that the MNR should have gotten their input prior to getting this far.

The Chairman asked if there were any further comments or questions from the public. There being no further comments or questions from the public, the Chairman declared the Public Meeting closed.

SECRETARY CHAIRMAN \* Prepared by: K. Dale. Deputy Director of Planning and Development  
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