

Lincoln Chambers

April 3, 2000

The Council of the Town of Lincoln met in regular session on Monday, April 3, 2000, at 7:05 p.m., in the Lincoln Chambers. All members of Council were present except Ald. H. Bald, and the meeting was chaired by Mayor R. Konkle. Staff present: K. Dale (Director of Planning and Development), I. Kukalis, (Acting Director of Public Works), S.B. Peever, (Acting Chief Administrative Officer), T. McHarg (Director of Corporate Services/IClrk).

Mayor Konkle called the meeting to order.

ADOPTION OF MINUTES

Motion:

Moved by Ald. B. Culp, Seconded by Aid. D. Good

That the- minutes of council's reg"lar meeting of March 20th, 2000, be adopted as circulated. CARRIED

BUSINESS ARISING FROM THE MINUTES

Discussion arose regarding oversized vehicles and damage to the Town's road system. The Acting Chief Administrative Officer advised that a report on this issue will be prepared for an upcoming Public Works Committee meeting.

PUBLIC MEETING

The Mayor opened the Public Meeting and the Clerk outlined that the purpose for the Public Meeting was to hear any parties interested in the proposed closing and transfer of the road allowance between Con. 4 & 5, Part Lot 12, former Township of Clinton, Town of Lincoln. No parties present at the meeting expressed an interest on the matter and the Mayor declared the Public Meeting adjourned.

DELEGATIONS

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TOM RICHARDSON. RE: BAYVIEW FLOWERS ZONING BY-LAW AMENDMENT

Mr. Tom Richardson was present on behalf of the applicants and stated that this property has been zoned since 1978 to permit greenhouses. Mr. Richardson informed that the applicants wish to build in phases, but a setback of 30 metres would require a significant reduction in building area and a setback of 25 metres on Haynes Avenue would be desirable. Labour and traffic estimates were submitted with approximately 20-25 deliveries from outside companies being noted. Mr. Richardson stated that the applicants are willing to speak with the neighbours during the site plan process.

NANCY CINO AND DOUG WILEY. RE: BAYVIEW FLOWERS ZONING BY-LAW AMENDMENT

Ms. Nancy Cino and Doug Wiley spoke on behalf of the residents of the area and voiced concerns with parking, hours of operation, the proposed size of the operation, adequate landscaping as well as other concerns. (Council, Apr. 3, 2000) Page 2

DOROTHY BAREFOOT

Mrs. Barefoot spoke to Council regarding her water bill and water usage, noting the dramatic increase of the water bill.

Motion:

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

That the concerns regarding Dorothy Barefoot's water bill be referred back to the Finance and Administration Committee. CARRIED

REGIONAL COUNCILLOR JILL HILDRETH

Regional Councillor Jill Hildreth was in attendance and spoke on the following issues:

Mrs. Hildreth discussed the Region's Wastewater pamphlet noting that there have been complaints from people residing outside of the urban areas as they do not receive leaf pick up. It was noted that Lincoln's area was determined in 1998 and that the Town would have to pick up any extra cost for additional servicing.

Mrs. Hildreth stated that Ontario Street resurfacing was approved by Regional Committee and tenders are to be let by the week ending April 14, 2000. Council was informed that King Street reconstruction has been approved.

Mrs. Hildreth advised that the Regional Planning Committee has approved the Official Plan Amendments 20 and 21.

The meeting was recessed at 8:55 and reconvened at 9:00 p.m.

REPORTS

Motion:

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

That the minutes of the Public Meeting of March 27th, 2000, be received.

CARRIED

PLANNING COMMITTEE

The following three resolutions were passed regarding Bayview Greenhouse application:

Motion:

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

Whereas a concern has been expressed by the residents of the area about ongoing traffic problems.

Whereas there is a need to properly separate the ongoing agricultural operation from the residential area.

Be it resolved,

That the Town of Lincoln require that all berming and landscaping be completed within one (1) year of the approval of the site plan agreement.

Further, that a drainage study be completed and incorporated into the site plan to see that all on site and off site drainage will be properly handled by the applicants.

Further, that the site plan shall have a designated area for truck parking, this area to be located to alleviate, as best as possible, the impact of the trucks on the residential areas.

Further, that the site plan shall be reviewed by the Public Works Committee prior to final approvals. (Council, Apr. 3, 2000) Page 3

(resolution continued from previous page)

Further, that the Town of Lincoln direct staff to complete a review of Haynes Ave. with the possibility of making the street a dead end street and that a report on this matter be brought to the Public Works Committee within six (6) months for action.

Further, that when the report is presented to Committee, that all residents be invited to the meeting to review the proposals. CARRIED

Motion:

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

Whereas a concern has been expressed by the residents of the area about ongoing traffic problems

Be it resolved.

That the applicants complete a Traffic Study to provide detailed information on the impact of the present operations and the proposed future expansions. CARRIED

Motion:

Moved by Ald. D. Good, Seconded by Ald. G. Barlow

That the setback be 25 metres for zoning the by-law amendment application for Bayview (I Greenhouses). CARRIED

Motion:

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

That the Planning Committee minutes of March 28th, 2000, be adopted, and the recommendations contained therein, and as amended, be approved and acted upon.

CARRIED

Motion:

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

That the Planning Committee minutes of March 29th, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

Council entered into discussions regarding the winery approval process, expansion and building permits. It was noted that an interim control would not allow anyone to expand and that the by-law could be repealed or revised at any time. The Acting Chief Administrative Officer will have a report prepared regarding this issue.

0 CONFIRMATION OF COMPLIANCE WITH SECTION 34 OF THE PLANNING ACT

Motion:

Moved by Ald. D. Good, Seconded by Ald. G. Barlow

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 notices of public meeting is required in the matter of the following proposed amendments to Zoning by-law No. 93-14-21:

(a) No. 00-28-2206, to amend Zoning By-Law No. 93-14-21, as amended, of the Town of Lincoln (Bayview Greenhouses). CARRIED

BY-LAWS

Motion:

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

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

(a) No. 00-28-2206, to amend Zoning By-Law No. 93-14-21, as amended, of the Town of Lincoln (Bayview Greenhouses).

(h) No. 00-29, to stop up and close part of the unopened road allowance between Concessions 4 & 5, Part Lot 12, in the former Township of Clinton (Beal Peninsula Ridge).

(c) No. 00-30, to adopt, confirm and ratify matters dealt with by ~ouncil resolution.

CARRIED (Council, Apr. 3, 2000) Page 4

Motion:

Moved by Ald. G. Bartow, Seconded by Ald. D. Good

That By-law Nos. 00-28-2206, 00-29, and 00-30, read a first time, be now read a second and third time and finally passed, and that the Mayor and Clerk sign and seal said by-laws.

CARRIED

CORRESPONDENCE

Mayor Konkle acknowledged Mr. Phil Andrewes dedicated and valuable service to the Town and Lincoln Hydro. Mayor Konkle noted that Mr. Andrewes will be recognized by the Town at a later date.

Motion:

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

That Council support the resignation of Mr. Philip Andrewes letter of resignation from the Lincoln Hydro Electric Commission effective March 31, 2000.

CARRIED

Motion:

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

That Council support the City of P.O.G. Colborne's request of support to the CRCT for CanWest Global Communications application to establish a new high quality national network that includes the acquisition of CHCH and re-establishing the local identity of this station.

CARRIED

Motion:

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

That Council support the efforts of the Canadian Committee on Shipbuilding and Policy towards initiating a new and relevant shipbuilding policy for Canada. CARRIED

Motion:

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

That Council support the position of the County of Elgin that the Department of Fisheries and Oceans has no jurisdiction under the Fisheries Act to regulate, issue guidelines or expend public funds on matters pertaining to drainage works constructed under the Drainage Act (Ontario), unless those drains are natural watercourses. CARRIED

Motion:

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

That Council support the initiative of pursuing possible utility amalgamations with neighbouring utilities. CARRIED

Motion:

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

That the proposed amendments to the Official Plan and Zoning By-Law of the Corporation of the Town of Lincoln pursuant to sections 17 and 34 of the Planning Act, 1990 be advertised. CARRIED

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. G. Barlow

Whereas the Town of Lincoln is in the process of reviewing and amending their Zoning By-Law and Official Plan.

Whereas it would be beneficial for all members of Council and Senior Staff to have an opportunity to visit and tour various sites.

Be It Resolved,

That the C.A.O. establish a tour of Winery Sites (three sites from large to small), Greenhouse Sites (two sites including a large operation and a smaller operation) and any other relevant locations in the Town of Lincoln.

Further, that the C.A.O. discuss the tour with the Public Works Dept. to ascertain possible site visits that may be beneficial. (Council, Apr. 3, 2000) Page 6

Motion:

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

That Council proceed with the Campden Sewer project under Section 9 of the Local Improvement Act, and further, that Council authorize staff to begin the secondary plan for Campden to set out the municipal services for the hamlet.

Further, that the Council authorize staff to begin the environmental assessment amendment process and engineering associated with the project.

Further, that the Town continue to pursue any further grants or monies to offset the cost for the affected homeowners of Campden. CARRIED

Ald. W. MacMillan disclosed a pecuniary interest regarding the following issue and he refrained from partaking in discussion and voting on the matter.

Motion:

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

Re: -iaeara Under lai is ree en house Entrance . . , Whereas, ample time has been given to have the entrance from the North Service Road constncted by the applicant.

Whereas, continued usage of Maplegrove Road for entrance to this operation will cause further damage to the road.

Whereas, the present entrance was set as an emergency entrance only.

Be It Resolved

That the present entrance from Maplegrove Road be converted to an emergency entrance "Only" by the Public Works Department.

Further, that the applicant be advised that all future deliveries and truck traffic shall be via the entrance from the North Service Road. CARRIED

Motion:

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

That the Town has no objections to the block 52 plan of subdivision being modified to reduce the number of single detached lots from 13 to 12; and

That the Town has no objections to Condition No. 27 being amended as follows:

"Pursuant to the provisions of Section 42 of the Planning Act, R.S.O. 1990, the Owner pays to the Town, prior to the issuance of a building permit, five (5) percent cash in lieu of lands for the parks purposes. Note: The Town may consider the dedication of land for park purposes which are located outside of the plan of subdivision in order to meet the five (5) percent park dedication requirement."

CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned at 11:00 p.m. Council Chambers

April 10, 2000

Minutes of the Public Works Committee of the Town of Lincoln held on

- a

Monday, April 10, 2000, at 7:00 p.m., in the Council Chambers.

Present were: Ald. A. Danyluck (Chairman), Ald. G. Barlow (Vice-Chairman), Ald. R. Kelly, Ald. B. Davies (for Ald. H. Bald) and Mayor R. Konkle. Also in attendance was Ald. W. MacMillan. Staff present: J. Kukalis (Acting Director of Public Works), D. Campbell (Operations & Equipment Manager) and Bram Radix, Chief Building Official.

PUBLIC WORKS ACCOUNTS

Committee expressed concern regarding the discrepancy between the regional water charges and sewer charges and requested that staff report back with an analysis of this including appropriate graphical information.

Motion :

Moved by Ald. G. Barlow, Seconded by Ald. R. Kelly

THAT Department payments in the amount of \$369,994.18 incurred - in accordance with Council Policy A-94-218, having now been audited

by Committee be ratified by Council.

CARRIED

RECREATION ACCOUNTS

Motion :

Moved by Ald. R. Kelly, Seconded by Ald. G. Barlow

THAT Department payments in the amount of \$5,599.17 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

DELEGATIONS

None

REPORTS *

A. SNOW REMOVAL FROM SIDEWALKS, PW 00-62 -

Members of Committee expressed concern that some residents are frustrated that they must remove snow from their walks or driveway entrances twice, due to snow plowing operations on the roadway and that this was particularly problematic to seniors.

The Acting Director of Public Works confirmed that the municipality provides snow removal from sidewalks at no cost to seniors or disabled individuals.

The Committee also questioned the discrepancy in cost for this service between Lincoln and Grimsby.

The Acting Director of Public Works indicated that the figures in the background section of the report were outdated as that cost comparison was done in 1988.

Also, Lincoln is unique in that it has four distinct urban areas to which this service could be applicable (i.e. Jordan, Vineland, Beamsville and Campden) as opposed to Grimsby, which has only one. As such, a direct comparison is not possible. Motion :

Moved by Mayor Ray Konkle, Seconded by Ald. R. Kelly THAT the Public Works Committee recommend to Council that report be received for information. FURTHER THAT staff request additional information from Grimsby.

CARRIED

B.ASPHALT ROOF REPAIRS AT LINCOLN MUNICIPAL OFFICES, TENDER RESULTS, PW 00-76

Members of Committee inquired as to why local roofing firms were not invited to tender on this project.

The Operations and Equipment Manager indicated that the roofing membrane used at this building was very specialized work and that no local firms that he was aware of were equipped to do the work. He further indicated that local firms are always considered first for more standardized work.

Committee also inquired as to why Tremco was being used to prepare the tender packages and administer/inspect the work.

The Operations and Equipment Manager indicated that Tremco retained due to the specialized nature of this work and that enhanced warranty would be provided by Tremco (i.e. additional eight years) .

The Committee indicated that Tremco should be directed to x-ray/re-inspect the areas of the roofing where previous repairs had been completed in the last five or six years to verify its condition.

Motion :

Moved by Ald.G Barlow, Seconded by Mayor R. Konkle THAT the Public Works Committee recommend to Council to award the contract for the restoration of the asphalt roof (Area "C") at the Lincoln Municipal Offices to Spinton Roofing Ltd. at the bid price of \$29,425.00. FURTHER THAT the Mayor and Clerk be authorized to sign and seal the necessary documents on behalf of the municipality. . CARRIED

C.ASPHALT ROOF REPAIRS AT THE BEAMSVILLE ARENA, PW 00-77 •

Motion:

Moved by Ald.G Barlow, Seconded by Ald. R. Kelly THAT the Public Works Committee recommend to Council to award the contract for the restoration of the asphalt roof (Area "C") compressor room at the Beamsville Arena to Roberts Maintenance Ltd. at the bid price of \$21,282.30. FURTHER THAT the Mayor and Clerk be authorized to sign and seal the necessary documents on behalf of the municipality. .-

CARRIED

D. DEVELOPMENT INSPECTION GUIDELINES, PW 00-78

Members of Committee expressed support for the guidelines and a general disappointment with the inspection services that have been provided by consulting engineering firms in new developments. Some members felt that the best way to deal with this would be for the Town to also provide a full time inspector in new developments, in addition to the consultant's inspector. Committee also expressed that engineering consultants should be held more accountable for work they have designed and supervised, but that did not endure as intended. The Mayor expressed a concern that the guideline was not comprehensive enough and that staff should endeavor to put an enhanced "checklist" type system in place to ensure that items contained in the subdivision agreements were not forgotten in the field.

The Acting Director of Public Works indicated that Planning, in conjunction with Public Works staff were currently preparing an entirely revised subdivision agreement that if implemented, should alleviate some of this concern as items relating to required works would be outlined in the same schedule in every agreement. He further indicated that no system will address all development situations and that competent, stable staff was a key factor in ensuring developments proceeds smoothly.

Motion :

Moved by Mayor R. Konkle, Seconded by Ald. R. Kelly
THAT the Public Works Committee recommend to council that the Development Inspection Guidelines dated March, 2000 be adopted by Council. FURTHER THAT staff be directed to implement the guidelines in all new subdivision developments.

CARRIED a E. ROOF REPAIRS AT THE RITTENHOUSE LIBRARY, TENDER RESULT,PW 00-79

Members of Committee expressed disappointment that the roof is experiencing problems of a significant magnitude when it is only four years old. Committee generally felt that the Architect that led the "design-build" team should be held responsible, as his firm selected the system and inspected the installation.

Committee indicated that staff should consult with the Town Solicitor and prepare a follow up report on legal remedies that may be available to recoup costs.

Motion :

Moved by Mayor R. Konkle, Seconded by Ald. R Kelly
THAT the Public Works Committee recommend to Council to award the contract for the restoration of the roofing and all related components at the Rittenhouse Library to Roberts Maintenance Ltd. at the bid price of \$23,277.85. FURTHER THAT the Mayor and Clerk be authorized to sign and seal the necessary documents on behalf of the municipality. FURTHER THAT staff be directed to discuss the matter with the Town Solicitor and prepare a report on this matter.

CARRIED

F. WATERMAIN REHABILITATION, VINELAND, TENDER RESULT, PW 00-84

Members inquired as to the warranty that is provided with this type of work.

The Acting Director of Public Works indicated that he thought it was the same as for new construction, but that he would check into it before the Council meeting.

Committee also expressed concern with respect to water quality for residents during construction, due to disturbance of the watermain.

The Acting Director of Public Works indicated that in order to ensure this does not happen, the normal practice is to isolate the a main being relined from the system and to feed the existing

residences with water via a temporary above ground system.

Members of Committee inquired how a watermain is deemed to be structurally suitable for the relining process. The Acting Director of Public Works indicated that staff have attended seminars on the relining process, as well as spoken with staff at other municipalities that do significant amounts of relining and that this has been a question that Town staff have posed often. In response, staff have been consistently told that there is no physical testing that is done to confirm

the structural ability of the pipe and that even if a piece of pipe was cut out and tested, it would not necessarily represent the entire section. In this regard, break history is the governing factor in selecting a section of main for relining. For example, a section of watermain that experiences six or more breaks a season would likely not withstand the relining process. Accordingly, one of the reasons for selecting the current watermains for relining was the low frequency of breaks.

The Acting Director of Public Works noted that relining, although used extensively in the Toronto area, has not been undertaken in Niagara to date and as such, staff are very much viewing this

project as a "trial" to determine whether or not it should be considered for more extensive use in urban areas.

Motion :

Moved by Ald. G Barlow, Seconded by Ald. R Kelly
THAT Committee recommend to Council that the contract for the Vineland Watermain Rehabilitation project be awarded to New Tide Investments Limited.
FURTHER THAT the Mayor and Clerk be authorized to sign and seal the contract documents on behalf of the municipality.

CARRIED

a) FOREST HILL/ZONE 11 BOOSTER PUMP UPDATE

The Acting Director of Public Works indicated that subsequent to preparing the memo, discussions had occurred with Gore and Storrie regarding the design of the pumping station and in particular, provisions to Albright Manor. In this regard, if Albright Manor is to rely on the Zone 11 station for daily flow boosting, the standby generators not required until Phase 111, will be required now. Furthermore, the budget is already set for this project and due to an overriding legal matter, staff do not have time to enter into lengthy discussion relating to who will upfront the costs, etc. 0 After considering the matter, Committee passed the following resolution:

Motion :

Moved by Mayor R. Konkle, Seconded by Ald. R Kelly
THAT Committee recommend to Council that the design of the Zone 11 booster pump station be revised to include standby power to address the daily demand flows or the Albright Manor redevelopment provided the extra costs estimated to be \$120,000 are provided by the development proponent.
FURTHER THAT if an agreement satisfactory to staff cannot be arranged within two (2) weeks that staff proceed to finalize the booster pump station design and Albright Manor be directed to provide their own separate daiyy pumping station.

CARRIED

Committee was generally supportive of the plan proposed. In addition, the Mayor indicated that staff should ensure that the Region verifies the floats/level gauges in the reservoirs are working properly.

CORRESPONDENCE

a) Region of Niagara - King Street Parking
Received & Filed

b) All Green Irrigation - Beamsville Lions Park Watering System

Committee indicated that All Green should be invited to attend the park on Saturday, April 15 at 10:00 a.m. to discuss the problems in the Park with the Beamsville Lions. *.

c) Vineland Nursery School - Free Ice Time Request

Committee, although sympathetic to the user group, recommended against donating free ice time, due to the precedent that would be set.

d) Region of Niagara - Road Transfers

The Acting Director of Public Works confirmed that subsequent correspondence has been received, indicating that the Regional Road transfers have now been deferred.

NEW BUSINESS

A. CHERRY HILL GARDENS, LETTER OF CREDIT

The Acting Director of Public Works informed Committee that the subject development appears to be having financial problems and that notice of intent to cash securities for monies owed to the Town for water meters has been sent. Nonetheless, prior to cashing the letter of credit, confirmation of this course of action was required from Committee and Council. Subsequently, Committee passed the following resolution:

Motion :

Moved by Mayor R. Konkle, Seconded by Ald. R Kelly
THAT Committee recommend to Council that if the Town's
outstanding invoice for water meters for Cherry Hill Gardens is
not paid by May 8, 2000, staff be instructed to cash the letter
of credit deposited pursuant to the site plan agreement to
recover these costs.

B. CHARLES DALEY PARK PASSES

The Operations and Equipment Manager indicated that staff have been
approached by non-residents wishing to purchase a season pass to
Charles Daley Park and inquired as to whether or not they should be
allowed to purchase one. He further indicated that this item would
normally be deferred to the Community Services Committee but that
season passes to Charles Daley Park were to be printed before the
next Community Services Committee meeting.

After discussing the matter, Committee passed the following
resolution:

Motion :

Moved by Ald. G. Barlow, Seconded by Mayor R Konkle
THAT people from out of Town be allowed to buy a season pass
for Charles Daley Park for \$50.00 per season and per family.

CARRIED

C. KINSMEN PARK, VANDALISM

The Operations and Equipment Manager informed Committee that more
vandalism has recently occurred at the Kinsmen Park and that a follow up report would be forthcoming. After
discussing the problem

of vandalism on Town properties, Committee passed the following
resolution:

Motion :

Moved by Ald. G. Barlow, Seconded by Mayor R Konkle
THAT staff submit a report to Council on the effect of
establishing a paid for conviction reward system on vandalism and
willful destruction to Town of Lincoln property. CARRIED

D. VINELAND PARK ESTATES

The Acting Director of Public Works presented a memo regarding
requirements for an easement for emergency access to the Vineland
Park Estates development. After discussing the matter, Committee
deferred the matter to the next Council meeting.

E. CAMPDEN SEWERS

Members of Committee requested that staff clarify for the public
that Council has only approved the design/engineering,
plan, and environmental assessment work for Campden and that a
final decision to construct the works has been made.

F. SOBYE BASEMENT FLOODING

Committee directed staff to look into the status of the Soby
flooding problem on Central Avenue and contact the resident
Committee also indicated that the municipality has a policy/program
for providing and installing check valves to residents with a
surcharge problem.

UNSCHEDULED DELEGATIONS

None

ADJOURNMENT

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

CHAIRMAN SECRETARY Beamsville Room

April 12th, 2000 *@ Minutes of a meeting of the Museum Committee held in the - Beamsville Room on Wednesday,
April 12, at 5:30 pm.

Present were: Mayor R. Konkle, Ald. B. Davies, Ald. G. Barlow,
D. Catterall, Len Pennachetti, Rob Wismer.

Staff present: Helen Booth, Judy Pease.

Others present: Pierre Paquette, Michael Lundholme, and Ana
Policzer.

Regrets: Peter Millar, Ald. Wayne MacMillan and Ald. Hillary
Bald.

Accounts

Discussion was held regarding financial reporting. Mr. Pennachetti was asked to bring samples of suggested formats for the next meeting. The Museum Director was asked to look into the issue. A question was raised regarding t-shirt expenditures.

Motion:

Moved by D. Catterall, seconded by Ald. G. Barlow
THAT department accounts in the amount of \$7,002.77
having been ratified by Committee, be approved by Council.

CARRIED

Reports

School House Comparative Review, CM-00-80

Discussion was held regarding rentals and programming use versus cost of the facility. It was suggested that Mr. Pennachetti speak to the Treasurer for further information, and to bring the results to the next meeting. Staff level concerns were expressed.

Motion:

Moved by Ald. G. Barlow, Seconded by L. Pennachetti.
That the comparative review regarding School House
bookings be accepted as information.

CARRIED

Inventory Report, CM-00-81

It was stated that one half the textile collection remains to be inventoried. Copies of the inventory sheets are stored at both the museum and at Town Hall. It was suggested that the Clerk formally sign for the sheets.

Motion:

Moved by L. Pennachetti, Seconded by Ald. G. Barlow.
That the items listed on the submitted Inventory
Sheets be recognized as part of the Permanent Historic Collection
of the Jordan Historical Museum, and, as such, are also to be
recognized as being owned by Town of Lincoln, a Heritage House Furnace, CM-00-82
Mr. Lundholme explained the basis of revision for the original
estimate to complete the upgrading of the furnace/air
conditioning system for the Heritage House. The Gift Shop was
commended for their financial support of the project. The
Director was asked to provide the results of tendering. Concerns
were expressed regarding the stability of the building and
timelines to achieve the work. Discussion was held over the
long-term use of the building versus immediate need.

Motion:

Moved by Ald. G. Barlow, Seconded by Len Pennachetti.
THAT the Museum accept the financial assistance for
the environmental system from the Gift Shop Committee, and that
the Gift Shop Committee be thanked by Council for their donation,
also that work on installation of the equipment begin as soon as
possible, with clarification from the selected contractor as to
work is to be done.

CARRIED

Museum Activities, CM-00-83

A question was asked regarding the disaster plan, and how it
differs from the overall Town disaster plan.

Motion:

Moved by D. Catterall, Seconded by R. Wismer.
THAT the Museum Activities report be received for information.

CARRIED

Memorandums

School House bookings were affected by March Break. It was
stated that there is a waiting list and that many schools are
currently being turned away.

Correspondence

- a. Press Release, MCZR, regarding Heritage Challenge Fund
- b. on a motion from Casino Niagara

R & F

New Business

The Museum Director stated the outcomes from the SLATE conference, and circulated evaluations. The Chair expressed appreciation of Ms. Gallinger's academic expertise in Historic costuming.

The Committee moved into discussion with Mr. Lundholm regarding the Site Master Plan.

Adjournment

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

Chairman Secretary Lincoln Chambers

April 17, 2000

The Council of the Town of Lincoln met in regular session on Monday, April 17, 2000, at 7:05 p.m. in the Lincoln Chambers. All members of Council were present except Ald. H. Bald and the meeting was chaired by Mayor R. Konkle. Staff present: T. McHarg (Director of Corporate Services/Clerk), S.B. Peever (Acting Chief Administrative Officer), G. Sunstrum (Fire Chief), J. Kukalis (Acting Director of Public Works), K. Dale (Director of Planning and Development), J. Pease (Director of Community Services), M. Vanderwal (Engineering Technician, Public Works Department).

Mayor Konkle called the meeting to order.

ADOPTION OF MINUTES

Motion:

Moved by Ald. B. Davies. Seconded by Ald. A. Danvluck
That the minutes of ~ouncil's reguiar meeting of April 3rd, 2000, be adopted as circulated. CARRIED

BUSINESS ARISING FROM THE MINUTES

Ald. D. Good inquired whether the tenders have been let for the Ontario Street project. The Acting Chief Administrative Officer informed that the tenders have not been let to date.

DELEGATIONS

MR. PIERRE PAQUETTE, (PROJECT COORDINATOR). MR. ANDY BURT /GENERAL MANAGER OF CONSERVATION AUTHORITY) AND DARCY BAKER RE: TWENTY VALLEY PROJECT

r +

Mr. Paquette informed Council that a needs assessment will be completed as an initial step in the Twenty Valley Project. He noted that an open house for the C public will be scheduled for May as part of the initial consultation process. Council noted that some landowners are concerned with possible trespassing; therefore the entire area should be included in the study and the public consulted.

MR. PETER JENSEN. CREEKSID ESTATE WINERY. RE: STATUS OF ZONING

Mr. Peter Jensen expressed the need for Creekside Estate Winery to expand their operations and outlined the adverse impacts of the Interim Control By-Law currently in place in the Town of Lincoln. Mr. Jensen requested the Town to allow a conditional building permit and noted that any building erected would meet standards of any revised zoning by-law to be determined, otherwise the building would be demolished and rebuilt in compliance. (Council Apr. 17,2000) -2-
After the presentation from Mr. Jensen, the following resolutions were passed:

Motion:

Moved by Ald. D. Good, Seconded by Ald. G. Barlow
That for reasons outlined in PL 00-87 it is hereby recommended that the Interim Control By-Law No. 00-12 remain in place, in iis present form until the issues relating to wineries have been addressed. CARRIED

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. A. Danyluck
That a permit be issued for a "Foundation Permit" only for the proposed cellarstorage area only;
Further, the applicant must provide a detailed site plan showing the location of all proposed newold structures acceptable to staff and meeting Town standards for a site plan;
Further, the application shall include a proviso that the foundations shall

be removed if they do not meet the provisions in the new by-law;
Further, the applicant shall provide a letter of credit to cover costs of
removal of the foundations prior to the issuance of the permit;
Further, all fees must be paid prior to issuance of permit. CARRIED

REPORTS

PUBLIC WORKS COMMITTEE

The Acting Director of Public Works presented a video outlining the process
involved for watermain rehabilitation and relinina. .,

Motion:

Moved by Ald. A. Danyluck, Seconded by Ald. R. Kelly a
That the Public Works Committee minutes of April 10th, 2000, be adopted, and
the recommendations contained therein be approved and acted upon.

CARRIED

Discussion arose regarding the recommended watermain rehabilitation project. It
was noted that the contractor is responsible for temporary water to serve the
affected residences Weeand proper signage. Spot checks will be completed to
determine if water pressure has been improved after the project is completed.

BEAMSVILLE LIONS PARK

Motion:

Moved by Ald. D. Good. Seconded by Ald. D. Good
That ~obncil direct staff to in~ite~~ro~osals for design, tendering and
project management services for the next phase of development at the
Beamsville Lions Park; a
Further, that Earth Tech be included on the invitation list. CARRIED (Council Apr. 17,2000) -3-

BY-LAWS

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. A. Danyluck
That leave be given to introduce the following by-laws:
(a) No. 00-31, to exempt certain lands in Registered Plan No. Plan 30M-279,
from Part Lot Control, pursuant to Section 50 of the Planning Act.
(b) No. 00-32, to authorize the execution of a contract agreement with Collective
Utility Services for water meter reading services.
(c) No. 00-33, to adopt, confirm and ratify matters dealt with by Council resolution CARRIED

Motion:

Moved by Ald. D. Good, Seconded by Ald. B. Culp
That Bv-law Nos. 00-31, 00-32, 00-33, 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

CORRESPONDENCE

Motion:

Moved by Ald. D. Good. Seconded by Ald. G. Barlow
That ~o;ncil accept the resignation from Bettijane O'Neill from the Lincoln
Public Library Board effective January 26, 2000;
Further, that Council appoint Clair Culliford to fill the vacancy on the
Lincoln Public Library Board for the current term. CARRIED
Council was informed that the meeting between Grimsby Council and Lincoln
Council to discuss restructuring and the final Berkley Report has been
postponed. The Clerk informed Council that the public meetings proposed in
Lincoln regarding restructuring will be scheduled in the near future.

CLOSED SESSION

Motion:

Moved by Ald. G. Barlow, Seconded by Ald. D. Good
That Council adjourn to closed session in order to address matters
pertaining to:
(a) Litigation or potential litigation, including matters before administrative
tribunals, affecting the municipality or local board
(b) A proposed or pending acquisition of land for municipal or board purposes.

CARRIED

Motion:

Moved by Ald. A. Danvluck. Seconded by Ald. R. Kelly
That ~o;ncil resume i;l open session.
CARRIED (Council Apr. 17, 2000)

Motion:

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

That Vineland Park Estates be required to adhere to current municipal design standards including the provision of a six metre wide easement for emergency access. - LOST

YEAS: Ald. Barlow, Ald. Davies, Ald. Good

NAYS: Ald. Danyluck, Ald. Kelly, Ald. MacMillan, Mayor Konkle

Motion:

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

That Council authorize staff to draw on letters of credit for Forest Hill Subdivision, Phases One and Two in the amounts of \$655.77 and \$1,540.80 for payment of outstanding invoices 05879 and 05272 respectively dated December 31, 1999 and December 31, 1998. CARRIED

The Chief Administrative Officer noted that he will not cash these until he deems necessary.

Motion:

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

Whereas Section 38, Subsection (c) of the Municipal Act, R.S.O. 1990, requires Council to grant authorization to any of its members to be absent from its meeting for three successive months or longer.

And whereas Council has been advised by Ald. H. Bald that she will be unable to attend to her municipal duties for an undetermined amount of time, but in all likelihood, for a duration of twelve (12) weeks.

Now therefore, be it resolved that the Council of the Town of Lincoln grants authorization for this absence until Ald. Bald is able to resume her statutory duties as a member of Council or advises the Council differently.

CARRIED

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan

The following Aldermen be appointed to act in place of Ald. H. Bald on the following committees:

(a) Ald. B. Davies - Public Works Committee.

(b) Ald. A. Danyluck - Business Improvement Association.

(c) Ald. R. Kelly - Community Services Committee. CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned at 10:22 p.m. April 10, 2000

Beamsville Room

Minutes of a meeting of the Fire and Public Safety Committee held on April 19, 2000, at 7:00 pm, in the Beamsville Room. Present were Ald. W. MacMillan (Chairman), Mayor Bailey for a hill (lay ibr a bar-b-q~rc. The

Association was directed to send a letter to the Town, ot~tliriiiig their request.

Motion:

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

(11 00-90)

That the Committee accepts the report as information.

Carried

NOTICE OF NEW BUSINESS

None

ADJOURNMENT

There being no further business to discuss, the Chairman declared the meeting adjourned at

CHAIRMAN Beamsville Room

April 19th, 2000

Minutes of a meeting of the Finance & Administration Committee held on Wednesday, April 19th, at 7:43 pm, in the Beamsville

Room. Present were: Ald. B. Culp (Chairman), Mayor R. Konkle, Ald. B. Davies, Ald. D. Good and Ald. W. MacMillan. Also present:

Ald. G. Barlow. Staff present: S. B. Peever (Acting CAO),

T. J. McHarg (Director of Corporate Services/Clerk) and B. Radix (Chief Building Official).

MONTHLY ACCOUNTS

The Committee entered into discussions with respect to the monthly accounts.

Motion:

Moved by Ald. W. MacMillan. Seconded by Mayor R. Konkle - That Department payments in the amount of \$5,270,216.47

incurred in accordance with Council Policy A-94-218, having now been audited by committee be ratified by Council. CARRIED

DELEGATIONS

MRS. DOROTHY BAREFOOT RE: WATER BILLING ACCOUNT 070300A

Mr. & Mrs. Gerard were in attendance at the meeting on behalf of Mrs. Barefoot. The Committee reviewed the unusually high billing amount and entered into discussions with the view of coming to an amicable solution to the situation.

Motion:

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies
That the account of Mrs. Barefoot, 070300A, in the amount of \$772.64 be made payable by the homeowner at 2/3 of \$772.64 equaling \$509.94.

CARRIED

REPORTS

BU 00-67 JANUARY, BUILDING REPORT

Motion:

Moved by Mayor R. Konkle, Seconded by Ald. W. MacMillan
That Report BU 00-67, being the January 2000 Building Report, as submitted by the Chief Building Official, be received for the Committee's information. CARRIED

BU 00-68, FEBRUARY BUILDING REPORT

Motion:

Moved by Ald. B. Davies, Seconded by Ald. W. MacMillan . - That Report BU 00-68, being the February 2000 Building

Report, as submitted by the Chief Building Official, be received for the Committee's information. CARRIED

CS 00-86, PROPOSED CEMETERY COMMITTEE

The Committee entered into discussions concerning the establishment of a proposed cemetery committee and subsequently passed the following motion: (Finance, Apr. 19, 2000) - 2

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. B. Davies
That the Town of Lincoln establish a Cemetery Committee as a standing committee of Council;

And Further that the committee be comprised of the Mayor as ex-officio, Alderman Culp and three (3) members of the general public;

And Further that the committee establish a regular meeting schedule as the fourth Wednesday of every month with the meetings to commence at 7:00 p.m.;

And Further that staff be authorized to seek interested parties from the community to sit on the Cemetery Committee CARRIED

The Committee then entered into discussions concerning the terms of reference for this committee and some possible projects that could be entertained.

Motion:

That the Terms of Reference for the Cemetery Committee be approved as follows: a

i. To act as the Committee of Council responsible for all aspects of Municipal Cemetery operations for the Town of Lincoln;

ii. The Operations Manager and the Director of Corporate Services/Clerk will serve the Committee as non-voting members ;

iii. To report on matters referred to it by Council of the Chief Administrative Officer;

iv. To work with the Municipal Administration in the development of recommendations concerning cemetery policies;

v. To work with the Municipal Administration when requested to develop administrative policies regarding cemeteries;

vi. To work with the Municipal Administration in

identifying, developing and prioritizing cemetery capital projects;

vii. To work with the Municipal Administration to analyze and make recommendations concerning levels of service regarding cemeteries. CARRIED

TR 00-92, THE EVERGREEN REPORT

The CAO highlighted the Evergreen report for the Committee.

Motion:

Moved by Ald. D. Good, Seconded by Ald. B. Davies

That the Evergreen Report, as submitted by the Director of Finance, be received for the Committee's information. CARRIED

BU 00-93, ABANDONED ORCHARDS

The Chief Building Official commented on his report respecting abandoned orchards in the Town of Lincoln with some minor wording changes suggested by the Committee. The Town's Solicitor will review prior to being forwarded to Council for approval.

Motion:

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

That a by-law to designate certain diseased fruit trees as local weeds in the Town of Lincoln be forwarded to Council for approval. CARRIED (Finance, Apr. 19, 2000) - 3

0

CS 00-88, SUMMARY OF CORRESPONDENCE REPORT

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. D. Good - That the summary of correspondence report, as submitted by

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

OTHER REPORTS

TR 00-96, YEAR END TRANSFERS

The CAO highlighted the report on year end transfers from and to reserves and reserve funds to support the capital and operating fund expenditures for 1999.

Motion:

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

i. That the transfers from and to Reserves and Reserve Funds as outlined in Report TR 00-96, be approved.

ii. That the Reserves and Reserve Fund Status report incorporating the transfers be received for information.

iii. That the (unexpended)/Unfinanced Capital projects as of December 31st, 1999, be approved. CARRIED

RESTRUCTURING

The Committee discussed the three proposed public restructuring meetings and agreed to schedule two due to scheduling difficulties.

QUEEN STREET RECONSTRUCTION PROJECT

The Committee was informed that the results of the tender will proceed directly to Council for approval after discussions with the appropriate Chairman.

STAFF MEMORANDUMS

Motion:

Moved by Ald. D. Good, Seconded by Ald. B. Davies

That the Clerk be authorized to attend the Association of Municipal Managers, Clerks and Treasurers Annual Conference to be held June 11, 2000 to June 14, 2000. CARRIED

Motion:

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

That the Acting Chief Administrative Officer be authorized to attend the Conference of Canadian Association of Municipal Administrators to be held May 30, 2000 to June 2, 2000.

CARRIED (Finance, Apr. 19, 2000)

CLOSED SESSION

Motion:

Moved by Ald. B. Davies, Seconded by Mayor R. Konkle

That the Committee adjourn to closed session in order the address matters pertaining to:

- (a) Personnel matters about an identifiable individual, including municipal or local employees;
- (b) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. CARRIED

Motion:

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies

That the Committee resume in open session. CARRIED

Upon reconvening in open session, the Committee adopted the following motions:

Motion:

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

That the Town of Lincoln send notice to the lessee that if all payments outstanding to the Town are not paid within fifteen (15) days from the date of mailing the notice, that the Town shall invoke its remedies to it under the lease or at law (this includes immediate termination of the lease). CARRIED

Motion:

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

That the Town of Lincoln reimburse Mr. Kyle Kruger the amount of \$369.11 for legal expenses. CARRIED

ADJOURNMENT

There being no further business to discuss, the Chairman declared the meeting adjourned, at 9:19 pm.

CHAIRMAN Lincoln Chambers

April 25, 2000

Minutes of a meeting of the Planning and Development Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on Tuesday, April 25, 2000, at 7:04 pm. Committee Members in attendance: Ald. R. Kelly (Chairman), Ald. A. Danyluck, Ald. W. MacMillan, Ald. B. Davies, and Ald. G. Barlow (sitting in for Mayor R. Konkle). Staff in attendance: Kathleen Dale (Director of Planning and Development) and Craig Larmour (Senior Planner) .

SCHEDULED DELEGATIONS

There were none.

ACCOUNTS

Motion

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

Re: Accounts

"THAT, Department payments in the amount of \$831.96 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council." CARRIED

REPORTS

(A) PL 00-95 - FILE 38-01/00 - ROLL 2622-020-0011-28800-0000

DRAFT PLAN OF CONDOMINIUM APPLICATION

JOHN MICHAEL PACHEREVA AND LAKESHORE HOMESITES (ST. CATHARINES) LTD.

PT LT 19. CON 3 1?11

After considering report PL 00-95, the Committee adopted the following recommendation:

Motion

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

Re: PL 00-95 - Draft Plan of Condominium Application

"THAT, for the reasons outlined in PL 00-95, it is hereby recommended:

1. The draft plan of condominium, File 22CD-00001, part of Lot 19, Concession 3, Former Township of Clinton, BE APPROVED in accordance with the provisions of the Planning Act, RSO 1990, Chapter P.13, The Condominium Act, RSO 1990, Chapter C.26 and the regulations thereunder;
2. That the owners amend the hydro servicing to comply with the conditions of service of the Lincoln Hydro Electric Commission;
3. All parties be advised of Council's decision on this application in

accordance with Provincial regulations;

4. The Clerk or Director of Planning and Development be authorized to endorse the draft plan as approved, twenty days after notice of Council's decision has been given, provided that no appeals have been lodged against the decision; and

5. The applicant be advised that the Town's draft plan approval of this condominium plan will lapse three years from the date of draft plan approval unless Town Council grants an extension. If an extension is requested, an updated review and revisions to the conditions of approval may be necessary at that time."

CARRIED

(B) PL 00-85 - FILE 12-68 - ROLL 2622-040-011-41700-0000

REQUEST FOR DISCHARGE OF SITE PLAN AGREEMENT

PETER & THERESA DORA NEUDORF

S/S KING ST, W/S ELEVENTH ST & S/S ROBBINS AVE., PT LT 11, CON 4 (L) a

After considering report PL 00-85, the Committee adopted the following recommendation:

Motion

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

Re: PL 00-85 - Request for Discharge of Site Plan Agreement Planning/Devei Minutes (00 04 25) Page 2 of 2

"For the reasons outlined in PL 00-85 it is hereby recommended that the applicants' request for a discharge of Site Plan Agreement be approved and that Instrument No. 468820 be discharged from the lands owned by Peter & Theresa Dora Neudorf."

CARRIED

(C) PL 00-50 - FILE 9-01/00

AMENDMENT TO THE OFFICIAL PLAN RE POSSIBILITY OF EXPANDING THE 0 URBAN BOUNDARY TO PROVIDE ADDITIONAL PRESTIGE INDUSTRIAL LANDS

After considering report PL 00-50, the Committee adopted the following recommendation:

Motion

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

Re: PL 00-50

Proposed Amendment to the Town of Lincoln Official Plan

"THAT, for the reasons outlined in PL 00-50, it is hereby recommended that Staff be authorized to initiate the necessary Regional Policy Plan Amendment and Town of Lincoln Official Plan Amendment to include lands fronting Bartlett Road within the Urban Area Boundary of Beamsville for industrial use."

CARRIED

(D) PL 00-94 - FILE - 9-03/00

AMENDMENT TO THE OFFICIAL PLAN - NEW SECONDARY PLAN FOR CAMPDEN

After considering report PL 00-94, the Committee adopted the following recommendation:

Motion

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

Re: PL 00-94

New Secondary Plan for Campden

"For the reasons outlined in PL 00-94 it is hereby recommended:

1. That the Secondary Plan boundary be based on the boundary shown on Attachment No. 3;
2. That an amendment to the Regional Policy Plan be initiated to identify Campden as an Urban Area;
3. That Planning and Development Staff circulate the draft Secondary Plan to relevant government agencies; and
4. That an information public meetina be held on Mondav, Mav 29, 2000." - - -

CORRESPONDENCE

1. Ontario Municipal Board Order No. 0429, dated Mar. 22, 2000, re Delplain Ventures, Hillside Estates Phase 2, additional lots. R&F -

NOTICE OF NEW BUSINESS

There was none

UNSCHEDULED DELEGATIONS

There were none.

ADJOURNMENT

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

SECRETARY CHAIRMAN Lincoln Chambers

April 26, 2000

Minutes of a meeting of the Planning and Development Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on April 26, 2000, at 7:00 pm. Committee Members in attendance: Ald. R. Kelly (Chairman), Ald. A. Danyluck, Ald. B. Davies, Ald. G. Barlow (sitting in for Ald. W. MacMillan) and Mayor R. Konkle. Staff in attendance: Bruce Peever (Acting CAO), Kathleen Dale (Director of Planning and Development) and Craig Larmour (Senior Planner). Representing the Niagara Escarpment Commission: Donald Scott (Chair), Rob Nicholson (Commissioner) and Howard Staff (Commissioner) .

SCHEDULED DELEGATIONS

RE: ~/~/99-00/306 - KEW VINEYARDS

Members of the public in attendance and/or who signed the attendance sheet: Peter Rempel, D.B. Ballinger, M.H. Ballinger, A.II. Wilson, Mike Sobota, B. Lee, Mary Mikolich, J. Chamberlain, M. Tatecky, Les Keczan, Barry Katzman, Joan Rinker, George Vinc, David Little, Mr. and Mrs. FOX, Wayne Kluth, Carol Austin, Christina Kremer, Kelly Mildreth, John Burton, Rita Adams, John Giesbrecht, Helen Fittante

The Chairman initiated the meeting by introducing the members of the Niagara Escarpment Commission and explained that the neighbouring property owners would have an opportunity to question the Niagara Escarpment Commission regarding the process of permitting the Kew Vineyards building.

Don Scott provided a brief description of the Niagara Escarpment Commission process with respect to Kew Vineyard's application. Mr. Scott explained the purpose of the application to accommodate an agricultural building and the "fast track" approval granted by the Niagara Escarpment Commission.

Mr. Scott also summarized the applicant's submission that a development permit was not required to be issued for the proposed construction. Mr. Scott further advised that the Commission ultimately exempted the proposed agricultural building from requiring a development permit.

Rob Nicholson advised that the proposal complied with the Niagara Escarpment Plan policy in that it is an agricultural building. Further Mr. Nicholson advised that the proposed building met the required setbacks and the minimum parcel size provisions. For these reasons, the application was exempted from a development permit.

A Committee member questioned why the application was not supported by the Niagara Escarpment initially, but subsequently approved. Mr. Scott advised that the application was not supported by staff, however, the application was granted approval by the Commission upon its first consideration.

A Committee member questioned whether or not Kew Vineyards was being permitted to age or ferment the juice on-site after crushing. Mr. Scott advised that primary fermentation would be permitted as it would be customarily and normally associated with fruit farming. A Committee member further questioned at what point the operation would turn from fruit farming into a winery. Mr. Scott simply responded that whatever operation is taking place on the property needs to comply with the agricultural definition in the Niagara Escarpment Plan.

A Committee member questioned if there is anything in the Plan regarding lot coverage. Mr. Nicholson indicated that there is no specific restriction regarding lot coverage in the Plan.

A Committee member stated that neighbouring properties were negatively impacted by runoff and flooding that occurred over the past weekend. The Committee member questioned if the Commission considers themselves to be a finished with the development now that they have exempted the proposal.

Mr. Scott responded by indicating that the Niagara Escarpment Commission is interested in the continuing and future use of the property as well as the manipulation of land. Mr. Scott advised that the Niagara Escarpment Commission relies largely on municipal officials for the conveyance of information regarding subsequent action by the landowner. Planniny/Devel Minutes (00 04 26) page- 213

A Committee member questioned at what time the Commission began regulating the moving of land. As well, the Committee member questioned when the

grading on this property began and whether or not the Commission provided any public notice prior to its commencement. Mr. Nicholson and Mr. Scott provided a joint response to the questions posed. They advised that the Niagara Escarpment Plan has always had regulations regarding grading 0 activity not related to normal agricultural practices. With respect to amendments to the Niagara Escarpment Plan, they advised that the regulations are approved by the Minister of Municipal Affairs and Housing and are publicized in the Gazette. They advised that they were not familiar with the specific grading actions taken on this particular piece of property.

A Committee member stated that certain measures are generally required to prevent erosion and sedimentation. The Committee member questioned why such measures were not implemented in this particular situation. Mr. Scott indicated that he agreed that there are a number of inexpensive measures to prevent erosion and sedimentation. Mr. Scott advised that the Commission was dealing with the building only in this particular application and not grading. The Committee member questioned whether or not the Conservation Authority had indicated any concern with respect to the application. Mr. Nicholson advised that the Conservation Authority provided a response indicating they had no objection to the proposal.

A Committee member stated that it would appear quite obvious that Kew Vineyards is intending to establish a winery and asked why the Niagara Escarpment Commission decided to ignore staff in this respect. Mr. Nicholson advised that if this building eventually becomes a winery, that a development permit would first be required. Mr. Nicholson further advised that the Commission felt the applicant was honest in stating that the proposed building is simply an agricultural building. The Committee member responded by stating that the Niagara Escarpment Commission appears to be ignoring that the establishment of this building in this location will likely result in a winery and that they are failing to realize the impacts on the area.

Barry Katzman addressed the Committee advising that he was representing Cuesta, the parent company of Kew Vineyards. Mr. Katzman requested that neighbours and Council members interested in the Kew Vineyard development proposal sign a sheet that they provided at this meeting. With respect to runoff, Mr. Katzman indicated that Kew Vineyards' hands are tied because of the Niagara Escarpment Commission permit requirement. Mr. Katzman advised that they commenced grading work on the property with the understanding that the work was agriculturally-related, however, Mr. Martin Kilian visited the property and advised that the works being completed were beyond that considered to be normal agricultural practice. For that reason, a permit was required. When that permit was applied for, Kew Vineyards was advised that they must cease all grading work on the property. Mr. Katzman acknowledged that Kew Vineyards will be applying for the establishment of a winery in the future, however, at this time they will only be processing grapes.

A Committee member questioned Mr. Katzman with respect to what he meant by processing. Mr. Katzman indicated that the operation will consist of the receipt of grapes in a hopper, the crushing and de-stemming, pressing, and tank storage. From this point, the juice will be forwarded to the Stoney Ridge site for bottling. Mr. Katzman indicated that last year this property produced 700 tons of grapes, which is approximately 18 truckloads full. The Committee member expressed concern with truck traffic at the Vineland site and the Beamsville site, specifically, backing into the properties from King Street. The Committee member questioned what the total capacity of the building would be in terms of processing grapes. Mr. Katzman advised that the building would be capable of processing 1900 tons of grapes, 25% to 30% would come from Cuesta properties, the balance would ~ - be contracted.

A Committee member questioned what accessory uses would be associated with the winery at which time it is established. Mr. Katzman advised that Cuesta has not yet determined what a future application would consist of in terms of use. The Committee member questioned if the building would be visible to area residents. Tom Smart, agent for Kew Vineyards, indicated .

3/3

that the building will be sub-grade and consequently, will not be visible to area residents.

A Committee member questioned what they plan to do with the displaced soil. Mr. Smart advised that the topsoil would be removed and placed on the adjacent vineyard to be replanted, the balance of the soil would be removed from the site.

Mrs. Ballinger indicated that Vineland residents have talked to Mr. Katzman regarding the Vineland operation, however they do not support bottling of Kew product at the Stoney Ridge site.

John Giesbrecht indicated that there will be blending in the operation at Kew and that all of the grapes will not be grown in the Niagara area. John Belanger, President of Cuesta, advised that no juices will be imported for use at the Kew site.

David Little advised that he is supportive of the wine industry, however, he is concerned with the transparency shown to the Niagara Escarpment Commission. Firstly, Mr. Little is concerned that fermentation would appear to be winemaking and, secondly, he is concerned with respect to the capacity of the operation to accommodate 1800 tons of grapes while only 300 tons is originating from Cuesta properties.

A representative from Blue Star Nursery indicated that they are fully in support of the proposed winery development.

John Burton questioned whether or not any access to the property would be provided from Quarry Road. Mr. Smart indicated that the existing entrances to the property from King Street will be the only ones used and that no access to Quarry Road is anticipated.

Jill Mildreth expressed concern with respect to access to Kew Vineyards, specifically, the safety of the entrance. Mr. Smart advised that existing driveways will be utilized only and that any new entrances will require a development permit. Ms. Hildreth expressed further concern with respect to grading of the site and impact on adjacent property owners.

Les Keczan expressed concern with respect to the introduction of non-agricultural uses into the agricultural area. In his opinion, a winery is an incompatible use and should not necessarily be permitted in this area.

ADJOURNMENT

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

SECRETARY CHAIRMAN