

Lincoln Chambers

March 6th, 2000

The Council of the Town of Lincoln met in regular session on Monday, March 6th, 2000, at 7:00 pm. in the Lincoln Chambers. All members of Council were present, except Ald. G. Jarlow, Ald. W. MacMillan and Ald. R. Kelly, and the meeting was chaired by Mayor Li. A. Konkle. Staff present: S. B. Peever (Acting Chief Administrative Officer), G. Strnstrn (Fire Chief), K. Dale (Director of Planning & Development), J. Kultalis (Acting Director of Public Works) and T. McMurg (Director of Corporate Services/Clerk).

#### ADOWION OF MINUTES

Motion:

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

That the minutes of Council's regular meeting of February 21st, 2000 be adopted as circulated. CARRIED

Motion:

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

That the minutes of Council's special meeting of February 19th, 2000, be adopted as circulated. CARRIED

Motion:

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

That the minutes of Council's special meeting of February 28th, 2000, be adopted as circulated. CARRIED

#### DELEGATIONS

#### CIWO BRICK, SAL IANNELLO, ANDY FORBES, RE: REGIONAL WATER SYSTEM

Mr. Chadwick, Mr. Sal Iannello and Mr. Andy Forbes, were in attendance and made a presentation to Council on the Regional water system.

Discussion ensued pertaining to water storage in the Vineland/Jordan areas and water hook ups on the Fourth Avenue water line.

Mr. Brick indicated that it was the intent of the Region to loop the system with the Beamsville/Grimsby system in the future and that the Region is aware of the water shortage problems in the Vineland/Jordan areas.

#### DANIEL/WILLIAM LENKO, RE: LINWELL GARDENS LTD, SITE PLAN APPROVAL

Mr. Daniel Lenko was in attendance and made a presentation to Council with respect to the Linwell Gardens site plan.

Mr. Lenko provided information to Council regarding wind patterns and the adverse effect that the expansion of the greenhouse would create on his vineyard operations.

#### MS. BARBARA WIENS. NYNDE PAUL & ASSOCIATES, RE: LINWELL GARDENS LTD, SITE PLAN APPROVAL

Ms. Barbara Wiens of Nynde Paul & Associates Ltd., was in attendance and made a presentation to Council in support of the Linwell Gardens site plan.

Ms. Wiens outlined that greenhouses are permitted in the Agricultural zone and that Town staff have recommended approval of this site plan. (Council March 6, 2000) Page 2

#### PUBLIC MEETING

Motion:

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

That the minutes of the Public Meeting of February 28th, 2000, be received. CARRIED

#### PLANNING COMMITTEE

Council members entered into discussions respecting greenhouses and wineries in Lincoln and the problems being experienced by surrounding property owners relating to these two types of uses. It was noted that the Zoning By-law is currently being reviewed with respect to wineries.

Alderman D. Good put forward a motion to defer the Linwell Gardens site plan agreement however, the motion did not receive a seconder.

Motion:

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

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

#### BU 00-56, REQUEST FOR ROAD NAME APPROVAL

Motion:

Moved by Ald. B. Culp, Seconded by Ald. D. Good  
That the name of "Ratlovian Street" for the Vineland Park Estates  
Subdivision be approved. CARRIED

Motion:

Moved by Ald. B. Culp, Secorled by Ald. D. Good  
171 00-6 1

That Council support the Regional Steering Committee to proceed with  
negotiations with Bell Mobility regarding the Niagara Voice Radio Project.

CARRIED

CONFIRMATION OF COMPLIANCE WITH SECTION 34 OF THE PLANNING ACT

Motion:

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

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-Z1:

(a) No. 00-19-2202, to amend Zoning By-Law No. 93-14-21, as amended of the  
Town of Lincoln (Josef/Siglin Zimmernian).

(b) No. 00-20-2203, to amend Zoning By-Law No. 93-14-21, as amended of the  
Town of Lincoln (Patricia Bok). CARRIED (Council March 6, 2000)

BY-LAWS

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Motion:

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

That the following by-laws be read a first and second time:

(a) No. 00-19-2202, to amend Zoning By-Law No. 93-14-21, as amended of the  
Town of Lincoln (Josef/Siglin Zimmernian).

(b) No. 00-20-2203, to amend Zoning By-Law No. 93-14-21, as amended of the  
Town of Lincoln (Patricia Bok).

(c) No. 00-21, to authorize the execution of a site plan agreement with Linwell & Sons Ltd.

(d) No. 00-22, to assume and establish ULCs 32, 33 and 34 on Plan 30M-193, as part of the common and public  
highway system under the jurisdiction of the  
Town of Lincoln.

(e) No. 00-23, to adopt, confirm and ratify matters dealt with by Council  
resolution. CARRIED

Motion:

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

That the by-law Nos. 00-19-2202, 00-20-2203, 00-21, 00-22, and 00-23 A be read a first and second time, be now read  
a third time and finally passed, and  
that the Mayor read and seal the said by-laws. CARRIED

CORRESPONDENCE

1. Gary Shay, Town of Grimsby, re: Municipal Restructuring. Staff was  
instructed to contact the Town of Grimsby and accept their invitation to attend  
a meeting at Grimsby Town Mall on restructuring.

2. Brent 4ym, Niagara Home Builders' Association.

Motion:

Moved by Ald. B. Culp, Secorled by Ald. M. Bald

That the Town of Lincoln support the Niagara Home Builders' Association  
annual campaign promoting April as New Homes Month. CARRIED

3. Natalie Scricca, The Kidney Foundation of Canada.

Motion:

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

That the Town of Lincoln support the Kidney Foundation in promoting  
March as Kidney Month. CARRIED

NOTICE OF NEW BUSINESS

SNOW REMOVAL REPORT

It was agreed that the report from the Public Works and Building Departments  
on snow removal on sidewalks would be brought to the April Public Works  
Committee meeting.

It was noted that there would be a special Planning Committee meeting on  
March 29th, 2000, beginning at 7:00 p.m. (Council March 6, 2000) Page 4

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting  
adjourned at 9:05 pm. Beamsville Room

March 8th. 2000

Minutes of the Museum Committee of the Town of Lincoln held on Wednesday, March 8, 2000 at 6:30 pm in the Beamsville Room. Present were: Ald. B. Davies (Chair), Ald. W. MacMillan, Ald. H. Bald, Robert Wismer (Volunteer Board Chair). Len Pennachetti. Staff present: Helen Booth (Museum Director), Judy Pease (Community Services Director). Regrets: Peter Millar (Gift Shop Chair), Ald. G. Barlow. Absent: Dick Catterall.

#### ACCOUNTS

Motion:

Moved by Ald. W. Macmillan, Seconded by Ald. H. Bald  
THAT Department payments in the amount of \$3,943.39 incurred in accordance with Council Policy A-94-2 18, having now been audited by committee be ratified by Council.

#### CARRIED

#### REPOM'S

Cider Press Stabilization, CM 00-58

Discussion was held regarding the options offered by C.C.I. for the stabilization of the press. It was asked if volunteers could be involved in any other projects. The Museum Director stated that a couple of projects have been discussed and are in the process of being organized.

Motion:

Moved by Robert Wismer, Seconded by Ald. W. Macmillan  
That the plan for stabilization for the cider press be accepted as information. CARRIED

Heritage Day, Antique Appraisal Open House. CM 00-57

Motion:

Moved by Robert Wismer. Seconded by Ald. H. Bald  
THAT the information regarding the Antique Appraisal Day be accepted, and that volunteers involved. Joe Creighton. Jonathan Komlos and Diane Gallinger be thanked by Council for their efforts on behalf of the museum.

#### CARRIED

Museum Activities, CM 00-60

The master Site Plan activity was discussed, not having been included in this report. It was agreed that the consultants would be invited to meet for discussion with the Museum Committee on April 12th at 5:30 pm.

Motion:

Moved by Ald. H. Bald, Seconded by Robert Wismer.  
THAT the Museum Activities report be received for information.

#### CARRIED

#### MEMORANDUMS

School house Bookings and revenues.

The Museum Director was asked to prepare a report outlining the comparisons of bookings and revenues from the onset of the programme to present. (Museum Committee March 8, 2000)

#### CORRESPONDENCE

1. Royal Ontario Re: Fry Family Artifacts R & F
2. Newsletter R & F
3. Museums of Niagara Association. Re: Municipal Restructuring. Some discussion was held regarding restructuring and its impact on museums and cultural heritage in Niagara.

#### ADJOURNMENT

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

CHAIRMAN SECRETARY Beamsville Room

March 8, 2000

Minutes of the Community Services Committee Meeting held on Wednesday, March 8th, 2000, at 7:30 p.m., in the Beamsville Room. Present: Ald. W. MacMillan (Chairman), Ald. B. Davies, Ald. H. Bald. Staff present: Judy Pease (Director of Community Services).

#### ACCOUNTS

The Committee reviewed the accounts submitted and passed the following motion:

Motion:

Moved by Ald. B. Davies, Seconded by Ald. H. Bald  
That ~epartment payments in the amount of \$1,305.00 incurred in  
accordance with Council Policy A-94-218, having now been audited by  
committee be ratified by Council. CARRIED

#### DELEGATIONS

Mr. Rob Meecham was scheduled to give a Strawberry Run Presentation but  
was unable to attend.

#### REPORTS

##### MUNICIPAL GRANTS, CM-00-54

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies  
That Community Services Committee recommend to Council the  
allocation of \$26,194.00 for year 2000 grants and direct staff to disperse 100%  
funding allocations to individual groups. CARRIED

##### WHIPPLE TRUST FUND, CM-00-59

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies  
That the community Services committee recommend to Council that the  
following groups receive funding from the Whipple Trust Fund for floral programs.  
Total funding allocation is \$8,971.03.

BIA 1,700.00

Lincoln Garden & Horticultural Club 0

Adult Learning and Resource Centre 2,000.00

Beamsville Lawn Bowling Club 250.00

Lincoln Agricultural Society 3,000.00

Town of Lincoln 1,500.00

Jacob Beam School 521.03

\$8,971.03

(Resolution continued on next page) (Community Services, March 8 100) Page 2

(Resolution continued from previous page)

Further, that Mrs. Pease confer with Doug Campbell and BIA to determine the  
feasibility of beautification of King Street and the parkette knowing that  
construction of this area by the Region is imminent. Should the construction  
proceed this spring/summer the funds will not be allocated to the BIA and the  
amount will revert to the original figures as in the grant applications.

CARRIED

##### STATUS REPORT, CM-00-55

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies  
That the community Services committee receive this report as  
information. CARRIED

##### BEAMSVILLE DISTRICT COMMUNITY PARK

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies  
That the Community Services Committee recommend to Council to  
approve the contracting of Earth Tech Ltd. Company to undertake the design and  
contract administrative services for the project outlined in this report.

CARRIED

##### NORTH EAST NEIGHBOURHOOD PARK

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies  
That the birector of Community services be given authorization to spend  
the budgeted amount of \$50,000.00 for playground equipment/furnishings for the  
North East Neighbourhood Park, based on the updated quotes from the three  
playground equipment companies. CARRIED

##### BAILEY BRIDGE

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies  
That authorization be given to the ~irector of Community Services to hire  
Denco Eng. Ltd. to prepare a landscape and parking lot and trail design for the  
staging/rest area to be developed at the Bailey Bridge (Max. \$15,000.00 upset  
limit - budgeted amount) as initiated in 1999 through the Public Works  
Department. CARRIED

CARRIED

##### CORRESPONDENCE

- a) Lincoln Garden Club regarding Memorial Forest R & F
- b) News Release - Ministry of Citizenship, Culture and Recreation regarding Heritage Challenge Fund R & F
- c) Festivals and Events Ontario News flyer to be circulated. R & F (Community Services, March 8/00) Page 3

#### NEW BUSINESS

##### HOME AND GARDEN SHOW

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies

That the Town of Lincoln take 2 spots and the Home & Garden Show.

Further that the cost of \$100.00 be paid from Community Services Advertising Account.

Further that Ald. B. Davies spearhead this project.

CARRIED

##### CLOSED SESSION

Motion:

Moved by Ald. H. Bald, Seconded by Ald. B. Davies

That committee adjourn to closed session in order to address a land issue matter. CARRIED

Upon conclusion of discussions in closed session, Committee reconvened in open session.

Discussion took place and the Committee reaffirmed their decision of the previous month.

The following verbal motion was made:

Motion:

Moved by Ald. B. Davies, Seconded by Ald. H. Bald

That the original motion of the community Services Committee dated February 9th, 2000 in relation to the donation of land by Mr. Giesbrecht, also known as Fretz Park, be upheld. CARRIED

##### ADJOURNMENT

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

##### CHAIRMAN SECRETARY Council Chambers

March 13, 2000

Minutes of the Public Works Committee of the Town of Lincoln held on a Monday, March 13, 2000, at 7:00 p.m., in the Council Chambers.

Present were: Ald. A. Danyl-uck (Chairman), Ald. G. Barlow (Vice-Chairman), Ald. R. Kelly, Ald D. Good (for Ald. H. Bald) and Mayor R. Konkle. Also in attendance were Ald. B. Davies and Ald. B. Culp.

Staff present: J. Kukalis (Acting Director of Public Works), and D. Campbell (Operations & Equipment Manager) .

##### PUBLIC WORKS ACCOUNTS

The Operations & Equipment Manager answered questions with respect to specific accounts. The Mayor inquired as to expenditures associated with Cheque No. 033343 to Earth Tech Inc. for Jordan Hollow engineering. The Acting Director of Public Works indicated that he would speak to the Director of Community Services and provide details to the Mayor.

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

THAT Department payments in the amount of \$355,601.85 incurred - - in accordance with Council Policy A-94-218, having now been audited

by Conunit-tee be ratified by Council.

CARRIED

##### RECREATION ACCOUNTS

The Operatiors & Equipment Manager answered questions with respect to specific accounts.

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

THAT Department payments in the amount of \$5,298.78 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

##### DELEGATIONS

##### BEAMSVILLE LIONS

Doug and John Burton made a brief presentation regarding equipment needs related to grass cutting and water supply/irrigation at the

Reamsville Lions Parks. A handout was provided to Committee members and a brief video was shown. After hearing the presentation, the Committee passed the following resolution:

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

THAT the Public Works Committee direct the staff to bring back a recommendation for the irrigation system at the Lions Club Park.

FURTHER THAT we agree with the water cannon concept, be it diesel or electric.

CARRIED

ALLAN WOOLOVER AND BILL GEORGE -NIAGARA UNDER GLASS

Allan Woolover and Bill George made a brief presentation to the Committee to express concerns relating to the Niagara Under Glass development. In particular, to date the development has not commenced construction of the access road from the North Service Road, as shown on the approved site plan, and the deadline set last fall by Council for this to occur was nearing (i.e. end of March).

In this regard, the residents expressed disappointment with the developer and concern that the condition of Maple Grove Road would continue to deteriorate until the access from the Service Road is completed. The residents also indicated that they would be willing

to assist the Town in any way they could to resolve this problem. The delegation and Committee members asked several questions about

the site plan/approvals process and about the Town's ability to force construction of the North Service Road access. After concluding the discourse, the Committee passed the following resolution:

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

THAT the Solicitor for the Town of Lincoln meet with Senior staff over the issue of enforcing the site plan agreement with Niagara Under Glass as to the entrance way.

THAT staff instruct the lawyer and inform Council of the action that can/will be taken as of April 1, 2000.

FURTHER THAT if our legal council advises that the temporary entrance off Maple Grove Road be closed, effective April 1, 2000 and the owner be advised to have all traffic use entrance from North Service Road as per the site plan agreement.

HIGHLAND ESTATES STORM WATER MANAGEMENT POND

Wil Brinkman and three other residents attended to express disappointment that fencing works had commenced at the pond without another meeting with area residents. In particular, Mr. Brinkman is concerned with the fence location as a portion of his driveway is located on the Town property. The Acting Director of Public Works outlined the reasoning behind the fence location, the revisions to the landscaping to address residents' concerns and the requirements of the Ministry of the Environment relating to pond design/plantings. The Mayor apologized on behalf of the Town for not having kept the residents better informed and directed the Acting Director of Public Works to have staff contact Mr. Brinkman on Tuesday.

REPORTS

A. APPLICATIONS FOR CONNECTIONS FOR FOURTH AVENUE WATERMAIN, PW 00-09

Members of Committee expressed both support for staff's predicament and sympathy for the residents that had applied for permits for connections to the Fourth Avenue watermain prior to the ban on connections being adopted at the last Council meeting. They also expressed frustration with St. Catharines allowing new development to connect into the Fourth Avenue main, when supply problems were being experienced in Lincoln.

The Acting Director of Public Works confirmed that staff were still not in a position to state that the criteria for allowing Fourth Avenue connections could be fulfilled. Furthermore, he indicated that the Region's draft report for the system upgrades includes a prohibition of connections on Fourth Avenue and not a new watermain

as anticipated by Council.

The Mayor cautioned that the Town must actively lobby the Region to prioritize dealing with Lincoln's supply problems, in order to be able to stimulate economic development in the Jordan/Vineland area, otherwise it would have to locate elsewhere.

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

THAT the Public Works Committee recommend to Council that the report be received for information. LOST

Moved by Mayor R. Konkle, Seconded by Ald. G. Barlow THAT those names on the Report PW 00-09 listed as requesting a

water line connection be approved. THAT the Acting Director of Public Works follow through with the appropriate agreements.

CARRIED

Ald. G. Barlow, Ald. A. Danyluck, Mayor R. Konkle

Ald. D. Good, Ald. R. Kelly

B. 2000 VEHICLE & EQUIPMENT TENDER RESULTS, PW 00-22

Members of the Committee expressed disappointment with the low number of tenders submitted and asked if staff had considered tendering in other Regions. The Operations and Equipment Manager indicated that the Town had advertised in two newspapers, as well as hand delivered invitations to several known equipment dealers. He also indicated that the difficulty with tendering "out of the area" was related to the high cost of warranty servicing (i.e. travel time) and dealer area arrangements.

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

THAT the Public Works Committee recommend to Council that staff be authorized to proceed with the purchase of:

1. Three (3) 22 HP Kubota F2260 4 wheel drive front mount mowers from Berg Farm Equipment at a tendered price of \$54,165.00 (tax included)

2. One (1) 6 X 4 diesel utility vehicle from Greenline Equipment at a tendered price of \$13,590.75 (tax included).

CARRIED

C. 2000 QUARRY . ROAD LANDFILL SITE MONITORING AND SAMPLING PROGRAM, PW 00-40

Members of the Committee expressed concern over the length of time this program has continued and asked how much longer the groundwater monitoring and cleanup program would have to continue. The Acting Director of Public Works indicated that it was difficult to predict the extent of groundwater contamination. but that he would review - the approved Ministry of the Environment remediation plan with the consultant in further detail, prior to year end.

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

THAT the Public Works Committee recommend to Council that the firm Jagger Hims Limited be engaged to carry out the year 2000 monitoring/testing program of both the Quarry Road and Sand dome sites. FURTHER THAT, additional funds in the amount of \$15,397.50 be funded from Reserves.

CARRIED

D. SNOW REMOVAL FROM SIDEWALKS, PW 00-62

Deferred to next meeting by Chairman at the request of Ald. H. Bald.

E. 2000 ASPHALT TENDER RESULTS, PW 00-64

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

THAT the Public Works Committee recommend to Council that staff be authorized to issue blanket purchase orders to Stephens and Rankin Inc. and Lafarge Construction Materials for the supply of bituminous patching materials (hot mix asphalt) and to GH Company and Innovative Municipal Products for the supply of emulsified asphalt patching materials (cold mix asphalt) for the prices stated in this report.

CARRIED F. WATER METER READING, PW 00-65

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

THAT the Public Works Committee recommend to Council that the practice of taking quarterly water meter readings continue.

FURTHER THAT the contract for this service for the year 2000 be awarded to the current contractor based on current unit prices. a FURTHER THAT the Mayor and Clerk Treasurer be authorized to sign the necessary contract agreements on behalf of the Corporation.

CARRIED

MEMORANDUMS

None

CORRESPONDENCE

1. Region of Niagara - Widening and Reconstruction of Regional Road 18 (Ontario Street) between CNR Tracks and the South Service Road in the Town of Lincoln

The letter was received for information.

2. David Isaac - Train Whistles .-

The letter was received for information and members of Committee passed the following resolution:

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

THAT the Acting Director of Public Works present a report to the next works meeting on the means to eliminate train whistling at crossings.

CARRIED

NEW BUSINESS

A. PARKING RESTRICTIONS - CHRISTIES DAIRY -.

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

WHEREAS the afore noted business has used the west side of the dairy building for years to load and unload their trucks.

BE IT RESOLVED THAT the area, 20 feet from the front corner of the building to the back corner of the building be designated as a Loading zone "only" for the afore noted business.

FURTHER, that signs shall be posted noting that the area is for loading and unloading of commercial vehicles and that there is no parking and/or standing allowed in this area.

FURTHER, that the next time that the Town completes the marking of roads, this area will be marked to show the traveled portion of the road and the designated loading area.

CARRIED

B. DAMAGE TO ROADS

The Operations and Equipment Manager provided the Committee with an update/rmemo on the condition of Town roads. In particular, he outlined the extent of damage to date due to the rapid freeze-thaw cycles that have occurred this year. The Acting Director of Public Works indicated that a significant increase/adjustment to the current approved road budget would be required to correct the damage and that a detailed report would be prepared for the April or May 0 meeting. C. LINCOLN AGRICULTURAL SOCIETY

The Operations and Equipment Manager informed the Committee that staff had arranged to transfer a piece of surplus equipment (i.e a tractor mounted mower) to the Lincoln Agricultural Society in consideration for a grant reduction of \$3,000 over three (3) years.

The Committee expressed support for this however, they requested that staff prepare an appropriate agreement to formalize the arrangement.

D. LINCOLN SOCCER CLUB

The Operations and Equipment Manager informed the Committee that line painting of sports fields would be completed by the Lincoln Soccer Club and provided Committee with a memo outlining the agreed upon arrangement.

E. RARTLETT CREEK VILLAGE

The Acting Director of Public Works informed the Committee that the bank refused to renew the letter of credit associated with this development and as such, Senior staff have proceeded to cash the of credit.

UNSCHEDULED DELEGATIONS

None.

## ADJOURNMENT

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

-- CHAIRMAN- SECRETARY March 15th, 2000

Beamsville Room

Minutes of a meeting of the Fire & Public Safety Committee held on Wednesday, March 15th, 2000, at 7:00 pm, in the Beamsville Room. Present were: Ald.W.MacMillan (Chairman), Ald.D.Good, Ald.B.Culp, Ald.A.Danyluck (for Ald.B.Davies) and Mayor R.Konkle. Also present: Ald.G.Barlow. Staff present: G.Sunstrum (Fire Chief) and T.McHarg (Director of Corporate Services/clerk).

## ACCOUNTS

Motion:

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

Re: Accounts for January, February, March, 2000

That the accounts in the total of \$73,797.37 be passed by committee and ratified by Council.

(January - \$8,869.08; February - \$32,447.49; March - \$32,475.80). CARRIED

## REPORTS

### Y2K STATUS REPORT

The Committee entered into discussions with respect to the Y2K status report, which included the new generator that was purchased some months ago.

Motion:

Moved by Ald.D.Good. Seconded by Ald.B.Culp - a Re: Y~K status report

That the committee accepts this report as information. CARRIED

### COLLECTIVE PRICING ARRANGEMENT, BELL CANADA

The Committee entered into discussions with respect to a proposed collective pricing arrangement with Bell Canada.

The Fire Chief informed the Committee that many municipalities installed emergency telephone lines specifically dedicated to the Y2K preparations. These lines would only be used in case of emergency however municipalities are paying a regular business line charge for these lines. Peterborough County has proposed a collective agreement with Bell Canada to provide a price reduction for these lines.

Motion:

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

That the Municipal Council endorse a resolution regarding a "Collective Pricing Arrangement" with Bell Canada as per the resolution passed by Peterborough County Council. CARRIED

### ANTENNAE ON TALK 640 TOWER

The Committee discussed the feasibility of putting antennae on the Talk 640 Tower and various other options. The Fire Chief will investigate the options further and bring a report to a future Fire & Public Safety Committee.

## CLOSED SESSION

It was moved by Ald.D.Good and Seconded by Ald.A.Danyluck, that committee adjourn to closed session to discuss a personnel issue.

Upon conclusion of discussions in closed session, the committee reconvened to open session and adopted the following resolution. (Fire, Mar.15/00)

Motion:

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

That Council pass a by-law renewing the present contract with Actina De~utv - .. Chief Tallman and that the contract continue until December 31st, 2001.

Further, that the pay rate be established as per the pay scale given.

The scale shall be established at \$10,000 to \$15,000 per annum. That the term

"Acting" be removed from the contract. CARRIED

## NOTICE OF NEW BUSINESS

The Committee Chairman gave a progress report with respect to the Steering Committee. It is hoped that the recommendations will be finalized by the end of March, 2000.

## ADJOURNMENT

There being no further business to discuss, the Chairman declared the meeting adjourned at 7:54 pm.

CHAIRMAN SECRETARY March 16,2000

Beamsville Room

Minutes of a meeting (#00-01) of the Joint Health & Safety Committee held on Thursday, March 16th, 2000, at 1:30 pm, in the Beamsville Room. Present were: B. Warren

(Chairman), G. Dal Bianco (Secretary), D. Campbell, R. Nunziato, and C. Shelton.

#### REVIEW OF PREVIOUS MINUTES

The minutes of meeting #99-04 held on December 16<sup>th</sup>, 1999 were received.

#### OUTSTANDING ISSUES

#### TRAINING COURSES

D. Campbell provided the Committee with a tentative schedule for first aid training, confined space entry, propane handling, chainsaw safety, ammonia safety and water distribution/wastewater collection courses.

#### COMPLAINTS IN THE PUBLIC WORKS AREA - BEAMSVILLE YARD

D. Campbell indicated that the complaints have been addressed.

#### CORRESPONDENCE

None

#### ACCIDENT / INJURY REPORTS

1. Public Works - twisted back

2. Public Works - slip on ice

#### NEW BUSINESS

#### GAS DETECTOR

D. Campbell indicated that the Town purchased a gas detector for use in situations where there is a confined space.

#### 1) EXHAUST FUMES FROM PUBLIC WORKS YARD

G. Dal Bianco indicated that he has received several complaints from the office staff adjacent to the Public Works garage bay area. D. Campbell indicated that 2 sets of door seals will be installed and that an exhaust fan may also be required in the vestibule in the future.

#### BEAMSVILLE YARD - NIGHT LIGHTING

The Committee discussed the merits of installing night lights in the Public Works area for those employees returning to Town Hall after business hours. D. Campbell indicated that this issue would be addressed in an energy audit report being prepared for Councils review in the near future.

#### COMPLAINT RE: PLANT SPRAY IN THE OFFICE

G. Dal Bianco indicated that office staff have complained about the fumes and over spray when the plants were cleaned in the office area. The Committee agreed that the plants should be sprayed only after hours and ideally just before the weekend.

#### NEXT MEETING

The next meeting will be scheduled for the month of June.

#### ADJOURNMENT

The meeting adjourned at 3: 15 pm.

Prepared by,

Gary Dal Bianco

Secretary

Joint Health & Safety Committee

cc--B. Warren, Chairman

--G. Dal Bianco, Secretary

--D. Campbell, Management Rep

--H. Booth, Management Rep

--R. Nunziato, Union Rep -- C. Shelton, Union Rep

--Beamsville Arena

--Jordan Arena

--L. Kline, Roadways Foreman

--E. Ras, Environmental Services Foreman

--Lincoln Public Library

--T. McHarg, Clerk

Reviewed by,

Bill Warren

Chairman

Joint Health & Safety Committee Lincoln Chambers

March 20<sup>th</sup>, 2000

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

Monday, March 20<sup>th</sup>, 2000, at 7:00 pm, in the Lincoln Chambers.

All members of Council were present (Ald.Bald - 7:02pm, Ald.Good - 7:37pm) and the meeting was chaired by

Mayor R.Konkle. Staff

present: S.B. Peever (Acting CAO) , J. Pease (Director of Community

Services), G.Sunstrum (Fire Chief), J.Kukalis (Acting Director of

Public Works) and T.3.McHarg (Director of Corporate

services/Clerk).

Mayor Konkle called the meeting to order.

#### ADOPTION OF MINUTES

Motion:

Moved by Ald. G.Barlow, Seconded by Ald. B.Culp . . . That the minutes of Council's regular meeting of March 6th, 2000 be adopted as circulated. CARRIED

#### BUSINESS ARISING FROM THE MINUTES

Council entered into discussions on several issues from the March 6th, Council minutes. During the funding announcement for the Jordan Trail, Mayor Konkle advised Council that the Minister of Agriculture, Food & Rural Affairs noted that he is aware of the winery issue. The Minister was non committal, regarding restructuring, and also noted that greenhouses are definitely agricultural, not industrial uses.

#### DELEGATIONS

##### HOWARD STAFF, RE: EFFECTS OF OVER SIZED VEHICLE LOADS ON THE TOWN OF LINCOLN ROAD SYSTEM

Mr. Howard Staff was in attendance and spoke to Council on the situation that has been occurring in the area of 17th Street, and 7th Avenue, with respect to over sized vehicle loads passing over Lincoln roads.

He noted that the loads are too long and low and are damaging the Town's road system. He stated that it is the Town's and Region's responsibility to route these vehicles through the various small Towns, due to the downloading of responsibilities from the Province. In past years, these heavy vehicles have run over stop signs and guard rails. He spoke of an incident in September of 1999, where he obstructed a vehicle that was towing a large load. Town of Lincoln staff and the Police attended at the site, but not the Ministry of Transportation. The company that owns this vehicle sent Mr. Staff an invoice for detaining the driver and his load while the police and Town staff investigated. Mr. Staff noted that it is now in collection and this whole matter could end up in the court system. Mr. Staff is looking to the Town to help him resolve the real problem here, and that is not allowing these over sized vehicles on Lincoln's road system.

Mayor Konkle congratulated Mr. Staff on his stand in this matter and noted that an invoice for damages was to have been sent to the company causing the damage to the roads.

#### REGIONAL COUNCILLOR JILL HILDRETH

Regional Councillor Jill Hildreth was in attendance and spoke on the following issues: - 2

(Council, Mar. 20/00)

Mrs. Hildreth advised that the Ontario Street reconstruction project is now complete, and there are a few minor deficiencies. She was informed that the resurfacing contract is to be let in the next two weeks.

Mrs. Hildreth noted the Province's policy on zero tolerance for social assistance fraud. A lifetime ban can occur on the entire family if any member is caught trying to defraud the system.

Waterloo Region is petitioning the Ontario Government not to proceed with this lifetime ban and the Region of Niagara has supported this petition.

Mrs. Hildreth commented on the proposed changes to the Regional Smoking By-law. The Region is aiming for a total ban on smoking by 2004. There is a public meeting scheduled for March 27th, to discuss proposed changes. It was noted that the Public Health Department enforces these rules.

#### REPORTS

##### COMMUNITY SERVICES COMMITTEE

Council entered into discussions on various issues from the minutes. It was noted that page 2 of the minutes, was inadvertently left out of the Council agenda packages.

With respect to the Earth Tech Ltd. Company issue, the following motion was adopted:

Motion:

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

Minutes of Community Services

Motion of Bald/Davies, re: Beamsville District Community Park and the contracting of Earth Tech Ltd. Company not be acted upon. The report to be sent back to Committee and staff be directed to chair a meeting with Earth Tech Project Manager Bob Dobbins to address specific concerns. Recommendations to be back to Council at Council's meeting of April 17th, 2000. CARRIED  
There was discussion concerning a proposed offer of land and how it might relate to Lincoln's Trail system.

Motion:

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

That the Community Services Committee minutes as amended of March Eth, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

MUSEUM COMMITTEE

The Committee entered into discussions concerning the costs of repairing the Cider Press. It was noted that there would be no cost to the Town.

Motion:

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

That the Museum Committee minutes of March Eth, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED (Council, ~ar.20/00

PUBLIC WORKS COMMITTEE

Motion:

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

That Council lift the March 13th, Public Works motion, with respect to connections to the Fourth Avenue watermain, from the minutes. CARRIED

Council entered into discussions with respect to the connection issue concerning the Fourth Avenue watermain.

The following motion is the motion from the Public Works minutes which was lifted from the March 13th minutes and voted on separately.

Motion:

Moved by Mayor R.Konkle, Seconded by Ald.G.Barlow

That those names on the Report PW 00-09 listed as requesting a water line connection be approved. That the Acting Director of Public Works follow through with the appropriate agreements. CARRIED

AYES: Ald.Davies, Ald.Culp, Ald.Barlow, Ald.Danyluck, - Ald.MacMillan, Mayor Konkle.

NAYS: Ald.Bald, Ald.Good, Ald.Kelly

Council entered into discussions with respect to Niagara Under Glass access from Maple Grove Road. It was noted that the deadline to construct an access from the North Service Road was quickly approaching.

Motion:

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

That the Public works Committee minutes of March 13th, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

FIRE & PUBLIC SAFETY COMMITTEE

Motion:

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

That the Fire & Public Safety committee minutes of March 15th, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

PW 00-66, IRRIGATION SYSTEM, BEAMSVILLE LIONS PARK

Motion:

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

That Council endorse the alternative irrigation system proposed in Public Works report PW 00-66 and authorize staff to

purchase the required equipment with the limit of \$30,000 at staffs' discretion.

That any expenditure in excess of the current approved budget be funded from the Park Reserve. CARRIED

CONFIRMATION OF COMPLIANCE WITH SECTION 34 OF THE PLANNING ACT Motion:

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 notices of public meeting are required in the matter of the following proposed amendments to Zoning By-Law No. 93-14-21:

(a) No. 00-24-2204, to amend Zoning By-Law No. 93-14-21, as amended, of the Town of Lincoln (Valencia Place).

(b) No. 00-25-2205, to amend Zoning By-lawNo.93-14-21, as amended, of the Town of Lincoln (John Paul Rogalsky).

CARRIED -4-

(Council, ~ar. 20/00)

BY - LAWS

Motion:

Moved by Ald. G.Barlow, Seconded by Ald. B.Culp

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

(a) No. 00-24-2204, to amend Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (Valencia Place).

(b) No. 00-25-2205, to amend Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (John Paul Rogalsky).

(c) No. 00-26, to provide for the appointment of a Deputy Fire Chief.

(d) No. 00-27, to adopt, confirm, and ratify matters dealt with by Council resolution. CARRIED

Motion:

Moved by Ald. G.Barlow, Seconded by Ald.A.Danyluck

That By-Law Nos. 00-24-2204, 00-25-2205, 00-26 and 00-27, 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

1. Clerk, City of Welland, re: municipal restructuring and 2000 elections. R&F

CLOSED SESSION

Motion:

Moved by Ald.B.Culp, Seconded by Ald.G.Barlow

That Council adjourn to closed session in order to address matters pertaining to:

(a) a proposed or pending acquisition of land for municipal or board purposes.

(b) personnel matters about an identifiable individual, including municipal. or local employees. CARRIED

Upon conclusion of discussions in closed session, Council reconvened in open session.

ADJOURNMENT

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

Monday, March 27, 2000

Memorandum of Public Meetings regarding amendments to the Town's Zoning By-law held in the Council Chambers of the Town of Lincoln Municipal Offices

on Monday, March 27, 2000 at 7:00 p.m. Committee Members in attendance: .@

Id. R. Kelly (Chairman), Ald. A. Danyluck, Ald. W. MacMillan, Ald. B.

avies, and Mayor R. Konkle. Staff in attendance: Kathleen Dale (Director of Planning and Development), Craig Larmour (Senior Planner), Jay Muraca

(Planning Technician), John Kukalis (Acting Director of Public Works) and

Bruce Peever (Acting Chief Administrative Officer). Also in attendance:

Ald. G. Barlow.

PUBLIC MEETINGS

(A) FILE 10-08/00 - ROLL 2622-040-011-15300-0000

ZONING BY-LAW AMENDMENT APPLICATION  
BAWIEW GREENHOUSES, W/S REGIONAL ROAD 26 (JORDAN ROAD)  
PBBT LOT 17. CONCESSION 4 (L)

The Chairman opened the Public Meeting and outlined the procedures under the Planning Act and the purpose of the application.

In attendance in support of the application was Tom Richardson, agent for the applicant, Stuart Vanstaalduinen and Clarence VanStaalduinen. In attendance and/or who signed the attendance sheet were: Nancy Cino, Ronald Goodman, Chris Jakobschak, Margo Jokobschuk, Helen Wiley, Doug Wiley, Vicky e elson, Ian Nelson, Gus Cino, Joe & Susan D'Achille, Syd and Joan Acey, K.

Polis, Ron Funk, Jim Lynch, Sam & Iris Later, Gary Wolff, Gary McPherson, Ceus Westerhoff, Howard V. Staff, Kerry Dreyer, Carla Carlson, Jan Verbruggen, Craig Finn, Kristin Bolstad, Paulina Scott, Judy Halaiko, Pile Augyler, Paul Marttila, Peter Boegkhout, Carol Popovacki, Nicole Speranzini, Peter Jensen, Peter Van Beurden, Chuck, Vermeer, Paul Koop, Wilma Rustenburg, P. Rustenburg, T. Oorstprong, J. Pring, Bert de Borster, Brian Staff, Joe & Eili Huibers, Todd Sherrano, Bia Sherrard, Bill Simpson, Gerry Harrison, Leigh Harrison, Ed Van der Gugh, Don Methe, Rocanne Gagne, Marian Juras, Simon & Adolph Van Sprongson, Debra & Brian Doucette, Jack Samchyk, Ed E. Chudzik, Frances Dim, Vlademier Dim, Ivan Dim, Lesia Lenko, Wm. Lenko, Daniel Lenko, Steve Kocsis, Peter Kocsis, Joe Schenck, Albert Vdnder Plog, Sandy Mcutsheon, Belal El-Hassan, P. Dueck, Rick Hendriks, Les High, Peter Berg, John Vrhovsek, Aart Vankeken, Ron Veerman and Irwin Smith .

Tom Richardson introduced himself and the applicants Mr. Clarence Van Staalduinen and his brother Stuart Van Staalduinen.

Richardson explained the purpose of the application and stated that -his public meeting has become a "challenge" to the greenhouse industry as e. a whole to locate in agriculturally zoned lands. He emphasized that he would only focus on the application on hand.

Mr. Richardson gave a brief history of his clients and their operation and the product purchased from local growers. He submitted to the Committee a booklet that would serve as background information for a review of the planning history in the immediate area.

Mr. Richardson began by indicating that the new landowners are in an agriculturally designated and zoned area outside the Urban Area of Jordan, as shown in his background booklet as submitted previously. He then gave a brief history of the permitted uses from 1978 to present, and the zoning history of the subject property. Mr. Richardson reviewed the first amendment by Mr. & Mrs. Snoei who rezoned the property and were under site plan control. He indicated that the Town at that time was ready to commit to creating a distribution center on the subject property, providing the distribution center was completed within one year. He proceeded further with the chronology of the history of the lands, and indicated that the distribution center was enlarged but still retains the agricultural designation and zoning. Therefore, the permitted use of a greenhouse and @ di.stribution of the product on-site remained. He further explained that

Bayview utilizes approximately 180 local growers in the Niagara Region and ships the product to the United States as well. Mr. Richardson summarized the application and where it stands today. The waiver of the setbacks so Public Mtg. Minutes (00 03 27) Page 2/ 6 that the greenhouse operation can be added by linking the distribution centre would be beneficial for the operation of the greenhouse. He offered a site plan indicating the proposed development, and then reviewed both the Regional Planning Department and the Regional Public Works comments. He went on to comment on the submission by Donald C. Goodman's report to the Committee. He explained that the comments are erroneous and that the "industrial building" is an agricultural building. He also indicated that there would be no impact on the Village of Jordan as the lands are located outside the Jordan Urban Area boundary limit. He explained that the greenhouses and the greenhouse industry are supported at the provincial level. He continued commenting on Mr. Goodman's "summary of reasons of the law", by defending the applicant and the greenhouse operation as an agricultural use, which is supported by Provincial legislation. The difficulty arises when there is a conflict between a legitimate use of

greenhouses as permitted by right through upper tier government policies and the local non-farm residents. Mr. Richardson then concluded that all the environmental issues, storm water and landscape will be addressed at the site plan approval stage.

A Committee member inquired about the Council's decision made for Mr. & Mrs. Snoei. Mr. Richardson indicated that he recalled the distribution center be developed with a site plan agreement in place. A Committee member recalled that it was Council's intention at the time to benefit both the greenhouse industry and the non-farm residents.

A Committee member inquired if the development would be in phases. Mr. Richardson indicated that it would be phased in as the market dictates.

A Committee member inquired about the landscaping and the availability of water in that area. Mr. Richardson responded by indicating that at the time of site plan approval the Town of Lincoln can establish the type of landscaping required. He indicated that the water is restricted by Regional and Official Plan policies and there will be on-site storage of rainwater.

Mr. Goodman responded to a number of points brought forth by Mr. Richardson. Mr. Goodman indicated that the difference between agricultural lands and urban lands are mute because of the fact that non-farm residents are not offered the same securities that the large greenhouse operators are offered. He raised a number of concerns regarding the environmental factors with the greenhouse developments. Mr. Goodman has submitted his letter of opposition to the application and then began to read a prepared statement.

The Director responded to an inquiry from a member of the public as to why the rezoning is required. She indicated that the application is required to eliminate the setback requirements between the proposed greenhouse and existing shipping use and to expand the shipping and warehouse use on-site, so that flowers off-site can be brought in and then processed and shipped to market. She further explained that greenhouses are considered an agricultural use and are supported at the Provincial level, at the Regional Policy level and at the local levels through the Town's Official Plans and Zoning By-laws. She also stated that the municipality cannot have a more restrictive policy than any of the above planning documents. The Director indicated that under the Farm Protection Act, farmers have the right to farm subject to normal practices, and if there is a complaint, there is a process in which the Farm Protection Act outlines.

A Committee member responded to the allegations made in Mr. Goodman's letter. He explained that the members of Council make decisions as a Committee as a whole. He further explained that equal support for any other industry moving to the area is given, not special consideration only to greenhouses. The Committee member and some members of the public exchanged their thoughts on the greenhouse development as it stands today.

A Committee member explained that the Dutch trip from this area was sponsored by the Niagara Region Development Corporation and the Royal Bank, which paid for the trip overseas. A Committee member further explained that the old Louth Township had no Official Plan or zoning and the implementations were very difficult to put in place. He further explained that the Minister of Agriculture has indicated through provincial legislation, that greenhouses are an agricultural use. Public Mtg. Minutes (00 03 27) Page 3/ 6

A Committee member stated that the smaller landholdings are no longer viable, and that the landholdings are now being acquired by the larger greenhouse operators who use those lands to make it much more economically viable. She further indicated that there will be no further development or building permits issued until there is a site plan agreement in place.

A number of Committee members raised concerns with Mr. Goodman's submission to Committee regarding storm water runoff, the use of pesticide spraying on fruit trees and the urban/rural contrast. Mr. Goodman responded by saying that the storm water and runoff must be addressed due to the large facility being proposed. He had no objection to the pesticide spraying on fruit trees being that the land should be used as such. Lastly, he indicated that the residential landowners are not offered any protection against the large greenhouse developments, therefore there is no difference between an

agricultural and an urban designation or zoned lands.

The Director clarified Mr. Goodman's urban/rural contrast by indicating that the area designation and zoning is agricultural and that the Official Plan discourages non-farm residential development in the Agricultural Zone. However, there are residential uses in the Agricultural Zone and therefore there are specific setbacks between residential uses and greenhouses in the Zoning By-law.

Mr. Goodman still questioned the impact of the greenhouses on residential property owners. He still had concerns regarding the size of those operations and indicated that size is similar in size to the GM plant located in St. Catharines.

Bob Martin, representing Flower Growers of Canada, spoke in support of the application explaining that he and his family have farmed for generations. He briefly indicated the market numbers for economic growth for the greenhouse industry. He explained that there are 16,000 hectares of tender fruit and only 120 hectares under glass. He supported the increase of larger acreages, that would become much more economically viable. Mr. Martin explained that there are a number of offshore businesses that locate to the Town of Lincoln because of the greenhouse industry. This spin-off effect benefits the Town of Lincoln economically.

Helen Wiley indicated that she did not receive the plans shown this evening, and should have received the plans showing Phase I through to Phase IV. Her concern is for the safety of the children in the area. She stressed that transport trucks come in to Bayview from all streets, not just Jordan Road. She also indicated that the proposal is a large operation on a very large scale and that Council should realize that the residents have rights, not just the greenhouse operators. Mrs. Wiley submitted a letter of opposition to the Committee and read a prepared statement that reiterated her concerns.

In response to the water restriction in the area of Jordan, a Committee member indicated that the development on Fourth Avenue at the St. Catharines end, was at fault for lower capacities. A Committee member stated that the water drawn from that line on Fourth Avenue was capable of holding a large capacity, but only receives a lesser amount. He also stressed that the water restrictions are governed by certain policies from the Region and the Town's Official Plan.

Mr. Daniel Lenko is a local grape grower and questioned why so much water is needed by the greenhouse development. Mr. Martin of the Flower Growers of Canada responded by indicating that greenhouses require a substantial amount of water, and the best-case scenario would be a water hookup to municipal services. However, the reality is simply that the hookup is not available, therefore the best possible solution is gather water runoff on-site. In addition, the applicants stated that there is a benefit in the reduction of costs of reusing rainwater or surface runoff. Although it would be best to use a municipal water system, but there is no hookup, the greenhouse is prepared to use the surface water runoff system.

A member of the public lives in St. Catharines and farms in Lincoln. He believes there is a conflict of interest with one of the Committee members who is employed by the greenhouse industry, and also sits on this Public Mtg. Minutes (00 03 27) ~dgc 4/ 6 Committee. He also enquired to Committee if the neighbours should acquire insurance for damage to crops due to impeding wind flows.

Nancy Cino opposed the misuse of land for this development and has organized a petition from the surrounding landowners against this type of development. She has submitted a written statement to the Committee which has been attached to these minutes.

A Committee member stated that the opinions of the public are valid, however the Council must be assured and look at all the best cases from both sides. She reiterated that those policies are used to finalize a decision at hand in that the Committee is fully informed of the policies in making their decision.

Ed VanderGugh indicated that much of the greenhouses locate on soils that are of poor quality. A member of the public stated that he has a greenhouse and when the property was sold to him, it was indicated to him that the best alternative is to locate a greenhouse on the site due to the

fact that the soils were of poor quality as well.

Doug Wiley spoke in opposition to the greenhouse development. Mr. Wiley had many issues and concerns regarding over development of the site, traffic increases on existing roads, etc. He also indicated that the proposal is far too large for the site and submitted a letter of opposition to the Committee.

Jim Lynch spoke in opposition to the proposal and submitted a letter in opposition. Mr. Lynch indicated that his major concerns are for the safety of the residents on Haynes Street and Jordan Road and also the increased transport and vehicle traffic to the area.

William Lenko stated his concerns with the development of greenhouses on agricultural lands. He stated that the lands should remain agricultural and not for the use of greenhouse development.

Bill Simpson spoke in opposition to the large greenhouse development. He indicated that it should be for agriculture and for agricultural uses only.

A member of the public indicated that the final decision should be made by the Council. They should take a stand indicating there should be limitations to sizes, regulations and restrictions to greenhouse developments. Steve Kocsis inquired as to why the greenhouses always have a fast track and the estate wineries are now put on a temporary freeze. He indicated that everyone should be treated equally. Vicky Nelson indicated that she is opposed to the proposal, it is far too large, however a solution for both parties can be achieved.

Joe D'Achille has been a member of the Greenhouse Task Force. He opposes the development of the greenhouse, he indicated that it is far too large a development which is not in keeping with the family run businesses that the Greenhouse Task Force was trying to maintain. Peter Dueck expressed his concerns about the airflow onto his grapes that he grows. Gus Cino reiterated his wife's concerns in her submission.

A member of the public indicated why the industrial zone area isn't accommodating these types of uses instead of agriculturally zoned areas.

The Director indicated that the Province recognizes greenhouses as permitted uses in the agricultural area.

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.

(B) FILE 10-06/00 - ROLL 2622-040-011-31500-0000

ZONING BY-LAW AMENDMENT APPLICATION - CREEKSIDE ESTATE WINERY LIMITED  
S/S REGIONAL ROAD 77, PT LT 11, CON 4 (L)

The Chairman opened the Public Meeting and outlined the procedures under The Planning Act and the purpose of the application.

In attendance and/or who signed the attendance sheet were: Peter Jensen, John Gerden, Derek Emond, Laurie Finn, Arnold Termorshuizen, G. Toal, Steve Kocsis, Peter Kocsis, Peter Dueck and Howard Staff. Public Mtg. Minutes (00 03 27) Page 5/6

Peter Jensen, owner of Creekside Estate Winery, gave a brief history of the winery. He indicated that the winery is a strong estate winery and sponsors a number of Brock University students from the viticulture faculty. Over the past year he has searched for a world-renowned wine maker and has hired a wine maker from Australia. He would like to make 15,000 to 16,000 cases and to build and expand the estate winery to be more economically viable. He also indicated that he uses grapes only grown within the Niagara Region.

He explained that the rezoning application and the proposal will limit the construction on the land but will increase the retail use to approximately 1,000 square feet and would include some office use. Mr. Jensen also included that the pavilion that is proposed would give it a more appropriate look and feel to a quality conscious winery.

A Committee member indicated that the Town of Lincoln is not opposed to estate wineries, but are looking at expanding the rules and regulations that can accommodate the evolving estate winery industry. Council will address further concerns and issues at a meeting slated for Wednesday, March 29, 2000 regarding the estate winery provisions.

Arnold Termorshuizen has objections to the development. He explains that the property values will be affected next to the three-tier pavilion that

is proposed. . -

Howard Gillion also has some concerns regarding the noise and the pavilion but indicates that a fence will help the noise problem.

Peter Dueck spoke in support of the application and endorses it. He stated that the local small growers are in a win win situation because facilities like Mr. Jensens buy locally grown grapes.

John Gerden, a local grape grower, is also in support of the application because Creekside owner Peter Jensen purchases locally grown grapes.

Howard Staff indicated that the interim control by-law is a knee jerk reaction from the Town. He indicated that there should be no freeze on the applications that are submitted to the Town so the economics of the estate wineries can continue.

Steve Kocsis, an estate winery owner, indicated that limiting the acreage for estate winery is not good for economic survival. He inquired as to why the applications coming in to the Town are being frozen and why he cannot submit a new application for an estate winery.

The Planning Director stated that the new regulations may make it less restrictive for estate wineries. Presently, of the grapes that are processed, a majority of the grapes must be grown on-site, and that a review of other areas in the Region will determine if the Town's provisions are in line or need to be amended. She emphasized that the Town is not procrastinating but methodically proceeding so that present and future wineries benefit from the zoning provisions.

A member of the public indicated why freeze any application when it comes in to the Town.

A Committee member reiterated the Director's comments and indicated that the new provisions would fit the needs and possibly would be more flexible to an estate winery owner today and in the near future.

A Committee member indicated that the rules will assist the wineries and the grape growers and therefore the Committee will try to push to get these new provisions and by-laws in place as soon as possible.

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. Public Mtg. Minutes (00 03 27) Page 6/ 6

(C) FILE 10-07/00 - ROLL 2622-040-015-08800-0000

ZONING BY-LAW AMENDMENT APPLICATION - WILLOW HEIGHTS ESTATE WINERY m-, N/S REGIONALROADISTI, PT LT 4, CON 4 (C'

The Chairman opened the Public Meeting and outlined the procedures under the Planning Act and the purpose of the application. In attendance and/or who signed the attendance sheet were: Carl & Lisa Lautenbach, Rick Lintack, Clyde Finn, Howard Gill, Ray Kowalik, Jim Jeffery, Chris Mullet Koop, Dave Bylsma, Mark Lattimer, Nancy Blair, Skip Gillham, John McKinnon, Steve Kocsis, Peter Kocsis and Ms. Speranzini.

Dick Lintack, the architect for Willow Heights Estate Winery Inc., opened with the proposal of the winery and a history of the winery itself. He indicated that Willow Heights is trying to get the entire operation on-site and the buildings are required for tasting rooms, storage, office space, and small conference room. Mr. Lintack also stated that this is a winery and not an entertainment facility.

Ms. Speranzini, the owner of the winery, indicated that the noises will all be enclosed and cannot foresee any further noises. The facility that is being proposed is for bottling of the wine and for warehousing as well.

Nancy Blair, a neighbour of the winery to the west, has concerns with the larger expansion. She inquired as to how the noises will impact on her property and what methods are there that will minimize the impact. Ms. Speranzini indicated that she does not anticipate further noises than that are already currently at the site.

Daniel Lenko, a local grape grower, indicated that he is in support of the application and verified that the warehouse facility is necessary to accommodate bottling of the wine produced on-site. Ms. Speranzini indicated that the expansion will be no more than 15,000 cases.

Peter Kocsis is in favour of the estate winery, however has indicated a time line for the freeze to be lifted. The Planning Director indicated that based on the necessary process required by The Planning Act, a minimum

time line that the interim by-law can be lifted would be two months.

A member of the public has concerns with access to and from the site as his driveway and Willow Heights driveway share the same drive. His concerns are of traffic flow and the safety of ingress and egress from the property.

Another member of the public is in support of the application and indicated that Willow Heights is a good neighbour and have no objections to the proposal.

A Committee member questioned how much of the property is planted in grapes. Mrs. Speranzini explained that the majority of the property is planted in grapes.

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.

CHAIRMAN Lincoln Chambers

March 28, 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, March 28, 2000, at approximately 12:05 am. Committee Members in attendance: Ald.

Kelly (Chairman), Ald. A. Danyluck, Ald. W. MacMillan, Ald. B. Davies,

and Mayor R. Konkle. Staff in attendance: Kathleen Dale (Director of m. Planning and Development), Craig Larmour (Senior Planner), Jay Muraca

(Planning Technician), John Kukalis (Acting Director of Public Works) and

Bruce Peever (Acting Chief Administrative Officer). Also in attendance:

Ald. G. Barlow.

Motion

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

THAT, because the time limit for a Committee meeting has expired, that the Planning and Development Committee meeting be continued.

CARRIED

SCHEDULED DELEGATIONS

There were none

ACCOUNTS

Motion

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

THAT Department payments in the amount of \$1,416.06 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

REPORTS

(A) PL 00-72 - FILE 10-08/00 - ROLL 2622 040-011-15300-0000

ZONING BY-LAW AMENDMENT APPLICATION -BAYVIEW GREENHOUSES

W/S REGIONAL RD 26 (JORDAN RD) , PT LT 17, CON 4 (L)

A Committee member reiterated that Council makes an informed decision, and

that most of the concerns can be addressed at site plan approval. Another

Committee member indicated that the issue of landscaping can be properly

addressed at site plan approval and is contingent on the public's issues

and concerns. Another Committee member stated that the employment is

beneficial to the economics of the area and that there is a balance to be

struck between landowners and greenhouses. A Committee member requested

that there be more input from the Public Work Department to come up with a

solution to the vehicle and truck traffic on Haynes Street. He also .. equested that confirmation by the Public Works Department as to the status

of Haynes Street being a given road or road allowance. Finally, he also

requested a greater setback of the greenhouses on the site to create a landscape buffer area.

The Planning Director indicated that this application is a unique situation

and that Council could impose a greater setback on the greenhouse proposal

because the zoning is proposed for the entire site. A Committee member

inquired to the applicants regarding the parking of the trucks on site.

The applicant indicated that the trucks will be parked presently where they

are parked right now. The applicants also agreed to the increased setback

for the buffer area.

After considering PL 00-72, the Committee adopted the following recommendation.

Motion

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

Re: File 10-08/00 - Bayview Greenhouses

W/S Regional Rd 26 (Jordan Road), PT LT 17, CON 4 (L)

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

"That, for reasons outlined in PL 00-72, it is hereby recommended that Zoning By-law Amendment Application 10-08/00, in the name of Bayview Greenhouses Inc., BE APPROVED and that the amending By-law be presented to Council for approval. Public Mtg Minutes (00 03 28) Page 2 of 3  
That the setback from Haynes Street be set at 30 metres under site plan control."

CARRIED

(B) PL 00-70 - FILE 10-06/00 - ROLL 2622 040-011-31500-0000

ZONING BY-LAW AMENDMENT APPLICATION

CREEKSID ESTATE WINERY LIMITED, S/S REGIONAL RD 77, PT LT 11, CON

(L)

A Committee member inquired if the applications for estate wineries could run in parallel. The Planning Director indicated that two applications under consideration this evening need a zoning by-law amendment because they are over the 500 square metre size limitation. She advised that the applicant can work on the site plan application concurrently with the zoning by-law amendment. Finally, a Committee member stated that Council is sensitive to the rural issues and understands that the grapes will not wait for the provisions to be set in place and therefore Council will expedite the process.

After considering PL 00-70, the Committee adopted the following recommendation:

Motion

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

Re: File 10-06/00 - Creekside Estate Winery Limited

S/S Regional Rd 77, PT LT 11, CON 4 (L)

"THAT, for the reasons outlined in PL 00-70, it is recommended:

1. That this report be received for information.
2. That a recommendation report not be presented to the Planning and Development Committee until such time as Interim Control By-law 00-12 is repealed."

CARRIED

(C) PL 00-71 - FILE 10-07/00 - ROLL 2622 040-015-08800-0000

ZONING BY-LAW AMENDMENT - WILLOW HEIGHTS ESTATE WINERY INC.

N/S REGIONAL ROAD 81 (KING ST), PT LT 4, CON 4 (C)

After considering PL 00-71, the Committee adopted the following recommendation:

Motion

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

Re: File 10-07/00 - Willow Heights Estate Winery Inc.

N/S Regional Road 81 (King St), PT LT 4, CON 4 (C)

"THAT, for the reasons outlined in PL 00-71, it is recommended:

1. That this report be received for information
2. That a recommendation report not be presented to the Planning and Development Committee until such time as Interim Control By-law 00-12 is repealed."

CARRIED

(D) PL 00-73 - FILE 1-21 - STATUS OF ALL ACTIVE DEVELOPMENT APPLICATIONS

17 7001-1

After considering PL 00-73, the Committee adopted the following recommendation:

Motion

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

"THAT, PL 00-73, 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 March 17, 2000, BE RECEIVED as information."

CARRIED Public Mtg Minutes (00 03 28) Page 3 of 3

(E) PL 00-74 FILE 1-21 - STATUS OF ALL ACTIVE CONSENT AND COMMITTEE OF ADJUSTMENT APPLICATIONS UP TO AND INCLUDING MARCH 21, 2000

After considering PL 00-74, the Committee adopted the following recommendation: 0

Motion

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

"THAT, PL 00-74, being the Status of Active Consent and Minor Variance Applications, up to and including March 21, 2000, BE RECEIVED as information." CARRIED

CORRESPONDENCE

1. DPD-27-2000 - Developing New Environmental Policies for Niagara 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

March 29, 2000

Minutes of a meeting of The Planning and Development Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on Wednesday, March 29, 2000, at approximately 7:05 pm. Committee Members in attendance: R. Kelly (Chairman), Ald. A. Danyluck, Ald. W. MacMillan, Ald. B.

Barlow, and Mayor R. Konkle. Staff in attendance: Kathleen Dale (Director of Planning and Development), Bruce Peever (Acting Chief Administrative Officer) and Craig Larmour (Senior Planner). Also in attendance: Ald. G. Barlow.

SCHEDULED DELEGATIONS

VICTOR MURATORI, REPRESENTING VINCOR

Mr. Muratori indicated that Vincor is not presently operating in the Town of Lincoln, however that they do have an active application with the Niagara Escarpment Commission for the establishment of an operation under the name of Le Clos Jordan. Vincor is concerned that a level playing field is provided throughout the Town including the Niagara Escarpment Commission as well as throughout the Region. Mr. Muratori encouraged the Town to consider the adoption of new Official Plan policy in support of any revised Zoning By-law provisions regarding wineries. Specifically, Mr. Muratori made reference to the Niagara-on-the-Lake Official Plan policies and zoning provisions wherein the Town provides specific policies regarding the development of farm wineries and estate wineries. Mr. Muratori indicated that he does have some concern with respect to the adoption of revised

zoning provisions based loosely on the Official Plan policy that permits agriculturally related small-scale commercial and industrial uses. It is Mr. Muratori's opinion that the winery is not necessarily a commercial or industrial use and because small scale is not defined, there may be difficulty in determining the appropriateness of individual applications that come forward without some standard to measure them against.

In light of this, Mr. Muratori suggests that the Town consider Official Plan policy to provide standards for minimum parcel size and policies governing maximum size.

A Committee Member questioned Mr. Muratori with respect to his opinion as to the difficulties associated with the use of the term "small scale". Mr. Muratori responded that once you establish a certain size in the Zoning By-law, for example 500 square metres as being the maximum, it may be assumed that this is the limit of small scale. If this is the case, it opens the door for difficulty with applications for larger facilities in the inter-retation of exactly what small scale is.

LINDA FRANKLIN, REPRESENTING THE WINE COUNCIL OF ONTARIO

Ms. Franklin began by stating that the Wine Council is interested in the best By-law for the industry as well as for the community as a whole. Ms. Franklin indicated that they would prefer a common approach in Niagara in

order to provide a level playing field within this vitacultural area. Ms. Franklin made mention of the Niagara-on-the-Lake and St. Catharines Zoning By-law provisions which establish a minimum lot area requirement. The Wine Council supports the establishment of a minimum lot area for the following reasons:

ensure provision of sufficient land to provide appropriate separation from adjacent uses;

appropriately sized winery facility based on the overall parcel size

to create an appropriate atmosphere; and

to provide flexibility for future development.

s. Franklin advised that the Wine Council supports the establishment of a minimum lot area requirement of 20 acres and that they would encourage the Council to consider the implementation of a 15% lot coverage restriction.

The definition of lot coverage would be required to be amended to include parking areas, septic beds and other hard surfaces, in addition to building area.

Ms. Franklin indicated that it may not be appropriate to require in the definition of an estate winery, on-site bottling of the wine produced. Ms.

Franklin informed that the cost of bottling is significant and appears to be a component of the operation that may be completed elsewhere harming the industry itself.

In conclusion, Ms. Franklin requested that Council address this matter with urgency and resolve the issues as quickly as possible.

A Committee Member questioned Ms. Franklin as to how the Wine Council arrived at the 20-acre minimum. Ms. Franklin indicated that this is the minimum requirement of Niagara-on-the-Lake. At the time of the implementation of that requirement there was in-depth consultation with the industry and it was determined that 20 acres was the optimum parcel size.

A Committee Member further questioned if a smaller parcel, in the neighbourhood of 7-8 acres would be appropriate. Ms. Franklin indicated that the Wine Council thinks that a property of that size would be too small and that the 20-acre minimum would be considered to be the appropriate threshold.

A Committee Member questioned Ms. Franklin with respect to the 15% lot coverage and whether or not that amount of lot coverage would be appropriate for larger size parcels. Ms. Franklin indicated that the restriction is just a guideline and that it may not be appropriate in all situations.

### 3. PETER KOCSIS, REPRESENTING CROWN BENCH ESTATES

Mr. Kocsis indicated that in his opinion Beamsville has a history of squelching industrial growth and encourages Council to avoid implementing any measures that may delay the development of the wine industry. Mr. Kocsis expressed concern that the Town is trying to control an industry that is really in the control of higher authorities. Mr. Kocsis expressed concern that the minimum lot area requirement of 20 acres may be restrictive and that it would not allow flexibility for smaller operations to exist and would actually assist in the demise of small parcel farms. For this reason, Mr. Kocsis suggested that a 5 acre minimum would be more appropriate. In conclusion, Mr. Kocsis requested that the Town lift the Interim Control By-law as soon as possible.

A Committee Member questioned where Mr. Kocsis parcel is located. Mr. Kocsis indicated that it was fronting Aberdeen Road and is under the jurisdiction of the Niagara Escarpment Commission. Y

A Committee Member questioned Mr. Kocsis with respect to the number of licenses required to operate the winery. Mr. Kocsis indicated that there are separate licenses for different processes and that he was unsure of the total number of licenses required.

### 4. SUSAN O'DELL, REPRESENTING EASTDELL ESTATES

Ms. O'Dell indicated that she owns property that is subject to both the Niagara Escarpment Commission and the Town of Lincoln. The estate winery operated as Eastdell is presently located in the Niagara Escarpment Area.

Ms. O'Dell recognized that the Town is under significant pressure from agricultural interests, from industrial interests, and from residential interests and encourages Council to consider a By-law that will manage the

pressures on the Town as a whole. Ms. O'Dell indicated that she gives full support to the recommendations of the Wine Council of Ontario. Ms. O'Dell supports the need for sufficient property to be a good neighbour and the need for an appropriate sized parcel to create an appropriate atmosphere. Ms. O'Dell concluded by requesting the Town to fast track the process to implement a new Zoning By-law.

A Committee Member questioned Ms. O'Dell with respect to the number of acres farmed by Eastdell. Ms. O'Dell indicated that they have 50 acres of land under the jurisdiction of the Niagara Escarpment Commission and 15 acres at their home.

#### 5. TOM KOCSIS, REPRESENTING THOMAS & VAUGHAN VINTNERS

Kocsis informed that the Town needs to strike a balance between the growing industry and the needs and the wants of the community. Mr. Kocsis spoke in support of the lot coverage to regulate size. Mr. Kocsis indicated that it is his opinion that size and scale, specifically height, of estate winery operations need to be addressed specifically. Mr. Kocsis

indicated that he does not agree with the staff report comment that there is an emerging trend where grape growers are concentrating their efforts on growing the grapes and wine makers are concentrating on the production of wine. In conclusion, Mr. Kocsis urged Council to complete the process as quickly as possible.

A Committee Member questioned Mr. Kocsis on whether he supported the establishment of a minimum standard or if each application should be considered on a site-specific basis. Mr. Kocsis indicated that he supports the consideration of each application on a site-specific basis. Mr. Kocsis indicated that not everyone can be put in the same box, that each winery has its own approach, background, manner of operation and its own property.

#### 6. NORMAN BEAL, REPRESENTING PENINSULA RIDGE ESTATE WINERY

Mr. Beal simply stated that he supports the position of the Wine Council of Ontario.

#### 7. HARRY KATZMAN, REPRESENTING STONEY RIDGE CELLARS

Mr. Katzman indicated that they are present tonight because of an earlier commitment to try and assist the Town of Lincoln in the review of the existing provisions. Mr. Katzman indicated that he is also concerned with respect to the establishment of a fair and level playing field across the Region.

#### 8. ART SMITH, REPRESENTING THE GRAPE GROWERS MARKETING BOARD

Mr. Smith gave a brief description of the present licensing requirements in the Province of Ontario including the allowance of one retail store for each winery. Mr. Smith indicated that the existing licensing criteria are largely the outcome of the North American Free Trade Agreement. Mr. Smith indicated that the Grape Growers Marketing Board desires consistency in the Region and that they support the restriction on production to Ontario grapes only.

Committee Member questioned Mr. Smith with respect to the purpose of the Grape Growers Marketing Board. Mr. Smith advised that the Board is regulated by the Ontario Farm Produce Marketing Board and Commission and that it represents all grape growers in Ontario. A Committee Member further questioned Mr. Smith with respect to their involvement in negotiating price for the sale of grapes. Mr. Smith advised that the Board is responsible for representing growers in negotiations between the buyers and the sellers.

A Committee Member questioned Mr. Smith if the growers are concerned that they will have a market in the future and if there will be a surplus. Mr. Smith indicated that in his opinion the grape growers have not reached a saturation point and that the Niagara produce is far superior to what existed or to what they expected ten to fifteen years ago.

#### 9. LEN PENNACHETTI, REPRESENTING CAVE SPRINGS AND THE VINTNERS QUALITY ALLIANCE

Pennachetti indicated support and endorsement for the position provided by the Wine Council of Ontario.

Mr. Pennachetti encouraged Council to consider not including underground facilities, such as cellars, in the calculation of gross floor area. Mr. Planning/Devel (00 03 29) Page 4 of 6

Pennachetti indicated that a cellar would provide much needed storage area and would not intrude on the landscape in being located below the main use. Mr. Pennachetti encouraged Council to separate the Stoney Ridge issue from the overall matter of new winery provisions. Mr. Pennachetti encouraged Council to not become mired in considering a single site in isolation and to keep deliberations at a Town-wide level.

Mr. Pennachetti encouraged Council to employ provisions and policies appropriate for the community at large.

A Committee Member questioned whether the Town of Lincoln would reach a saturation point in estate wineries. Mr. Pennachetti informed that in his opinion this would not occur in his lifetime.

A Committee Member questioned what would happen to the estate winery facilities when tourism fails and the wine industry lags. Mr. Pennachetti informed that he prefers to think that the introduction of more wineries will create a more interesting atmosphere in the area and create a destination which would complement the growth of tourism.

A Committee Member questioned how Lincoln can go through this process and separate the Stoney Ridge issue. Mr. Pennachetti informed that the main concern of this whole process is that we address the matter and not tailor any new provisions to exclude any one winery facility.

A Committee Member questioned the similarities between Niagara and Napa Valley and the restrictions imposed in Napa Valley. Mr. Pennachetti

informed that the Napa Valley provisions have evolved over a great number of years and that today, they are very restrictive. Mr. Pennachetti informed that Niagara is very much in the infancy of the wine industry development and that the imposition of overly-restrictive provisions at this time may squelch the industry's growth.

A Committee Member questioned Mr. Pennachetti with respect to the impact of the wine industry development on the infrastructure of the Town of Lincoln.

Mr. Pennachetti indicated that the Napa Valley is serviced by a single two-lane highway and that there is terrible traffic at peak season. However, there is also fervent opposition to the expansion or widening of that roadway. Mr. Pennachetti drew a comparison with respect to Regional Road 81 in the Town of Lincoln, indicating that the road could be congested, however it provides a pastoral view and an appropriate atmosphere for the wine industry. In Mr. Pennachetti's opinion, the Town of Lincoln is far from testing its limits in comparison to the NAPA situation.

#### REPORTS

(A) PL 00-69- FILE 10-05/00

#### ESTATE WINERY INTERIM CONTROL BY-LAW

Craig Larmour provided a brief presentation regarding the existing provisions of the Zoning By-law and the history of the industry resulting in Council's adoption of the Interim Control By-law. Mr. Larmour also described the various levels of governmental involvement in terms of licensing and regulating.

Kathleen Dale provided a brief description of the history of the Zoning By-law and a detailed description of the staff recommendations, as outlined in the staff report..

A Committee Member questioned Ms. Dale if there were any complications in not requiring bottling to be completed on-site. Ms. Dale advised that staff are not necessarily concerned that the bottling process takes place on-site or off-site.

A Committee Member questioned the feasibility of permitting the use underground storage. Ms. Dale advised that this matter may be worthy of further consideration.

A Committee Member further questioned the impact of the Interim Control By-law on two active applications for expansion. Ms. Dale advised that the Planning/Devel (00 03 29) Page 5 of 6 two applications may run in parallel with the overall process and be considered by Council at the same time.

A Committee Member questioned whether or not it would be appropriate to permit outdoor activities at every facility. Ms. Dale advised that this issue may be best addressed on a site-specific basis and should not be a zoned use "as-of-right".

A Committee Member questioned in which situation Site Plan Control would be

most appropriate. Ms. Dale advised that all new facilities regardless of size should proceed to Site Plan Approval.

Steve Kocsis informed that in his opinion the Wine Council of Ontario is not truly representing the industry, especially the small winery. Mr. Kocsis also offered criticism of the Stoney Ridge proposal as well as the Town in lacking common sense in addressing the issue. Mr. Kocsis advised that the Town is being lead astray following the Niagara-on-the-Lake example. Lincoln is a distinct area that is typified by smaller parcel size and better grapes. Mr. Kocsis warned that the small grape growers are being squeezed out by the large operators and the actions of the Wine Council.

Bill Carrigan advised that new operations should be required to produce Ontario grown grapes only and that no importation of fruit or juices should be permitted. Mr. Carrigan criticized any reference to Lincoln or the Niagara area being compared to Napa Valley. Mr. Carrigan feels that the Napa Valley area does not suffer from pressure from urban sprawl, and are similar in no way. Mr. Carrigan advised that Lincoln has no room for large scale wineries, such as Vincor, and that there are too many competing interests to accommodate large scale facilities. Mr. Carrigan advised that the wine industry is a complex industry that is complicated by absentee ownership, making specific reference to Stoney Ridge. Mr. Carrigan advised that he supports the definition requiring Ontario produce.

Don Eastman indicated that he is concerned that the people principally affected by the Town's Interim Control By-law do not yet have licenses and are not represented at this meeting. Mr. Eastman expressed concern with respect to the 20 acre minimum lot size, noting that there is too great a variation in operations to limit such a large parcel size. Mr. Eastman generalized that greatness can be achieved best on small parcels. In Mr. Eastman's opinion, problems with the By-law have resulted because of the Town's unwillingness to enforce the By-law. Mr. Eastman had no specific recommendations regarding the proposal.

Joan Rinker spoke to the issue and raised concern with respect to the issue specifically. Ms. Rinker indicated that the Town has the muscle to enforce the existing By-law and should consider the implementation of new ones.

After considering PL 00-69, the Committee adopted the following recommendation:

Motion

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

"THAT, for the reasons outlined in PL 00-69, it is recommended that the definition and minimum lot area requirement for estate wineries, as outlined above, be circulated to relevant agencies for comment and that a Public Meeting be convened.

FURTHER, THAT discussed options be included and reviewed as it relates to smaller acreages."

CARRIED

(B) PL 00-75 - FILE 38-81(3)

VICTORIA SHORES DEVELOPMENT INC.

After considering PL 00-75, the Committee adopted the following recommendation:

Motion

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

THAT for the reasons outlined in PL 00-75, it is hereby recommended that: Planning/Devel (00 03 29) Page 6 of 6

1. A by-law be prepared to exempt Blocks 29, 30, 31 and 32, 30M-279 within the Victoria Shores plan of subdivision from Part-Lot Control;
2. The by-law not be presented to Council until the Committee of Adjustment has considered A03/00; and
3. The By-law be in effect for a period of three years from the date of passing.

CORRESPONDENCE

There was none.

NOTICE OF NEW BUSINESS

Kathleen Dale explained to Committee that there was some urgency in providing staff with specific direction regarding the intended amendment to

the Official Plan and/or the Zoning By-law. Specifically, Official Plan Amendments and Zoning By-law Amendments require different periods of time for public notice. In order to expedite the processing of any amendments, it is necessary for Council to address the matter expeditiously.

It was agreed that a notice would be prepared immediately and that arrangements would be made with "Grimsby Lincoln News" to facilitate Council discussion Monday, April 3, and publication in the Wednesday, April . 5th edition of the paper.

**UNSCHEDULED DELEGATIONS**

There was none.

**ADJOURNMENT**

There being no further business to discuss, the Chairman adjourned the meeting at approximately 10:16 pm.

**SECRETARY CHAIRMAN**