

SC-35/2019 - Special Meeting of Council

October 7, 2019

4:30 pm

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

Pages

1. **Call to Order and Declaration of Quorum**

2. **Approval of the Agenda**

3. **Disclosure of Pecuniary Interest and General Nature Thereof**

4. **Resolution to Move in Camera**

Pursuant to Municipal Act Section 239(2)(c) - proposed or pending acquisition or disposition of land by the municipality; and 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose - Pending Land Sales Update

4.1 **Information Report - Closed Session October 2, 2019, 2019-0102-Chief Administrator Officer**

5. **Rise From In Camera**

1

6. **Confirming By-law**

4

7. **Adjournment**

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #4165(2019)

Being a by-law to authorize the sale of Town-owned lands to Samer ElFashny In Trust for Company to be Incorporated Without Personal Liability, or successors in title, the lands being described on Schedules A and B appended hereto; and

To authorize the Mayor and Clerk to execute all necessary documents to complete the transaction.

WHEREAS Council for the Town of Pelham is the registered owner of the lands as described in Schedules "A" and "B" attached hereto;

AND WHEREAS Council has previously determined that the lands therein described are surplus to the Town's needs through the passage of By-law #3928(2018);

AND WHEREAS Council deems it desirable to effect the sale of said lands to Samer ElFashny In Trust for a Company to be Incorporated Without Personal Liability, or successors in title, for the development of seniors housing and a long-term care home including uses accessory thereto as permitted, following the Urban Design Guidelines for the Town of Pelham, and subject to all necessary Site Plan approvals and in accordance with the Agreement of Purchase and Sale, as amended, dated May 21, 2019;

AND WHEREAS the sale of said lands falls within the provisions of the Towns Sale of Surplus Land By-law,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) THAT the sale of lands described in Schedule "A" to Samer ElFashny In Trust for a Company to be Incorporated Without Personal Liability, or successors in title, be and is hereby authorized; and
- (2) THAT the Mayor and Clerk be and are hereby authorized to execute all documents necessary to complete the transactions for the sale of said lands.

ENACTED, SIGNED & SEALED THIS
7th DAY OF OCTOBER 2019

M. JUNKIN, MAYOR

NANCY J. BOZZATO, TOWN CLERK

SCHEDULE A
To By-law #4165 (2019)

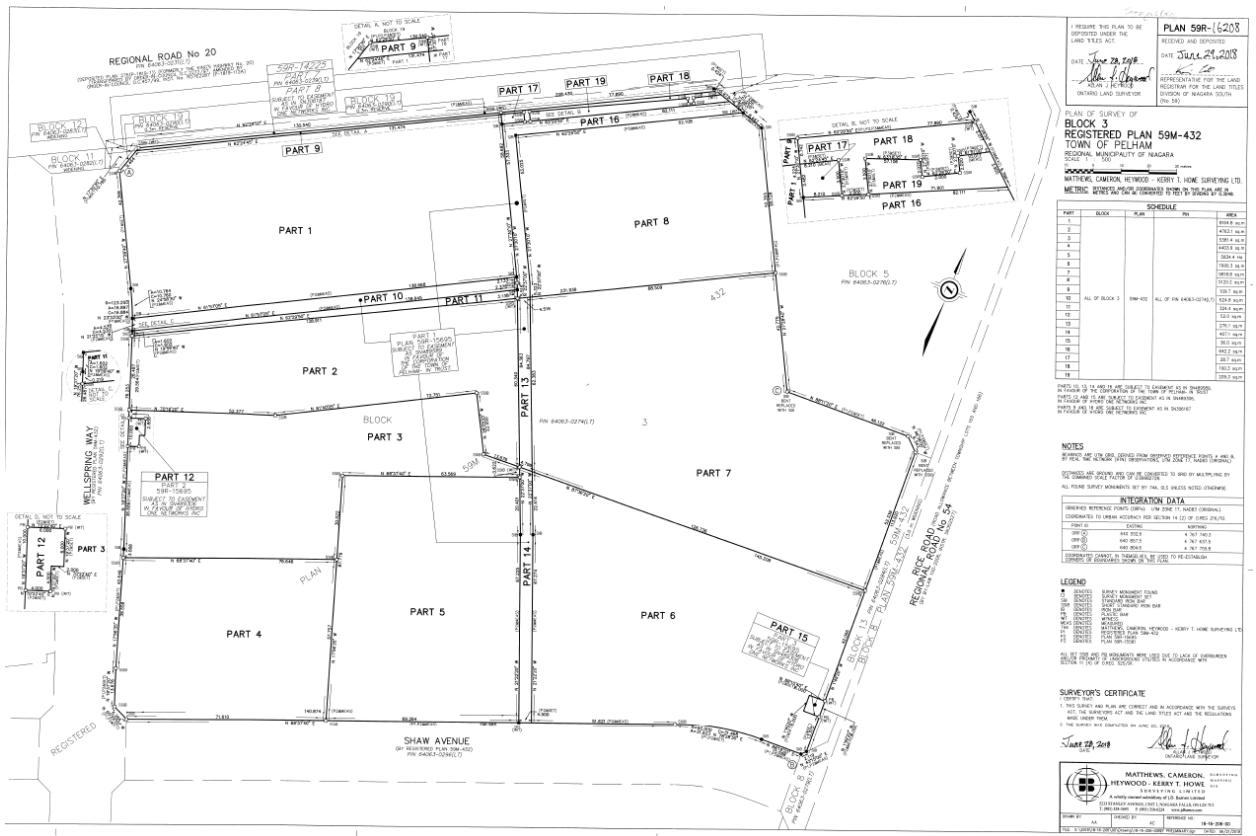
Property Description:

Parcel 1: Part of Block 3 Plan 59M-432, subject to an easement in gross over Part 1 on 59R-15695 as in SN489589; subject to an easement in gross over Parts 2 and 3 on 59R-15695 as in SN489306; subject to an easement in gross as in SN306189; Town of Pelham, Designated as Parts 7 and 13 on 59R-16208, comprising 1.01 hectares (2.5 acres);

Parcel 2: Part of Block 3 Plan 59M-432, subject to an easement in gross over Part 1 on 59R-15695 as in SN489589; subject to an easement in gross over Parts 2 and 3 on 59R-15695 as in SN489306; subject to an easement in gross as in SN306189; Town of Pelham, Designated as Parts 6, 14 and 15 on 59R-16208 comprising 0.85 hectares (2.10 acres);

Parcel 3: Part of Plan 59M-432, subject to an easement in gross over Part 1 on 59R-15695 as in SN489589; subject to an easement in gross over Parts 2 and 3 on 59R-15695; subject to an easement in gross as in SN306189; Town of Pelham, Designated as Parts 2, 3, 5 and 12 on 59R-16208 comprising 1.603 hectares (3.96 acres).

SCHEDULE B TO BY-LAW #4165(2019)



THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #4166(2019)

Being a by-law to adopt, ratify and confirm the actions of the Council at its special meeting held on the 07th day of October 2019.

WHEREAS Section 5 (3) of the Municipal Act, S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by by-law;

AND WHEREAS it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) (a) The actions of the Council at its meeting held on the 07th day of October, 2019, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.
(b) The above-mentioned actions shall not include:
 - (I) any actions required by law to be taken by resolution, or
 - (II) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
- (2) The Mayor and proper officials of the Corporation of the Town of Pelham are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
- (3) Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the Corporation of the Town of Pelham to all documents necessary to give effect to the above-mentioned actions.
- (4) THAT this by-law shall come into force on the day upon which it is passed.

READ, ENACTED, SIGNED AND SEALED
THIS 07th DAY OF October, 2019 A.D.

MAYOR MARVIN JUNKIN

TOWN CLERK, NANCY J. BOZZATO